

TERMINATION OF THE CONFEDERATED TRIBES OF THE  
GRAND RONDE COMMUNITY OF OREGON:  
POLITICS, COMMUNITY, IDENTITY

by

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In western Oregon, native people appeared to cease to exist, and for 29 years the Grand Ronde descendants suffered disenfranchisement and a multitude of social problems. The reservation's tribal cultures, languages, and community were severely fractured and much was lost. Terminated tribal members were rejected by other tribes as having willingly sold out to the Federal government. During the post-termination era, despite all of the problems the tribal members faced, they found ways to survive and worked to restore the tribe. In 1983, the Grand Ronde Tribe was restored.

This research gathers disparate information from political, anthropological, historical, and tribal sources to analyze and understand the termination of the Grand Ronde Reservation. Revealed are the many political issues of the 1940s and 1950s that contributed to termination. Oral histories and government correspondence and reports from the era are referenced to illuminate the reality of tribal life in the post-termination era.

The research connects to historic strategies of the Federal government to colonize all aboriginal lands and to assimilate Indians. Finally, this study seeks to unveil the history of the Grand Ronde Reservation and its peoples so that the tribal people may understand and recover from the effects of the termination of the tribe. The continued effects of termination are explored, discussed, and connected to issues of tribal identity and indigenous decolonization.

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## CHAPTER I

### INTRODUCTION: CONTEXT, THEORY

The narrative structures we construct are not secondary narratives about data but primary narratives that establish what is to count as data- Edward Bruner, 1986.

In 1954, nearly one hundred years after the federal government removed the western Oregon Indians to the Grand Ronde Reservation the United States Congress subjected the antecedent peoples to the final bid by the United States to colonize the remainder of their lands. The United States Congress terminated the Grand Ronde Reservation, and the tribal members lost their Federal recognition. Termination nullified the seven ratified treaties representing over sixty tribes and bands and ceding over six millions of acres of land to the United States. Congress labeled these 60 tribes as assimilated and no longer deserving of federal support. Termination legislation occurred to free the tribes from continued government oppression.

During the post-termination period of western Oregon, native people appeared to cease to exist, and for 29 years, the Grand Ronde descendants suffered

disenfranchisement and a multitude of social problems. Some elders described termination as genocide. The era of termination severely fractured tribal communities and there was a loss of tribal cultures and languages. Most tribal members lost their land and had to move to the cities to find work. Poverty and substance abuse was normal among the terminated natives, as they did not inherit land or resources sufficient to start over anew without federal support. Many non-terminated tribes dissociated terminated Indians dissociated from being culturally “Indians,” through not allowing these people to attend or participate in Native cultural events. The common thought among non-terminated tribes about the terminated tribes is that they chose to give up their rights as Indians; therefore, they were no longer Indian. Compounding this situation, many terminated Indians did not fully assimilate into American society, either because of personal feelings of difference or from prejudicial treatment from white Americans. Many urban Indians became part of the growing population of urban poor. Many thousands of native people are now lost, assimilated into American society, and many will never learn their culture or language or become a member of a tribe.

The termination of the western Oregon Indians is a pivotal event in the remembered history of over 60 tribes in the region. In the ensuing decades, educational institutions did not teach about western Oregon Indian history. When there was education about the western Oregon tribes, it was regarding their anthropological characters or about their assumed past before settlement. Ethnographic texts were the principal resources of instruction about Oregon natives. Public knowledge of the western Oregon tribes became non-existent to the point that it was a common belief that these tribes had

become extinct.<sup>1</sup> Many tribal members maintain little or no knowledge of their families beyond their grandparents' generation. Many tribal members suffer from a general lack of knowledge of tribal history. Where a tribal member's family comes from, to whom are they related, and what their homelands are remain essential to understanding who they are and what is their appropriate culture.

Interviews with many elders in the Grand Ronde and Eugene areas revealed that they lacked an understanding of their history and family relations. Roughly estimated, 75% of the approximately 5000 members of the Grand Ronde tribe lack an understanding of their ancestral and cultural relations beyond three generations. The same people have little or no general knowledge of the history of the tribes before tribal reservation. There is currently no complete written history of the tribe from a native perspective available to the membership beyond short summaries available through tribal pamphlets and the tribal newspaper, *Smoke Signals*. There is one biography of a tribal member published, *Standing Tall: The Lifeways of Kathryn Jones Harrison* (Olson 2005), which provides a single perspective of Grand Ronde tribal history in the 20<sup>th</sup> century.

Despite all of the problems terminated tribal members faced, they found ways to survive, and in the 1970s began working to restore the tribe. In the late 1970s and 1980s, Congressional and presidential acts restored five western Oregon Tribal nations to federal recognition. In 1983, the Federal government restored the Confederated Tribes of the Grand Ronde Community of Oregon. Restoration efforts for unrecognized tribes continue in Oregon among the Tututni and Chinook peoples. Restored tribes continue to work to

recover their government infrastructure and devise economic strategies to preserve their continued existence.

These historical facts and personal observations lead me to my central research question: What is the nature of the United States' actions concerning the Grand Ronde Reservation of Oregon? Of the reservation's history, I focused specifically on the termination era as the vortex of many levels of action by the United States government. For this era, I sought to discover the intentions of the United States towards the Grand Ronde Reservation. I also wanted to understand the ways the United States recognized and/or ignored the rights of the members of the Grand Ronde Reservation. I asked tribal members their experience was with the termination process of the Grand Ronde (or Siletz) Tribe. Finally, I explored the issues surrounding the current attempts of the Grand Ronde people to reclaim their history and culture – to decolonize.

The purpose of this research is to reveal the general history of Federal termination of the western Oregon Indians, and specifically for the Grand Ronde tribe. The study unveils the arguments for termination. The personal perspectives of Native peoples and their experiences with termination offer challenges to the common public histories of termination. The scattering of the Grand Ronde community created spaces in understanding the Grand Ronde people's culture, history, and identity. The current study further reveals what occurred during the termination era, what political and social issues the terminated tribes had to contend with, and how the tribes organized and formed a movement for restoration. Following the concepts of Fixico (1986; 1998) and Philp (1999) regarding the economic principles of the issue, I began to link other historical

phenomena to termination: Indian claims cases, irrigation projects, and the developing needs in California of the era. The culmination of all of this research led to the opinion that termination was another name for colonization. The effect was the same, native people lost land, some became assimilated, many died or dissociated further from society, and culture and community fragmented.

Influencing the research and structure of this thesis is the critical nature of decolonizing anthropology. Native and other scholars offer progressive perspectives on how to analyze anthropology and anthropological theories. They also offer perspectives on understanding how these theories influence government actions. This is critical to understanding where Congressional representatives got the notion that assimilated Indians were no longer culturally Indian. Strands of colonization within anthropology and their association with government decisions offers an understanding of how the federal government used anthropological products to further a colonial expansionist agenda (Smith 1999). Native scholars offer critical explanations of how American society created and utilized stereotypical characterizations of native people (Deloria 1969; Deloria 1994; Deloria 1995; Harrison 1997; McNickle 1962; Montejo 2002; Smith 1999; Vizenor 1994).

This research gathers disparate information from anthropological, historical, political, and tribal sources to analyze and understand the termination of the Grand Ronde Reservation. Revealed are the many cultural and political issues from the 1800s, 1940s, and 1950s that contributed to termination. I investigate stories about termination and the intentions of the Grand Ronde tribal members in gaining their legitimacy. I also

investigate the manipulation of tribal perspectives during the key termination period. I analyze what actions tribal members took during termination to aid in the survival of the tribal culture and to bring the tribe back from the brink of complete assimilation to restoration. Finally, I explore, discuss, and connect the issues of indigenous decolonization to the continued effects of termination.

### *Personal Connections*

My career has centered on research that benefits the Grand Ronde tribe, and my goal is to help restore cultural traditions, and to work through appropriate strategies to aid the efforts of other tribal members. I grew up in Salem, Oregon, not far from the Grand Ronde community, during the post-termination era. I share the experience of most other tribal members who lived scattered throughout Oregon, and had little opportunity to learn complete cultural traditions or tribal history.

As a tribal member born in 1965, during my tribe's termination years (1954-1983), I did not grow up with a nuanced understanding of the Grand Ronde Tribe, its history, and culture or community. Through my father, Gary Lewis, and my extended family, I was able to experience many of the cultural lessons of being a native person in western Oregon. I knew I was Indian, was familiar with the tribal names, and knew where the Grand Ronde Tribe was formerly located. We regularly traveled through Grand Ronde on daytrips to Lincoln City beaches. We would normally stop at the bookstore in Grand Ronde. During weekend woodcutting excursions, camping with family, and other experiences in the woods, I became familiar with the western Oregon environment, which taught me much about much of my tribal identity. In speaking with other people in the

tribe, I have found that my experiences were similar to many other tribal members. My youthful understanding led me back to Oregon, after living in California among other relatives for ten years, to seek a role in the restored Grand Ronde Tribe. This goal motivated my many years of study at the University of Oregon. I realized there is a need for tribal members to work on the restoration of the cultural traditions of the tribe, and I had an aptitude for scientific inquiry in social and political sciences, mainly anthropology. In addition, I worked hard on my studies, as I knew that some day I would have the opportunity to work for the tribe. This notion led me to a position as cultural manager of the tribe.

### **Theoretical Foundations**

This research utilizes critical notions of anthropology formulated by native and non-native scholars such as Vine Deloria, Jr., Faye Harrison, Linda Smith, and Beatrice Medicine. In this research, “Decolonizing Anthropology” is the indigenous conception of “critical anthropology.” The work of scholars like Albert Memmi (1965), Edward Said (1979), and Ngugi Wa Thiong’o (1986), are critical to the theory. Critical anthropological scholarship questions practices in anthropology and serves to expand the field of inquiry or reverse the negative effects of anthropological study. Critical scholars collectively have served as a crux of change within the field of anthropology.

Decolonizing anthropology provides a specific trajectory for anthropological studies in that it changes anthropology by reversing its colonizing effects on indigenous peoples. In addition, Decolonizing Anthropology empowers indigenous, native, and aboriginal societies to utilize and manage such studies in ways that benefit each



indigenous society. In this research, American Indian scholars that write in Native Studies, Applied Anthropology, Indigenous Studies, and Ethnic Studies create a heavy “domestic” United States presence in the theory. As such, the relevance of this study is to Native American societies in the United States context.

### ***Decolonizing Anthropology and Native Anthropologists***

Decolonizing anthropology is a shift in power relations such that there is more of a balance in responsibility and decision making that affects the core of the discipline (Harrison 1997). To decolonize anthropology it is necessary to affect the discipline at every level: from research subject, researcher, assistants, writers, and publishers, as well as within the academy. Minority critiques of the past and present practices of anthropology have caused changes in the way that research subjects are treated and in the ownership over the final products. Critical to this research are the perspectives of indigenous scholars. Decolonizing anthropology reverses the previous pedagogy of anthropology and directly involves native peoples in the research, analysis, and products of a research project. Native people are also empowered to implement their own projects and apply their products back to their tribal society. In addition, decolonizing anthropology aids in providing the groundwork for native cultural restoration.

In the history of cultural anthropology, there is a lack of native perspectives in anthropological research, production, and education. Anthropological research intended to benefit tribal nations, associations, and communities is lacking. Historically, there were few native-written texts or sources available. In the past, the problem was that the academy did not admit indigenous peoples (Deloria 1969; 1995; Medicine and Jacobs

2001; Smith 1999). The lack of native perspective suggests that changes need to be made to admit more native peoples to anthropology so that the native perspective is represented (Deloria 1969). In over 100 years of anthropology, much of the research and results have not served to benefit indigenous societies. Many non-native scholars have little understanding of the culture and pursue studies with their own bias. To counteract and reverse this process, native people need to be doing research on their own cultures so that the results are relevant and productive (Deloria 1969). Anthropology has a great potential to do good things for natives, but the barriers to entry of native scholars and accepted traditions continue to produce irrelevant results of no use to tribal communities (Deloria 1969). In addition, since tribal nations are sovereignties, tribes need to administer their own studies, employ their own scholars, and decide on the relevancy of research upon them (Deloria 1969).

Employing native anthropologists also changes the nature of research. Native people may choose to discuss certain issues and not others. In fact, Native people understand the culture and community better than non-native people understand these concepts. Native anthropologists “can gain access to tribes and work closer with them than white anthropologists” (Medicine and Jacobs 2001:3). Native women have greater access to native “women’s societies” which can produce better data and more relevant results than if non-native scholars conduct similar research (Medicine and Jacobs 2001:3-6). Where before primitive native society was the focus of many studies by anthropologists, native researchers may focus on contemporary native life and the issues that are deemed relevant to their community (Medicine and Jacobs 2001).

In addition, the sense of scholarly moral and ethical responsibility is different for natives than non-natives. Native people will more often seek to return to their community or work to benefit their community. Non-native researchers often have no long-term commitment to the society they study and are less likely to consider the long-term effects of such research on tribes' political, economical, or social position.

Historically, anthropologists entered communities and conducted research yet did not exhibit a responsibility toward those communities in their products (Deloria 1969). In tribal society, community members must undergo community scrutiny for their actions and products. Elder groups and other community members give constant feedback to their scholars. Native anthropologists "have more moral obligations to the subjects they are studying and they may sometimes not be able to use the information they have gathered" (Medicine and Jacobs 2001:6). This level of obligation does not happen as much with non-natives; when it does occur; non-natives are not as understanding regarding the feedback.

In addition, non-native scholars have used their research to secure long-term financial stability for themselves (Deloria 1969). Many anthropologists conduct research, and publish books based on the research. Such products serve to enrich the anthropologists and secure valued tenured positions at universities. Historically, researchers rarely reciprocate in kind help tribes in compensation for the information gained. Examples of appropriate compensation are help in the social or political issues they face, or even sufficient financial compensation for their time and intellectual knowledge.

Another effect of publication is that the scholar becomes the publicly recognized expert about a tribal society. In American society, the publication of a book bestows on the author “master” status in terms of knowledge about a subject. At times, this status has disempowered a tribal society in the legal system, which has far-ranging political, economical, and social effects on the society. Such scholars have the power to overrule tribal authorities about what constitutes tribal culture, who is a member of the tribe, and who are the true experts.

### ***Native Bias***

Historically, anthropological research disregarded native oral histories or stories as biased mythological, folkloric accounts not worthy of being true history. Similarly, scientists commonly assume that science is unbiased and scientific knowledge is an unbiased accounting of facts. In addition, the only way to prove something as true is to provide scientific evidence of its existence. Oral histories did not constitute scientific evidence.

Native and other scholars noticed that so-called unbiased scientific evidence typically favored European civilization and culture as more advanced, preferable, and always better than native culture and society. In addition, despite over a century of research on tribal societies, native people and their societies were no better off than they were in the beginning. Vine Deloria, Jr. raised critiques of the unbiased nature of science throughout his career and broke down many of the arguments used by scientists of their unbiased methods and results (Biolsi and Zimmerman 1997; Deloria 1969; 1994; 1995b). Contemporaneously, Deloria noticed that non-native anthropologists continue to proceed

in a biased way. They promote their own personal interests above the needs of the natives they are studying, which include the useless creation of theory and piles of worthless paperwork, discussions, and polemics about uninteresting topics (1969; 1994).

Similarly, scholars regularly conduct research on native peoples worldwide that add to their colonized environment. Anthropology and all social sciences in their studies of indigenous peoples are colonial in that they are full of biased and stereotypical views about the “other” and feed off a primitivist discourse (Said 1979; Smith 1999). The original research designs are structured such that European culture is modern and the norm and indigenous cultures and peoples are less than the norm (Smith 1999). Western style research is a continuation of centuries of colonization, which seek to continue to put natives in their place as subservient and primitive, and is a re-inscription of the power to define the world in their (European/Western) terms. This power to define the world is a continuation of the imperialist idea of controlling indigenous people and subjugating them to the will of the colonizers (Smith 1999).

It is a form of discrimination to single out native people as being biased and therefore unable to perform research in an unbiased manner. There is no such thing as an unbiased science. Everyone approaches their studies from their own perspectives, which creates a bias (Deloria 1995). In native societies elders and political leaders monitor native researchers closely and help guide their research and products. In addition, native researchers are more closely associated with their society and feel a moral responsibility toward their work and its effects on their community.

While it may be true that some native researchers bias their research toward their

own culture and society, many also understand the dangers implicit in not revealing problems and issues. Because of native scholars' sense of responsibility to their own cultures, the results of their research will not be any more biased than if non-native researchers conduct the research (Deloria 1995; Smith 1999). After more than a century of colonizing effects of scientific research, tribes need to conduct research projects that benefit tribes.

### *Native Perspectives*

Native perspectives on tribal history and culture remain a key issue within anthropology and history resources. For much of the written histories, native perspectives are absent. Many researchers assumed they were biased, or did not believe that native people recorded history in any valid manner. Moreover, indigenous intellectual traditions are not respected and are considered primitive attempts to explain the world (Deloria 1994; Smith 1999). Non-native historians seek to fit native history into European-American literary models of the past. The pattern of re-inscription of history and re-centering history within an established story is a common occurrence in such scholarship (Bruner 1986). Research without native perspectives constitutes only a part of the complete story of an event. Both natives and settlers participated in major events in the west, Indian wars and settlement, and the multiplicity of perspectives on the events brings greater understanding about the collective history. Research that utilizes multiple perspectives, both native and non-native, has the ability to form a complete story, a more holistic story. Historically such research privileges the non-native perspective is the central part of the story.

Native people have extensive oral histories that constitute a different way of envisioning history, and the co-mingling of the different perspectives is a scientifically stronger way of determining the complete history of an event. Ethnologists and folklorists recorded many native oral histories in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries in Oregon. However, research and writings regarding Oregon Indians contain problems with perspective. Native centered perspectives are rare in published resources for Oregon. Many of the principal scholars of Oregon native history are excellent sources of information from government and non-native perspectives. The scholars are the recognized experts on Oregon Indians in the eyes of the public. Much of the history passed down from the natives is condensed and modified through the ethnocentric lens of the researcher.

Increasingly, over the past 40 years, research projects utilize native perspectives as essential parts of the project. Many scholars now use native perspectives in their scholarship. Additionally, an increase in native scholars adds valuable native perspectives to every stage of such research. However, there remains a significant lack of native perspectives offered in education. The privileging of native perspectives challenges the fabric of the discipline and empowers native people to become the noted experts of their culture and history. By privileging native perspectives, it reverses the assignment of authority to the people who experienced the history. Most contemporary histories of termination privilege the government's perspectives. In response to this problem, this research utilizes as many native-centered information sources as possible.

The preference of the native perspective over non-native is suggested by Linda Smith as a means of writing back to the empire (1999). The tradition of writing back must include native people because they are the only people who know what it means to be native (Smith 1999). Smith uses the term “Empire writes back” to describe the process of decentralizing the knowledge base from Europe to indigenous centers. The writers can then appropriate the English language to their purposes and they can then write in their own languages. In writing history and anthropology, this is no less important as native perspectives and cultural understandings of their lifeways are unique and different from that of many non-native scholars.

Contemporary ethnographic scholars offer progressive examples of change in the discipline with detailed living perspectives of Native people and societies. Previous ethnographies, mainly Boasians, were valuable for depicting a comprehensive image of Tlingit culture from the native point of view along with their concerns with mythology, religion, and native ideational spirituality (Kan 1999). The critical problem with the early ethnographies is that scholars collected information yet did very little work to complete an analysis (Kan 1999).

Contemporary ethnographers have the benefit of nearly a century of analysis and critical evaluation of their predecessors. Their writings exhibit multi-vocality where they are integrating the collected knowledge of cultural phenomenon from the past, as well as applying their own methods and fieldwork (Kan 1989). In addition, contemporary researchers exhibit personal responsibility to the people with whom they work and study. One such example of responsibility is the importance of grounding of researchers within



a locale, which serves to create broader relations within the societies and cultures they study (Dauenhauer and Dauenhauer 1994; Harkin 1997; Kan 1989; 1999; McDonald 1984; Miller 1999; Moss 1993; Seaburg and Amoss 2000; Smith 1999).

Contemporary anthropological researchers are often native and are examples of the native voice in ethnography. Their research manifests from the native subjects perspectives, and includes a parallel dimension elucidating the context and environment in which the research is taking place. The native voice is present in at least three dimensions: the personal experience and knowledge with the culture, their experience and knowledge of the history of their people, and their contemporary experience of living in the world. The native voice necessarily exhibits elements of their colonization, acculturation, and disempowerment. These aspects of their contemporary culture occur at the same time, as part of their existence and not separate from their Native culture. Contemporary native scholars portray native people as active participants in their history not as passive part of the conversion and colonization processes (Kan 1999). This way of presenting the Native voice is different from that of classical ethnography. In classical ethnography, scholarship filters the Native voice through the lens of those scholars working in the Boasian tradition (Boas 1894; Boas 1901; Boas 1966; de Laguna 1960; Oberg 1973). McDonald (1984) and Moss (1993) have shown that this lens contained many missing historic (factory workers, fur trade) and cultural phenomenon (intentional integration with Christianity, women's cultural traditions, shellfish economy) that are essential to understanding the cultures of the Northwest Coast.

Kan helps us understand the process of identity change within a native perspective (1999). In Kan's research, the conversion of Tlingit people to Orthodox Christianity did not involve a wholesale change in culture and identity. Native people were not helpless victims of progress who totally lost control over their destiny and abandoned their indigenous culture once the colonial powers imposed their regime. The process of acculturation and conversion involved a process of negotiation and compromise, the acceptance and rejection of aspects of the new ideology. Native people were conscious political actors and were active participants rather than passive objects of the conversion process. They acted as mediators and translators of the missionary message. Within the American political system, the Native peoples used the colonization process to adapt Christianity to their own needs and transform it in the process to something more meaningful to them (Kan 1999).

Native perspectives are undergoing resurgence in contemporary research and production. Where scholars criticized oral histories as myths and folk stories, many contemporary anthropologists seek to include and empower native oral traditions as essential data for their research. The seamless insertion of oral histories along with anthropological speculation creates powerful holistic scholarship (Byram and Lewis 2001; Miller 1997; 1999). The use of multiple layers of information to write ethnography including anthropology, history, linguistics, oral histories, critical theories, law, and environment is essential to this process (Byram and Lewis 2001; Miller 1999).<sup>2</sup> The product contains strains of information coming from many sources, oral accounts being predominant.

In Miller's research, rather than attempt to make the Salishans fit a European construction of society, religion, culture, etc., he finds the patterns from within the individual cultures and allows them to reveal themselves (Miller 1999). He then uses these patterns in his final analysis. He does not utilize other tribal examples but relies almost exclusively on local patterns. Miller's method is similar to the way Boas approached his research but more inclusive of deeper levels of information and analysis. Miller has largely influenced the studies on the termination of the western Oregon tribes.

Other contemporary oral histories include a role for the people in telling their stories or the stories of their relatives in a native way (Dauenhauer and Dauenhauer 1994). Through this work, we can begin to see people not only as individual tradition-bearers but also as hosts and guests in ceremonial settings supporting one another's activities. In this scholarship, they create a larger sense of community through time and space, and present struggles of the entire community against outside forces. The analysis draws in a longer historical context, addressing the inner struggle that every generation faces within each community, each family, and each individual (Dauenhauer and Dauenhauer 1994).

### ***Vanishing American Indians***

Modern theories and philosophies regarding anthropology are in contrast to the philosophies of early Pacific Northwest anthropologists. In the nineteenth century, there was a decline in American Indian populations. In the Willamette Valley, approximately 97% of the native people died from diseases and other effects of colonization (Boyd

1999; Shoemaker 1999). Scholars adopted a common mythology of the “vanishing red man” in their methodology.

Based on the social Darwinism, the mythology of the vanishing red man assumed the extinction of American Indians was due to the Indians being inferior to the civilized Europeans. The myth of “Manifest Destiny” gave Americans the right to expand into the frontier (Beck 2001). Scholars assumed that American Indian societies were a lower level of civilization, and as such, they could not complete or survive under colonization. Ethnologists, folklorists, and anthropologists were fearful that native people would go extinct and this would mean the end of their research (Cole 1985).

The threat of the end of folklore and ethnological research aided the rise of “salvage ethnography.” During this period museums and ethnological societies began collecting as much of the material culture and traditional cultural knowledge as was possible. The museums sought to fill in their vast worldwide collections of native material culture, and linguists and other ethnologists sought oral histories and language texts to preserve these cultural phenomena (Cole 1985; Gates 1979; McNickle 1962). Boas suggested that since little was known about Oregon coastal tribes and the western tribes were vanishing that efforts be made to seek out and gather the cultural information to preserve this knowledge for future generations (Cole 1999:204-205). Ethnologists sought unassimilated natives who remembered their traditional culture. By pursuing this methodology, the ethnologists created a value judgment for which natives were culturally native and which were assimilated and therefore not culturally native.

Many natives “vanished” through assimilation. Federal Indian policies supported

the assimilation for Oregon natives from the beginnings of the reservations. Scholars, politicians, and the public supported the assumption that if native descendants did not live in an “Indian” way that they were not really natives. The definition of culture at this time was more static, not allowing for natives that had assimilated in part or in whole to remain culturally native. In the 20<sup>th</sup> century, assimilation caused the loss of many thousands from the reservations and the federal government stopped counting these people as Indian in the annual Indian Office censuses.

Coincidentally, the theory proved correct for the terminated tribes as native people in western Oregon lost their federal recognition and legally ceased to exist. Native peoples assimilated into American society and began living much like other Americans. There emerged large populations of urban Indians who had no federal rights under treaty within their traditional homelands. In the contemporary period with most of the tribes restored to federal recognition, the urban Indian populations remain large with more than 50% of all natives living in urban centers.<sup>3</sup> The termination of the federal recognition of native people was destructive to native culture, community, and identity.

Despite forced assimilation through termination, of the past 50 years, Indian identity persists, and Indians effectively interact in American society as Americans, while many still have roles in their traditional societies and at reservations (McNickle 1962).

However, despite federal policies of assimilation and the poor federal support for health of natives the native populations did not disappear and in fact became one of the fastest growing ethnicities in the United States (McNickle 1962). Aided by the termination period, the theory of the vanishing red man is a common urban legend that

persists into the 21<sup>st</sup> century. Tribes continue to confront this urban legend, many seeking to control their image through progressive programs of public education.

### *Re-inscription of Colonialism*

Colonial re-inscription is a process of socialization of dominant lifeways to the next generations. People are not simply colonized physically, but mentally as well (Ngugi 1986). Re-inscription occurs when people from the colonies, usually mixed heritage indigenous peoples, become agents of teaching and socializing the colonial culture into the indigenous population.

Decolonization is a process that engages imperialism and colonization at multiple levels. One attempt to address colonialism is post-colonialism. However, post-colonialism makes assumptions that the colonial period has ended, yet colonization continues for indigenous peoples under heavy colonial controls. The colonizing governments, mainly European countries or the United States, are not finished with colonization. These colonial powers remain in control of the lands and resources, even those lands supposedly allocated to indigenous peoples in perpetuity. They manage the resources of indigenous peoples and their lands to benefit “white Americans” and other European settlers. Post-colonialism is another re-inscription of colonialism, where academic scholars seek to control the appearance of colonization. The model for research in post-colonial studies is exploration, discovery, exploitation, and appropriation, paralleling the same model as early anthropology and imperialism (Smith 1999).

Ngugi’s notion of the “cultural bomb” holds particular relevance to the concept of re-inscription (Ngugi 1986). Ngugi writes that the intent “is to annihilate a people’s belief

in their names, in their languages, in their environment, in their heritage of struggle, in their unity, in their capacities and ultimately in themselves” (Ngugi 1986:3). The culture bomb so deeply affects the native people that colonized individuals, peoples from native places who have been colonized and socialized in a colonial environment, feel more comfortable in that colonial environment than in their native cultural environment. This is a social lie to the masses imposed by the colonial elite. This is what Ngugi calls a colonized mind (1986:28). Tribal termination is very much like the cultural bomb in its effect on tribal people.

The re-inscription of colonialism involves scholars when in their analyses they ignore the role of past and current imperialism of places and peoples. Colonized people ignore the knowledge of their ancestors in favor of knowledge originating from European civilization.

In one example of this disconnect, colonized people ignore their native languages causing a collapse and eventual extinction of the language. Native language holds within it key principals for living within the cultural lifeways of a particular native culture and society. The language resonates with the landscape of the native culture as the native people have lived within and adapted to their traditional homelands for thousands of years. Continual use of the dominant language disempowers the native language such that the colonial language is required for all future advancement. This process inscribes European/Western Civilization as the center of the world’s knowledge and as the “location of the great mirror of imagination” (Ngugi 1986:18). European civilization normally appropriates knowledge from the colonies and reflects it back to the colonies,

reassigning ownership and creativity to European civilization. Re-inscription occurs when scholars offer analyses of such phenomenon without a critical appraisal of the origins of knowledge.

Analysis of the re-inscription of colonization occurs among Native peoples worldwide as they work to find ways to overcome colonialism. A powerful decolonization sovereignty movement is forming through worldwide networks to collaborate about ways to heal from and reverse colonization. Part of this movement is the attempt to reclaim homelands and cultures, a movement that begins with the restoration of indigenous oral traditions and histories (Smith 1999). Native oral histories contain important information about a tribe's sovereign relationship to its traditional homelands. Significant histories of events of a particular tribal community contain the potential to rectify erroneous histories and reverse colonial re-inscription.

### **Indigenous Cultural and Political Decolonization and Restoration**

The conception of decolonizing anthropology draws together multiple indigenous critiques of the practice of social science inquiry of indigenous peoples. However, indigenous scholars mindful of these issues ask; where does all of this critical analysis go, and, what do we do with it? Maori scholar Linda T. Smith's suggestion that indigenous people join the tradition of the "empire writes back" is one direction to move for indigenous scholars (1999). Guatemalan scholar Victor Montejo calls for an expanding Tribal dialogue about history, language, culture, and identity as is happening within Guatemalan society. Montejo states that the process of decolonization is a necessary condition of tribal nations (2002). This tribal dialogue is central to what has



occurred in Oregon among tribal populations from when termination began in the 1950s to the present. For some tribes that dialogue has greater depth, beginning in the 1850s with wide-scale settlement by colonial populations and removal to reservations. For others, there are multiple layered historical events where it is necessary to address the most recent and most current phenomenon in order to address the longer history of colonization.

Decolonization is a revitalization movement for tribes. The intersections of Native and non-native culture in the revitalization movement counters the classical anthropological notions, originating in Boas (1901; 1909) and Kroeber (1992) and their colleagues that create boundaries around cultures (Harkin 2004). Instead, the notion of a semi-permeable cultural study arises where scholars look at culture in the context of multiple disciplines (Byram and Lewis 2001; Miller 1997; 1999). Created are intersections through time and history and the beginnings of a revitalization of culture. Such phenomena are historic phenomenon that are rooted in the traditional culture (Harkin 2004).

The Grand Ronde Tribe is engaged in using anthropology to reconnect with historical and cultural tradition of the past. Archival collections, research studies, elder oral histories, and language restoration activities create a network of connected phenomenon working towards decolonizing and restoration of the traditional culture.

### **Culture Concept**

Culture is a prominent focus in this research. Sapir defined culture in the following way: “any form of behavior not physiologically necessary, interpretable in

terms of the totality of meanings of a specific group, and the result of strictly historical processes” (Brightman 2006:351-352). The tribal culture of Grand Ronde is a unique dynamic worldview that engages with the tribal economics, politics, and social systems thoroughly.

The Grand Ronde Reservation contained about half of the regional tribal cultures of western Oregon at the time of termination. The diversity of tribal cultures at Grand Ronde is a unique phenomenon for the western region of the United States. Many tribal members associate their culture with a particular location. For Grand Ronde; this location is the Grand Ronde Reservation. For others at Grand Ronde their notion of their cultural place is within the ceded lands of the tribe. Many associate with the Willamette Valley, others with the Columbia River, others with the Umpqua valley and others with the Rogue River. Within these diverse locations, there are unique associations with the land, mountains, rivers, and valleys, and the particular tribes that originated in these locations. These are their cultural homelands.

Culture is a fluid concept. It is not the same for everyone or every tribe, and it changes through time. Culture is in constant flux and new elements can come into the community discourse to create alterations that can be generational (Dombrowski 2001). The fluid notion of tribal culture helps us understand that even though Grand Ronde cultures changed over one hundred and thirty years, the conceptualization of themselves as members of a distinct tribal culture did not change. Many members assume that there is one Grand Ronde tribal culture, an amalgam of the past 150 years of tribal history.

Others seek to learn one traditional culture, to learn about the traditional lifeways of one of the tribes that came to Grand Ronde.

Directed assimilation policies interrupted the normal tribal processes of passing on tribal culture to the next generations (Brightman 2006). Federal education of Indians at the reservation and off-reservation boarding schools enforced assimilation policies and forced many natives to stop speaking “Indian” and forced students to wear American style clothing, and adopt American lifeways (Lomawaima 1994). Many of these students never returned to the reservation and moved to the cities following their education. Once terminated, the culture of the Grand Ronde tribes became nearly impossible to continue being a living culture. Yet at the family level, some traditions continued. Termination effected the tribal culture in ways that we have yet to discover and will command tribal attention for perhaps the next century.

Many tribal members are working towards a “tribal” identity. Tribal identity assumes that the individual understands a portion of the tribal culture and identifies with that culture. For members, this may mean understanding their origin tribe, where their tribe or tribes came from, and what the history of the tribe is. Many members struggle with one or all of these concepts. The Grand Ronde Tribe is taking steps to help members understand these essential parts of their culture. Specifically tribal members at Grand Ronde participate in basket weaving classes, the canoe journeys, genealogy, tribal events, and tribal language classes to relearn their tribal culture.

However, the majority of Grand Ronde members associate freely in “Indian” and non-Indian culture freely integrating these cultures within their lifeways. For many at the

tribe this situation is not incongruous as whatever they are doing is “Indian,” part of the tribal community’s integration and appropriation of non-tribal culture (Brightman 2006:389).

### **Band and Tribe**

The concepts of “tribe” and “band” are important to understand. Tribes and bands are not synonymous with each other. A tribe is a sovereign unit that is synonymous with “nation” or “country” and usually consists of a network of familial relationships of many people.<sup>4</sup> Bands are smaller communities politically associated with the larger tribe. In pre-settlement Oregon, Tribes were usually an interconnected network of villages that are associated through familial connections. Bands are also sovereign entities that usually contained fewer individuals than tribes and were associated with a larger tribe culturally, politically, and/or socially. Cultural connections were apparent between bands and tribes, with bands speaking the same language dialects, participating in the same annual ceremonies, and practicing the same culture as the larger tribe.

The previous definition of tribe relates to the traditional tribal organizations. In the modern era, a tribe is also a legal and political definition that relates to the reservation community and its relationship with the federal and state governments. The signing and ratification of seven treaties between many tribes and the federal government created the relationship between the Grand Ronde tribe and the state and federal governments. The federal government removed at least twenty-seven traditional tribes to Grand Ronde Reservation and administered them under the terms of the treaties. The individual tribes were terminated under the Western Oregon Indian Termination Act (Congress 1954). In

the restoration era (post-1983), the Grand Ronde tribe is reconceived as a collective tribal community (Congress 1983). Individual associations with a traditional tribal past are common among many tribal members.

In Oregon, both bands and tribes had headmen or chiefs who made decisions about their people. At times, the headmen from the bands would join under a single unitary tribal leader to make important decisions. This occurred during the treaty negotiations of the 1851 treaties with the Kalapuya Indians. The leaders of smaller bands of Kalapuya Indians decided to join with the Santiam Kalapuya tribe under the treaty. The leaders for the Santiam, Alqueema, and Tiacan, produced powerful arguments for why they should remain on their traditional lands, and the other leaders decided that they would follow these powerful leaders (Beckham 2006).<sup>5</sup>

In the treaties with the Rogue River Indians, many of the signatories were bands of the larger Rogue River tribes who had decided to act independently from the larger tribe (Palmer 1853b). Many of the Rogue River tribes remained safely at Table Rock reservation, while headmen from other bands maintained grudges against the whites for acts of violence against their people, did not trust their statements about peace, and decided to continue resisting the encroachment into their lands.<sup>6</sup>

With the establishment of the Grand Ronde Reservation, the different tribes and bands originally established separate encampments but the people eventually married together. At the reservation, tribes became associated with distinct families. In the creation of the reservation, many tribal populations were less than a dozen people. The families that were most prominent and consistently produced leaders for the reservation

became distinct political units, sometimes associated with a specific tribe. Some of these families were the Hudson, Mercier, Leno, Petite, Tom, LaChance, LaBonte, and Sangretta families along with others. Families in leadership positions at the reservation have historically intermarried. Some families, like Hudson and Mercier, were associated with the Kalapuya and Rogue River tribes.

### **Methods**

For the research, I developed a central research question: What is the nature of the United States' actions in regards to the Grand Ronde Reservation of Oregon? From this question, I derived related questions, whereupon I implemented a subject-centered approach, allowing the research subject to lead the discussion and volunteer the topics they thought important. This is necessary, as often the researcher will bias their research question in their search for specific information. The ability of the subject to control the content of the discussion was critical to revealing previously unknown and unexplored themes.

Once I formulated my research focus, I approached the Grand Ronde Culture Committee and members of the Tribal Council for their approval of the research project. I was able to gain approval for the project through these avenues. They agreed that this was an area of research that most members know nothing about and would benefit members. Tribal Council and key tribal management also supported the project during my employment at the tribe as an essential historical research project.

It was necessary to provide information about Grand Ronde Reservation's early histories (1840-1954), the termination era (1954-1983), and the restoration period (1983-

present) to provide a federal, state, and tribal context for termination policy. I engaged in a multi-stranded research approach accessing ethnographic, ethnohistorical, history, and anthropology sources along with personal family perspectives, as well as native and non-native perspectives gleaned from federal, state, and tribal documents. The multi-stranded approach allowed the research to offer a holistic historical image of termination. Much of the federal and state information came from archival resources.

### *Termination Resources*

Few resources on Oregon Indians address Oregon tribal termination. Principal among the termination research authors is Don Fixico (1980; 1986b; 1989; 1998). Additionally, the work of Kenneth Philp (1986; 1999) who worked on termination of the Menominee Indians, were instructional of the subject of termination. Other studies are prominent in published literature, Larry W. Burt (1982), Warren Metcalf (2002), Edward Charles Valandra (2006).

For information regarding the political history of Indian affairs there are numerous good resources. For the most detailed and well referenced see resources by S. Lyman Tyler (1973) and, Wilcomb Washburn (1975; 1995), and Kenneth R. Philp (1977). The list of important resources would not be complete without references to Vine Deloria Jr.'s (1969; 1985) and Charles Wilkinson's (2005) work on the subject of American Indian Law and policy.

Stephen Dow Beckham (1977) addressed termination within western Oregon. However, Beckham's study is early, before most of the tribal restorations. George Aguilar Jr. (2005), describes historically how the Warm Springs Tribe fought termination

and Kristine Olson (2005) edited Grand Ronde tribal elder Kathryn Harrison's biography which includes important details of Indian life before, during and after termination.

Resources available about the termination of the tribes are very scarce. There has never been extensive research or publication about the termination of the western Oregon Indians. However, Roberta Ulrich, Charles Wilkinson, and Angella Morrill are all researching and writing books on the topics of termination and the history of the western Oregon tribes.

There are chapters or essays on the topic of western Oregon termination in university, state, and federal archives. The personal papers of Douglas McKay, Wayne Morse, and Richard Neuberger at the University of Oregon and the Oregon State Archives contain some of the history of termination. Living politicians who worked on the restoration of the tribes were less helpful as they maintain strict barriers to access to their personal records. The National Archives Records Administration in Seattle was extremely helpful in this research as the archivists were willing to do some of the work of finding important sets of documents they had archived from the Portland Area Office. The tribes have some records in their cultural archives, but the most helpful were tribal individuals who had preserved all of their historical documents. Many of these tribal members were willing to share their histories and personal files for the writing of a history of the termination of the tribes.

In the next decade, it is important that all tribes seek to record the oral histories of the elders, and initiate their own unique research on tribal history and that of termination. As revealed in this research, native oral histories are amazingly accurate, at times more so



than urban legends and common understandings of the history of termination created by politicians.

### ***Oregon Indian History Resources***

The earliest ethnological sketches of Oregon tribes appeared in the Lewis and Clark journals, 1805-1806 (Lewis, et al. 1969e). There was a tradition on the Northwest Coast of amateur or hobbyist ethnology. Several of the very earliest “ethnologists” had not received any training in ethnology and practiced their studies as they thought best. The most influential from this region were James Swan (1870; 1972), George Gibbs (1969; 1978), Alexander Anderson (Anderson 1855; 1856; 1857; 1858) and Reverend Myron Eells (1985; 1877). Their studies were early as they held positions as researchers or explorers in the employment of the United States government or with the Catholic Church. These early research products made good progress in gathering information on Native languages and cultures. Gibbs settled in the Washington Territory and became an intermediary, for several decades, of amateur and professional ethnologists alike. He contributed many writings and research manuscripts to the body of information on the Northwest Coast. They are the earliest and are always of value to scholars specializing in the early period.<sup>7</sup>

Later, in the 1870s, Albert Gatschet began a more rigorous scientific study of the languages and cultures of the Klamath (1890), Molalla (1877) and Kalapuya (1877a; 1877b; 1877c; 1899). Franz Boas and his studies of the Chinookan Indians followed Gatschet’s work in Oregon (1894; 1901; 1995-Present).<sup>8</sup>

Contemporary and even classical anthropologists from the 20th century question

the quality of the early ethnological work. However, it is necessary to remember that the theories and methods of ethnology, ethnography, linguistics, and anthropology were not “crystallized,” or well developed at the time that amateur ethnologists were conducting their studies. In fact, American anthropology, as we know it, was not yet born, and fieldwork methods not yet established as a scientific necessity. This time, from about 1840s –1890s was the time of “arm-chair” ethnologists, who never went out to do original fieldwork among the people they were writing about, and who instead sought to theorize about “Indians” from afar (Morgan 1877). Despite the criticisms of contemporary and classical anthropologists and linguists, the fieldwork of many amateur ethnologists was progressive for the time.

Regardless, the western Oregon tribes were heavily studied by ethnographers and linguists from the 1850s to the 1940s (Jacobs and Seaburg 2003) but in the 1950s, such studies became rare. The period of termination of the tribes in western Oregon remained unstudied. There are rare ethnographic sketches of the more than 60 western Oregon tribes in the 1950s through 1970s, roughly spanning the same period of the tribes’ termination and first restorations (Beckham 1971; 1977; Schwartz 1997). During and after the termination period, most studies are historical, very few are anthropological, with the exception of a continuous tradition of archaeological studies. Archaeological studies generally do not venture into the 20<sup>th</sup> century in their reports. The termination era (1954-1970s) remained a mystery in terms of cultural anthropological research for many of the western Oregon tribes.

It is not until the 1990s that there begins a number of anthropological studies of

the western Oregon tribes, and these are increasingly done by Native scholars who are working on their personal tribal histories (Aguilar 2005; Karson 2006; Olson 2005). In the last ten years, there are a greater number of cultural and historical writings about Oregon Indians published than the previous 40 years.

### ***Government Documents***

From the beginning of anthropology, the federal government supported and financed many anthropologists. Boas, in particular, was critical of anthropologists who worked on behalf of the government, yet the government employed him for much of his research. Therefore, in anthropology, since the late 19<sup>th</sup> century, government employees have made political decisions based on anthropological theories as represented in ethnological fieldwork. Because of this, there are many instances of the federal government employing the theories advanced by scholars. Perhaps the greatest direct effect on Native peoples is the direct actions of the governmental institutions that are operant in using scientific theories.

An essential research collection is the *Congressional Serial Set*. Within this set of published books, is a record of every discussion and decision made by Congress in the performance of their duties. Much of this collection is about political process of managing Native peoples and creating ongoing relations with the Tribal nations. Published within the Serial Set are many bureau and agency reports. These reports collectively bring together a history of the tribes in their government relations. It is very difficult at times to find all of the reports, but once found, tribes can assemble an amazing

array of information about the tribes, from government funding to genealogical data not available elsewhere.

### ***Archival Research***

This project involves archival research as its primary information gathering process. The research accessed government records of the western Oregon tribes from the 1940s-1970s. Government documents located in library and archival collections contained much of the ethnographic information about Grand Ronde. The history sections include published sources from the 1850s to the 2000s. Additionally, interviews with Native cultural experts from Grand Ronde balanced the archival research. The oral historical research focused on elders whose lifespan began before termination and extended to the present day.

The University of Oregon government documents section of the Knight Library is a repository of the Congressional Serial Set and many other useful documents. Additional documents are at the Oregon State Archives; University of Oregon Special Collections Division; National Archives Records Administration Washington, D.C.; and National Archives Pacific Northwest Region, Seattle. Worldcat, ORBIS, and Cascade Union loan consortium contained many other sources.

Previous professional work on the Southwest Oregon Research Project archival collection contributed to my knowledge of where to access relevant archival collections. The Southwest Oregon Research Project involved extensive research at the National Archives Records Administration in Washington, D.C. and the National Anthropological Archives in College Park, Maryland. During the three projects (1995, 1998, 2006), the

three teams of researchers found in excess of 150,000 pages of documents relating to Oregon tribes. In 2000, I became the principal coordinator and organizer of the SWORP collection. Over the next two years, the group worked to organize the collected documents into one comprehensive collection with the appropriate archival preservation techniques employed. In addition, SWORP created a finding aid for easy access to the collection by researchers and tribal members.

In 1997 and 2001, SWORP copied and gave the collection to all of the tribes in the greater Oregon region<sup>9</sup> in an expression of regional kinship by the Coquille Indian Tribe and the University of Oregon.<sup>10</sup> Beginning in 2000, as the principal coordinator and through the successive years of working with and organizing the collection, I learned much practical knowledge of the nature of anthropological archives. This knowledge was invaluable in this research.

### *Interviews*

As part of any research at a university involving human subjects, students must follow human subjects' protocol.<sup>11</sup> The University of Oregon's Research Protocols for Human Subjects go far toward protecting the subject from exploitive research methods by researchers. The process of satisfying the research protocols was very intensive, involving several weeks of research and writing. Having applied for and received a human subjects approval for the master's research, the process became easier in the second round.

As part of the original research design, I conducted interviews with elders from Grand Ronde and other tribes. I also interviewed other people who were involved with

termination or restoration. Most of the interviews were in the Eugene and Grand Ronde communities of Oregon. Some of the individuals that were politically active in the 1970s, and who greatly aided the tribes, refused to give interviews or grant access to their personal paper collections.

Grand Ronde Tribal members are scattered throughout western Oregon, and many are now members of newly recognized tribes. Most of the Indian experts live within 100 miles of Eugene in Oregon. This research sought to gather the perspectives of these Indian peoples on how the termination of the tribe occurred, what effects they saw on the tribe due to termination, how and why they organized for restoration, and how things have gone at the tribe since restoration. The interviewees offered valuable perspectives about an era of our tribal history that is not well recorded, or well researched.

My research methods were primarily interviews with selected native experts in the community. As a member of the community, and a former Culture Committee vice-Chair, I identified several elders in the community who have significant historical knowledge of the reservation. I interviewed them and their personal contacts and asked for additional contacts of other people who may have information. I worked to interview people who lived at the reservation and those who did not. This enabled me to gain a wider perspective of people's understandings of tribal history and in particular the events surrounding termination. The interviews were about an hour and included audiotaping and note taking. There are no formal research protocols at the Grand Ronde Reservation. When it is finished, Tribal Council and the Culture Committee will receive the products of my research.

## Conclusion

The common people of indigenous societies are the most important scholars not represented in this chapter. Indigenous nations made the call for their people to be educated, politically pushed the colonial authorities to allow access to resources, and provided their insights to the researchers who study them. They were the first to ask, “What are you giving us in return for our help?” They are also the first to realize that to survive they must have their own people looking out for them and making decisions about their welfare.

This research project utilized critical perspectives of native and non-native scholars in anthropology, ethnohistory, and native studies to reveal ongoing problems in anthropology. International scholars such as: Linda Smith, Edward Said, and Albert Memmi, accessing indigenous societies and their colonial histories were particularly important to understanding the colonial context in Oregon. Contemporary scholars access ethnographic sources, produce ethnohistorical research, and construct complex multi-vocal ethnohistories. Essential to contemporary products are the perspectives of native peoples. Recently, an age of native scholars has risen to influence change in anthropology. Native scholarship refocused anthropological inquiry on the community as an active and vibrant participant.

Critical anthropology refocuses on an indigenous perspective with an aim towards decolonizing anthropology. Native scholars analyze anthropology, but also radically alter it to provide desired and empowering results for the native societies studied. Essentially a reversal of the process of gathering and collecting from native societies occurs. Native

society instead administers the research, devises research that will benefit the community, provides support and their native perspectives to the research, and owns the final product.

The research that follows seeks to use native perspectives whenever possible.

The project also seeks to reveal the long-term history of disempowering native people at the Grand Ronde Reservation in Oregon. Federal Indian policies reveal the ultimate intentions of the federal government, to divest the tribe of all lands and all sovereign rights. Ultimately, due to economic and political pressures the federal government sought an immediate solution and engineered federal termination as the answer to all of their problems. Of the 107 tribes terminated in the United States, sixty-three were in Oregon, and at least twenty-seven at the Grand Ronde Reservation.

The research reveals the perspectives and intentions of the Grand Ronde tribal members as they entered into the termination era and when finally terminated, had to find the means to survive without federal support. Termination challenged Grand Ronde members to find ways to preserve their culture and to activate to restore their federal status. Finally, restoration challenges tribal members to continue restoring the tribal culture and tribal identities. In the contemporary era, decolonizing anthropology offers perspectives and understandings for Grand Ronde members to access to work toward solutions to the long-standing problems with termination.



## Notes

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<sup>1</sup> From personal experiences and from conversations with other tribal people at college.

<sup>2</sup> Similar to (Byram and Lewis 2001).

<sup>3</sup> This is commonly known about tribes today. My assertion.

<sup>4</sup> My definition.

<sup>5</sup> See Chapter 3 for more detail on the treaty negotiations.

<sup>6</sup> See Chapter 3 for more information about the Rogue River Indian wars.

<sup>7</sup> My understanding.

<sup>8</sup> Research documents found at the National Anthropological Archives and photocopied as part of the SWORP Collection.

<sup>9</sup> The greater Oregon region is defined as those tribes that maintain historical claims, either cultural or political, within the current boundaries of the State of Oregon. This tribal region was first defined by the Oregon State University System in its Oregon native residency program ORS 351.070. "Students who are enrolled members of federally recognized tribes of Oregon or who are enrolled members of a Native American tribe which had traditional and customary tribal boundaries that included parts of the state of Oregon or which had ceded or reserved lands within the state of Oregon shall be assessed resident tuition regardless of their state of residence."

<sup>10</sup> The first potlatch in 1997 included only western Oregon tribes and two tribes in northern California. At this potlatch were distributed copies of the first SWORP collection in 1995. In 2001, the list of tribes to gift to was expanded to 44 possible, from the greater Oregon region. However, only 17 tribes attended the potlatch and therefore 17 copies were made tailored to the region of each tribe. California tribes received mainly California tribal information, etc. All of the federally recognized tribes in Oregon received full collections of series 1 and 2. The second collections were completely distributed in May 2002. All invited tribes received a copy of the SWORP Inventory.

<sup>11</sup> Protocol #X680-05 Office of Protection of Human Subjects, University of Oregon

## **CHAPTER II**

### **UNITED STATES INDIAN POLICY, 1847-1950**

#### **Introduction**

A series of laws and policies managed and controlled the natives' traditional resources and their rights to use those resources.<sup>1</sup> Through the management of Indian lands, the United States Government controlled the people and tribes who depended on these lands for their livelihood. Since the earliest colonization and settlement of the Americas, government management of indigenous lands was different for each European government and for each era.

This chapter presents United States Indian land management in perhaps the most contentious era, from the mid-nineteenth century into the mid-twentieth century. The changing United States political environment also changed United States Indian policies. Programs of disenfranchisement of Indians from their aboriginal lands and assimilation of Indians into American society continued throughout this period despite political policy changes in support of tribalism. Tribalism in this context relates to the intentional separation of the tribal nations on reservation and in political and economic control of

their own affairs. At a time when tribes had gained many of the rights they needed to make progress, Congress, led by Senator Arthur Watkins, and later by Commissioner of Indian Affairs Dillon Myer, planned and implemented its most drastic act, termination of the tribes (Senese 1991:9, 17).

In the 1850s, the United States made treaties with confederations of western Oregon tribes with over twenty-seven tribes<sup>2</sup> consolidated on two reservations. This stands in contrast to previous decades, when treaties with eastern tribes involved individual tribes who removed to individual reservations. One of the reasons for this change in Oregon, was the need to preserve as much land as possible for the immigrant settlers (Beckham 1977; 2006).<sup>3</sup> This was not a concern of the United States until they reached a limit to expansion, the Pacific Ocean, and there were few other places westward to expand.<sup>4</sup> In following decades, the U.S. government implemented on-reservation and off-reservation boarding schools in order to assimilate Indian children into American society.

Tribal populations on reservations reached an all-time low in the 1890s, and many social scientists predicted the extinction of the American Indian (Boyd 1999; Cole 1985).<sup>5</sup> Within this era we see a resurgence of power and the formation of American Indian political organizations such as the Society of American Indians formed in 1911 (Nabokov 1999). The Bureau of Indian Affairs stated in the annual report stated that by 1939 “the Indian death rate is no longer menacing the survival of the race; instead the yearly increase of Indians exceeds that of any other population group” (Interior 1939). During the 1920s - 1940s, Congress began to question the direction of Indian policy and

initiated several investigations, which created new Indian policy. Collier's leadership in defense of Indian tribes in the 1920s led to his appointment to Commissioner of Indian Affairs in 1933. Collier then began writing Indian policy in a series of congressional acts, collectively labeled the Indian New Deal.<sup>6</sup>

The Tribal Nations lost millions of acres through the introduction of assimilation concepts that promoted the individual ownership of land. Before this era, tribes owned their land in common, and federal policies forbid selling Indian lands on reservations. With individual ownership, the federal government removed many of the safeguards on Indian land and allowed the sale of former reservation lands into public ownership. By the 1910s, many of the original Indian allottees had passed away, and the government investigated the disposition and the potential heirs of the allotted lands. In 1934, the Indian Reorganization Act (IRA) passed, and the process of allotment again became part of federal Indian policy. Tribes regained many of the rights of self-governance they had before resettlement and removal to reservations. With the changes of federal Indian policy to tribalism in the 1930s, the federal government decided to fix the Indian problems that plagued Indian management. Finally, Congress decided that freeing assimilated Indians from federal management and terminating the tribes would solve its Indian problems.<sup>7</sup>

The foundation of most federal Indian policy is the tribal association with their traditional lands.

## Indian Land Title

United States land ownership laws imitate European land laws. Establishment of European rights of discovery originates from the notion that colonial countries need such laws to prevent encroachment on neighbor's lands or claims. This concept is called "the right of occupation" (Task Force Three and Commission 1976:21-22). As the colonies expanded and encroached on each other's land claims, a new concept originated, "the right of prior discovery" (Task Force Three and Commission 1976:21-22). Land title changed from "use and occupation" to a "fee" status. Tribal land rights were "mere use and occupation" (Task Force Three and Commission 1976:21-22). Tribal administration of lands diminished through European purchase and conquest. The contemporary belief, which ruled Indian policy through the nineteenth and twentieth centuries, is a diminished aboriginal right to exercise sovereign rights to long occupied lands. This diminishment of Indian sovereignty was aided in large part by the arrogant belief that Indians are "incompetent" to hold and control land. This is based on the older belief that since Indians are not Christians, they are "infidels, barbarous, uncivilized, savages" (Task Force Three and Commission 1976:21-22).

The U.S. Court system codified the latter belief in 1810 ruling, "that the nature of Indian title, which is certainly to be respected by all courts, until it is legitimately extinguished, is not such as to be absolutely repugnant to seisin in fee on the part of the State" (Supreme Court of the United States 1823; Task Force Three and Commission 1976:22-23).<sup>8</sup> In 1823, the Supreme Court affirmed the Doctrine of Discovery "that discovery gave title to the government by whose subjects, or by whose authority, it was

made, against all other European governments.” The doctrine managed world land claims by Europeans nations and eliminated conflicts. The doctrine also managed the relationship between aboriginal claims and settler’s claims, “the rights of the original inhabitants were, in no instance, entirely disregarded; but were, necessarily, to a considerable extent, impaired. They were admitted to be the rightful occupants of the soil, with legal as well as just claim to retain possession of it, and the use of it according to their own discretion; but their rights to complete sovereignty as independent nations, were necessarily diminished.” European nations were “asserted the ultimate dominion, a power to grant the soil, while yet in possession of the natives. These grants have been understood by all to convey a title to the grantees, subject only to the Indian right of occupancy (Supreme Court of the United States 1823; Task Force Three and Commission 1976:22-23).

The power to grant such land rights comes from the inherent “civilized” nature of the European settlers. As such, “discovery gave an exclusive right to extinguish the Indian title of occupancy” by the civilized nations. The United States claimed the right to exclusive and absolute title, a right it inherited from Great Britain after winning freedom in the revolutionary war (Supreme Court of the United States 1823; Task Force Three and Commission 1976:22-23).<sup>9</sup>

The Supreme Court’s decision only partially recognized Indian land title and further codified in U.S. law the diminishment of Indian rights. The United States Congress exclusively secured rights to land they coveted by passing legislation terminating Indian tribes.

## **Land Ownership Legislation**

In the late nineteenth and early twentieth centuries, The United States Congress passed significant legislation addressing Indian land ownership. These acts included the Dawes Allotment Act (1887) and the Indian Reorganization Act (1934). Additional legislation addressed Indian nationality with the Indian Citizenship Act (ICA) (1924) establishing the principal that all Indians were citizens of the United States and deserving of all of the rights of Americans. The ICA established the general principal that “Indians can have three separate sets of rights, federal, tribal, and state.”<sup>10</sup> All three acts sought to alter Native identity, to disassociate Natives from their claims to sovereignty, and to assimilate Native peoples into American society. Despite the intentions of the legislators, many Native peoples did not easily assimilate, and within some states (examples: Arizona, Oregon)<sup>11</sup> they were not allowed the complete rights of other Americans. In Arizona, native peoples were not allowed to claim Social Security, and in Oregon native people could not legally marry whites, nor purchase alcohol until the 1950s (McKay 1950).

### ***Dawes Act, 1887***

The Dawes Act or General Allotment Act of 1887 changed tribal structure and rights on reservations more dramatically than any other piece of legislation.<sup>12</sup> Supporters of the Dawes Act meant to break up Tribal land holdings and instead make individual allotments with Indians. The traditional thought among tribes is that the community holds land. The continuation of this practice did not result in the assimilation of Indians. Individual allotment broke up the Indian communities and lead to the replacement of

Indian culture with white culture. As conceived, the federal government held the Indian allotments in trust for a period of 25 years, and then the individual allottees would receive a patent in fee for the property. Congressmen also wanted to protect Indians from the depredations by railroads, by covetous individuals and by the government which participated in schemes to remove land from reservations (Tyler 1973:95-96).

The Dawes Act altered Native people's relationships with all other peoples in America (Washburn 1975:3). The act served to create internal and external fractures between Tribal families and between Tribal kinships. The act impoverished hundreds of thousands of Native people; first, those who did not have the requisite blood quantum (one-half Indian blood) and second, successive generations of descendant populations who married outside of their "race" and could not acquire an allotment. Eventually, blood quantum issues would become indivisible from Tribal citizenship rights across Indian Country.<sup>13</sup> In addition, the act "determined whether past treaties would be honored or violated" and "determined how much authority the tribe would retain and how much the Indian individual would acquire" (Washburn 1975:3). Ultimately, the Dawes Act "resulted in an enormous loss of the Indian land base" which was justified by politicians in the 1880's "as the way to provide full economic opportunity for the Indian, and to accustom him to white economic values of self-interest, selfishness, and the like" (Washburn 1995:155).<sup>14</sup>

The Dawes Act allowed the Commissioner of Indian Affairs to parcel reservation lands into individual plots of 40-160 acres and to sell the surplus lands. Proceeds from the surplus sales were supposed to pay for the education and civilization of the tribes. The



government held allotted lands for twenty-five years, after which the government issued a fee patent to the allottee or his heirs. Allottees were to become citizens of the United States.

Senator Henry Dawes presented the Dawes Act to Congress as a way to help Indians to assimilate into American society. Reverend Dr. Lyman Abbott lobbied Senator Dawes in favor of the act suggesting that, “barbarism has no rights which civilization is bound to respect . . . our first duty to the Indians is to give them the benefit of that civilization which we enjoy” (Washburn 1975:16).<sup>15</sup> Abbott suggested that it is the responsibility of the United States to civilize the Indians, to remove them from their lands, and to place the matter in the hands of people who would not allow the land to sit in idleness (Washburn 1975:16).

As part of the allotment process, the Bureau of Indian Affairs (BIA) initiated a series of genealogical heirship investigations in the 1910s. By this time, a number of the original Dawes allottees had passed away, and many of their family members remained living on the allotments. The BIA collected affidavits from people and relatives of those who had passed on, attempting to find all descendants of the allottees who could claim a portion of the allotments. In Oregon, many of the allottees had 10 or more descendants, and the BIA assigned them equal shares. However, in an overwhelming number of cases the BIA simply sold the land and gave the proceeds to the inheritors, not allowing them to inherit the property. In this manner, thousands of acres of previously allotted lands passed into white ownership.<sup>16</sup>

Nationally, by 1934, from the original of 138 million acres tribal landholdings shrunk to 48 million acres. By 1940, two thirds of all tribal lands (approximately 60 million acres) passed into white ownership. The state and federal government owned the rest. Only 2.3 percent of the country's total landmass was in Tribal ownership (Deloria 1985; Washburn 1995:145).

### ***Indian Citizenship Act of 1924***

During World War I, Indians had proven to the government that they were willing to give their lives in service to the United States. Previously, the United States granted native war veterans and Natives who gained Dawes allotments citizenship. The federal government surmised that citizenship hastened the assimilation of American Indians into the general populace.<sup>17</sup> However, reservation population did not decline quickly enough for Congress following citizenship. Native communities lived in poverty conditions with fewer services and less education than any other ethnic groups and could not afford to leave the reservations.

### ***Indian Reorganization Act, 1934***

The Indian Reorganization Act (IRA) also called the Wheeler-Howard Act, of June 18, 1934 sought to transfer the responsibility for the management of an individual tribe's affairs to the tribes themselves. IRA answered the need for help preserving the culture and life-ways of the tribes. It allowed tribes to get federal loans, purchase new lands, and confirm Indian self-government. It also allowed the establishment of tribal businesses as federal corporations. Commissioner of Indian Affairs John Collier initiated

the IRA in order to reverse the process of breaking up tribal landholdings, facilitated by the passage of the Dawes Act. Criticized for not giving full control of the tribal government to the tribes, IRA contains language that authorizes only the Secretary of the Interior to make final decisions over land usage, expenditures, and membership. "If the BIA disagrees with a tribal council's decision on property or expenditures, the Bureau can overturn it" (Deloria 1985). However, the Indian Reorganization Act is likely the most significant act on behalf of Indian communities of the twentieth century.

Unlike previous legislation concerning native peoples and previous Commissioners of Indian Affairs, John Collier sought approval from the Tribal Nations for his proposed changes to Indian policy. Collier had been an ardent defender of Indian rights for nearly a quarter century, since the 1910s. Collier believed that the best course for the governance of Indians was to allow them rights in that governance. Collier engaged in a national campaign to convince the tribes of the value of the Indian Reorganization Act. The discourse over passage of the Indian Reorganization Act was contentious. The tribes did not widely accept the bill and Collier held a series of conferences with tribes across the nation to promote the concept.

On March 8 and 9, 1934, the BIA held a conference with the Northwest Indian Congress at Chemawa, Oregon. During this conference, members of Commissioner Collier's staff presented summary details of the IRA's impact on the tribes. Staff members also answered many of the rumors and misinterpretations, and held a dialogue regarding criticisms of the act. The Indian tribes present represented some twenty Indian communities in the Northwest. During the conference, many of the Indians did not

understand or speak English; the participants spoke at least twenty native languages. Some of the most prominent managers and scholars of twentieth century Indian affairs represented the U.S. government, namely William Zimmerman, the Assistant Commissioner of Indian Affairs under the Collier and Brophy administrations and Dr. Henry Roe Cloud of the Winnebago-Superintendent Haskell Indian School. Also participating was Felix S. Cohen, Associate Solicitor Department of the Interior and author of *The Handbook of Federal Indian Law* (1942).

The BIA argument, used to convince the Indian delegates that the IRA was desirable legislation, was that in forty-seven years the Dawes Act had caused Indian communities to lose all but 47 million acres of the original 138 million acres of land held by Indians in 1887. Bureau of Indian Affairs representative John Marshall stated that tribes that had kept and managed their lands together in large blocks, like the Menominee, had been able to develop and manage their resources successfully.

A key issue related to allotment, was that the Oregon reservations did not have vacant land for allotment. From the original 160 acres allotted, there were now, in some cases, hundreds of descendants making it impossible for them all to make a living off the allotment.<sup>18</sup> As a result, these inheritance issues caused an incredible economic and bureaucratic nightmare when leasing the land out because of the time and expenses necessary to gather the requisite signatures. The bureaucracy around Indian land allotment policies meant that descendants would chose to sell the land for whatever they could get for it.

Later in the conference, William Zimmerman, Assistant Commissioner of Indian Affairs, stated that the main intentions of the IRA was to stop “the further sale or loss of lands, of Indian lands” and that “land must be procured in order to take care of the Indians who have lost all of their land” (Bureau of Indian Affairs 1934:12).<sup>19</sup>

In addition, IRA would place administrative powers in the hands of Indian communities similar to a village or county. The tribes could “elect [their] own officials and have [their] own code of ordinances.” In addition “a community may be given power in its charter to do the ordinary things that a business corporation does,” and “this charter will give the Indian community the right to do many things that the Office of Indian Affairs now does” (Bureau of Indian Affairs 1934:31).<sup>20</sup>

The IRA did more to return to the Tribes rights of self-governance than any other piece of legislation in the history of Federal Indian policy. However, Collier’s attempt to help the Indians was only a slight change in an overwhelmingly disastrous body of Federal Indian Policy. In fact, some of his projects, such as the *Ten-Year Programs* of 1944, and the policy of self-sufficiency, actually supported political plans of Congress for the liquidation or termination of Tribal reservations.

The Indian Reorganization Act resulted in continued advice and guidance to the tribal organizations in expectation of the tribes taking for themselves more management of community affairs. The tribe also participated in discussions and formulation of plans to eliminate from future programs those who moved permanently away from the Indian community. Reorganization in 1934 created a provision for work projects and other

assistance to help returning soldiers and defense workers work towards self-sufficiency (Bureau of Indian Affairs and Agency 1944:Grand Ronde 12).<sup>21</sup>

## **Bureau and Congressional Actions**

### *John Collier Administration*

Early in the 20<sup>th</sup> century, John Collier was responsible for many of the reports and much of the criticism of the treatment of the tribes. Collier's rise to Commissioner of Indian Affairs in 1933 and his subsequent activism for tribal self-determination caused a resurgence of tribal political power. This did not sit well with many Congressmen concerned about the poor state of the economy in the United States.

As Commissioner of Indian Affairs John Collier was a long-term advocate for Indian tribes. In the 1920s, John Collier led efforts in Washington, D.C. to repeal the Dawes Indian Allotment Act (1887) and its overt attempt to assimilate Indians. John Collier was very critical of the Indian Office and in 1928 wrote *The Meriam Report*, published as, *The Problem of Indian Administration* with the support of Congress. In 1962, John Collier had this to say about his earlier understandings of Indian society:

In those years, I still took for granted our modern fatalism: that the Indian's spirit, and all aboriginal and ancient spirit, had to die . . . The ensuing twenty-five years seem to have proved that the fatalism was wrong, not only as applied to the American tribal Indian but as applied to groups in many parts of the world (Collier 1962:20-21).

John Collier's constant struggle for reform against "corrupt government" got him appointed by reformer President Franklin D. Roosevelt as Commissioner of Indian Affairs in 1933. Collier immediately began working to establishing programs in support of American Indians, many of which are still in existence. These are the Indian Civilian

Conservation Corps (1933), Indian New Deal (1934), Indian Reorganization Act (1934), and the Johnson O'Malley Act (1934). Congress set an agenda for John Collier to begin reducing services to tribes. With the passage of the IRA, Collier sought to increase tribal sovereignty and reduce services by having the tribes run their own affairs. Collier was arguably the most significant political figure in Indian Affairs in the 20<sup>th</sup> century (Philp 1977:113-186).

Collier believed that tribes had formed cooperative commonwealths with democratic ideals and disagreed with his contemporaries that tribal societies needed to be shaped by the politics of social Darwinism (Philp 1977:xiii). Throughout his career, John Collier worked directly with tribes to understand what they needed by making extended visits to reservations, involving tribes in his solutions, and working directly on Indian legislation. In 1945, John Collier, criticized for not doing enough to solve the "Indian problem," tendered his resignation.

### ***Reports on Indians***

In preparation for changes in Indian policy, the federal government engaged in a series of Indian reports. These reports attempted to gather information about how the Indian Reservations were developing towards greater facility to support themselves. John Collier contributed to many of the historic government reports, the *Meriam Report* (1928), the *Ten-Year Programs* (1944), and the report of the Subcommittee of the Committee of Indian Affairs House of Representatives (Affairs and Representatives 1944:335).<sup>22</sup> From 1926 until the 1950's, these reports served to keep Congress abreast of the conditions of the Indian nations. These reports provided information about which

tribes were assimilating, which tribes had access to education, and which tribes lived in conditions of poverty. In the 1940's, there were a series of critical discussions in Congress that paved the way for termination.

### ***Meriam Report***

In 1928, W. F. Willoughby, Director of the Institute for Government Research, submitted a report, *The Problem of Indian Administration*, also known popularly as the *Meriam Report* (Tyler 1973:114). John D. Rockefeller organized and financed the Meriam Report to explain the condition of American Indians in the United States. The report "blamed much of the dismal poverty and hopelessness among Indians on the loss of their land and on the forced cultural change stemming from the [Dawes] allotment policy" (Burt 1982:3). Both Congress and the public perceived the Meriam Report as truthfully explaining the condition of the Indians. The *Meriam Report* helped to open many eyes to the social problems many Indians faced.

### ***Ten-Year Programs***

Before the Indian Claims Commission formed, the government began collecting data from the reservations, in preparation for changes in Indian policy. John Collier, Commissioner of Indian Affairs (1933-1945), ordered the creation of planning reports containing complete inventories of the population, the people's social and cultural dispositions, and the assets and resources available at the reservation.<sup>23</sup> The *Ten-Year Programs* also extrapolated whether the tribes were ready for release from federal



management. Indian Agents at the reservations researched over thirty of these *Ten-Year Programs*.<sup>24</sup>

John Collier communicated with his associates in the Indian Office about the intent of the *Ten-Year Programs* in the Indian Office circulars.<sup>25</sup> Collier perceived that the “broad function of Indian policy and Indian administration to be the development of Indian democracy and equality within the framework of American and world democracy.” To achieve this, Collier suggested that, “full Indian democracy within and as a part of American democracy, is the continued survival, through all historical change and disaster, of the Indian tribal group” (1943).

Regarding the proposed termination of federal responsibility, Collier was cautious about accepting the proposal for a complete withdrawal of federal status and protection as this would “merely substitute a more difficult problem in place of one that is on the way to a solution” (1943). Collier felt that full withdrawal of support would create another welfare group supported by the state and a host of different issues. Collier thought that federal withdrawal could not occur until the federal government and the tribes settled all accounts. The tribes sought to settle many economic, political, and cultural issues in Indian Claims cases, many of which took decades to decide. In addition, Collier suggested that Native people needed to be in control of their own destiny and advocated for a democratic and participatory planning process (1943).<sup>26</sup>

Collier sought to help the tribes efficiently utilize their tribal resources to gain political and economic experience. Collier’s resignation as Commissioner of the Indian

Office likely came from his insistence on helping to strengthen the Tribal communities for the benefit of their governments, education, and cultures.

***Secretary of the Interior Report for 1944***

In 1944, the Secretary of the Interior reported the positive direction of Indians of over the past Ten-Years, encompassing much of the John Collier administration. The report stated, “It was necessary to know how much progress Indians had made during those 10 years in the direction of democratic self-control and economic self-sufficiency, and what economy might best be done to safeguard and improve Indian organization and economy for the trying test of the post-war period” (Collier 1944:253).

John Collier’s philosophy of support for tribal sovereignty created a hopeful impression of the tribes. However, in 1945, one year after Collier’s resignation, Commissioner William A. Brophy, reported a different perspective:

Indian resources in some areas are far from sufficient to provide a decent livelihood for all Indians. Since Indian resources cannot be sufficiently augmented to support the population, which is increasing rapidly, many thousands of Indians must be helped to find economic opportunity and acceptance in the general national economy (Brophy 1945:233).

During the war, Congress severely under-funded many of the BIA’s Indian social service programs and following the war, Indian people experienced a decline in income because many of the traditional white laborers returned. The post-war economy, which reallocated funds for domestic projects, like Indian affairs, into post-war rebuilding efforts in Europe and Japan, was so bad there were few resources to restore Native programs. The tribes again became poverty-stricken.

The paucity of resources for the tribe during WWII was a brief event for the tribes compared to over one hundred years of poverty conditions on the reservations for many. The tribes sought to rectify their problems by suing the federal government for sovereign rights and resources that the United States owed them through treaties or pre-settlement aboriginal rights to their lands.

### *Indian Claims Commission*

Early in the 20<sup>th</sup> century, tribes began filing Indian claims cases against the federal government. Tribes filed Indian claims cases because the federal government had not effectively managing tribal lands, money, or for not following treaty stipulations. Many of the early cases failed, or in some cases, the government bureaucracy delayed them for decades. This became an expensive, time-consuming undertaking for the federal government as Congress needed to pass special jurisdictional act for the cases. In addition, the government had a fiduciary responsibility to represent it as well as the client tribes.

Individual Indian Claims cases continued for decades for some. Some cases involved individual tribal claims, but many cases in Oregon involved joint claimants. If a tribe won a case, then Congress was responsible for passing legislation to appropriate the settlement award. This legislation usually took several years as well.

In the 1940s, there was a backlog of hundreds of cases. To effectively and expeditiously manage the Indian cases Congress established the Indian Claims Commission (1946) to settle the Indian claims so that the government could “get out of the Indian business” as soon as possible (Senese 1991:7). In the initial ten-year period,

the ICC heard 370 petitions within 670 dockets. As Indian Claims continued to pour in Congress elected to extend the commission such that by 1977, when the commission was closed; they had awarded \$818 million to tribal petitioners (Prucha 1994).

The fact that the government did not uphold its responsibilities toward Indian Nations and allowed Indian populations on reservations to remain in poverty conditions presented an unacceptable situation to the tribes. Indian people maintained the Indian Claims through many generations by keeping alive stories of how they had never gotten their due from the signing of the treaties. Many called these issues “broken promises,” the mismanagement by federal government of treaty rights and responsibilities.

The federal government connected Indian Claims to termination because the claims were another layer of their Indian problems. In 1944, evidence of the intent of termination and its relation to the cycle of Indian Claims is in the *Ten-Year Programs* initiated by the Bureau of Indian Affairs under John Collier (Affairs and Agency 1944). In the *Ten-Year Programs* priorities, the proposed liquidation of the reservations included the final settlement of all tribal lands claims and the elimination of Indians as being wards of the state, the basis of most Indian claims cases (Affairs and Agency 1944).

In December 1944, after the *Ten-Year Programs* reports were finished, the Subcommittee to the Committee on Indian Affairs of the House of Representatives pointed out in their report that the government needed “to give final settlement to prevailing Indian claims cases” (Affairs and Representatives 1944:335-336). The reports became the official goals of the United States Congress and set the stage for termination in the 1950s.

It cannot be said that Indian claims cases alone caused termination, but at the very least they became one of a number of culminating issues, or “Indian problems” that needed managing. Once the government managed Indian claims, then it would save the federal government millions in future lawsuits. In 1947, the Committee on Civil Service discussion noted that “These provisions for the graduated relinquishment of Government supervision would tend certainly to reduce those claims and ultimately to eliminate them” (1947:124).

Congress favored termination because it would eliminate future Indian claims cases. However, it may also be the case that the cessation of Indian Claims was an inadvertent consequence of termination. Regardless there are several places where Indian claims cases and awards become an issue in termination of the western Oregon Indians.

### **National Indian Assimilation Policy**

The removal of Indian tribes to the reservations made natives subject to United States policies of assimilation. Despite earlier statements of the U.S. Congress to hold “utmost good faith” in regards to the Indians, the opposite situation occurred. The executive branch of the United States government exercised a consistent policy of “forced assimilation of Indian populations, diminishment of tribal land base and exploitation of Indian rights and property” (Task Force Three and Commission 1976:7).

Assimilation involved a complex web of government and non-government organizations working to “civilize Indians.” Early on in Oregon, missionaries worked to convert tribal people to Christianity. As a result, many Indians learned skills necessary to survive in American society, including agriculture, education, and urban job skills. In the

1860's, the federal government implemented an intensive program to provide education to all tribes on the reservations. The federal government developed reservation boarding schools, many operated by missionary organizations.

In the 1870s, the federal government developed and operated off reservation boarding schools, as native children who remained on the reservation were likely to continue living within their cultural lifeways and therefore unlikely to assimilate. By the end of the 19<sup>th</sup> century, the federal government knew they needed to break up tribal community landholdings, and institute individual land ownerships. Doing so would instill a sense of individuality where natives would more likely deviate away from their tribal community and assimilate.

Following the presumed failure of Collier to assimilate Indians quickly when tribes did not widely embrace the IRA policy nor develop self-sufficiency, Congress formulated a new direction for Indian policy: liquidation of the reservations and termination of any special status reserved for tribal nations. The goal was to eliminate the need for the Bureau of Indian Affairs.

### ***Assimilation 1940s-1950s***

During the 1930s and 40s, despite the many progressive actions began by Commissioner John Collier, there began a piecemeal reduction of programs which supported Indians. During this period, the BIA education division operated many Indian reservation and off-reservation boarding schools and employed several hundred teachers throughout the United States. In 1943, the goal of the BIA education service was, "to prepare the Indian as rapidly as possible for the effective operation of his own resources

and to make him a healthy, successful, participating citizen in the American nation” (Anonymous 1943:2). Despite actions taken to consolidate education services by Collier and his agents it was not sufficient as Congress heavily criticized the Indian Service for having segregated Indians and kept “Indians from associating with, and ultimately merging with, the rest of the population.” Congress felt that “The goal of Indian education should be to make the Indian child a better American rather than to equip him simply to be a better Indian” (Affairs and Representatives 1945:340).<sup>27</sup>

### ***Native Political Activism***

During this era, conservative policies of the federal government assaulted the tribes. The era saw an erosion of treaty rights, tribal sovereignty, Indian land claims, tribal resource rights (hunting and fishing), and reservation economies. Termination was the greatest threat to tribal sovereignty. There was a resultant growth in Indian activism directly associated with termination. Organizations like the National Congress of American Indians (NCAI) grew in this period in direct response to “termination and assimilation policies that the United States forced upon the tribal governments in contradiction of their treaty rights and status as sovereigns” (Indians 2009). Ultimately, the activism of these organizations and the tribes was successful as NCAI helped halt many proposed terminations during and after the 1950s.

### **Conclusion**

Federal Indian policy created the reservation system to remove the tribes from valuable lands and make those lands available for settlement by Americans. The reservations served as management centers for the federal government to administer the

tribes. The original intention of the federal government to provide essential services to the tribe changed as the government withdrew necessary funding and support. Tribes were impoverished on the reservations for one hundred years. The federal government took strategic steps to eliminate its “Indian problems.” The national policy of the government was to assimilate all Indians so that they would no longer be a management issue. Laws like the Dawes Act intended to give land to the tribal people. The government understood that individual ownership would lead to increased assimilation and decrease overall tribal land holdings.

Federal Indian policy was inconsistent and funding for all services was lacking into the twentieth century. At Grand Ronde, many people lived in poverty for many generations, without promised federal services. This constituted another Indian problem. Political changes in the United States usually meant Indian policy changes, sometimes in a positive direction. After 70 years of mismanagement, tribes gained the right to manage their own affairs through Collier’s Indian Reorganization Act. Collier’s many legislative efforts aided many tribes to gain some measure of self-sufficiency. However, the federal government, intent on eliminating costly management of tribes, again changed the direction of Indian policy, and forced Collier to resign.

The fundamental national policy, which spanned the era of 1855-1950, was to eliminate Indians, to claim their land, and assimilate them into the United States. Congress targeted tribal reservations for termination when the government realized that the tribes would never assimilate, and the national economy suffered from a need for



natural resources. By 1950, the government was well on its way to terminating all tribal reservations and eliminating the Bureau of Indian Affairs.

## Notes

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<sup>1</sup> Resources are defined as property such as timber, cattle, and land, the basic commodities required for people to find habitation and to thrive, to raise or use the natural resources of the land.

<sup>2</sup> A common figure of the number of tribes removed to Grand Ronde reservation, see chapter 3 for more information.

<sup>3</sup> The initial plan was to move the Indians east of the Cascades, a plan advanced by the Oregon Territorial Government as early as 1851 during the Anson Dart Treaty negotiations. However, the Santiams refused this plan.

<sup>4</sup> My conjecture.

<sup>5</sup> See 1890 and 1900 Oregon Census and BIA reservation censuses for Oregon reservations. Compared with the 1857 Census of Grand Ronde Reservation that showed nearly 1000 Indians, the 300 Indians in 1900 depicts the decline of the tribes. The population decline can be attributed to diseases, inadequate medical care, and to assimilation of natives into American society and away from the reservations.

<sup>6</sup> See chapter 4 also.

<sup>7</sup> See chapter 4 and 5 also.

<sup>8</sup> Also see, Fletcher V. Peck, 6 Cranch (1810).

<sup>9</sup> For full Reference, see Appendix A, Reference 1.

<sup>10</sup> Approved, June 2, 1924. June 2, 1924. [H. R. 6355.] [Public, No. 175.] SIXTY-EIGHTH CONGRESS. Sess. I. CHS. 233. 1924. Also, see House Report No. 222, Certificates of Citizenship to Indians, 68th Congress, 1st Session, Feb. 22, 1924.

<sup>11</sup> Native peoples were not allowed to claim social security in Arizona, and in Oregon Native peoples could not marry whites.

<sup>12</sup> Also commonly called the General Allotment Act, the Dawes Allotment Act, or the Dawes Act.

<sup>13</sup> This is the case in many tribes contemporarily. Even though many tribal peoples know that blood, quantum is not a traditional value, this is a way of limiting, and managing the vast number of disenfranchised who are seeking to return. The politics of casinos and the new wealth and prosperity of much of Indian Country, either actual or perceived, has taken over the politics of citizenship.

<sup>14</sup> For the full quotes from Washburn see Appendix A, References 2 and 3.

<sup>15</sup> For the full quote, see Appendix A, Reference 4.

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<sup>16</sup> SWORP- Series 1, Heirship allotment files.

<sup>17</sup> For the quote of the act, see Appendix A, Reference 7.

<sup>18</sup> The BIA was training Indians and supported the use of land for farming. During this era, there were many collapses in agriculture throughout society, farming as a means of individual subsistence was becoming nearly impossible to make a living at. There was little support for the establishment of urban living with high-density properties on reservations. As well, the BIA saw reservations as part of the Indian problem and sought to have Indians move to cities to assimilate. (Rennard Strickland 2005 Personal observations and conversations).

<sup>19</sup> For the full passage, see Appendix A, Reference 5.

<sup>20</sup> For the full quote see Appendix A, Reference 6.

<sup>21</sup> For Siletz and Southwestern Oregon, recommendations see Appendix A, References 11 and 12.

<sup>22</sup> See chapter 4 and 5.

<sup>23</sup> See DOI circulars 3514 & 3537 for the orders and justifications.

<sup>24</sup> Check number of reservations at the time and how many of these Ten-Year Plans were created; only about 30 are listed in Worldcat, but there could be more in the Department of the Interior library, their primary repository.

<sup>25</sup> A series of policy statements and orders to Indian Agents and Indian Office teachers.

<sup>26</sup> For the full quote, see Appendix A, Reference 10.

<sup>27</sup> For the full quote see Appendix A, Reference 8.

### **CHAPTER III**

## **HISTORY OF THE GRAND RONDE RESERVATION, 1805-1950**

The Grand Ronde Reservation has a history unique from all other tribal reservations in the United States, containing more tribes and claiming more ceded lands than most other reservations. The Grand Ronde Reservation formed as a rural concentration camp where twenty-seven tribes eventually created a community identity. The Bureau of Indian Affairs subjected the reservation population to the worst abuses of power. The government took away their children and imprisoned them in off reservation boarding schools for much of their childhood. Some Indian agents stole or sold funds and resources intended to feed the tribal members for their own profit. The government left most tribal members to their own resources for most matters. However, the Indian Office fully controlled land and money matters. Tribal Members learned that they could not count on the federal government for aid, that the Indian Agents were corrupt, and that the State of Oregon had no sympathy for them as citizens of the United States. In 1954, at termination, the tribe had no political allies and termination proceeded without fanfare. In

a single act, the Federal government succeeded in its original goal to eliminate native people from a sovereign relationship with the land and to assimilate them into the American populace. This chapter documents the history of the federal government's Indian policy as applied to Grand Ronde.

In the over one hundred and fifty years of the tribe's existence no history of the tribe has been written. Grand Ronde Reservation's history is scattered in a myriad of historical and anthropological sources. Most of these sources do not focus directly on the history of the tribe and reservation. Instead, they focus on the history of the native people of western Oregon or the neighboring reservations and communities. Textual sources in libraries and archives document the history of the military or the history of settlers in Oregon. In most of those histories, the native context is a peripheral part of the story.

Written histories of the Oregon Indian wars spring primarily from the perspectives of the settlers. Those perspectives involve an ethnocentric bias that establishes Native peoples as the aggressors. As such, some events are termed the "Indian Wars" when they could be legitimately termed "American Wars of Indian Extermination." The bias grew out of the fact that Indians, for the most part, did not hand-down written accounts of these events, and many settlers did. There is a genuine lack of curiosity and understanding of the Native perspective in nearly all such writings. Therefore, Oregon histories represent only half of the perspectives of these historic events and omit the native perspective. Whenever possible, the history that follows seeks to include native perspectives or represent history from a native perspective.<sup>1</sup>

## **Pre-Reservation Era**

### ***Oregon Fur Trade***

Ownership of the Oregon territorial region was a point of contention between Americans and the British-Canadians. In the first half of the nineteenth century, the two countries established fur trading outposts, or forts, in Oregon. Fort Astor was the first such outpost, established in 1811 by John Jacob Astor, an American businessman (Carey 1971:157). In 1813, the North West Company bought out Astor's failed Pacific Fur Company, and the outpost was renamed Fort George. In 1818, the United States Navy arrived at Fort George to re-take the fort for American military interests, and raised the American flag in advance of the British (Carey 1971:216-217). This constitutes the primary American claim to the region known as the Oregon territory.

Fort Vancouver, established in 1825, was the Hudson's Bay Trading Company's outpost, and was intended to replace Fort George as the official British fort for the area (Carey 1971:237). Thereafter, competing American and British-Canadian fur traders moved into Oregon. The Pacific Fur Company and then the North West Company moved into the renamed Fort Astoria. Hudson's Bay Company eventually out-did all competitors and purchased the North West Company to become the sole fur trading company in the area.

The fur trade companies sought trade for valuable furs (beaver, sea otter) and traded heavily with Northwest Coast Indians for the resource. The Hudson's Bay Company's Chief Factor, John McLaughlin, had immense power given to him by Charles II, the King of England, Scotland, France, and Ireland. The Hudson's Bay Company's

Royal Charter (1670) gave the company “sole Trade and Commerce of all those Seas Streights Bayes Rivers Lakes Creekes and Sounds in whatsoever Latitude they shall bee that lye within the entrance of the Streights commonly called Hudsons Streights” (Carey 1971:43 sic). The charter also gave access to lands and waterways, “which are not now actually possessed by any of our Subjectes or by the Subjectes of any other Christian Prince or State” (Carey 1971:151 sic).

The *Royal Charter* gave the Hudson’s Bay Company sole legal rights to represent England in the Northwest. The Chief Factor had the right to decide life and death over the Indians in the Oregon Territory. The company ignored aboriginal rights, since Indian nations did not rise to the level of a “Christian Prince or State.” For McLaughlin’s time as Chief Factor, 1821-1846, there were few events or incidents against the Indians, although his record in this regard was not spotless (Carey 1971:317).<sup>2</sup>

Political land-claim conflicts were not a primary concern with Chief Factor McLaughlin. When settlers arrived over land or by sea, he aided both the Americans and French-Canadians in getting to their land claims. McLaughlin helped many American settlers become established in the Oregon Territory, giving them food, supplies, and at times transportation to their claims. His aid to the American settlers was heavily criticized and resulted in his resignation in 1846 (Lewis, et al. 1969d:252). Hudson’s Bay Company was the most powerful business in the region, outlasting rival American attempts and the North West Company. The Hudson’s Bay Company established a series of frontier military-style forts in support of their fur trade empire. Even after the United States annexed the Oregon Territory, the Hudson’s Bay Company remained prominent in the region. The forts formed a support network along the Northwest Coast for traders,

explorers, and settlers. In addition, Fort Vancouver served as a deep-water trading port, a secure area against Indian invasion, and provided education for children, and religious services for the settlers.

### *Aboriginal Land Claims*

In the early nineteenth century, the United States assumed ownership of all of the Oregon Territory through “right of discovery”, first adjudicated in the United States Supreme Court in 1823 in *Johnson v. M’Intosh* (Supreme Court of the United States 1823).<sup>3</sup> This ownership remained tenuous as it relied on the protocols of exploration and discovery. Europeans and, later, Americans believed that only through the exploration and mapping of formerly unknown lands could land be legally claimed. Tribal nations did not explore and map their lands in this manner, relying in large part on oral and experiential knowledge of their lands. Tribal land ownership in the Pacific Northwest manifested as occupation rights. Those tribes who occupied certain lands and utilized the resources of the lands and waters had first claims to those lands. Occupation did not eliminate fishing, hunting, or even temporary settlement by other tribes, but they owed a “rent” to the primary claimant tribe, usually a headman or chief of an important nearby town or extended network of related villages. These rents took the form of a portion of their catch or kill, usually the choicest portions.

Permanent and temporary settlements and camps were established by tribes for many thousands of years in the same locations, as demonstrated by shell mounds and oral histories, which established the tribe’s rights to resources in those areas (Ames and Maschner 1999; Matson and Coupland 1995). According to Indigenous land law, this



constituted ownership of land for tribes who had encyclopedic knowledge of their land and that of the neighboring tribes who were normally their longtime trading partners. The tribes were knowledgeable enough about their regions that when Lewis and Clark explored the Columbia River, the explorers used information gleaned from local tribes to navigate their path. The Lewis and Clark journals, from 1805, include many examples of Tribal headmen and elders drawing maps of the river path ahead, with accurate landmarks (Lewis, et al. 1969e). Captain Clark stated:<sup>4</sup>

One of the Indians drew me a sketch of the river, in this sketch he makes the 1<sup>st</sup> large Southerly fork of Lewis's river much the longest and on which great numbers of the Snake Indians reside (Lewis, et al. 1969e:9, sic).

In another entry related to the tribes who resettled on the Grand Ronde reservation, Captain Clarke wrote:

I proveled on an old Indian to mark the Multnomah R down on the sand which [he did] and perfectly corisponded with the sketch given me by sundry others, with the addition of a circular mountain which passes this river at the falls and which connects with the mountains of the Seacoast. He also laid down the Clackamos passing a high conical mountain near its mouth on the lower side and heads in Mount Jefferson which he laid down by raising the Sand as a very high mountain and covered with eternal snow. The high mountain which this Indian laid down near the enterance of Clarkamos river, we have not seen as the hills in it's direction from this valley is high and obscures the sight of it from us. . . This Indian also informed me that Multnomah above the falls was crouded with rapids and thickly inhabited by Indians of the Cal-leh-po-e-wah Nation (Lewis, et al. 1969d:254-255, sic).

The fact that the tribes knew their territory well, and knew the territories of the surrounding tribes, demonstrated their long-term aboriginal ownership and right to their lands.

In the 1840s, American and French-Canadian settlers formed the Oregon Provisional Government that met at Champoege in 1843 and established territorial laws

and policies regarding Indians. The first Organic Law (1843) directed the territorial government's policy towards Tribal nations stated:

Of utmost good faith shall always be observed toward the Indians, their lands and property shall never be taken away from them without their consent and in their property, rights and liberty they shall never be disturbed unless it be in just and lawful laws, authorized by the representatives of the people (Carey 1971:336).

The passage adopted the language of the United States Ordinance of 1787 concerning Indians. The territorial government intended this law to help manage the settlement and actions of the initial waves of settlement to Oregon. In the following year, over 800 Americans arrived in Oregon. The statement in the Organic Act by the Territorial Legislative Commission demonstrates that the provisional government intended to protect the rights of the Indians.

The Oregon Provisional Government also wrote this passage in 1844: "any person refusing to pay tax . . . shall have no benefit of the laws of Oregon, and shall be disqualified from voting at any election in this country" (Carey 1971:337). Paying taxes was an action that the Indians did not do, and therefore the laws of the provisional government did not protect them. However, the law protected settlers in Oregon in their property and persons from the Indians.

During this time, the Oregon Tribes had no legal standing in the United States, so the laws and policies of the United States did not apply to them. The few provisional laws that stated a level of protection also had provisions whereby lands and "representatives of the people" could take property away from the Indians. Settlers commonly assumed that "Indians did not own land" and that many Tribes simply "wandered around the landscape," and many settlers believed that Indians had no concept of government, and

really were not civilized.<sup>5</sup> Because of such beliefs, settlers commonly ignored tribal aboriginal rights and tribal laws. In the words of one settler the Indians “are a thieving, pilfering, slothful, disgusting, dirty set and these inborn propensities make them troublesome and destructive” (H.A.G. 1852:2).

The settlers disregarded tribal claims to pre-possession of land, and the settlers commenced settling any lands they wanted without regards to the rights of the tribes or the presence of Indian villages. However, it was noted by one settler that “they [Indians] still, rightfully . . . consider themselves the bona fide owners of the soil” (H.A.G. 1852:2). Therefore, while provisional government’s organic laws did recognize Indian aboriginal rights, without the support of the settler population, there was little enforcement of these laws on behalf of the Indians.

One of the problems with settler encroachment on Indian lands was that the settlers did not consider Indians “people” much less thought they had “laws.” Early anthropologists captured this lack of consideration of Tribal society when Lewis Henry Morgan theorized that Indians were on the lower end of a linear progression of civilization and therefore labeled as savages or barbarians in their level of development (Morgan 1877).<sup>6</sup> Morgan’s notion of Tribal societies was a common understanding for American settlers and missionaries who benefited by originating from a European-American society and therefore represented the civilized level of development.<sup>7</sup> Missionaries from the earliest contact periods in the Oregon Territory worked to save tribal societies through conversion to Catholicism or Christianity. For many settlers there was no consideration of tribal rights, for others, like miners, their intentions were to acquire gold at any cost, regardless of whom they affected, or where they trespassed.

### *American Perceptions of the Oregon Territory*

American settlers in Oregon saw the region as a promised land where they would have the opportunities they did not have in the east. The earliest Methodist missionaries to Oregon, including Reverend Jason Lee who arrived in 1834, supported the overarching vision of settling the Northwest Coast. Reverend Lee became concerned about the lack of white women in Oregon when he saw white men marrying Indian women, so he engaged in a recruitment effort to attract white people to Oregon. He traveled back to the east in 1838, to the United States, and engaged in a speaking tour selling the virtues of Oregon as an Eden-like promised land to attract farmers (Carey 1971:292). Lee's efforts bore fruit, and many white settlers came to Oregon following his tour. Lee's journey included a request to Congress to take possession of Oregon as well as fundraising efforts for his Methodist Church (Carey 1971:292-293).

The Oregon Territory became part of an imagined Eden for people in the east. Beginning with the Lewis and Clark Expedition, the idea of Oregon as a place of great wealth entered poetry, maps, and journals and inspired Americans to move westward (Carey 1971:11-13). Poet William Cullen Bryant used the word Oregon in his 1811 poem *Thanatopsis*: "Where rolls the Oregon and hears no sound Save his own dashings-yet the dead are there" (Carey 1971:15). The River Oregon, later called the Columbia River, was associated with the search for the northern passage to the Pacific Ocean, the earliest search being conducted by Major Robert Rogers (Byram and Lewis 2001; Carey 1971:8-9). This search also became associated with the indigenous concept of Oregon and the Northwest coast as being a place of wealth. Some theorists have also found cultural and

linguistic linkages to the “Ooligan” smelt grease, as a wealth trade item (Byram and Lewis 2001). American settlers capitalized on Oregon as an Eden concept and through the media advertised this to other Americans to attract more white settlement. In 1852, a writer to the *Oregonian* newspaper described the northern part of the Oregon Territory, the Chehalis area thus:

The valley of the Chickeeles [Chehalis] contains probably four hundred thousand acres of most excellent land, prairie and heavy timber alternating; the soil is a loam. . . its vast agricultural capacities, its magnificent, valuable woodlands, its inexhaustible fisheries, its unrivaled inland navigation, its geographical position, its immense quantities of choice steam producing coal, its perfect accessibility to the markets of the whole Pacific. . . this Puget’s Sound country will be one of the most important and interesting agricultural and commercial districts shadowed by the broad aegis of the stars and stripes of the United States (H.A.G. 1852).

Descriptions like this helped promote the flood of settlers to the Oregon Territory, where they would be seeking the freedom to realize their dreams in the United States (Byram and Lewis 2001). This article occurs well after the first surge of settlers in the 1830s and after the main settler surge of the California gold rush in the early 1850s. It is contemporary with the discovery of rich gold fields in the Cascade Mountains and Southwestern Oregon. Newspapers often replicated such articles across the United States.

### ***Settlement***

Despite the prominence of Fort Vancouver and the Hudson’s Bay Company, American settlement in the Oregon Territory far outstripped British Canadian efforts. American settlers began arriving in great numbers by about 1842 (Lewis, et al. 1969d:375-378), far surpassing the British Canadian population of mainly former

employees of Hudson's Bay Company. In 1844, there were approximately six Americans to every British subject, or 6000 to 1000 (Lewis, et al. 1969d:402).

Once the Oregon Territory became United States land, John McLaughlin and many of his employees, many of mixed French-Indian descent, decided to remain in Oregon and become citizens. The French Canadian trappers had made a practice of marrying Indian women from Oregon, and beginning in 1828 many settled in the Willamette Valley, mainly in the French Prairie region, in the towns of Champoege, St. Paul, Butteville, and other early towns in the Willamette Valley and along the Columbia River (Lewis, et al. 1969d:267). After the Oregon Territory was annexed by the United States in 1846, American government legislation forced the take-over of at least 14 parcels claimed by British subjects (Lewis, et al. 1969d:251). Even John McLaughlin was forced to relinquish most of his personal land-claims in Oregon City in 1849, and the remainder were stripped from his estate after his death in 1862 despite the fact that he had become an American citizen (Lewis, et al. 1969d:253). When Indian treaties were signed by the Oregon tribes between 1853-1856, creating the two western Oregon reservations of Siletz and Grand Ronde, the former French Canadian men took advantage of their wives' Indian heritage and claimed allotment rights on the reservation, most moving to the reservation in the first waves of Indian removal (1855-1857) (Munnick and Warner 1979).<sup>8</sup>

American settlers entered the region and claimed land with the help of the Oregon Donation Land Claim Act of 1850, which attracted settlers by the thousands.<sup>9</sup> It was "An Act to create the Office of Surveyor-General of the Public Lands in Oregon, and to provide for the Survey, and to make Donations to Settlers of the said Public Lands."<sup>10</sup>

This act spurred the settlers' desire for Indian lands. Congress passed the act before negotiating treaties with the tribes, or removing them from the land. At the time, many Americans believed in the popular nationalistic philosophy of Manifest Destiny. Many Americans believed it was the destiny of Americans to own a country from Atlantic to Pacific. Settlers believed it was their right to settle within this imagined national landscape without ethical worries about previous aboriginal land claims (Stephanson 1995).

### *The First Treaties for Western Oregon*

In 1851 and 1852, after American explorers discovered gold in southern Oregon and the United States Congress passed the Oregon Homestead Act (1850), the federal government realized they had not extinguished aboriginal title to the valuable Oregon lands. Anson Dart was appointed Superintendent of Indian Affairs in Oregon and negotiated nineteen treaties with most of the tribes in Oregon Territory (Beckham 1977:7; Carey 1971:548). The original philosophy behind those treaties was to move the Indians from western Oregon into eastern Oregon, away from the prime agricultural lands of the Willamette Valley.

On April 11 and 12, 1851 at the Santiam Treaty Council in Champoeg, Oregon Territory, the leaders of the Santiam Kalapuya tribe expressed strong opinions about where they were to live. The Santiam leaders Alquema and Tiacan maintained their desires to remain on their traditional territory, between the north and south forks of the Santiam River (Beckham 2006:116-124). The Santiam leader Tiacan stated,

They were friendly to the whites and had always been and that they were willing to do as their Great Father (President of the USA) wished and part with all of their lands, except a small portion, that they wished to reserve to live upon, feed their horses and cattle and cultivate (Beckham 2006:118).

After days of negotiation the Santiam leaders, “appeared willing to make a Treaty, selling all their lands, except that between the forks of the Santiam, which they wished to reserve” (Beckham 2006:119). When the Indian Agents suggested they move, east of the Cascade Range Tiacan stated, “Their hearts were upon that piece of land, and they didn’t wish to leave it” (Beckham 2006:119). Final inducements to move had no effect on the Kalapuya leader and Alquema stated, “We don’t want any other piece of land as a reserve than that in the forks of the Santiam River. We do not wish to remove” (Beckham 2006:120).

As presented above, the plan failed when the chiefs of the Santiam tribe refused to move east, and instead negotiated a reservation within the forks of the Santiam River (Brauner, et al. 1994:40). The negotiated reservations and settlements were heavily protested against by regional settlers and the treaties were not ratified in Congress (Carey 1971:549-551). Settlers objected to Indians maintaining possession of lands in the prime agricultural lands of Oregon. These were lands coveted by settlers who had severe opinions of native character and morality despite toleration of the Indians for white settlement (Schwartz 1997:41-43). The Commissioner of Indian Affairs in 1852 set about establishing a plan for resettlement of the tribes in California and Oregon.

Regarding the policy of the rejected treaties [in California] as finally abandoned, and considering the removal of the Indians from the State as impossible, I suggest, as worthy of consideration, the plan of forming them into two grand colonies, to be suitably located; one in the northern and the other in the southern portion of the State. Like circumstances recommend a like policy in relation to the



Indians west of the Cascade Mountains of Oregon (Affairs 1852:301; Coan 1922:4).

This plan is the predecessor of Superintendent Joel Palmer's first plan to move southern tribes in Oregon to the Klamath Basin, and the other western Oregon tribes to the Coast reservation.

### ***Oregon "Indian Wars" and Volunteer Militias***

As the population of white settlers increased and made more demands for land and resources, the Indian tribes began to defend their rights to remain in their traditional lands. Ongoing intrusions on Indian land by settlers, miners, and explorers caused several infamous conflicts and the Rogue River, Columbia River, and Modoc Indian wars (1850-1873). Americans considered the Indian tribes the aggressors when the tribes attempted to protect their rights under Indian law, that of their previous occupation of the land. Between 1852 and 1856, both private citizens and the federal government organized volunteer militias to retaliate against the perceived "Indian depredations." However, these militias went far beyond retaliation and committed murder and acts of genocide against Indians.

Before 1850, the United States had not made any agreements with the tribes to remove Indian land from aboriginal ownership. Beginning with the Oregon Trail immigrations into Oregon, land conflicts became more common. There were several important conflicts before the treaty era, such as the Jedediah Smith expedition massacre in 1828 and the Whitman Massacre in 1847.

The Jedediah Smith expedition (1828), caused conflicts with the California and Oregon Indians over the expedition's intrusion on tribal lands and the party's violent actions toward the tribes. Jedediah Smith led a party of trappers through California and Oregon. Driving a herd of 330 horses and mules, the group entered southwestern Oregon where they trapped and hunted as they moved through the land, never asking permission of the local tribes (Carey 1971:164).<sup>11</sup>

For many northwest tribal cultures, travelers must ask permission and pay for the right to trap on tribal lands (Drucker 1937). Tribal headmen charge a fee for this, usually a portion of the take, a common practice, and courtesy.<sup>12</sup> Indian law held that when strangers traveled across a tribe's land, the tribe expected a gift in order to remain in good relations. Smith exhibited no concept of this as his party indiscriminately hunted and trapped wherever they camped, taking game from the tribal lands. The party's reputation spread through tribal communications networks.<sup>13</sup> Therefore, by the time that the party reached the Oregon coast the tribes already knew of the Smith party's reputation as violent thieving selfish rogues. Many tribes fled to avoid the violent party, while members of the Coquille tribe chose to attack. The attack decimated Smith's expedition with only four men surviving, including Smith.

In a different situation, that of the Whitman Massacre, tribes on the Columbia held Dr. Whitman responsible for the deaths of their tribesmen from diseases. The Whitman Massacre involved the capture of fifty-three settlers, men, women, and children--and the killing of fourteen members of the Whitman Mission by members of the Cayuse and Umatilla tribes (Carey 1971:312). During this time, there was a tense environment in the region, with new settlers and traders arriving daily. Catholic and

Methodist ministers argued over the religious conversion of natives. Many of the new arrivals carried diseases. The Cayuse Indians became very ill with cholera and measles, and more than half of their population died by 1847.

Dr. Marcus Whitman visited the sick Indians, those afflicted with measles and cholera, and professed that a belief in God would save them. There were rumors that the diseases had been introduced by the missionaries (Carey 1971:312). In many northwest cultures, there is a belief that if a healer was not successful, they were subject to retribution from the families of the dead. Sometimes this meant death (Carey 1971:312). Thus, when the Cayuse began dying despite the efforts of Dr. Whitman, the Cayuse took retribution against the mission. There was an initial outbreak of violence and then the Mission inhabitants were captured and held for ransom for one month until it was paid, about \$400 in trade items, by Peter Skene Ogden, Chief Factor of the Hudson's Bay Company at Fort Vancouver (Carey 1971:312-313). A few years later, in 1850, the territorial militia captured the Cayuse chiefs who had been present at the Whitman Massacre, placed them on trial in Oregon City, and found them guilty. On June 3, 1850, Tiloukaikt, Tomahas, Kiamasumpkin, Iaiachalakis, and Klokomas were publicly hung (Jackson, et al. 1881:407).

In 1856, there arose a conflict involving tribes that were party to the Willamette Valley treaty. On the Columbia River, native leader Kamiakin led a force of Yakima, Klickitat, and Cascade Indians in an unsuccessful bid to take control of the region (Carey 1971:604). In the conflict fourteen Americans died. Afterward, enraged settlers murdered a family of non-aggressive Chinook Indians (Carey 1971:607). The result of this massacre was that Cascade Chief Chenoweth and eight other Cascade Indians were

executed in retribution for the massacre (Carey 1971:606). For some months following the executions, volunteer militia raids were conducted on Indian villages and Indians were executed at gunpoint for any provocation (Carey 1971:607).<sup>14</sup>

The Rogue River Tribes,<sup>15</sup> spurred on by mass exterminations and territorial encroachments, mounted several years of guerrilla-type warfare, from 1854-1856. The Rogue River tribes fought a series of battles in southwestern Oregon and northern California against constant encroachment on their lands. Indian ownership of the land was not well understood by the militia who were of the opinion that, "The Rogue River Indians ceded to the United States a large amount of territory to which they had no title, and over which they had no control, except the right of the robber to collect toll from the passing immigrants" (Evans 1889:420).

Part of the blame for the Rogue River Indian War is in the actions of the United States Congress. Congress tabled and never ratified the nineteen Oregon treaties negotiated in by Superintendent Anson Dart. Native leaders had expected the federal government to follow through with the treaties. When word reached the tribes that the treaties had failed, the tribes again banded together for mutual protection against constant militia attacks.

Editorials in Oregon newspapers carried opinions about who caused many of the conflicts among the Indians, most sided with the settler populations. New political parties grew in Oregon that sought to gain ground against the older settlers, those who had established the territorial government and passed the organic acts (1843-1845). Conflicts with the Indians were political issues in a colonial struggle for political domination in Oregon.<sup>16</sup>

Additional fuel added to the fire of public opinion through a constant stream of news from the Rogue River country, much of it published in the newspapers in Oregon, of public calls to rally against the “savages.” An 1851 account from the *Oregonian* newspaper mentioned, “Some 20 or 30 citizens, joining our packers before leaving camp, formed with a party of about 50 which accompanied us, and rendered us much assistance.” The party of volunteers commenced to find, “a ranhero which [they] destroyed, killing several males, and capturing 8 squaws with some children.” Additionally, the volunteers were joined by General Lane who had additional volunteers, and “a party from the Shasta diggings, among whom was Maj. Frenner, the ‘Mustang’ of Mexico and Texas notoriety” and commenced to search “about in the mountains, destroying villages, killing all the males [they] could find, and capturing women and children. [They]. . . killed about 30 altogether, and [had] 28 prisoners. . . in camp” (R.S.W. 1851:2).<sup>17</sup>

The area covered by this letter is near present day Table Rock and Grant’s Pass, Oregon on the Rogue River. The military commissioned the original party to find a good wagon road from Oregon to California. On the way, they cleared the area of the apparent hostile Athapaskan tribes, those tribes who are actively objecting to intrusions in their homelands. In the letter, we can see the relationship between this part-volunteer and part-military militia and the gold miners of northern California. An open wagon route would expedite gold traffic to Portland and the Willamette Valley and enrich the businessmen who established themselves as rich traders to the world. The Oregon-California trade networks appropriated Indian trail systems as their primary routes. This network became

especially important after the California Gold Rush of 1849. Later, in the 1850s, there was a smaller gold rush in southern Oregon.

In the same newspaper were other opinions about the cause of the hostilities. Again, in 1851 the *Oregonian* newspaper published an opinion seeking to reveal the cause of the hostilities. The editorial blames the political aspirations of men seeking to make war against the Indians for the continued violence. Statements in the *Statesman* newspaper in Salem, accused politically influential men of “Making false representations seek to incite the relentless hands of lawless men to the commission of outrageous acts of violence against the Indians” (Anonymous 1851a:2). Furthermore, the original violence was halted through the efforts of Governor Gaines to negotiate treaties with the tribes (Anonymous 1851a:2).<sup>18</sup>

Despite the hysterical rhetoric by motivated settlers, the tribes never threatened the population centers of Oregon. Nearly all of the problems occurred in the frontier areas of Oregon, where there was a lack of oversight of the settler and miner populations (Beckham 1971; 1977; Douthit 2002; Schwartz 1997). The militias pursued what they thought was a righteous campaign against “blood-thirsty savages” who had no rights to the land. Despite warnings from the local Indian chiefs to leave their lands, the settlers maintained and sought to defend their presence through the militia, causing additional strife in the region.

To aid in the extermination campaign, the territorial legislatures of Oregon and California passed legislative bills allowing financial claims by Americans to offset the costs of fighting Indians (Schwartz 1997:45-46). Many gold miners, who did not strike it rich in the gold fields of California and Oregon, chose instead to fight Indians. The

territorial legislatures would then reimburse them for their efforts and their resources used in the battles. The Oregon Territorial Government initiated its own volunteer militias, of prominent citizenry who participated in campaigns in Southern Oregon. Many of their actions contributed to the general Indian unrest in the region, especially the Rogue River Indian Wars and later in the Modoc Indian War.

The militia and southern Oregon Indian battles and retaliatory attacks caused continuous conflict in southern Oregon, indicating that renegotiation of the treaties was necessary for peace. Joel Palmer, Dart's successor, began negotiating a second round of treaties in 1853-1855. During and after signing the treaties, volunteer militia operations continued to apply pressure to the Indians. Southern Oregon tribes responded by some tribes banding together against the militia, while other tribes sought refuge on the temporary reservations and around American settlements like Port Orford. Even as the treaties were being sent to Congress, "Lieutenant B.B. Griffin, of Company A, and Captain J.F. Miller, with a detachment of twenty-five men, was ordered to march on the morning of June 10th. The Lieutenant proceeded to Sterling creek, where he destroyed the rancheria of Chief Elijah after a slight skirmish" (Evans 1889:412-413). Later in the same year "on October 8, 1855, a band of white volunteers surrounded a camp of reservation Indians and killed twenty-three men, women, and children. These men then scalped their victims and returned to Jacksonville. Indians began to attack whites the next day" (Evans 1889:412-413).<sup>19</sup> These incredible actions were acts of genocide against the natives, far outweighing any offenses made against the white settlers by the tribes.

The conflicts were a propaganda campaign intended to get the U.S. Army to come to Oregon and remove the Indians. However, the Army was engaged in the Mexican-

American War (1846-1848) in the region that would become the states of California, Arizona, New Mexico, and parts of Colorado. The Army could not spare the soldiers for the Oregon Territory until 1855. When the U.S. Army arrived in Oregon in 1856 following a successful Mexican campaign (Carey 1971:543), General Wool conducted his own evaluation and concluded that it was the Americans who were the sole aggressors (Beckham 1971; Douthit 2002; Schwartz 1997:124-125). General Wool's correspondence, printed in the *Oregonian* newspaper during the conflicts, emphasizes the severity of the regional situation. General Wool stated, "It was reported to me, that many citizens, with due proportion of volunteers, and two newspapers, advocated the extermination of the Indians" and "Maj. Lupton and his party [volunteers] who killed 25 Indians, eighteen of whom were women and children. These were friendly Indians on their way to their reservation, where they expected protection from the whites" (Wool 1856:2-3). General Wool furthermore directed his army to protect the Cayuse Indians from the volunteers. However, because of the increased hostilities against the Indians on the part of the whites, the tribes were joining forces and Wool requested from the federal government, "a much larger force than we now have in Washington and Oregon Territories to resist savage barbarities and to protect the whites" from the Indians (Wool 1856:2-3).<sup>20</sup>

The Oregon Territorial government originally advocated for removal of the tribes to the eastern side of the Cascade Mountains. The Territorial government used the aforementioned propaganda of "Indian depredations" to imply that the Indian tribes were guilty of making war against Americans. Settlers and the media blamed the tribes for attacking settlers in southern Oregon. Many of the thefts from Americans were



perpetrated by the general lawless population in the west consisting of many foreigners, American war veterans, outlawed Mexicans and others involved in the gold rush (Schwartz 1997:45). Indians were assigned the blame for every unsolved act of theft or violence despite the overall climate of lawlessness (Schwartz 1997:45).

### **Reservation Era**

With the conflicts between settlers and Indians increasing and the amount of available land decreasing, the federal government made plans to move the western Oregon Indians to reservations. The Federal government undertook the removal to make room for additional white settlement and to protect the Indians from acts of violence and genocide committed by the American settlers. The American military forcibly removed Indians from their homelands to reservations in western Oregon. The Oregon tribal members call these forced marches the Oregon Trail of Tears. The first reservations laid out by the federal government were expansive. Policy changes, changing administrations, and increased demand for land ate away at the reservation land throughout the 19<sup>th</sup> and early 20<sup>th</sup> centuries. The government moved and removed Indian groups each change often left the Indians with few resources and little aid.

Without the promised support from the federal government and unable to procure their own resources, Native populations declined. Poverty, disease, and mistreatment by government agents were the norm. The federal government instated programs to assimilate Indian children. These programs aimed at “civilizing” the “savages” so that they could become productive citizens in American society. Missionaries ran the first

schools. The programs later expanded to off reservation boarding schools.

Anthropologists began to document all they could about the disappearing Indian cultures.

By the early 20<sup>th</sup> century, natives at Grand Ronde learned to adapt to the political environment and to rural Oregon society. The tribe as a whole did well and appeared to assimilate, but poverty was still rampant. Many Indians moved away from the Grand Ronde reservation to find work. However, employers paid Indians half the wage as white Americans for the same work. Agriculture and canning programs instated by the government helped, but were not long-term solutions. By middle of the 20<sup>th</sup> century, the situations of the Indians of the Grand Ronde reservation had improved little. This is when the government decided to begin efforts to terminate the reservation completely.

### ***Palmer's Treaties and Removal to Reservations***

#### **Palmer's Treaties**

In 1853, the federal government hastened to negotiate treaties with Oregon tribes to make way for the flood of immigrant settlers traveling across the central plains on the Oregon Trail. In May 1853, Benjamin Alvord, Bt. Major of the 4th Infantry at Fort Drum of The Dalles, published a notice in the *Oregonian* newspaper, "The Indian title has not yet been extinguished by treaty," and "but no act of congress has yet authorized the president to commence any on the East of those mountains. Therefore it is not proper for settlements to be made there" (Alvord 1853:2).<sup>21</sup>

Superintendent Joel Palmer, hired after Anson Dart resigned as the Indian agent in western Oregon, recommended four policy points: "a home remote from the settlements;

laws guarding them from degraded whites; laws governing the Indians in their relations with one another; and the aid of schools, missionaries, and instruction in agriculture” (Coan 1922:4; Palmer 1853a:450). For a short time, Joel Palmer attempted to remove the tribes to a permanent reservation in the Klamath Lake area, but the Indians refused this move. Palmer settled instead on the coastal area for all western Oregon tribes (Brauner, et al. 1994:45). In 1853-1855, Joel Palmer and his Indian Agents negotiated seven additional treaties.

These treaties are:<sup>22</sup>

1. Cow Creek Band Umpqua Nov 19, 1853
2. Rogue River Tribes 1853
3. Rogue River Tribes 1854
4. Chasta Costa Nov 18 1854
5. Umpqua and Kalapuya Nov. 29 1854
6. Conf. Bands of the Willamette Valley Jan. 22, 1855
7. Molalla Dec. 29, 1855

The two 1853 treaties of the Cow Creek Band of Umpqua and the Rogue River Tribes established the first temporary reservation at Table Rock. This did not fully halt the hostilities as many tribes continued to defend themselves against the militia. Later, Palmer negotiated treaties with tribes that covered all of the Willamette Valley and southwestern Oregon. Palmer negotiated an eighth treaty in 1855 with the coastal tribes, but it Congress never ratified it. The Willamette Valley tribes, the Chinook tribes, and the Molalla all moved to the Yamhill River Valley<sup>23</sup> in January to March 1856. These seven treaties helped establish the Grand Ronde Reservation.

### **Resettlement 1855-1856**

When the federal government removed all of the Indian peoples in western Oregon from their aboriginal homelands, Palmer promised them a permanent reservation. At least seven ratified treaties referred to this permanent reservation (Palmer 1853b; 1853c; 1854a; 1854b; 1854c; 1855b; 1855d). Joel Palmer's plan was to remove the tribes to temporary reservations while they waited for the permanent reservation to be developed (Beckham 1971; Brauner, et al. 1994; Douthit 2002; Kent 1977; Schwartz 1997). The removal to a permanent reservation, the Coast Reservation, had to wait until the Army had built the facilities for the reservation. The first of the temporary reservations was Table Rock Reservation, where the Rogue Rivers, Takelmas, and Chastas lived for about two years, from 1854 to 1856. During the same time, Palmer removed the Cow Creek Umpqua Indians to two temporary settlements in the Umpqua Valley for a short time.<sup>24</sup>

Palmer intended the Coast Reservation to be the sole reservation in western Oregon for the Willamette Valley, southwestern Oregon, and coastal tribes. In late 1855, Palmer's plans changed. Conflicts between the southwestern Oregon Indians and the settler militia hastened Palmer and the Army to move all of the tribes in western Oregon as soon as possible. Beginning in 1854, the Army began purchasing the land claims of most of the American settlers in the Yamhill Valley. The Yamhill Valley already had a well-developed agricultural system with established farmstead buildings from previous white settlement and a good wagon road. The Yamhill Valley was the original traditional homeland of the Yamel<sup>25</sup> Kalapuyas.

In 1855, when the option of a second and more accessible valley became available, Superintendent Palmer decided to use the Yamhill Valley as a staging area and additional temporary reservation and add the land to the sizeable but undeveloped Coast Reservation. The settlement was called “headwaters of the Yamhill” or the “Yamhill River Reservation” (Commissioner of Indian Affairs 1854-60). In a letter to General Wool, Palmer chose to move the Indians because:

The existence of a war of extermination by our citizens against all Indians in Southern Oregon . . . in violation of all treaty stipulations . . . has induced me to take steps to remove friendly bands of Indians now assembled at Fort Lane and upon Umpqua Reservation, to an encampment on the headwaters of the Yam Hill River . . . adjoining the Coast reservation. . . this plan has been adopted with a view of saving the lives of those Indians as having given just and reasonable assurances of friendship (Oregon 1985; Palmer 1855a:2-7).

After the tribes settled on their new reservation lands at what would become the Grand Ronde agency and the Coast Reservation, the military built three blockhouses: Fort Hoskins, Fort Yamhill, and Fort Umpqua in the mountain and coastal passes. These forts were meant to enforce order on the reservations, to keep the Indians on the reservations, and to keep the whites out of the reservations (Brauner, et al. 1994).

The southern Oregon tribes began arriving in late 1855 and into 1856 for the tribes removed along the coast. In all, Palmer and the Army transported 1,400 Indians by schooner from Port Orford to Portland and down the Yamhill River to the Yamhill Valley. Palmer previously relocated the Clackamas and northern Kalapuya tribes to small temporary reservations near their homelands, and they resettled in the Yamhill Valley in 1856. Regional Indian removals by the U.S. Army resettled members of some tribes on different reservations in Oregon and Washington, including Grand Ronde, Siletz, Warm

Springs, Umatilla, and Yakama. The different tribes and bands encamped in separate locations around the Yamhill River below Fort Yamhill (Griffin 1994:4,8).

Without military support, Superintendent Palmer managed to round up enough local support so that between January and April 1856, an additional 1,500 friendly Indians walked and rode to Grand Ronde Agency from the Umpqua and Rogue Valleys (Brauner, et al. 1994:52). By the middle of June, there were about 2,000 Indians in Port Orford. At the end of June, Superintendent Palmer requisitioned two steamships and took the Indians to Portland, and then down the Yamhill River, where they were marched through the Yamhill Valley to the Coast Reservation. Another 250 Indians, the last to surrender in southwestern Oregon, were marched up the coast to the Coast Reservation. They settled on the lands along the Siletz River where the army built the agency buildings. Other small groups of Indians: Coos, Lower Umpqua, Alsea, and Siuslaw remained in their homelands at Winchester Bay and Alsea Bay, which later became the Umpqua-Alsea Sub-agency (Brauner, et al. 1994:54). Some tribes were removed to the Grand Ronde Agency in as early as 1855 from the Willamette Valley, mainly the Kalapuya and Molala Tribes. The story of the Rogue River and Takelma march from southern Oregon to Grand Ronde is called the inland Oregon Trail of Tears among the descendants of these people at Grand Ronde. On the journey, elders say, "Seven people died and seven babies were born."<sup>26</sup>

The most famous oral account of Indian removal to the Grand Ronde Reservation is that of Martha Jane Sands. Grand Ronde elders say that Martha Jane Sands, a Takelma Indian, survived the Rogue River Indian wars when she was a child by hiding in a beaver

dam. Later Martha Jane walked barefoot to the Yamhill Valley. This probably took place in 1857.<sup>27</sup>

When the Rogue River tribes arrived at Grand Ronde Agency in 1856 from Table Rock Reservation, Palmer made the decision that they could stay. These tribes had been peaceful, they had maintained their treaty agreements, and had remained on the temporary reservation at the Table Rock Reservation (Brauner, et al. 1994:52).

In the eastern parts of the territory, the tribes were supposed to move to two other reservations: Warm Springs Reservation in the north and to Klamath Reservation in the south. Later, the Commissioner of Indian Affairs established the Malheur Reservation in eastern Oregon for the Paiute people, but this reservation lasted for only a short time, 1872 to 1878.

Superintendent Palmer decided then to separate the tribes based on their history of aggression toward American settlers. Palmer moved the Willamette Valley and Columbia River tribes to the Yamhill Valley, because they were “more civilized” and had been more peaceful toward the settlers. The southwestern Oregon tribes had been more aggressive and warlike, so Palmer decided to remove them to the more remote Siletz Agency (Brauner, et al. 1994:48).

### ***Coast Reservation Structure***

The original structure was to be a one hundred mile stretch of the coast reaching inland about 20 miles to the crest of the Coast range. Palmer intended removal of all western Oregon Indians to this reservation permanently. As events progressed and the

tribes became more threatened and threatening in southwestern Oregon, Palmer decided to change the original structure of the Coast Reservation.

Before the Army removed the tribes to the reservation, Palmer, in cooperation with the Army, added 61,000 acres of the Yamhill Valley to the Coast Reservation. Palmer made this decision between November 9 and December 21, 1855, before he negotiated the Molala treaty (December 29, 1855). In the Molala treaty, Palmer states the future Grand Ronde reservation is “on the head-waters of the Yamhill River adjoining the coast reservation” where after improvements are made they are “to remove to said coast reservation” (Palmer 1855c). This is the only time in the western Oregon treaties that Palmer mentions the Yamhill River in a treaty.

The addition, Yamhill Valley is clearly represented in the “Sketch of the Indian Reservation on the Western Coast of Oregon drawn by Lt. Bonnycastle, A.D.C. to Gen. Wool, 1855” (Figure 1) (Adams 1991:13). This sketch depicts the Coast Reservation’s southern boundary beginning at the coastal town of Florence, and the northern boundary at the Nestucca River, about the site of Pacific City. The eastern boundary is a straight line about twenty miles inland intersecting the crest of the Coast Range to about the Siletz River. It then jogs to the east another ten miles or so, turns north for about ten miles, then turns west and ends in a straight line with the Nestucca River at the coast. The western boundary is the Pacific Ocean. The shape of the Coast Reservation is not rectangular as sometimes pictured but instead an inverted “L” shape. In addition, Brauner’s map of the Coast Reservation depicts a similar structure of the Coast Reservation (Figure 2), with the inclusion of an additional portion of land to the north on the coast and a boundary separation of Grand Ronde to the east, from the rest of the Coast



reservation (Brauner, et al. 1994:79).<sup>28</sup> The additional northern section included portions of the Nehalem Tillamook aboriginal homelands.

These maps (Figures 1-2) clearly indicate the intention of the military to include the Yamhill Valley and by extension the Grand Ronde Agency as an integral part of the Coast Reservation. Brauner states that Superintendent Palmer's plan became the removal of "Indians to Grand Ronde Valley as the initial step in carrying out the proposed policy of concentrating all the Indians west of the Cascade Mountains on one large reservation" (1994:49).

Once most of the western Oregon Indians had resettled on the reservation, Palmer divided the Coast Reservation into a four-agency system with the Alsea sub-agency to the south, the Siletz Agency in the middle, the Grand Ronde Agency to the north, and the Salmon River sub-agency northwest of the Grand Ronde Agency. The Grand Ronde agency served the Salmon River sub-agency and the Siletz Agency served the Alsea sub-agency. The Coast Reservation included all four agencies with three military forts (Umpqua, Yamhill, and Hoskins) established at key passes to control entrance into and exit from the reservation.

On December 21, 1865, President Andrew Johnson signed an executive order removing a southern portion of the Coast Reservation, the Yaquina Tract, from the Coast Reservation. This split the reservation lands into two parts where Siletz Agency administered the lands in the north and the Alsea Agency administered those in the south (Brauner, et al. 1994:65).<sup>29</sup> In 1875, Congress removed the two last remaining coastal tracts from the Coast Reservation. The Grand Ronde and Siletz reservations replaced the Coast Reservation, which no longer existed. This act closed the Alsea and Salmon River

sub-agencies. The southern tribes at the Alsea sub-agency moved to the Siletz Reservation. The government removed and divided the Nehalem people at the Salmon River sub-agency between the Grand Ronde and Siletz reservations. Thereafter, the Grand Ronde and Siletz Reservations remained distinct management agencies.

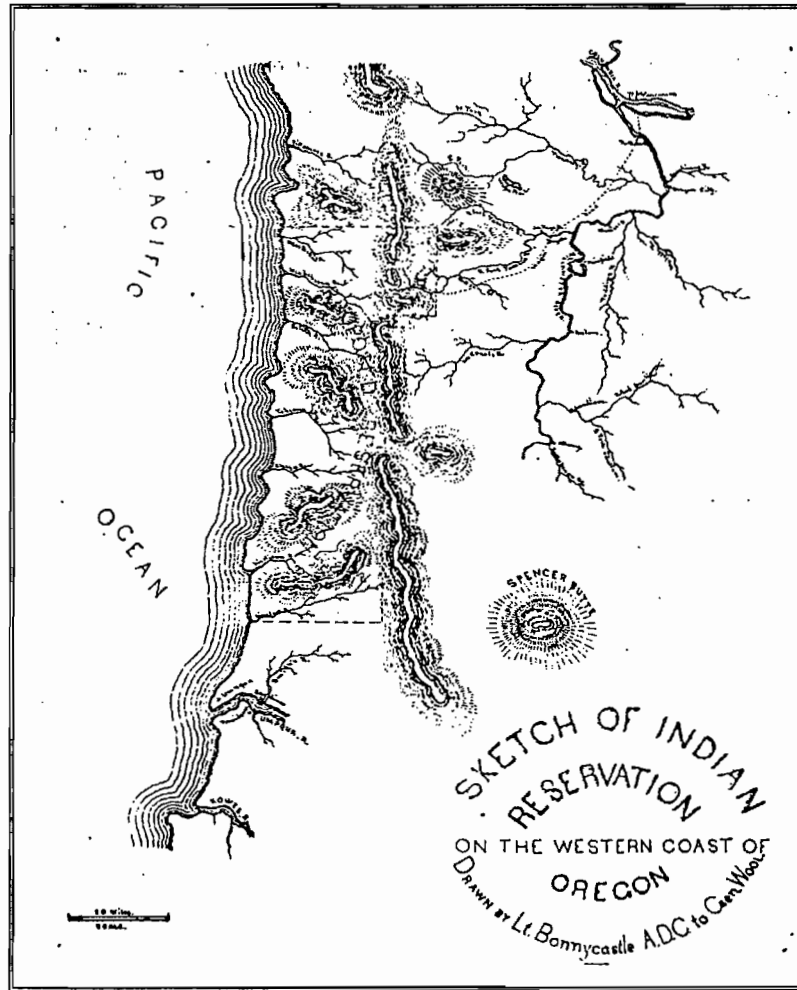
### **Early Conditions of Siletz Valley**

Conditions at the Siletz Agency were extremely rude. There had been no building or development before the Indians' arrival in late summer 1856. Between summer of 1856 and 1857, the Indians had to fend for themselves. Food shipments were lost in poor weather and during the harsh winter (Brauner, et al. 1994:54). The Siletz Agency was not developed until 1857 when Agent R. B. Metcalf took charge (Brauner, et al. 1994:56-57).

### **Establishment of the Grand Ronde Reservation**






Before the establishment of the Grand Ronde Reservation, the Grand Ronde agency was the final tract of land added to the Coast Reservation in 1855 by Superintendent Palmer, encompassing 61,440 acres (Pierce 1957). President Franklin Pierce's Executive Order of June 30, 1857, formally established Grand Ronde Reservation. In 1857, the separate functions of the Grand Ronde and Siletz Agencies became better defined. In 1857, about two-thirds of the Rogue River Indians moved to the Siletz Agency from Grand Ronde to join their fellow tribes. The two reservations and agencies remained under the umbrella of the Coast Reservation until 1875 when Congress removed the excess lands of the Coast reservation. At this time, the Siletz and Grand Ronde reservations became separate and distinct administrative units.

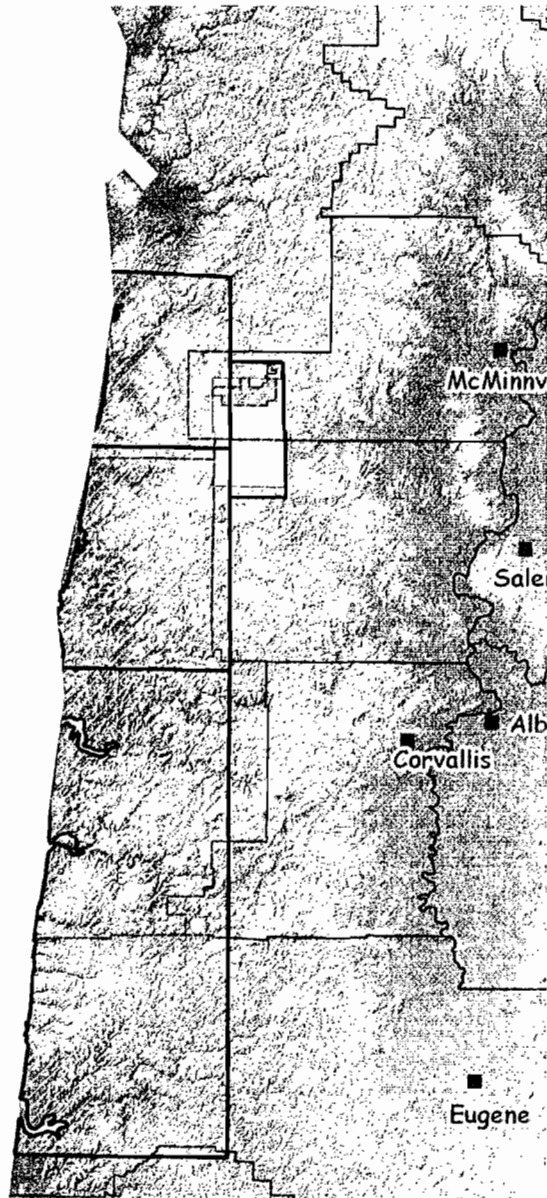
Many tribes chose to remain at Grand Ronde Agency rather than move to the Siletz Agency. Two maps from the Grand Ronde Agency locate Rogue River, Umpqua, and Shasta villages within the reservation at late as 1858. The Hazen Map (1856) shows the Rogue Rivers and Umpquas in individual villages (Griffin 1994:8) (Figure 3). The Nesmith Map of 1858 shows Shasta and Cow Creek (Umpqua) villages grouped around the William Kuykendall estate (Griffin 1994:4) (Figure 4). The 1858 date of this survey indicates that some of these tribes remained at the Grand Ronde Reservation even though the Commissioner of Indian Affairs wanted them removed to the Siletz Agency.



**Figure 1: Sketch of Indian Reservation on the Western Coast of Oregon, Lt. Bonnycastle 1855. National Archives Records Administration.**

**Legend**

-  coastal\_res\_harger\_1972
-  Towns
-  Counties
-  Current Grand Ronde Reservation
-  Historic Grand Ronde Reservation



**Figure 2: Map of Coast Reservation adapted from Brauner 1994 and Harger 1972, David Lewis and Volker Mell, CTGR GIS Program 2008.**

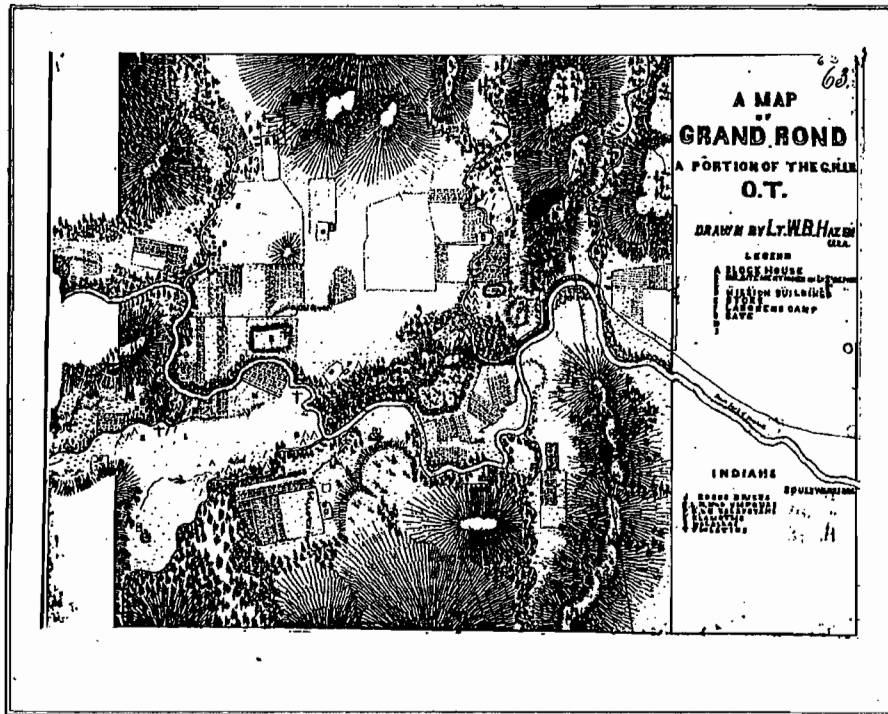


Figure 3: A Map of Grand Ronde: A Portion of the G.R.I.R., Lt. W.B. Hazen 1856.

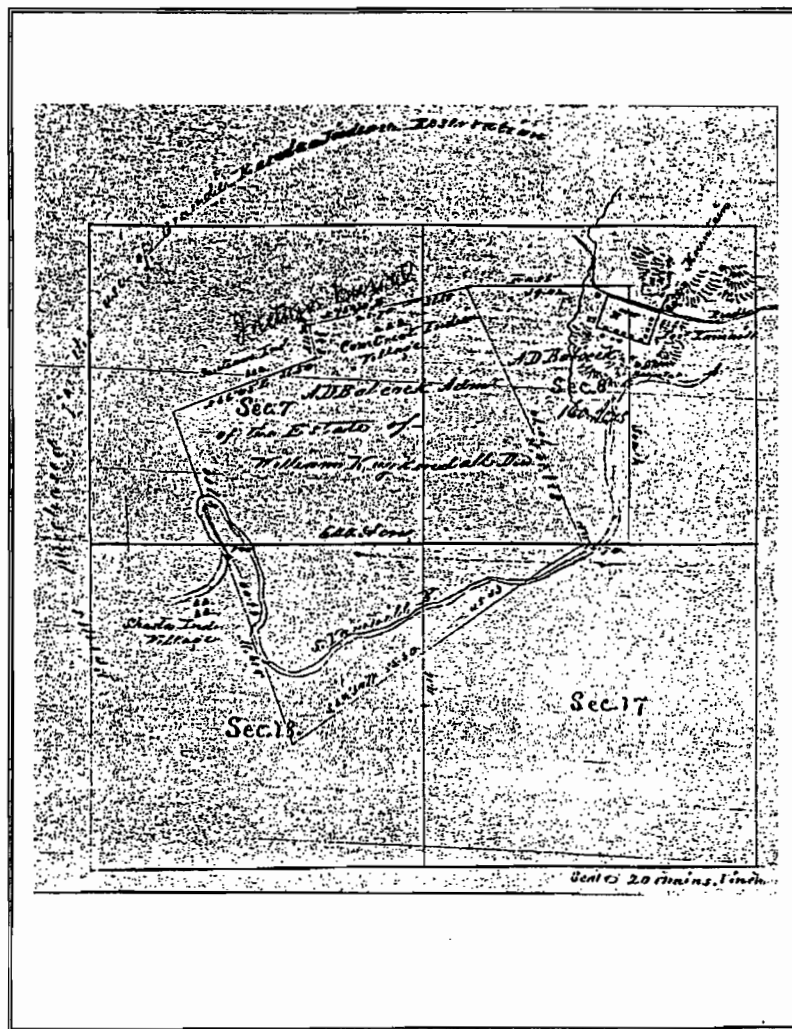


Figure 4: William Kuykendall estate, Nesmith Map of 1858

### ***Treaty Ratification***

Between 1855 and 1861, Congress ratified most of the treaties negotiated by Palmer with the western Oregon Indians. The ratified treaties involved tribes from the Columbia River, the Willamette Valley, the Cascade Range, the Umpqua Valley, and southwestern Oregon. However, Congress never ratified the eighth western Oregon treaty, the Coast Treaty, involving Tututni, Coos, Coquille, Alsea, Yaquina, Nehalem, and Clatsop people.

By 1861, Congress decided to stop negotiating treaties with tribes which created an enormous financial burden for the government. When the Civil War erupted, treaty making was suspended for the duration of the war (Brauner, et al. 1994:60-61). After the Civil War, Congress ended treaty making with tribes with the Appropriation Act of March 3, 1871. Congress stated in the act, "No treaties shall hereafter be negotiated with any Indian tribe within the United States as an Independent Nation or People" (States 1871).

### ***Life and Living Conditions on the Grand Ronde Reservation: 1856 to 1940s***

By 1857, the military had removed most Indians from western Oregon to the Indian agencies at Siletz and Grand Ronde and the Alsea and Salmon River sub-agencies. The few remaining Indians, members of the Alsea and Tillamook tribes (removed after 1875) and a scattering of other individuals and small family groups, either refused removal or escaped the reservation to return to their homelands. A good example of this escapement are the Tututni and Tolowa tribes who were removed to Siletz during the



Oregon Trail of Tears and later fled the reservation to return to southwestern Oregon and to the Smith River-Crescent City area of northern California (Drucker 1937).<sup>30</sup>

Native people of western Oregon consisted of about sixty different tribes, and the military forced at least twenty-seven of these tribes to resettle at Grand Ronde agency. At this time, many of the tribes consisted of less than a dozen individuals. The tribes initially did not integrate with the other tribes and created separated settlements. The Indian agency policies and stipulations in the treaties forced the tribes to alter their traditional lifeways and depend on the federal government and its Indian agents for food and supplies. The native people knew little or nothing about American cultural systems of money, land ownership, education, or the federal bureaucracy. The stresses of cultural change and the abuses of the reservation system forced a further population decline.

The reservation living conditions were harsh. Natives were fully controlled and federal policies did not allow them to leave or return if they left without approval. The Indian Office ran the reservation similar to a concentration camp. The inhabitants had to depend on the federal government for nearly every resource. Treaty funds did not continue forever, and when funds were exhausted, the people had to depend on the federal government even further. Federal funding was very slow to arrive for each year forcing Indian agents to make additional requests for funding for services and resources that were commonly available in cities and towns.

Between the 1850s and the 1890s, Indian life on reservations in Oregon, was very difficult. The military stationed dragoon troops at the blockhouse forts at the valley passes near the Grand Ronde and Siletz reservations. These dragoons supposedly protected the Indians from murderous and unscrupulous white men, but their main

purpose was to keep the Indians on the reservations. Many Indians still chose to leave the reservations temporarily, legally and illegally, during the Willamette Valley harvest seasons and work as laborers.

### **Constant Stress**

The reservation environment kept the native inhabitants in a constant state of stress over their safety and security. P.B. Sinnott, United States Indian Agent at Grand Ronde Reservation in 1877, described the stress at the reservation:

The Indians of this agency are kept in a state of constant uneasiness and insecurity by reports of whites with whom they come in contact to the effect that they are soon to be removed from their present homes, and that the deeds to their lands are valueless, and may at any time be annulled or canceled (Commissioner of Indian Affairs 1877).<sup>31</sup>

The 1877 Sinnott report clearly indicates the impermanency of the Indian peoples' situation. The history of the federal removal of land and of moving the Indians around to suit the needs of the American populations exemplifies the impermanency of the situation for Indians. The federal government removed the Indian tribes from their homelands in 1855, following the second round of treaty negotiations. Most had lived temporarily on the Table Rock Reservation; then in 1857, the Indian Office moved the tribes to the far north, some 600 miles away to the Coast Reservation, to the Grand Ronde and Siletz agencies. Two years later, many of the Rogue River peoples at Grand Ronde removed to the Siletz Agency. When the federal government removed the four Coast Reservation tracts and the sub-agencies in 1865 and 1875, the government forced additional groups of Indians to move to the much-reduced Siletz and Grand Ronde reservations. With allotment in 1894, the Dawes Act caused the loss of more reservation land at Siletz and

Grand Ronde reservations through the sales of unallotted reservation lands to the public. The tribes lost additional reservation lands in the ensuing decades through BIA approved sale and heirship sales.

Additionally, during the 100 years of Indian administration in western Oregon, there were several changes in administrative centers since 1855 (Table 1) (Pryse 1950b). The changing administration center lent itself to uneven management of Indians.

Administrative Office	Years
Siletz Agency	1855-1925
Grand Ronde Agency	1857-1908
Roseburg Agency	1910-1917
Salem Indian School	1925-1938
Grand Ronde-Siletz Agency	1938-1947
Chemawa School	1947-1948
Area Office	1948-present (1950)

**Table 1 Administrative Office Location Changes 1855-1950, Pryse 1950**

Just a few years after establishing the reservations, the federal government began to drop funding for services guaranteed to the Indians through treaties. In 1861, the Commissioner of Indian Affairs, William P. Dole, asked that the government fund these services at Grand Ronde by reminding the Commissioner of Indian Affairs about the tribes' treaty rights: "I would call your attention to the treaty stipulations with the Umpquas and Calapooias of the Umpqua valley, of the 29<sup>th</sup> November, 1854. The second article of this treaty provides that the United States shall pay to said confederated bands the sum of two thousand and three hundred dollars for the term of five years next succeeding the first five" (Commissioner of Indian Affairs and Dole 1861:7-9). Then, Agent Dole summarized the deficiencies in the reservation supplies for the Indians: "The articles forwarded have invariably failed to give satisfaction to the Indians. They are of inferior quality, unsuitable to their wants or tastes" (Commissioner of Indian Affairs and Dole 1861:7-9). Agent Dole suggested to the Commissioner that local merchants could supply quality supplies: "better articles can be obtained in this market at a less price, and such as are adapted for their wants" (Commissioner of Indian Affairs and Dole 1861:7-9). This plan suggests that the Indian agents take local control of the supply funds and efficiently use funds to benefit the Indians. Agent Dole suggested that the federal government was not sending the reservation's full complement of annual funding: "only a portion of the funds appropriated in 1860 have, as yet, been received" (Commissioner of Indian Affairs and Dole 1861:7-9).<sup>32</sup>

In the Agents' reports, it was normal to find that funds needed for buying new equipment, for food, and for clothing were not available. Agents regularly wrote the Commissioner of Indian Affairs for more funds. The lack of full support and funding for

basic services continued to impoverish the Indians despite the fact that their ratified treaties guaranteed these services. It was a common occurrence for the Indian agent to petition the commissioner for permission to give the Indian agency resources. Most instances these resources were too old or well worn for further use. These resources included elderly livestock and worn out farm tools (SWORP Collection 1995-Present; Lewis 2002).

### **Health Care**

The government provided little health care for the reservation Indians. There was usually a doctor on staff, but the equipment and medicines available were outdated and substandard. Many medicines were twenty years old, and the Indians had to travel to the Willamette Valley to find effective medicine for their illnesses. Jack West at Siletz reservation described the medical illness of his daughter: "I have a little girl Sussie West just seven years old this last August. She is not strong. She has a pain in her side most all the time and a cough when she run she gets sick if she goes in rainy days outdoors" (Lewis 2002; West 1881). However, the Agent was insisting that the girl attend the reservation boarding school and Jack West legitimately feared for the life of his daughter: "I don't want put in boarding hall because her mother can't look after her if she gets wet and cold" (Lewis 2002; West 1881). Yet the Agent insisted and backed up his orders with force: "Then Agent no say no more but I send my little girl to her grandma with her grandfather and Agent send policeman and drag her off the horse she cry for Police and she don't know what policeman take her for" (Lewis 2002; West 1881). West struggled with this problem because the medical care at the reservation was not adequate for the

needs of the community. The lack of care forced Jack West to go outside of the reservation for effective medicine: “Doctor no cure my child. I buy medicine outside. She get cure now Doctor made me cause I buy medicine outside” (Lewis 2002; West 1881). Jack West’s struggle to save the life of his child, Susie, had many dimensions. West was fighting the Indian agent, the school superintendent, the police, and the outdated medicines at the reservation. The West family’s medical and health issues were common for Indians at the Grand Ronde and Siletz reservations (Lewis 2002).<sup>33</sup>

### **Native Jobs**

It was hard to make money on the reservation because Indians were paid exactly one-half salary of what whites were paid for the same job. Therefore, many Indians chose to leave the reservation alone or with family groups to harvest crops, timber, or work in canneries. Since the beginnings of the reservation, Grand Ronde and Siletz Indians worked in hops, beans, harvesting, and logging operations.<sup>34</sup> In the summers, Indian families left the reservation to earn a good portion of their yearly income in the Willamette Valley. The Indian families spent their winters on the reservation. This annual economic cycle continued for over one hundred years, from the 1850s into the 1960s, and later for some families.<sup>35</sup> In 1901, the Indian Office reported that in June, of the 107 men on the reservation, 60 remained and voted on the proposal to sell the unallotted reservation lands, and about 45 were off the reservation “working for white men in different localities” (Interior 1901:4). This represents a significant proportion of the population working off the reservation in the summer season.

The conditions at the reservations did not improve in the twentieth century. In 1931, Congress conducted hearings about the conditions on Indian reservations in the United States. Several Indian representatives from Oregon reservations made statements about the conditions at those reservations:

Jerry Brunoe testifying at Warm Springs, Oregon May 29, 1931: You go over the hill here and I am afraid you would be awfully ashamed to see the homes what we have. . . They are making an awfully hard living on this reservation. We have no income from nowhere, none at all. . . . The Indians have to go out and find something to do, go out and dig potatoes or pick strawberries or cherries. That is the living we are making in this reservation. I will frankly tell you this is one of the poorest reservations in the United States. . . We have no farm land at all, not to amount to anything. We got little patches here and there. We have a stock range. We raise little stock. That is the only thing we depend on today (United States Senate 1932).

Conditions at the reservations changed little in the nearly 80 years since it was established.

### **Indian Allotments**

The government's reduction of the Coast reservation (1865-1894) down to the relatively small land areas of Grand Ronde and Siletz reservations caused problems with land availability. This limited Indian access to areas of land sufficient to support them. Elwood Towner a lawyer of the Rogue River Indians testified at Klamath Agency on May 28, 1931, about land issues at Siletz Reservation. Elwood stated that there were approximately 300 Rogue River Indians and an unknown number of others living on approximately 24 square miles at the Siletz Reservation. He went on to say:

There is no available room for them. The reservation was opened up for settlement I believe in 1894 [white settlement]. They were given allotments – that is the Indians that were living at that time. . . At the present time there are four



sections of land held in trust by the Government but most of that is timber. Otherwise, there is no available land at Siletz to be given to the Indians. The Indians in southern Oregon, or lots of them, many of them, have never received any land, including myself (United States Senate 1932).

The Grand Ronde Indians gained their Indian allotments in the 1890s through the Dawes Act.<sup>36</sup> The federal government gave Indians land allotments in this process because the Indians could not gain land any other way once they ceded their homelands to the United States. Because Indians were not American citizens, they had no rights to allotment under United States law. While Indian policy sought to assimilate the tribes into the populace, this was not occurring quickly enough for the Federal government. The tribe held their land in common, and therefore, it was not subject to be sold as fee-patent lands. Congress envisioned individual allotment as a way to break up the tribal community lands and more quickly cause Indians to assimilate.<sup>37</sup>

Some white men chose to move to the reservation with their wives to gain the free Indian allotments. The family of Marie Petit (Indian) and Francis Mercier moved back to the reservation to gain an allotment. Francis Mercier was Belgian, a naturalized citizen, and had gained a regular settler allotment when declaring citizenship. After marrying his wife Marie, a Grand Ronde Indian, she gained the right to a free Indian allotment under the Dawes Act. They sold their settlement allotment in favor of an on-reservation Indian allotment (Bureau of Indian Affairs 1905).

In 1891, 270 tribal members, mainly men and unmarried women, gained allotments under the Dawes Act (Interior 1901:3).<sup>38</sup> By July 1901, 33,468 acres were allotted to 274 Indians, leaving 25,791 acres unallotted and 440 acres reserved for government purposes (Interior 1901:5). As much of the reservation went unclaimed, the

Indian Office negotiated a sale of unallotted lands for a flat sum of \$28,500 or about \$1.10 an acre (Interior 1901:5). Each tribal member was given \$72 per capita for their part of the land sale (Interior 1901:5).

As the century progressed, the Indian Office approved many more acres of allotted reservation lands to be sold off to Americans. C. E. Larsen, Siletz Agency clerk, testified at Chemawa Indian School on May 30, 1931, stating how many Indian allotments remained, and what the Indians were doing to make a living. “On the Grand Ronde Reservation there is a total of 333 [Indians] living” as, “mill workers and farm helpers . . . wages, road work, and in the timber . . . they have lost practically all of the good farm land . . . [Through] nonpayment of taxes and sold, mortgages, and loans. Larsen also stated that “There are only about, I would judge, 100 that do have inherited land” and that the land was mostly “burned-over land, hill land, timbered” (United States Senate 1932).<sup>39</sup>

By 1931, very few Indian allotments remained at Grand Ronde and there remained almost no services or support for the elder Indians who did not have the option of assimilating. Abe Hudson of Grand Ronde testified at Chemawa Indian School on May 30, 1931 stating,

We have four or five old people that need attention . . . They sold their land; consequently, they have nothing at the present time . . . They are in bad circumstances. Their health is not in good shape . . . I would suggest or would ask that there would be some arrangements made whereby there should be set aside something like a few acres where they could do their own farming, raise their own crops, and supply the needs of their home if they have a home (United States Senate 1932).<sup>40</sup>

Essentially the federal government left Grand Ronde tribal members to their own resources and forced them to find the means of survival in rural Oregon. Poverty was a

common result of such abandonment, as many people still lived in crude cabins off dirt roads without running water, electricity, or many of the other commonly understood necessities of modern existence.

Norma Lewis at Grand Ronde remembered that John and Hattie Hudson's house was off a dirt road in Old Grand Ronde. Sometime in the 1930s, the community laid wooden planks into the roadbed to help traction in the winter months. As the planks aged, the Norma recalled, cars would be stuck between the broken planks. Additionally Norma would visit Grandma Hattie Hudson who would take all of the children fishing in the South Yamhill River. This is where they commonly had to fetch water, as the house had no running water.<sup>41</sup>

The conditions and status of the western Oregon Indians from 1856 to the 1940s caused them to remain in poverty for many generations. Many Oregon Indians had no choice but to find ways to integrate into the larger American society to survive. Thus, assimilation became a common occurrence for the native people. Despite this, people maintained a connection with their cultural foundations.

### ***Assimilation Policy and Education***

Christian missionary organizations provided the first Euro-American education into Oregon. For much of the 19<sup>th</sup> century, religious education of natives was a normal, common practice, which the United States supported. For tribal reservations, there was no suggestion that there should be a separation of church and state as missionaries set about working to convert natives and re-educate them into "civilized" lifestyles. The missionaries also helped build a foundation for increased settlement of the region by

European-Americans. Late in the 19th century, the Bureau of Indian Affairs took over responsibility for education of natives. The earliest United States model was that of a boarding school, so daily returns home would not interrupt their education. The policy was assimilation, and the federal government wanted all Indian children to give up their native lifeways and become culturally Americans.

Catholic and Methodist missions were established in the territory before the 1846, previous to the beginning of an assimilation policy for the region. The church missionaries and ministers sought ways to “save” Indians and convert them to the Christian faiths. Nationalism, during this period, was associated with religious affiliation. People of Catholic affiliation were considered British Canadian, and those of Protestant affiliation were considered American (Carey 1971:302-303). To prove the extent of their influence, the competing religions made tallies of their supposed native converts. Religious conversions consisted of dunking people under water or splashing water on them and did not constitute true spiritual conversion (Schaefer 1929). Many tribal people never fully converted from their Native spirituality and became religious amalgamators, whereby many of the new religions combined with traditional spirituality.<sup>42</sup> Both religions remain prominent in Indian communities on the Northwest coast to the present day.

The early assimilation policy in the Oregon territory took the form of “civilizing” efforts by the missions who would hold church services and attempt to educate Indian children. Much of the education efforts appear to have been in the Chinook Jargon language, a common medium of communication at Fort Vancouver and at other settlements. The federal government did not yet have a fully formed United States

national policy regarding assimilation. Secretaries of War William H. Crawford and John C. Calhoun's opinions, expressed in 1816 and 1818, were that "the Indian should become a member of the family of freedmen," and that Indians needed to be prepared "for a full participation and enjoyment. . . . with [other] citizens of all . . . moral and political rights" (Loewenberg 1976:57). In the Oregon Territory of the 1830s and 1840s, Methodist missionaries turned their attentions to Christianizing the Indians in order to civilize them (Loewenberg 1976:64). Their opinions helped shape national policy on how Indians are to be welcomed into American society.

The early Methodist and Catholic missionaries to Oregon educated and trained Indians in the agricultural traditions of American culture. Jason Lee, the first Methodist minister in Oregon, arrived at Fort Vancouver on September 15, 1834 (Brosnan 1932:69). In October, Reverend Lee established his house on the east bank of the Willamette River as described by Cyrus Shepard a year later:

Our establishment is on the east bank of the Willamette [the Multonomah of the maps] about sixty miles above its confluence with the Columbia. There are seven of eight families of settlers within a few miles of us; these are Canadians and Roman Catholics, and have taken native women for their wives . . . Our neighbors are very friendly, and several of them are desirous to have their children at school with us (Brosnan 1932:70-71).

By February 1835, Reverend Lee had already taken in several Indian children and immediately began to teach them in the agriculture, animal husbandry, reading, and writing. Lee began with a traditional educational pedagogy:

We devote one hour each evening in teaching them to read and spell, and I think I never knew children make more rapid progress. I trust it will not be long before we shall have a flourishing school here, which I think is the most effectual means of benefiting these truly miserable beings (Brosnan 1932:73).<sup>43</sup>

Lee did not maintain a high opinion of his students but they made rapid progress.

Cyrus Shepard, a member of Reverend Lee's household and teacher in the school, created the Indian school at Lee's homestead on March 7, 1835, and he oversaw it until his death on January 1, 1840 (Brosnan 1932:75). This mission school represents the first organized effort in Oregon to educate Indian children. Reverend Lee thought the mission and its associated school to be the greatest hope for converting the Indians to the Methodist faith. Lee housed, fed, clothed, and educated Indian children and renamed them with American sounding names like "Wilber Fisk" "Osmon C. Baker" and "Elijak Hedding" (Brosnan 1932:82).

Reverend Lee, his mission and the associated school continued to attract Indians, most likely of the Kalapuya tribes who inhabited the Willamette Valley, and an estimated thirty-nine children were taken into the mission in the first two years (Carey 1971:290). This mission washed away in flood. In 1841, in the Chemeketa<sup>44</sup> area Jason Lee built a new mission school, and named it the Indian Manual Training School. This school and the associated property were sold to the trustees of the Oregon Institute in 1844 (Brosnan 1932:83). The Jason Lee's land became developed into what is now downtown Salem, including the Oregon State Capital, Willamette University, and the Mission Mill Museum.

In the ten years of the Mission school's history, the Indians managed to teach many of the teachers, such as Margaret Smith, the Chinook Jargon language. Chinook Jargon became the medium of communication between the Indians and the Americans at the mission. Smith learned the jargon so well that she was able to give sermons in the trade language (Brosnan 1932:82).<sup>45</sup>

In 1850, the Commissioner of Indian Affairs gave orders to Superintendent Anson Dart to urge the Indians to “engage in agricultural pursuits” and missionaries among the Indians were to be encouraged to educate them in these pursuits (Bancroft 1888:208). By 1851, Jason Lee’s and other settler’s efforts had already trained many Indians in the Willamette Valley in the American style of agriculture. Several tribes integrated their lifestyles with that of the American settlers. In 1851, the Tualatin Kalapuya Indians already exhibited aspects of assimilation: “The Twallatty’s [sic] are, many of them, very good farmers, and are employed extensively during the harvest season in getting in the crops” (Anonymous 1851c).

In addition, missionaries took Oregon Indians out of the region for more extensive education. This article from June 7, 1851 indicates that some Kalapuya Indians were in Massachusetts in the 1840s in an educational program:

Oregon Indians- The schooner Richmond, which arrived at New York on Thursday from Richmond, Va., had on board, as passengers, three Oregon Indians of the Collapooah tribe, on the borders of California. These with six others, have been traveling through the United States and sojourning at Westfield Mass, where they have been receiving a finished English education. They are now on their return to the Pacific Coast (Anonymous 1851b: sic).<sup>46</sup>

The most notable educated Oregon native of the time was Ranald MacDonald (1824-1894), descendant of the Chief Comcomly of the Chinook tribe.<sup>47</sup> MacDonald taught English in Japan and was the first to do so.

At the reservations, the federal government established concentrated efforts to assimilate Indians within government-run schools. Local Catholic and Protestant churches and ministers initially ran the boarding schools with federal government

approval. Catholic Sisters served as the teachers under Reverend Adrian Croquet at Grand Ronde (Van Der Heyden 1905:154).

The ratified treaties of 1853-1855 included agricultural and educational services to the tribes as part of their payment for their ceded lands. The following example is from the Treaty with the Chasta, 1854:

said annuities to be expended for the use and benefit of said bands and tribe in such manner as the President may from time to time prescribe; for provisions, clothing, and merchandise; for buildings, opening and fencing farms, breaking land, providing stock, agricultural implements, tools, seeds, and such other objects as will in his judgment promote the comfort and advance the prosperity and civilization of said Indians . . . . School-houses shall be erected, and qualified teachers employed to instruct children on the reserve, and books and stationery furnished for fifteen years (Palmer 1854a).

The rest of the Oregon treaties contain similar proclamations for education and civilization of the Indians. In this manner, assimilation processes were included in the process of writing treaties with the Indians so they might someday assimilate into American society.

In 1878, Sinnott describes the educational and supplies needs of Grand Ronde students:

The expiration of the treaty with the Umpqua and Calapooia Indians, of \$1,450 per annum for school purposes, last July, leaves but \$3,000 per annum for the support of schools, pay of teachers, clothing and subsistence of pupils, books, & c [etc]. The amount necessary is \$5,000. The average of 100 scholars could then be assured. In my last report I stated the necessity of a new building, suitable for a boarding-house, in connection with the school. The building now in use is entirely unfit for the purpose. I hope to be able to build one the present year (Commissioner of Indian Affairs 1878).

These education funds left the Indians in a precarious and insecure position as to the education of their children. The lack of commitment on the part of the government to support the Indians in their education was apparent during this time.



The federal government established off-reservation boarding schools in the late 1870s. Captain Richard H. Pratt established the original policy for the off-reservation boarding schools in 1879 at Carlisle. Pratt's policy emphasized the concept of "Kill the Indian and Save the Man" as part of his campaign for Indian education in the later nineteenth century (Garrett 1892:46–59; Pratt 1973:260–271).

When established in 1880 as the Forest Grove School, it was the second off-reservation boarding school in the United States. In 1885, the federal government moved the school to Salem, Oregon and renamed it Chemawa Indian School.

The government forced children in the off-reservation boarding schools to assimilate through forced immersion in American culture. This was the primary strategy used to socialize Indians away from their traditional culture. At those schools, the boarding school staff forced Indian children to speak only English. The staff forced the children to cut their hair, and to wear American clothing. Neither the staff nor the Indian Office allowed children to return to their families, sometimes for many years. The government intensely supported the program, and in 1889 Thomas Jefferson Morgan, Commissioner of Indian Affairs stated his position:

When we speak of education of the Indians, we mean that comprehensive system of training and instruction which will convert them into American citizens, put within their reach the blessings which the rest of us enjoy, and enable them to compete successfully with the white man on his own ground and with his own methods (Hamley 1994).

Assimilation policies by the federal government brought a scattering of services to the tribes in the form of off-reservation and on-reservation boarding schools. When the reservation day schools failed to produce "Americans" or Indians stripped of their

culture, then it became a policy of the federal government to remove the Indian children from the reservation and send them hundreds of miles away to off-reservation boarding schools. This education program met with mixed success since many children escaped and returned home even though they were far away. Others formed inter-tribal groups that sought to preserve their culture and traditions, and did so by combining their cultures. This is one of the major factors that produced the cultural phenomenon that is called Pan-Indianism, or a combination of cultures that culminates today in the Pow wow celebrations (Lomawaima 1994).

Federal assimilation policies produced brutal acts against the Indian students at the schools. At both reservation and off-reservation schools in Oregon were recorded such acts by tribal elders. In 1891, Chief Depot Charley at Siletz described two such acts of violence against students.

Superintendent Mr. Walker. He has whipped a girl of twelve years of age. Her face and hands are all cut by strikes of the whipping. . . Holding her high above the floor, and then gave her the whipping, holding her by the hair. . . John Albert prove his child head and ear is not right since she receive the whipping which cause her to be deaf, by pulling her up by her hair (Charley 1891:sic).

Additionally, Charley wrote about a previous incident at the Chemawa Indian School in Salem.

I made my report before to Washington about Superintendent Mr. Walker choking two school boys, and I report before U.S. Special Agent again told him boys will get sick if treated in that way. Them boys sent to Chemawa one of them was sick receiving from choking. Been there two months come back and died (Charley 1891).<sup>48</sup>

This type of event was common at Indian boarding schools. The federal government based the structure of the schools on Colonel Pratt's military boarding school policy, which had little sympathy for children and was only concerned that the children

assimilate to American culture.<sup>49</sup> Many of the health reports from Siletz and Grand Ronde show that Indian children sometimes died in school (SWORP Collection 1995-Present:COIA Annual Reports).

### ***Population Decline and Salvage Anthropology***

At the time of the establishment of the reservation there were about 1,000 Indians residing in the Grand Ronde Reservation. This population declined due to disease, malnutrition, and assimilation, so that the population at 1900 was about 396 Indians (Interior 1901:5). Non-Indian people purchased the unallotted lands and timber companies, as much of the land was mountainous timberlands and useless for farming.<sup>50</sup> In time, the Indians married and had children with people from other tribes at the reservation, and at other reservations, and ancestries became complex. Now, many descendants can claim up to a dozen indigenous ancestries since the creation of reservation. Intertribal marriage is part of the traditional culture of Oregon tribes because well before American settlement, such marriage was a well-established tradition between tribes.

Reservation populations continued to decline, with the low point of population for the Oregon tribes being between 1890 and 1910. To ethnographers, the population decline appeared to spell the end for the Indians. In western Oregon, by the turn of the 20<sup>th</sup> century, there was a 90% to 95% decline in native populations from the pre-settlement era (Boyd 1999:263). This was a common situation across the nation. Anthropologists and other social scientists feared that American Indians would go extinct. This caused a scramble by anthropologists, linguists, and folklorists to gather up

the last remaining bits of cultural information they could write down, to somewhat preserve these “vanishing peoples” and cultures. The anthropologists implemented a methodology, later called salvage ethnology, to capture every nuance of the native culture before they vanished forever (Cole 1985; Jacobs and Seaburg 2003; Seaburg 1996). During this period, anthropologists descended upon the Grand Ronde Reservation. The assumption that Indians would go extinct may have assuaged the government into thinking that they would not have to do anything further to assimilate the Indians, as they were dying out anyway (Committee on Indian Affairs 1943:23).<sup>51</sup> In the decades that followed, the pace at which Indians vanished did not reach extinction levels and Indian peoples found ways to survive. Until the 1930s, “Indian policy was rooted in the assumption that the Indians would disappear. Authorities responsible for policy continued to refer to a diminishing population long after the growth curve had turned upward” (McNickle 1962:53).

### ***Conditions on the Reservation 1900-1940s***

Conditions at the Grand Ronde Reservation improved slightly in the twentieth century. Many tribal members gained United States citizenship through gaining an allotment, or serving during World War I. Some tribal member moved off the reservation to local cities like Sheridan or Lincoln City to take wage labor jobs. This expatriation off the reservation caused some of the net decline in population. Most other conditions at the reservation remained the same as there remained little industry or work near the reservation.

Poverty on the reservation was normal as the Indian Office and local farmers set discriminatory wages and basic living standards regarding the native people. The Indian agency paid Indians half the income of white people doing the same job throughout the nineteenth century and well into the twentieth century (SWORP Collection 1995-Present:COIA Annual Reports). Farming at the reservation provided an unreliable income and thousands of Indians opted to travel into the Willamette Valley to Salem, Independence, Eugene, and the Portland area to work as migrant farm workers picking hops, beans, strawberries, and raspberries annually. The annual agricultural labor cycle continued into the 1970s for some families. This cultural lifestyle mirrored their original traditional lifestyle of the western Oregon Indians, before the U.S. government forced the tribes to remove and alter their lifestyles.<sup>52</sup> During the same time, many native men chose to work in the timber industry. The men traveled throughout the western region of the United States joining logging outfits in California, Oregon, Washington, and Alaska. Most sent money back to their families on the reservation, as they sometimes did not return for a year or more.

In the 1930s, the BIA attempted to capitalize on the farm worker culture through the Rehabilitation Program that instituted a canning industry at Grand Ronde, Siletz, and Chemawa Indian School. The federal government ran the Rehabilitation Program through Chemawa Indian School because at this time, Chemawa was the agency headquarters. The BIA facilitated the creation of farms to produce canning products, and nearly the whole Grand Ronde community took part in the project. The project lasted only a few decades, producing a canning culture with the tribe. This culture survives to some extent to this day (Lewis 2007).

### **Indian Reorganization Act**

The Grand Ronde tribal council kept regular tribal community meetings from the earliest days of the reservation. In 1934, the tribal council meetings attracted the most prominent tribal leaders from throughout the community to gather in large community meetings. Joel Berreman, a noted student scholar at the University of Oregon and Stanford University suggested that these meetings were not culturally “Indian” in their appearance (Berreman 1934b). Berreman made his analysis after only a few weeks of study in the field at Grand Ronde and while describing the extensive tribal council meetings (Berreman 1934a; 1934b; 1935).

On May 13, 1936, Grand Ronde joined many other tribes in the United States in establishing a constitution and bylaws under the Indian Reorganization Act (IRA).<sup>53</sup> As a result, the tribes elected officials and a tribal council established under the constitution of the tribe. On August 22, 1936, the federal government ratified the Corporate Charter of the Confederated Tribes of the Grand Ronde Community of Oregon.<sup>54</sup> The Corporate Charter established a business committee meant to further the economic development of the tribe including forest resources and land. These two documents helped Indian people at Grand Ronde to integrate into the local society by handling many of the political and economic decisions for the tribe. The committee and council became the main decision making organizations on behalf of the tribe. Following reorganization, Grand Ronde was on its way to developing self-sufficiency for all members.

## Conclusion

Following the settlement of Americans and removal of Indians from their traditional lands in the 19<sup>th</sup> century, more than sixty tribes of western Oregon maintained only a few thousand acres. Tribal peoples began this period as a sovereign people, living within their own cultures and laws. After removal, they were a managed people, subject to the will of American politicians and the American political system. Federal Indian policies sought to assimilate the people and eliminate the last aboriginal claims to tribal sovereignty.

During this period, Tribal peoples experienced incredibly inhumane treatment at the hands of the federal government and its agents. Tribal members had poor health care, a lack of federal social services, and forced education for their children. Many tribal members assimilated into American society and dissociated from the tribe. Federal policies of land reductions and boarding schools were the strategies that the federal government employed to separate the tribal peoples from their culture and power.

At Grand Ronde, many of the people successfully integrated into American society. Many left the reservation to live in Portland and other cities because of poor treatment and poverty on the reservation. Despite all of the adversities, the people persevered, kept the tribal society alive, and left on their own, with little federal aid, many of the people integrated with the surrounding rural society. The tribes enjoyed a brief period of economic growth during World War II, which ended following the war when white Americans returned. The federal government then began preparations for liquidation for all tribes.

## Notes

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<sup>1</sup> See chapter 1 for additional discussions about native perspective and written histories.

<sup>2</sup> McLoughlin did execute an Indian under the Royal Charter.

<sup>3</sup> In Stephen F. Ross, COMPARATIVE CONSTITUTIONAL LAW (U.S./CANADA), 9th ed, Chapter 7.  
<http://www.dsl.psu.edu/faculty/ross/9.chapter7.pdf>

<sup>4</sup> I surmise that the accuracy of the Tribal information aided Lewis and Clark in the accuracy of their maps and the ultimate success of their voyage. This is especially true when understanding the neither man was trained in cartography.

<sup>5</sup> Summarized from a variety of settlers accounts.

<sup>6</sup> For further discussion, see chapter 1.

<sup>7</sup> See Chapter 1 for more ethnographic theory.

<sup>8</sup> This information gathered from Catholic Church records from Fort Vancouver, St. Paul, and Grand Ronde. Through the Catholic Church records, we can track the French Canadians from Vancouver to Grand Ronde Reservation through their successive generations.

<sup>9</sup> The act gave free land to white settlers who started farms in the region.

<sup>10</sup> Oregon Donation Land Act. Ch. 76, 9 Stat. 496 Sept. 27, 1850.

<sup>11</sup> The Smith party represented great wealth with the herd of horses, which they jealously hoarded, not giving the tribes any of the horses as gifts for their encroachments over their lands and the use of their resources. The Smith party did not offer the tribes any gifts for their indiscretions, threatened a few tribes, and indiscriminately used the resources of the land. The tribes began spreading the word in advance of the exploratory party. When Smith reached the northern California coast, they began having small conflicts with tribes, where Indians shot many horses and mules. Smith and the party reacted with violence towards the Indians and continued to move northward. To cross rivers, they tore apart Indian plank houses to make rafts; they stole a canoe, and took an Umpqua chief hostage until a stolen ax was recovered. A few days later Kelawatset Indians attacked the Smith encampment scattered the horses and killed many of the party. Smith and three men escaped to Fort Vancouver.

<sup>12</sup> It is a common diplomatic procedure when visiting a foreign nation to present gifts to prove your peaceful intentions. This is my own understanding of this issue, but this is also a common practice among indigenous societies worldwide.

<sup>13</sup> See the Jedediah Smith journals. Tribes in southern Oregon would disappear before the party would arrive, in apparent fear. This may constitute an example of indigenous communications networks.



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<sup>14</sup> As shown by the death of Chinook Chief Spencer and his family by “volunteers.”

<sup>15</sup> A loose characterization of several different tribal groups lumped together because of their common history and common regional context. They are Athapaskan and Takelman speaking peoples, as well as some association with the Chasta or Shasta peoples. There may also be associations with Tolowa-Tututni, Klamath and Umpqua in some histories. American settlers were not too specific when characterizing these “rogues” in the popular media and the name stuck.

<sup>16</sup> Personal opinion.

<sup>17</sup> For the full Reference, see Chapter 3 Appendix, Reference 1.

<sup>18</sup> For the full Reference, see Chapter 3 Appendix, Reference 2.

<sup>19</sup> For the full quote, see Chapter 3 Appendix, Reference 3. Oregon State Archives website, <http://arcweb.sos.state.or.us/echoes/link16.html>.

<sup>20</sup> For the full quote, see Chapter 3 Appendix, Reference 4.

<sup>21</sup> For the full quote, see Chapter 3 Appendix Reference 6.

<sup>22</sup> See chapter 3 appendix for the treaty texts.

<sup>23</sup> This land became Grand Ronde Agency.

<sup>24</sup> Louis LaChance personal conversation 2008.

<sup>25</sup> There is a relationship between the words Yamhill and Yamel. Similarly, Illahee and Illinois in the Rogue River area of southwestern Oregon; Atfalati and Tualatin. There are many such words that have been Americanized.

<sup>26</sup> This is a common story known by members of the tribe. It is printed in various histories but its origin is in oral history of the Tribal Elders. The story changes with individual recitations and sometimes the number of people is 8 dies and 8 born.

<sup>27</sup> This is a story that many people remember, but there appears to be no official version in print and sometimes the details of the story change. The only version written down is that at the Spirit Mountain Casino, at the bronze statue of Martha Jane Sands.

<sup>28</sup> Adapted from Barth 1959.

<sup>29</sup> “Reservation” and “Agency” are intermixed in government documents as if they are the same entity. They are not. An agency is a smaller administration center for the Indians of the larger reservation.

<sup>30</sup> Loren Bommelyn personal conversations 1997. Additional cases are reported among the Tillamook, Nehalem, Yoncalla Kalapuya. It was common for tribal people to gain off-reservation allotments following the Dawes Act. The Tolowas were later removed to the Hoopa reservation and again returned to their

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homelands. In the 1890s, the Commissioner of Indian Affairs purchased lands for the Tolowas in their homelands because of their refusal to leave. The Tututni peoples stayed in southwestern Oregon and formed small community groups that gained some measure of rights through the BIA offices in Portland, but never gained a reservation. They were allotted off-reservation land instead, and men, women, and children claimed allotments under this policy. Off-reservation allotment records, National Archives Records Administration, Washington, D.C. Copies in the Southwest Oregon Research Project Collection, Series 2, University of Oregon, Special collections, Knight Library.

<sup>31</sup> For the full quote, see Appendix C, Reference 8.

<sup>32</sup> For the full quote, see Appendix C, Reference 9.

<sup>33</sup> For the full quote, see Appendix C, Reference 10.

<sup>34</sup> The Indians of the west were literally the first Indigenous migrant farm workers, a tradition that ended for most following termination.

<sup>35</sup> The agricultural nature of the cycle and the consistency lead me to believe that this cycle from the reservations to the Willamette Valley is linked to already well-established pre-settlement traditions of the Oregon Indians. It is theorized that Oregon Indians participated in a seasonal round, traveling annually to different resource areas when plants are ripe or animals and fish are available for hunting and fishing. Essentially the Reservation-era seasonal round falls into a similar pattern for agricultural harvesting and gathering as that pre-settlement. Various sources have pointed out that this practice ended after termination, and Mexican farm labor came into greater use and was advocated for by the government. Loren Bommelyn has stated that Indians were prominent in harvesting Easter lily bulbs in Smith River, but after Mexican farm labor came in, in the 1960s, this practice ended (personal communication 1999).

<sup>36</sup> See Chapter 2 this volume.

<sup>37</sup> See Chapter 3 for additional information on allotment and assimilation.

<sup>38</sup> See Chapter 2.

<sup>39</sup> For the full quote, see Appendix C, Reference 11.

<sup>40</sup> For the full quote, see Appendix C, Reference 12.

<sup>41</sup> Norma Lewis 2006.

<sup>42</sup> This is personal conjecture gained from speaking with elders and others about their adherence to at least two different religions at the same time. Native worldview for many does not discriminate in this manner, and many Indian people adhere to more than one religion. This is a historical and contemporary phenomenon.

<sup>43</sup> For a full quote, see Appendix C, Reference 16.

<sup>44</sup> Chemeketa was the original Santiam Kalapuya name of a local Indian village in this area in what is now Salem, Oregon.

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<sup>45</sup> The notion that Chinook Jargon is a “trade” jargon is debated by many scholars including Tony Johnson and Henry Zenk.

<sup>46</sup> The college in Massachusetts was likely Westfield State College established in 1838. In communications with the college archivist, no records of the Kalapuya Indians have been found.

<sup>47</sup> The efforts by settlers to educate the Indians were extensive for some. The most notable example of an Oregon Indian receiving a high level of education is that of Ranald MacDonald (1824-1894). Ranald was the grandson of Chief Comcomly of the Chinook tribe, Son of Archibald MacDonald, an employee with Hudson’s Bay Company and Princess Raven, daughter of Chief Comcomly. Ranald was well educated by his father Archibald who was a graduate of the University of Edinburgh, Scotland, and at one time was teaching English in Japan as part of a cultural exchange program. Ranald took his formal education at the Red River Academy in British North America, now Manitoba, Canada.

<sup>48</sup> For the full quote, see Appendix C, Reference 12.

<sup>49</sup> See Chapter 2 for additional Information on Indian education and assimilation.

<sup>50</sup> See Chapter 2 for additional information on the Dawes Act.

<sup>51</sup> John Collier points out the common assumption of the continued decline in Indian populations as being in error.

<sup>52</sup> The seasonal round with annual demographic movements of families from winter permanent towns to regular hunting and harvesting localities in the valleys and mountains. This is a rough parallel with the annual migration from the reservations to the valley in the reservation era.

<sup>53</sup> <http://thorpe.ou.edu/IRA/rondcons.html>

<sup>54</sup> <http://thorpe.ou.edu/IRA/rondchrtr.html>

## **CHAPTER IV**

### **NATIONAL TERMINATION: POLICY, PREPARATION, AND JUSTIFICATION**

[The] real issue. A violent action was in process, an action directed from the outside against the tribe. The action was designed to kill . . . the Indian's past, by shattering the bridge of tribal land and tribal religion which united past and future - the bridge on which the deathless two-way journey plied from living past to living future, living future to living past. John Collier, *on the Gleaming way* (1962)

#### **Introduction**

In the 1940s, the federal government began discussions of how to solve their Indian problems. The government made and implemented plans to begin preparation for the freedom and ultimate liquidation of the reservation assets and termination of the rights of Native Americans. Joint Congressional committees conducted investigations to understand the problems Indians faced on reservations. As a result, Congress formulated plans for the termination of all tribes. In the meantime, local Indian Office field agents and educators began working with the tribes and Indian people to impress upon them that

termination was a reality that they needed to prepare for. Finally, Congress implemented national legislation to make federal termination the policy of the United States.

### **National Termination Discussions**

The initial Congressional discussions indicated that the federal government wanted to free the Indians from federal oversight. The belief was that Indian populations had assimilated into American society and they no longer needed or deserved federal support. Federal research determined that, in fact, assimilation had not occurred equally for each tribe. Constant under funding and mismanagement left many tribes in poverty and without equal access to resources. Despite inconclusive findings, the government began the process of termination.

#### ***Committee on Indian Affairs 1943***

Perhaps the most significant hearing to start the process of termination of the Indian tribes is that of March 23, 1943, before the Committee on Indian Affairs. This hearing established the foundations for a policy of dissolution of the Indian Bureau “at the first possible opportunity” (Affairs and Representatives 1943:6). During the hearing, Senator Mundt stated that he is looking forward to when Congress passes “constructive legislation” that will lead to the day when “Indians fit into white man’s civilization” (Affairs and Representatives 1943:6).

### *1944 Discussions and Actions*

Early in 1944, Commissioner Collier ordered a series of reports about the reservations. The “Grand Ronde Ten-Year Program, 1946-1955” (1944) reported that after many years of close association with white neighbors, Indian families are self-supporting and independent of government assistance. The report states that since 1938, the government provided intense assistance programs. The government gave many Indians the incentives to secure and hold responsible jobs. Since WWII, most of the Indian people in western Oregon had demonstrated an ability to hold responsible jobs and remain in those jobs.

The reports served as the foundational documents for termination of the reservations. The report stated that a long association with the whites accustomed the Grand Ronde Indians to a living standard equal in most respects (houses excepted) to the whites. Better living experiences and increased incomes were incentives for assimilation. Many tribal members enjoyed this change in living conditions during WWII. Regardless of the intent of the reports, during the 1947 Congressional discussions the *Ten-Year Programs* added information about the tribes to the discussions that helped established arguments in support of termination.

Later in 1944, the Committee on Indian Affairs continued their discussions about termination, ready with new information about the tribes. The committee recognized “that in their present status, the American Indians as groups are not ready to be ‘turned loose’” (Affairs and Representatives 1944:336). In addition, discussions turned to the fact that the federal government has not as yet discharged its obligation to the Indians to the

point where the Indian Office can be abolished, and the various necessary services to the Indians discontinued (Affairs and Representatives 1944:336).

In 1944, Scudder MeKeel described the “hardboiled” concept of termination sentiment in Congress. MeKeel implied that, “Recently a new and more constructive policy which seeks to reorganize Reservation societies on an economically sound basis has been initiated. Whether it can be carried through to success remains to be seen, but certainly this is not time to abandon the whole effort” (MeKeel 1944:11; Tyler 1973:143-144).<sup>1</sup> MeKeel refers to Collier’s new Indian policies implemented in the mid-1930s.<sup>2</sup> The tribes contended with many programmatic and policy changes where Congress changed policy to fit the political environment. Many federal Indian policies lasted only about ten years, when they changed with the next administration. Congressional discussions in the year 1944 were pivotal for termination and set the foundation for action in the 1950s.

#### ***Committee on Civil Service 1947***

In the hearings before the Committee on Civil Service, United States Senate, January 21-24, 1947, continued discussion of the foundation for termination occurred. Congress then formulated an early plan for termination through the creation of the method of prioritization for which tribes to terminate first (Committee on Civil Service 1947).

The committee of thirteen congressional representatives subjected William Zimmerman, Assistant Commissioner of Indian Affairs to a barrage of questions for five days. The primary concern of the committee was eliminating or reducing annual expenditures of the BIA. Chairman William Langer is notable among them as coming

from South Dakota, a state with a high population of American Indians. Despite Zimmerman's criticism of constant under funding of the BIA, Chairman Langer still maintained that "it seems to be after 100 years if these Indians cannot take care of themselves now they never will be able to" (Committee on Civil Service 1947:78).

In the 1940s, meetings between the region's Indian agents and the tribes took place to begin to prepare them for termination. The BIA learned that Indians were hesitant to give up their tribal membership. Zimmerman told the Committee one of their main concerns that "unless they could get the pro rata distribution of the tribal assets; and those assets, in many instances, include [indeterminate] claims against the Federal Government" (Committee on Civil Service 1947:81). The tribes feared that once terminated there would be no reason for Congress to treat them fairly in the settlement.

The issue of tribal claims is significant, as termination could relieve the federal government of the responsibility to pay claims. This fact did not go unnoticed by Zimmerman who stated, "These provisions for the gradual relinquishment of Government supervision would tend certainly to reduce those claims and ultimately to eliminate them" (Committee on Civil Service 1947:124).<sup>3</sup>

During the Committee on Civil Service hearings, the beginning of a plan for termination of the tribes begins to take shape. Zimmerman stated that the necessary inventories of federal assets has already occurred: "We have made a study of each reservation, of each Indian group and have attempted to measure their present assets and have attempted to work out a program for each group" (Committee on Civil Service 1947:86). These inventories are the 1944 *Ten Year Plans*. Zimmerman's gradual plan



suggested the elimination of some federal services to the reservation “to turn law and order over to the States” (Committee on Civil Service 1947:126). Legally, Zimmerman assured the Congressmen that “Congress has it within its power to negate treaties and repeal treaties and statutes” (Committee on Civil Service 1947:130).

Initially the staged or gradual reduction of services to all tribes presented a problem, as some tribes were not prepared. Zimmerman’s initial plan breaks up the Indian population into two separate groups; assimilated tribes, and unassimilated tribes. Of those not assimilated, Zimmerman states, “a substantial portion of the Indian population can be relieved of Federal supervision in 20 years” (Committee on Civil Service 1947:128). Zimmerman’s staged plan suggests it is possible to reduce the number of Indians entitled to federal services and through this method eliminate piecemeal or reduce the overall costs of services provided to the tribes (Committee on Civil Service 1947:543).

During the next hearing day, Zimmerman fully articulated the plan for defining and deciding which tribes to terminate. Zimmerman broke down the tribes into three parts. The first category “includes those which in my judgment could be denied Federal services immediately or in the future” (Committee on Civil Service 1947:544-545). Zimmerman then summarizes the second group as “a number of tribes who should be able to function with a small degree of Federal supervision, or no Federal supervision whatever, within 10 years . . . termination of Federal service would place the burden either on the Indians or on the States” (Committee on Civil Service 1947:544-545). Then Zimmerman summarizes the third group, those that remain unassimilated as “tribes which

. . . would require a longer term than the 10-year term . . . services to about 100,000 Indians would be eliminated within 10 years, the need for about 500 employees eliminated, saving the federal government as much as \$5 million dollars annually” (Committee on Civil Service 1947:544-545).<sup>4</sup>

Zimmerman’s suggestion for the ten-year termination period for the second group he calls “arbitrary.” He then establishes some better reasoning:

I selected [10 years] for two reasons, first because we had in the Indian Office prepared data, to which some reference has been made previously, on our so-called 10-year program, and the second reason is that the Indian Claims Commission has made a 10-year period in which to make its findings on the claims of the Indians against the United States” (Committee on Civil Service 1947:546).

Therefore, the proposal of a ten-year period answers the concerns expressed by the tribes that the federal government settle their Indian claims cases before termination occurs. In addition, the period gives the tribes more time to prepare for termination. Zimmerman’s statement clearly links the staged termination of tribes to both the information contained in the “Ten Year Program” reports and to the initial period stipulated in the Indian claims cases.

### ***Public Law 280***

The true legislative beginning of termination is cited by many scholars as the passing of Public Law 280 (P.L. 280) in 1952, which allowed some states to take over criminal legal jurisdictions for certain Indian reservations. P.L. 280 authorized the states of California, Minnesota, Oregon, and Wisconsin to assume civil and criminal jurisdiction over Indian reservations, with some exceptions. In Oregon, Grand Ronde,

and Siletz, reservations came under the jurisdiction of the state for civil and criminal law enforcement. Warm Springs was specifically excluded from the law (Fixico 1986a:112).

The law was intended as a reform measure to liberate tribes from federal dependence (Fixico 1986a:111). The importance of P.L. 280 is that if tribes are sovereign governments, then they are to be legally equal to states under the federal government. If states have legal jurisdiction over tribal lands, then states are on a higher legal status than tribal governments. P.L. 280 is an erosion of tribal legal and political power over their sovereign status.

The states did not appreciate the implications of P.L. 280. Under the law they were expected to take on the additional burden of legal jurisdiction over several thousand Indian people and several thousand acres, as well as supply government services to replace those services that the BIA was retracting (Fixico 1986a:112). This action intended to take the burden off the federal government for these services at a time when they were trying to reduce their overhead, and place this responsibility on the states. The states were also in an economic depression and they did not welcome this responsibility. The primary reason for this act was to manage the historic social and economic problems that remote rural reservations and those with no abundant resources experienced. These reservations had less access to services, and the BIA severely under-funded the administration of the reservations for decades. These reservations had suffered from neglect and had been subject to local opportunism since their beginning (Fixico 1986a:111). The law intended to rectify these problems by turning over the responsibility

to local state programs that could more easily respond to local issues through established state, county, and urban service organizations.

P.L. 280 was the first of a proposed series of laws intended to dismantle the BIA. Secretary of the Interior Douglas McKay established a survey team to make recommendations as to how to ease the withdrawal of Indian Services (Fixico 1986a:112: endnote 5).<sup>5</sup> “The team recommended decentralization and consolidation of the Bureau of Indian Affairs in Washington, [D.C.] through a reduction of its functions and personnel” (Fixico 1986a:113). The BIA transferred their responsibilities to the area offices, and consolidated offices. These actions would reduce personnel and ease overall operating costs (Fixico 1986a:113).

#### ***Committee on Interior and Insular Affairs 1954***

The Committee on Interior and Insular Affairs was concerned with hearing testimony on Indian affairs and other matters relating to “care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian lands” (Committee on Interior and Insular Committee on Interior and Insular 1954:vi-1). In 1954, the committee received a survey team report regarding a study of the Bureau of Indian Affairs. The report made specific “recommendations for a more efficient and effective organization and improved operating procedures” (Committee on Interior and Insular Committee on Interior and Insular 1954:vi-1).

The survey report had many recommendations. The recommendations illustrate the decisions of Federal officials regarding whether the Indians were competent enough

for freedom from government management. The recommendations are in relation to the definition of Indians, and the competency of Indians to be independent, and the plans for transferal of responsibility for Indians. The most troubling of the recommendations, on the eve of the termination of Oregon tribes, is that there is some confusion over the definition of an Indian. The committee reported, "The survey team found that no one can answer precisely the question 'Who is an Indian?'" (Committee on Interior and Insular Committee on Interior and Insular 1954: vi-1). The crux of the problem was that various sectors of society defined Indians differently. For the government, "This problem of definition involves the related questions of ward ship or trusteeship, tribal membership, and maintenance of tribal rolls" (Committee on Interior and Insular Committee on Interior and Insular 1954:vi-1). The report suggested that until it is settled by law, the problem remains open-ended and not even a gradual narrowing of the limits of Federal responsibility will be possible (Committee on Interior and Insular Committee on Interior and Insular 1954:vi-1).<sup>6</sup>

The implication of the findings of the survey is enormous. Even though there was a lack of a legal definition of who is an Indian, the federal government still commenced with the termination of federal responsibility over tribes, but with the understanding that they needed to collect some basic data before they were finished. Additionally, in the same set of recommendation the survey team found that "The Bureau is handling the affairs of many completely competent and oftentimes financially independent Indians. The survey team believes that some way should be provided, by legislation if necessary, to enable the Bureau to turn over to such Indians the complete responsibility for handling

their own affairs” (Committee on Interior and Insular Committee on Interior and Insular 1954:vi-1). This observation partially contradicts the previous recommendation. It is confusing that the survey team notices that the BIA did not have a definition of what an Indian is, yet the tribes still needed to be terminated. The survey team had an economic agenda that disregarded and overrode the issue of what is an Indian.

### **Federal Actions within Oregon**

The Bureau of Indian Affairs administered the Oregon tribes through the Portland Area Indian Office. From this office, Indian Agents traveled to Indian reservations and initiated discussions about the possibilities or probabilities of termination. The main Indian Agent who visited and worked with the western Oregon tribes was E. Morgan Pryse during the 1940s and 1950s. Pryse attended most of the tribal meetings and interacted with all of the Oregon State departmental directors from education, welfare, employment, and agriculture. Pryse also attended most of the Governor’s committee meetings, helping to provide much needed information to state department directors and managers who had no prior experience with Indian issues. Pryse was the primary coordinator between Oregon State and the federal government through most of the termination process. Pryse also attended many of the pre-termination hearings with Congress and organized the Oregon Indian speakers. In 1954, Pryse spoke at the final hearing of the Public Law 588, the Western Oregon Indian Termination Act (P.L. 588). He offered the 1951 resolutions from Siletz and Grand Ronde as proof of their willingness to terminate.

### ***Campaigns in Support of Termination***

In the 1940s, the BIA began a campaign of influencing tribal members to support termination. During the decade, the BIA employed an education campaign to address the benefits of assimilation and impending liquidation to children in on-reservation and off-reservation schools. The Indian Office also worked with tribal councils to influence them into thinking that termination was an inevitable occurrence.

In the early 1950s, the U.S. Government through the Indian Office began a public media campaign. The campaign was successful and Oregon newspapers reported on the issues, tracking actions by the federal government. What the government sought was wide-scale support from the public, from state officials, from the American Indians, and from congressional colleagues.

The Indian Office and Congressional rhetoric of “Freedom” projected an image to the American people that they were freeing the Indians from their problems. The language of freedom began with Congressional discussions in 1944-1947, and politically influenced and gathered support for terminating tribes among other Congressmen. The concept carried over to the press, who used the concept of freedom in reporting the process of termination. On February 1952, the *Oregonian* presented these questions:

[Headline] *Oregon Indians Express Views on Impending Emancipation*,  
How will the Indians themselves feel about their impending emancipation? Where and how do these Indians live? How will they benefit from full freedom (Oregonian 1952a)?

In the *Oregonian* newspaper of February 1952, the writer repeats the freedom rhetoric to support the idea of termination of the Klamath Reservation:

[Headline] *Klamath Indians in Line to Get Citizenship Right* - Salem, Feb. 16 (AP) Complete freedom for the Klamath Indian Tribe's 1900 members, who live on a prosperous 1,000,000-acre reservation appears likely after winning the unanimous approval at Friday's conferences of federal and state Indian affairs officials and tribal leaders. . . . This committee will draft the necessary bill so that the 1953 legislature could take over the Indians as free citizens of Oregon. . . . E. Morgan Pryse, Portland area director of the United States Indian Service, said the government is anxious to give all Indians their freedom. . . . Governor Douglas McKay, who presided at the meeting said the plan might pave the way for all Oregon Indians to become free citizens (*Oregonian* 1952b).

The freedom notion used here is a politically expedient concept used to garner support from the public. In the 1950s, Indian termination paralleled several other national civil rights struggles and so the concept held weight with many areas of society. Some of the language crafted for the newspaper article spurs questions about the meaning of phrases like "complete freedom," and in the final statement, Governor McKay hedges the potential success of the legislation with the word "might" in reference to Indians becoming free citizens. The article does not end with the same positive attitude as in the beginning.

Early promises from the BIA suggested that the tribes would retain their timberlands, and it is understandable that western Oregon Indian people truly believed that they would be able to retain their rich timberlands after termination. In 1952, the *Oregonian* published statements from prominent Indian leaders of the western Oregon tribes (*Oregonian* 1952a). In this article, the prominent tribal leaders agreed to termination and assumed that they would retain their timberlands:

John "Mose" Hudson an elder of the Grand Ronde confederation, for example, generally endorses the plan. "Its just 100 years too late, that's all." Hudson said. "Many of our old people died of broken hearts because of the way they were treated." William Simmons, who at 82 maintains an articulate and sprightly interest in Grand Ronde affairs, thinks the full and complete emancipation will be



a fine thing for the younger generation. A nondrinker, Simmons maintains, with complete justification, that federal liquor regulations in regard to Indians are outmoded and discriminatory. "That was the worst thing they ever did," said Simmons. Coquelle Thompson, a leader of the coast Indians, and an ex-OSC football star, thinks federal withdrawal will be a healthy thing for all concerned (Oregonian 1952a).

Secretary of the Interior Douglas McKay also released statements that suggested that he believed that the federal government would free the Indians. McKay expressed opinions in answer to Mr. Oliver La Farge, on November 30, 1955:

You also talk about "the present administrative tendency to see the solution of the Indian problem in the dispersal of Indian communities." As Commissioner Emmons and others have repeatedly emphasized, this is not the policy of the present Administration. We believe in freedom of movement and freedom of choice for the Indian people. We believe also that the problem of a rapidly growing Indian population on a fixed, and largely inadequate, land base will lead many Indians in the future, as it has led many in the past, to seek a livelihood away from the reservations. Our primary concern is to assist this voluntary movement and guide it along constructive channels. But we are not seeking a solution by trying to break up Indian communities (McKay 1955).

While Secretary McKay does point out a fundamental problem that caused poverty amongst tribes, the loss of land, his assertion that the administration is really only aiding the Indians along a predestined path, truly is a blind perversion of the historical facts of the disempowerment of Indian communities nationwide. What McKay ignores is that the federal government's continual attempts to take land away from tribes have caused the "inadequate land base" that Indians find themselves attempting to live upon. These issues forced many Indians to leave the reservation for their basic survival. The combination of the government policies of assimilation and stingy Indian land allotment policies became a successful scheme that disenfranchised many Indians, over the course

of 60 years (~1887-1950s), from their tribal communities.<sup>7</sup> In addition, termination appears designed to take away the remained of the Indian lands.

### *Socialization*

Before Congress could get the tribes to agree on termination in the late 1940s, they worked towards socializing the Indian people into an assimilation mind-frame. Grand Ronde Tribal Elders Bob Tom and Cheryle Kennedy both told stories of how, when they were children in the 1940s, their parents would have meetings at their houses on the weekends. Cheryle stated that Uncle Abe Hudson had a job at the Oregon State Capitol as a janitor and he would return to the reservation to tell everyone what was happening with federal Indian legislation. As a child, Kennedy felt a sense of fear about the future. That because they were Indians, “Something dreadful is going to happen. And we don’t know how to stop it” (Kennedy 2006).<sup>8</sup> To Tribal members, termination seemed imminent, so families felt they must assimilate before they lost federal support for the tribe.

Similarly, Grand Ronde elder Bob Tom stated that his father moved the family from Siletz to Salem in the 1940s because he knew that termination was coming to the reservation. They took the opportunity to move away and get jobs in Salem (Tom 2006). The knowledge of the impending termination supported the build-up of federal Indian legislation, including the aforementioned inculcation of the children towards assimilation and community discussions regarding termination.

## **Justifications for Termination**

During two decades, (1930-1950) Indian problems in the United States became particularly important issues for the federal government to solve. Initially, a liberal democratic government supported tribalism to improve the tribe's social, political, and economic issues. However, Congress desired to eliminate administrative oversight of the tribes as its policies had proven a failure, inciting the tribes to file Indian Claims lawsuits. When Collier's tribalism did not solve Indian issues quickly, Congress initiated another policy change to liquidation of the Indian reservations. In the 1940s, Congress began to assemble a host of reasons why termination was necessary, including discussions about the benefits of termination to the nation. In the decades following the devastating Depression Era (1931~1941) caused by the loss of much of the agricultural top soils of the Mid-west and necessitating expensive irrigation recovery projects, and a World War II economy (1941-1945), that drew resources away from domestic programs into an expensive war effort, Congress sought solutions to the nation's financial issues (Tyler 1973:141-148). Additionally, the federal government and the states desired the tribes' vast natural resources and land to aid in their own economic recovery. These intertwining factors demonstrate that termination did not happen in a vacuum. A myriad of economic, social, cultural, political, and environmental factors contributed to termination.

### ***Political and Social Change in the 1930s and 1940s***

World War II brought many changes to the American government and society. The war was a huge expense to the government, and after it was over the government sought out ways to reduce their expenses. Rather than concentrating on reducing the

staffing of the Department of Defense, where most of the growth occurred during the war, the government first looked for program staff to cut in other agencies. Meanwhile, the government had to deal with the thousands of people who had resettled in the West in response to the Great Depression and to partake in wartime industries. The wartime workers lost their jobs after the war and stressed the resources of the states they inhabited. The fact that many Indians fought for America during the war strengthened the arguments that Indians deserved the rights of other Americans.

During WWII, staffing levels in the government increased by 195.7 percent, from almost 900,000 to over 2.5 million employees (Committee on Civil Service 1947:8-9). In the post-war era, the government had to eliminate excess employees. In 1947, the Senate Committee on Civil Service initiated hearings to determine how much waste there was in federal departments and to investigate the potential for reduction of staff in the Indian Bureau. Committee Chairman, William Langer (North Dakota) stated that for the 350,000 Indians managed by the Indian Bureau, their 12,000 employees was excessive (Committee on Civil Service 1947:8-9). Senator O'Daniel questioned why the committee chose to "pick on the Indian first" and the Chairman stated that they "figured that they had too much help" as the Indian Bureau grew by 3462 employees (Committee on Civil Service 1947:9).

According to these figures, there were about 29 Indians for each Indian Office employee. Since 1938, the Indian Bureau had suffered decreased services during WWII and staffing levels grew very slowly compared with other departments like the Department of Defense or the State Department for the war effort (Senese 1991:3).

During the hearings, the committee asked William Zimmerman, Assistant Director of the BIA, to present any recommendations about how to reduce staffing levels. As the hearings progressed, it became clear that the committee did not only desire reduction of employees, but the elimination of the Indian Bureau by termination of supervision of the Indian reservations. Senator Johnson questioned what would be the effects of the elimination of the BIA and Zimmerman responded, "I suppose they would lose advice and judgment" (Committee on Civil Service 1947:124,130). However, Zimmerman's response does not present the entirety of the service that the BIA gave tribes. The Chairman responded in outrage, "It costs \$40,000,000 a year to give advice and judgment? . . . I think we ought to abolish the Indian agency entirely. It is absolutely unnecessary" (Committee on Civil Service 1947:124,130).

The discussion outlines the fundamental argument of Congress for termination of all Indian reservations and the subsequent elimination of the Indian Service. Termination is at its base, an elimination of significant overhead for the government. The subsequent discussions outline how the proposal is possible and what steps the government needed to make to implement the elimination of the Indian Service. Zimmerman proposed the elimination of the number of Indians who were eligible for service (Committee on Civil Service 1947:543).

While these discussions took place, the government also had to deal with the demographic shift the country experienced due to the Great Depression and the war. During the Great Depression (1929-1939), the unsustainable agricultural practices of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries caused corrosion of the top soils and a collapse in

agriculture. Simultaneously, large tracts of formerly highly productive farmlands became vast wastelands. The region sustained thousands of poor migrant workers who could not find work. Thousands of these migrant workers, and other people who worked in agriculture, moved westward to the states of Arizona, California, Oregon, Washington, Idaho, to find work. Commonly, historians call the migrants “Okies” but they originated from a number of states in the region other than Oklahoma. This may constitute one of the largest migrations of native peoples in recorded history.<sup>9</sup>

Oklahoma had large Indian populations and many of the migrant farm workers had native ancestry. The Dawes Act had established rules that did not allow many Indians to claim an Indian allotment.<sup>10</sup> As such, thousands of Indians were dispossessed from Indian reservations in the region and joined the ranks of the migrant farm workers (Lomawaima 1994).<sup>11</sup>

Congressional representatives from California identified another movement of people who migrated into California as part of the World War II industrial production mobilization in the early 1940s. From these two migrations, millions of people moved into California and there became a need for massive urban infrastructure development to support this population growth.

### **Native War Volunteers**

During America’s wars, Native people volunteered at impressive levels, on average more than any other ethnic group. During WWII, Commissioner John Collier wasted no time in taking advantage of this fact by advertising the role that Indians played in the war in the monthly BIA circulars and in his annual reports. The publicity helped to

promote the Indian Service but also lead to opinions by Congresspersons and other politicians that Indian people were assimilating well into American society and therefore, Congress needed to free them from Indian administration. In 1946, a bill was introduced to the Senate for the "Removal of Restrictions on Property of Indians Who Served in the Armed Forces" (Senese 1991:3-4). In 1947, Senator Chavez stated that Indians "have gone to war. We all adore that picture taken at Iwo Jima where the Marines were putting up the flag. An Indian took part in that. Tell me he should not have his freedom like the rest of us" (Committee on Civil Service 1947:94). Senator Chavez also expressed that "They learned to take care of themselves," indicating that they should be free to manage their own affairs like other Americans. The desire to reward Indians with citizenship following their military service to the country occurred after most United States wars. Following WWII, the contributions of natives during the war added to the many reasons why Congress needed to free natives. The more attention that natives garnered, the more Congress was convinced that they needed termination.

In 1950, an additional 2,500 Indians joined the military to serve in the Korean War, as further evidence of Native assimilation. The Fifty-Fourth Thunderbird Division, containing a large number of American Indian soldiers performed with honors during the war, and gained further attention. These successes added to the perception that Indians were already assimilated and not needing further government aid (Fixico 1986b:57).

## *Natural Resource Justifications*

### **Revival of Agriculture and Hydroelectric Power**

In the 1930s and 1940s, the United States was in need of water resources to fill the national needs for agricultural restoration, development, and urban development in the West. When the United States entered World War II, all plans of undertaking expensive and labor-intensive reclamation projects ended. Congress meant the reclamation projects to answer the problem of the collapse of mid-western agriculture. However, the advent of World War II redirected domestic federal funding to war production. Following the end of World War II, in 1945, Congress revisited the development of water reclamation and irrigation projects in support of agriculture (United States Senate 1947:390-1027).

Congress tasked the Department of Reclamation with building dams in 14 western states to help revive agricultural resources. Among the many projects were the Central Valley Project of California, Missouri River Basin Project, Fort Peck Project, Hungry Horse Project, Bitterroot Project, Idaho Projects, Boise Project, Minidoka Project, and Palisades Project (Senate 1947:1075).

In the Department of Interior annual appropriations hearings before Congress, there were back-to-back hearings regarding the annual budgets from the many bureaus under the Department of the Interior. This included the Bureau of Indian Affairs and the Department of Reclamation. During the hearings there were comparisons drawn to the current needs of the tribes for irrigation projects on the reservations and the needs of the state for the same projects. Some senators raised questions about whether irrigation



projects on reservations would realize a return on the investment. The answer was no; tribes were not taxed; therefore, such projects would not yield a return. Later Congressmen raised questions about how much federal funding Congress annually appropriated for the Indian Office. The answer was about forty million dollars. Each of the irrigation projects mentioned in the hearings was going to cost many millions of dollars, and the return on the investments on public lands would be continuously reimbursed (Senate 1947:1076). The back-to-back comparisons in the appropriations hearings made it clear that the senators did not want to waste funding on Indian reservations when such funds would not be reimbursable. In addition, Congressmen suggested the appropriation of Indian Office funds to fund state irrigation projects, as that would aid the most people, including Indians (Senate 1947:1076).

Senator Langer discussed the need for reclamation projects in North Dakota. He stated that “North Dakota has gone through three drought periods in this century, and we are resolved to take all possible measures to reduce to a minimum the damages of the next dry spell” (Senate 1947:1075-1076).

For California, Senators Downey, and Smith, emphasized the need for the Central Valley Project and stated that WWII had caused up to two million people to immigrate into California. The immigrants came to San Francisco and Los Angeles to provide labor for the military industry. These people did not leave California after the war industry collapsed. Following the cessation of the war, they spread out to the more affordable rural towns. There was a great need to provide water, power, and settlement options for these new people (Senate 1947:1018).

In 1957, the Subcommittee on Irrigation and Reclamation hearings found that the power generated from the new dams was paying at a much faster rate for the construction project than originally thought. During the hearing, Mr. Gregory stated, “the power sales from the dam are far beyond the fondest dreams of anybody, and it is repaying back ahead of schedule . . . The farmer is paying originally 24 percent of the cost of construction costs of irrigation project works, whereas power sales are paying the rest” (Affairs and Representatives 1957:75).

Dams situated on federal land off Indian reservations were more profitable than one situated on a reservation. This fact helped federal and state officials to support termination of the tribes, as the federal government would build profitable dams built on reservation waterways. In Oregon, all tribes claimed significant waterways as part of their ceded lands and the tribes in western Oregon may have offered a threat to the continued development of the vast water resources throughout the regions. Treaties gave some tribes rights to fishing and hunting, while dams would clearly take way or affect those resources.

The largest and most public case was that of the building of The Dalles Dam, finished in 1957, which led to the destruction of Celilo Falls through submersion. This issue was a critical ongoing political battle between Columbia River tribes and the Federal government throughout the 1950s (Barber 2005; Dupris, et al. 2006).<sup>12</sup> In this scenario, termination solved a problem before it could develop into a political issue like Celilo Falls.

There were additional benefits to termination and access to the reservation lands and resources. When the land became public, the state and federal governments would be able to tax the power, water, and land. This investment would yield a significant annual economic return to the federal government and the states of Oregon and California.

### **Mineral and Timber Resources**

Along with the exploitation of the waterways, the federal government and the state sought to exploit mineral resources and timber. The reservations contained vast untouched mineral resources and expansive timber tracts. Some tribes were harvesting these resources, but their profits were not benefiting the federal government. The government believed that if they could take over these lands, the overall economy would improve.

Mineral resources are some of the most contentious exploitations of natural resources as mining activities can destroy and poison many acres of land. Mining companies need to apply for permits to the Department of Interior to pursue mining on regular federal lands. On reservations, the BIA had another layer of regulation, which was costly. With termination of the reservations, mining companies stood to save millions from a lack of delays as they did not have to go through a procedure of advertising and awarding contractor to the highest bidders (Burt 1982:31).

Logging is the most common issue with tribal termination. Among the first tribes, Congress terminated, the Menominee and Klamath tribes, both of whom had significant stands of timber. The Klamath Tribe alone owned almost one million acres of lodgepole pine. The timber issue for the western Oregon tribes was a minor part of their

termination, where they collectively owned about 13,500 acres at termination (Holm 1955a). However, Oregon based much of its economy on logging and many thought that logging the Klamath stands would revive the Oregon economy.

### **Wasting the Land**

In 1943, Senator Elmer Thomas of Oklahoma brought the 19<sup>th</sup> century colonial justifications for the removal of Indian tribes forward into the termination discussions.

Thomas stated that the tribes allowed,

6,464,592 acres of their poorest land to lie idle and lease to non-Indians  
12,432,122 acres of their better lands, since they still have 36,000,000 of average land from which they can choose farming or stock-raising units up to 5,000 acres for each of all families that might wish to use land for productive purposes (Thomas 1943:6-7).

Thomas criticized the ratio of the land Indians owned to the number of Indians in the United States,

own approximately 3 percent of the land area of the United States, they, of all degrees of blood, and wherever dispersed, and of whatever economic status, constitute less than three-tenths of 1 percent of the total population-that is they own 10 times their share of the land area of this country (Thomas 1943:6-7).

Senator Thomas' criticism is similar to an earlier period of colonization of Indian Country by the United States, when one of the arguments to justify colonization was the assumption that Native peoples did not fully use the land and therefore wasted it. White Americans maintained a belief, from the earliest days of colonization of the Americas, that Indians were wasting land and therefore not deserving of the lands. In 1621, Robert Cushman of the Plymouth Colony stated, "the Indians let the land lie idle and waste . . . it is lawful now to take a land which none useth, and make use of it" (Young, et al.

1841:243-244). Similarly, Thomas calls for an appropriation of Indian lands, “Why continue to bewail lost lands which they never used while they are still not using millions of acres of what they do own and on which non-Indians are making a living while paying rents to the Indian landlords” (Thomas 1943:6-7).

### ***Bureau of Indian Affairs: Under-funding and Mismanagement***

It was a well-defined issue in the early 20<sup>th</sup> century that BIA programs were generally under-funded and lost funding during WWII, so increased efforts for Indian assimilation did not occur (Senese 1991:3). In fact, programs were so severely under-funded that in 1947 Senator William Langer of North Dakota on the Committee on Civil Service commented, “We know that about 600 [Indians] nearly starved to death in North Dakota,” to which, Deputy Commissioner of Indian Affairs William Zimmerman answered that he was fully aware of the situation in North Dakota. They obtained legislation authorizing them to fix the situation, but the war eliminated the ability to complete the work (Committee on Civil Service 1947). William Zimmerman stated directly that “There has not been a single year in which the Budget Bureau has allowed us the full sum requested by us to do the job, and I think it is also true that in no single year has Congress approved the estimate as submitted by the Bureau of the Budget” (Committee on Civil Service 1947:74).

American Indians had seen a population explosion in the 20<sup>th</sup> century, but they were not assimilating at a pace that would lead to the elimination of tribal reservations. American Indians remained the most impoverished group in the United States. This was a result of declining Federal support for the Indian Office and because Congress was

consistently unwilling to pay what was needed to fully assimilate Indians. By the 1920s, Congress began looking for answers to their “Indian problem” and in the decades spanning 1920-1950 their policies for Indian management changed dramatically.

One of the earliest arguments in favor of the liquidation of the Indian Bureau comes from Senator Elmer Thomas (Oklahoma) on the Committee on Indian Affairs in 1943. Senator Thomas suggests that the present goal of the BIA “appears to be to keep the Indian an Indian and to make him satisfied with all the limitations of a primitive life. We are striving mightily to help him recapture his ancient, worn-out cultures which are now hardly a vague memory to him and are absolutely unable to function in his present world” (Thomas 1943:17-18). In fact, Senator Thomas specifically indicts the Indian Office for being “concerned with building up a system instead of a service; attempting to build self-perpetuating institutions” (Thomas 1943:17-18). Additionally, Senator Thomas blames the Indian Service for a host of related issues:

Furnishing physical relief that was not needed nearly so much as economic and civic encouragement; breaking down assisting agencies; segregating the Indian from the general citizenry; condemning the Indian to perpetual wardship; making the Indian the guinea pig for experimentation; grouping the Indians for convenience of supervision for which they are presumed to exist; tying him to the land in perpetuity; forcing a conventional type of education on him; attempting to compel all Indians to engage in agriculture and stock raising under the supervision of an extension department which is an end in itself (Thomas 1943:17-18).

Senator Thomas’s indictments are stunning in the depth of understanding they reveal.

However, some of the issues, like tying Indian people to the land in perpetuity are a desirable notion for most tribes. This becomes an issue for the federal government when they do not have the freedom to sell and modify the land of the tribes.

As a follow up, in 1944 the House Indian Affairs Committee, disgusted with the performance of the Indian Office, conducted their own investigation of Indian reservations, visiting several in person, and found an environment of poverty and oppression (Affairs and Representatives 1944). The committee concluded that the Indian Office's inadequate management of Indians was the problem. The committee saw Indians living as second-class citizens who did not enjoy all of the rights as other Americans, or the amenities of modern society. The committee saw segregation of the reservations in rural areas away from other Americans as a problem.

Additionally they found that the Indian Office gave Indians "inadequate economic opportunities which are aggravated in their severity by the inability of the individual Indian to secure suitable agricultural land, with improvements, so that he can become self-supporting" (Affairs and Representatives 1944:335-336). Secondly, native people had "inadequate educational opportunities which grow out of the failure to provide suitable and sufficient training for Indian youths . . . to meet the problems of the white man's society" (Affairs and Representatives 1944:335-336).

Thirdly, the Indian Office provided inadequate guidance for adult Indians living on the reservation so that they may be inspired and enabled to:

- (a) Build and maintain better, cleaner, more healthful homes,
- (b) Utilize more fully the excellent hospital and health facilities available on most reservations, and
- (c) Adapt themselves to better farming and livestock practices or promote themselves into economic security by practicing trades and successful business habits (Affairs and Representatives 1944:335-336).

Finally, the Indian Office provided inadequate advice in legislation and in Bureau regulations. Adequate advice and guidance by the Indian Office would

- (a) Give final settlement to prevailing Indian claims cases,
- (b) Consolidate the multitudinous fractionated heirships now cluttering up the record books of Indian reservation offices,
- (c) Provide a recognized and standardized procedure whereby Indians who have the capacity to lead competent, independent lives may at their own volition be certified as full-fledged citizens to whom all the rights and responsibilities of citizenship would become available (Affairs and Representatives 1944:335-336).

The Committee on Indian Affairs came to two basic conclusions by the end of the joint deliberations. First, the committee asked, “Why hadn’t more tribes advanced further with self-governance and managed their own business affairs as their constitutions and charters would allow” (Committee on Indian Affairs and Representatives 1943:1054; Tyler 1973:142-143)? The answer was that the Bureau under Collier had been “dragging its feet” (Committee on Indian Affairs and Representatives 1943:1054; Tyler 1973:142-143).

Additionally, the committee was concerned about the overhead for the Indian Service in the future. Specifically, “the cost of administering Indian Affairs under the IRA and the possibility that they might be building up in the Bureau an expensive machine that would tend to perpetuate itself indefinitely” (Committee on Indian Affairs and Representatives 1943:1054; Tyler 1973:142-143). Their financial concerns again highlight a goal to eliminate federal responsibility of Indians.

The committee exhibited foresight in its criticisms by addressing issues that if solved would save the federal government money. The subcommittee report clearly articulates many of the future stated goals of termination in their report, in the fourth point that they “be certified as full-fledged citizen” (Affairs and Representatives 1944:335-336).



Most of the subcommittee's findings, however, show an ignorance of the history of Indian affairs. The committee critique assumes that the Indian Office, alone, is responsible for not providing sufficient services. The committee states that the Indians had "inadequate employment . . . inadequate education . . . inadequate guidance . . . . inadequate . . . legislation" (Affairs and Representatives 1944:336). These inadequacies were in existence since the inception of the reservation system. It is Congress that sets Indian policy in the United States, not the Indian Office and it is their responsibility to fund necessary programs.

In 1947, in the Hearings before the Committee on Civil Service, committee members stated that Indians wanted freedom from government management. Indians "want to be considered as any other American citizen and have the same opportunities" (Committee on Civil Service 1947:94). During the discussion, the Senators finally recognize their own culpability in the Indian problems. Senator Ecton states "I think we all recognize that you and your department have been governed to a great extent by the policy laid down by Congress" (Committee on Civil Service 1947:95).

Additionally Senator Ecton recognized one of the fundamental problems with termination. Senator Ecton states, "These older Indians who have always been wards of the Government and have looked to you for aid and assistance, would not know what to do without it. Therefore, we will have to take care of those . . . I do not think we can do away with the Indian Department, and throw them all out on their own immediately" (Committee on Civil Service 1947:95). Such a drastic action as sudden termination of people dependant on federal assistance would cast them into poverty.

As the discussions progressed in Washington through the 1940s, Congress came to understand the depth of the Indian problems and some Senators understood that full termination was not a possibility. It is during these hearings in 1947 that Assistant Director of Indian Affairs William Zimmerman proposes a different process of termination. Zimmerman suggested a gradual termination process based on how assimilated each tribe was.<sup>13</sup>

The other significant issue was the placement of the Bureau of Indian Affairs within the Department of the Interior (DOI), which created conflicted relationships between the tribes and the DOI. The DOI's main responsibility was to oversee the lands and resources of the United States; there was a natural conflict when the BIA's role is to oversee the lands and resources of the Indian tribes:

One argument holds that the Department of the Interior is in fact the natural enemy of the resource interests of the Indian tribes because of its public responsibility and because of a natural and cultural affinity with those economic, social, cultural and political interests of the West which are most frequent at odds with Indian interests and which have historically profited from the misfortunes and relative disadvantages of the Indian tribe (Task Force Three and Commission 1976:3).

In light of this issue, the DOI's role in termination is suspect in its entirety, as many of the other programs and bureaus would directly benefit from the termination of Indian reservations. Therefore, the actions of Secretary of the Interior Douglas McKay of pushing for termination of the tribes are completely inappropriate relationships.

Mr. Crawford stated in 1947 that the Klamath people did not use the Indian Services and in 1950, Abe Hudson said the same for Grand Ronde (McKay 1950). This information begs the question of why the tribes were essentially on their own with few

services from the government. Had the Indian Office failed to provide the services that they should have been providing for years, while making Indian peoples fend for themselves for several generations?

In 1950, Mr. La France of the BIA office in Portland stated that the Indians at Grand Ronde had assimilated well,

They have been assimilated into the local agency in regard to health and law enforcement. The Indians in this part of the coastal area have caused us little trouble in regard to their affairs. Most of them own their own property and pay taxes like everyone else (McKay 1950).

Statements by contemporary elders at Grand Ronde, who have questioned the services they were getting in the 1950s, say that they did not get services (Lewis 2006). Regardless, if this is the case, the Grand Ronde Tribe was not costing the government very much to maintain their status. Grand Ronde did not need all of the “management” and supervision of the Indian Office to run their own affairs. Therefore, for at least for the Grand Ronde tribe, their termination did not reduce much of the economic burdens of the Federal government that the House Committee on Civil Service was determined to reduce (Committee on Civil Service 1947).

Many indicators in the tribal reservations pointed to the fact that most of the Natives were not ready for termination as they had been heavily supported with federal service programs and some had never had to pay taxes and had never competed with Americans for jobs, education, or in business, without federal assistance (Peroff 1982). Leaders at the state level were concerned about the thousands of Natives that were to come under full state support, mainly welfare, food stamps, education, and job assistance programs.

The fact is that the Federal government, from the creation of the Oregon reservations in 1856, had poorly supported both Grand Ronde and Siletz agencies, and forced the Indians to find alternative means of making a living in society. The Indian Office strictly forbid Indians to leave the reservation, even though doing so was necessary to provide additional income for the reservation families. BIA management impoverished those natives that did not have the means to leave the reservation and seek work, such as elders.

### ***Defense Against Termination***

Many tribes lacked the ability to defend themselves politically from federal government policy changes. Poor tribes with small land bases were especially vulnerable. The tribes in western Oregon were poor, and had very small land bases, which made them easy targets for termination. Much of the reservation was checker-boarded, with Indian allotments sitting side-by-side with non-Indian settlements. There was not an organized business at the tribe, as most of the local mills employed Indians but were not owned by them. The tribal acreage precluded the establishment of a timber company like at Klamath. As such, the tribe had little money to operate politically to protect them from termination. For Grand Ronde Abe Hudson had to take a job as a janitor at the State capitol in order to keep abreast of Indian issues. Larger tribes such as Warm Springs and Umatilla reservations, were well connected nationally and politically and refused to participate in termination discussions. Without leaders at Grand Ronde working politically to stop termination, the process commenced even without their input.

At the time, Klamath Reservation with its rich timberlands was the big prize in Oregon. Without their input, the proposal to terminate the western Oregon Indians was almost an afterthought.

Assistant Interior Secretary Lewis officially recommended the liquidation of federal responsibility to the Klamath Tribe in Oregon . . . On the same day, Deputy Attorney General William Rogers wrote to Rowland Hughes, director of the Bureau of the Budget, to declare that in addition to the Klamaths there were sixty small Indian bands, tribes, and groups in Western Oregon that could undergo federal withdrawal. Economically, the government deemed that these groups and the Klamaths were self-sustaining (Fixico 1986b:116).

The termination of sixty western Oregon tribes, in this source, appears to be an insignificant bonus, on top of the termination of Klamath Reservation. By this time, Pryse has sufficiently cut off access between the Grand Ronde tribes and Congress so there were not opinions to the contrary.

### *Assumption of Assimilation*

Many tribes, according to their unique circumstances, appeared to assimilate completely into the surrounding settler population. According to Indian agent's report, the Grand Ronde tribe lived similar to their neighbors. Congressional representatives used this justification in their discussions about termination throughout the 1940s. In 1943, Senator Elmer Thomas of Oklahoma stated:

Even the so-called enumerated Indians are enumerated only in the sense that they once appeared on some allotment, per capita, or treaty enumeration roll. Many thousands of them have now been merged completely with the white population or are scattered over the face of the globe (1943).

Congress was operating under the assumption that once natives were no longer living on their reservation that they had assimilated. In addition, this reasoning assumes

that once natives lived amongst other Americans, that they were no longer culturally Indian. This reasoning also assumes that once natives appeared no longer culturally Indian, that they did not deserve the legal rights of Indians on reservations. This reasoning does not recognize the fact that these people, wherever they lived, remained inheritors of treaty rights. Treaties contained no stipulation that Natives be culturally Indian to maintain their rights.

In 1947, Zimmerman caused Congress to assume that assimilation had occurred for many tribes and they were ready for termination, based on his ad-hoc lists (see above). Zimmerman's experience with the tribes began in the 1940s as an assistant director to John Collier. Collier regularly visited reservations, where Zimmerman accompanied him, giving Zimmerman an informed perspective on the tribes. Zimmerman used his own experience in categorizing each of the tribes as assimilated or not. During the hearing, Zimmerman asked that Congress not use the lists for the final determination of which tribes to terminate (Affairs 1954a; Committee on Civil Service 1947). Even so, some seven years later, Congress used the three lists, with some changes.

The Indian Office's determination of "assimilated tribes" was not preceded by any studies to determine the validity of the lists or categories. Zimmerman created the original lists from information available to him over the course of very few days. Current data regarding the tribes only existed in the *Ten Year Programs* conducted in 1944. By 1947, the data on the socio-economics of the tribes was out of date. With the end of WWII (1945), many tribal members returned to the reservations and to poverty, replaced by returning white soldiers. According to the manner in which Zimmerman produced his

lists, there was no legitimate data to base the characterization of an assimilated status for any tribe in the United States. In fact, the categories more closely relate to the apparent overall status of the tribal governments rather than the status of individual tribal members.

In 1947, Zimmerman placed Grand Ronde<sup>14</sup> in the partially assimilated category. In 1954, Congress placed Grand Ronde in the fully assimilated category, and targeted all of the western Oregon tribes for termination in the first round of Congressional legislation (Affairs 1954b).

### **Wealthy Tribes**

Many tribes in the early part of the 20<sup>th</sup> century enjoyed economic success and appeared to have assimilated. Examples of this success are tribes like Menominee and Klamath of Oregon who had enormous logging operations and the Osage tribe of Oklahoma who had enormous oil extraction operations, making them the richest people on earth at this time. The wealth of these tribes aided the perception of assimilation as each tribe was effectively managing its own affairs. At the Klamath Reservation, the tribe was able to pay for all of the annual expenses and services supplied by the federal government, because of their vast logging resources and resultant income. Therefore, many tribes were economically successful, and this lent legitimacy to the assumption that all of their members were equally successful.

Many Congressmen assumed that tribes had assimilated from scant evidence of tribal economic success or because of reports of some tribal people living in a manner similar to their white neighbors. In fact, few tribes were economically successful, and

those that were did not fully manage their own finances, according to federal law. Additionally, tribal members at Grand Ronde state that the BIA left them on their own and as such, they rarely accessed services. Congressional appropriations for Indian Office programs were very lean throughout the reservation era, causing impoverishment of the tribes.

### **Blood Quantum**

A further argument for assimilation was blood quantum levels. Congress inculcated the blood quantum requirement for tribal services in the Dawes Act. According to the federal law, Indian people could not gain an allotment unless they possessed at least one-half Indian blood quantum. In the 1943, John Collier carried the definition of who is legitimately Indian into the discussion regarding termination on behalf of an anonymous attorney from California. The attorney asked:

Of this 400,000, how many of them are full-blooded Indians, how many are half-breeds, and how many of the blood of lesser degree? Should the Federal government be concerned with 400,000 Indians through its Indian Bureau? I suspect that probably not more, if 200,000 of them, are half-blood or more. Are we not just handing out political pap to a great number of persons who are not Indians; who do not live as Indians, and should not be subsidized as Indians? (Committee on Indian Affairs 1943:15-16).

The anonymous attorney is articulating a position held by many Americans at the time about Indian identity. Real Indians are supposed to have at least one-half Indian blood to qualify as Indian. The attorney suggests that the “so-called Indians” have assimilated and the government need not support them when they are living as Americans (Committee on Indian Affairs 1943:15-16).



### *Indian Claims Cases*

In the first half of the 20<sup>th</sup> century, Congress passed special jurisdiction through legislative acts granting the western Oregon tribes the right to sue the Federal government for fair compensation for the rights to their aboriginal homelands. The federal government had not compensated the western Oregon tribes for the land covered by the Coast Reservation. In addition, other tribes in the Willamette Valley and from along the southern Oregon rivers, like the Rogue, Illinois and Umpqua did not receive fair compensation for their aboriginal homelands. The resultant lawsuits became the Indian Claims cases for the western Oregon tribes. One such case was a judgment in favor of the Molalla and Calapooias of the Umpqua Valley. This case, like the many others cost the federal government millions of dollars. The cost of Indian claims cases were another justification for federal termination of tribes. The most extensive cases for Oregon tribes were those from the Klamath Reservation.<sup>15</sup>

Commonly referred to as the Rogue River case, the tribes filed the case under the authority of an Act of Congress of August 26, 1935. The case included 31 plaintiff tribes and bands from at least two reservations, Grand Ronde and Siletz. The tribes sought the recovery for the government failing to discharge its treaty obligations from seven ratified treaties from 1853, 1854, and 1855. The Court did not consider the value of the ceded lands, and only granted recovery for value of the lands that had been reserved for them by treaty yet had been taken from them without recompense (Pryse 1952a:11-12). On February 4, 1946, the following tribes were decreed entitled to recover losses, the Rogue River tribes, Chasta, Scoton, Grave Creek bands of Umpqua, Cow Creek band of

Umpqua, Confederated tribes residing in the Willamette Valley, Molalla or Molel Tribe, and Confederated Tribes of Siletz Indians. On April 3, 1950, the United States Court of Claims decided in favor of the Molalla and the Umpqua Band and Calapooia Bands of Umpqua Valley for \$34,996.85 and \$342,450.74 respectively. The judgment was affirmed by Congress and an appropriation was made on November 1, 1951 (Pryse 1952a:13-14).

Judgments for the successful cases took an additional congressional act to appropriate awards. An explanation of the process is in this letter from E. Morgan Pryse:

Receipt is acknowledged of your letter of December 19 inquiring about settlement of the claims of the Tillamook and Rogue River Indians.

These claims have been settled by the Government and money therefore is in the U.S. Treasury. It will, however, be necessary to get an Appropriation Act through Congress before we can disburse the money to the Indian people entitled thereto. It will also be necessary that tribal enrollment of the Indians be made and approved before the money can be paid to the Indians. This we are working on... (Pryse 1952b).

The results of the claims cases were a windfall for the tribes. The Court created Judgment rolls and made final payments many years later. Settlement of the Indian claims cases were a goal of the *Ten Year Plans* of 1944. Nationally, the Indian claims cost the federal government millions, as they had to pay for representation on both sides of the case. Additionally, final settlements for most cases were in the hundreds of thousands.<sup>16</sup> The cases were another of the Indian problems plaguing the government, in need of a final solution. Oral histories of the Siletz meetings in the 1950s suggest that the Indian Agents stated that they would hold up payments for Indian Claims until the tribes agreed to termination.<sup>17</sup>

Termination solved the problem for the federal government as terminated tribes thereafter failed to file an Indian claims case until the 1980s Cow Creek Umpqua case.<sup>18</sup> After termination, few tribes had the resources or knowledge to pursue Indian claims, as most were dependant on the Indian Office for legal services throughout the history of the reservations.

### *Summary of Justifications*

The Congressional action of terminating tribes began, in rhetoric, as a way that the federal government could “help Indians gain greater freedom and self-sufficiency.” The actual reason for termination was not to free Indians of anything, but instead to liberate their lands from government restrictions and to bring their untapped resources into the American economy. Severing of Indian-federal relationships freed government restrictions on Indian lands and properties and ended expensive services to the reservation populations (Fixico 1989:137-145). Congressmen from states with high Indian populations in the west carried national termination legislation through the 1940s (Fixico 1989:137-145).<sup>19</sup> The western congressional representatives had a clear purpose, to free land and resources so that there would be renewed vigor in their state economies. Other congressmen were convinced because of a number of these important issues in the Unites States during the 1940s and 1950’s; the amount of government money spent on relatively few people, the post-war economy, the assumption of equality in American society, and a lack of understanding of tribal sovereignty. In addition, the Indian claims cases cost the government million of dollars to represent both sides of the cases and to pay any final awards.

## House Concurrent Resolution 108

In 1954, after ten years of voluminous discussions about release, liquidation, and termination of the tribes, Congress took action to pass national termination policy. Congress had rehearsed the many justifications in favor of termination, and had presented their reasons to the public with favorable results. On February 17, 1954, House Concurrent Resolution 108 passed endorsing termination as national policy.

The act stated:

Whereas it is the policy of Congress as rapidly as possible to make the Indians within the Territorial limit of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship, and directing the Secretary of the Interior to report to Congress his recommendations as to what legislation, in his judgment, may be necessary to accomplish the purposes of said resolution (Committee on Interior and Insular Affairs 1954a:44734).

The act also named tribes as candidates. Seven years earlier, under Director of Indian Affairs Glenn Emmons, Assistant Director William Zimmerman created assimilation lists outlining what tribes he thought were at one of three stages of acculturation based on his personal experiences. Zimmerman cautioned the Congress about using the list, yet ten years later, they became the de facto lists used to terminate tribes. Secretary Douglas McKay, in fact, used the Zimmerman's lists and testimony as evidence to support his argument that Congress had gained expert testimony regarding which tribes to terminate (McKay 1955).<sup>20</sup> Within the year, Congress filed additional termination acts for individual tribes.

## Conclusion

Congress sought reasons to eliminate its Indian administration as this would eliminate the need for the BIA. Deputy Commissioner William Zimmerman indicated that most tribes needed over ten years before they could handle their own affairs. However, there were a number of tribes that could handle their own affairs if released from Federal trusteeship (Committee on Civil Service 1947:79, 544). Therefore, the committee began strategizing to dissolve all services to assimilated Indians who did not need continuous federal support. Termination became the answer to the government's overhead problems, and the resources from reservations would help with economic growth in the west (Tyler 1973:141-148).

Since the federal government supported reservation Indians for over 100 years, the American settlers around them had firmly established themselves in society. The settler ancestors were reaping the benefits of the settlement and land claims and had built up large estates. To release thousands of Indians into this society would be akin to having thousands of immigrants arrive in one day on United States soil. Termination would force the reservation population to begin from scratch with no land and nothing to show for over 100 years of settlement in the region. Termination then changed the environment and context of the reservations, leaving many who remained immediately subject to a state and federal laws they never had fully experienced before.

## Notes

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<sup>1</sup> “Regardless of class or region, our collective guilt as a Nation because of our past treatment of the Indian has seriously prevented an objective attitude toward him. Such guilt reinforces a sentimental viewpoint and helps maintain a sizeable budget for the Office of Indian Affairs in Congress, but does not lead to a solution of the fundamental problems involved. The “hard-boiled” approach has just cropped up in Congress. The Indians ought to be turned loose immediately even if it means starvation for large numbers. Neither of these attitudes is realistic.

The Indian problem must be viewed objectively in its social and economic terms. For these folk people have ways of life which are radically different from ours. Their cultures must be thoroughly understood so that differences may be constructively used by the administration. The close kinship groups, the natural communities, and other social groupings are still of binding importance in the majority of Reservation societies. Both missionary and Government have fought these institutions as hindrances to progress. Only recently have we seen that they can be potent tools in the re-establishment of morale and in the successful initiation of many programs which have previously failed.

There is no question but that drastic changes in the mode of living were necessary for most American Indians tribes. They had to meet changed conditions. Recently a new and more constructive policy which seeks to reorganize Reservation societies on an economically sound basis has been initiated. Whether it can be carried through to success remains to be seen, but certainly this is not time to abandon the whole effort” (Scudder McKeel 1944, Lyman S. Tyler 1973).

<sup>2</sup> See chapter 2 for more information.

<sup>3</sup> The issue of claims is addressed in chapter 2 and later in chapter 4.

<sup>4</sup> For the full quote see Appendix C, Reference 16. The Grand Ronde mentioned is the Grand Ronde-Siletz Agency. The two agencies were administered as one in this time.

<sup>5</sup> Also, see, Principal Recommendations of Survey team to Bureau of Indian Affairs 26, January 1954, box 115, official file, White House Central files, Dwight D. Eisenhower Presidential Library.

<sup>6</sup> For the full quote see Appendix C, Reference 14.

<sup>7</sup> Roughly the period of the Dawes Act to termination proceedings.

<sup>8</sup> For the full quote, see Appendix A, Reference 9.

<sup>9</sup> A large proportion of the “Okies” were likely Indians dispossessed from reservations in the mid-west. There is very little research on this phenomenon although we know that Will Rogers was part of this migration and he admitted coming from Cherokee, Oklahoma and admitted to being Cherokee. In addition, the woman and family pictured in Migrant Madonna were Cherokee Indian.

<sup>10</sup> Due to many reasons, low Indian blood quantum, lack of genealogical information, loss of available land on the reservations due to public sales.

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<sup>11</sup> Many of the poor workers were Indians who had low blood quantum and could not be a member of a federally recognized tribe according to Indian Affairs policies. Some of this is mentioned in “They call it Prairie Light” by Lomawaima (1995) where she mentions how the migrants would have their children placed in Indian Boarding schools so they could get food and education, while the family “migrated” to find work.

<sup>12</sup> The dam was completed in 1957. The dam caused the destruction of Celilo falls as a fishing area above the dam, where tribes had used that area for as long as 10,000 years. Celilo village was also destroyed.

<sup>13</sup> See section Committee on Civil Service in Chapter 4 above.

<sup>14</sup> Grand Ronde, Siletz, Salem Indian School (Chemawa) and the Southwestern Oregon Indian Communities were all under the same administration. Therefore, Grand Ronde listed by Zimmerman means all of the tribes and Indian communities of western Oregon.

<sup>15</sup> See Appendix D, for a summary of the Klamath cases.

<sup>16</sup> See Appendix D, for details about the Oregon tribal Indian claims cases.

<sup>17</sup> Bud Lane 2006.

<sup>18</sup> “President Carter signed Public Law 96-25 allowing the Cow Creek Umpqua Indians to file a complaint in Claims Court in Washington, D. C. over the value of their lands taken in 1853.”  
<http://www.cowcreek.com/story/x01history/x14restoration.html>.

<sup>19</sup> Senator Arthur V. Watkins of Nevada, Senator Patrick McCarran of Nevada, and Representative E. Y. Berry of South Dakota led this movement.

<sup>20</sup> “If you ask how the groups were selected by Congress for inclusion in Resolutions no. 108, it may be that we can find a clue in testimony submitted to the Senate Civil Service Committee on February 8, 1947, by Mr. William Zimmerman, Jr. who was then Acting Commissioner of Indian Affairs and is now your associate in the organization which you head. As part of his testimony Mr. Zimmerman submitted to the Committee a list of tribal groups which, he said, “could be denied Federal services immediately or in the future, whichever Congress should decide.” Included were not only the Klamath and Menominee tribes but several others such as the Flatheads of Montana, the New York Indians, the Potawatomi group, and (conditionally) the Turtle Mountain Chippewa Band of North Dakota which were later named in House Concurrent Resolution No. 108. In fact the parallel between the Zimmerman list of 1947 and the Congressional list of 1953, while not complete in all details, is remarkably close. To me, therefore, there is no special mystery about the selection of the groups included in resolution No. 108. If the Acting Commissioner of Indian Affairs felt that these groups could be denied Federal services immediately back in 1947, certainly the Congress was justified in concluding that such action could be taken in 1953” Douglas McKay 1955.

**CHAPTER V**

**TERMINATION: GRAND RONDE RESERVATION,**

**1943-1961**

To improve the status of our first citizens,  
Governor Douglas McKay, July 14, 1950

**Introduction**

In 1954, two congressional bills terminated 64 tribes in Oregon from three reservations and other rural groups. The federal government terminated more tribes in Oregon than any other state. An estimated 13,000 Indians were terminated nationally, roughly 4,000 of them from Oregon (Ulrich 2006). Of the reservations terminated, 2,500,000 acres of land was removed from trust status (Nations 2008).

The Western Oregon Indian Termination Act, Public Law 588, (P.L. 588) terminated the western Oregon Indians, including Grand Ronde, Siletz, and the tribes in southwestern Oregon that did not reside on reservations, in 1954. In addition, P.L. 588 mentioned several tribes that had traditional territory within Oregon, but who resided in



either Washington or California states, altogether 60 tribes. P.L. 588 gave the reservation tribes two years to put their affairs in order and correct their membership rolls. Final termination was in 1956. All federal services ended in 1956 and members received their share of the community land sales soon after.

In 1954, Congress passed the Klamath Termination Act, Public Law 587, terminating the three tribes of the Klamath Reservation. Initially, the BIA meant the termination protocol to end by 1956, however, the Klamath Reservation held almost a million acres of forestlands that required sale. The BIA did not dispose of the Klamath reservation lands until 1961, and immediately afterward, Congress finalized Klamath termination.

#### ***Pre-Termination: Indian Office Termination Meetings in Western Oregon***

From at least 1948 until 1956, Indian agents traveled to Siletz and Grand Ronde to have meetings with the tribal councils and the general assemblies, to discuss termination. Many of the meetings were poorly attended and yet the general assemblies of both Grand Ronde and Siletz voted to accept termination and to accept provisions of early termination between 1949 and 1952 (See Appendix G for the Grand Ronde resolutions). On September 28<sup>th</sup> a meeting was held in Siletz attended by twenty-eight people, who voted to hold another meeting on October seventh (Towle 1951). The initial vote in favor of termination was sixteen to nothing with exceptions. Siletz members were concerned about the remaining reservation lands and wanted to establish a corporation to manage the tribal land once the land was issued fee patents and transferred to the tribe (Towle 1951). This understanding of how the BIA would manage the land transfer

represents an early misconception of termination by the Siletz tribe. However with a bare forty-four votes in favor, out of a population of about a thousand natives, Indian Agent Towle was willing to state, "If Secretary of the Interior will approve sale of Tribal timber land now we believe no further opposition by Siletz in approving proposed legislation" (Towle 1951).<sup>1</sup>

The telegram reporting the meetings results helps us understand that the Siletz tribe was fully negotiating the proposal and was considering approval. Their main concern was for the timberlands, which would be the basis of the tribe's future wealth. The proposal for a corporation is similar to that of the Menominee tribal arrangement, where after their termination; the tribe formed a corporation to manage its vast timber resources (Peroff 1982).

In 1953, E. Morgan Pryse reports further on his meetings with Siletz and Grand Ronde, detailing the amount of work he contributed to termination:

The writer spent much of his own time on Saturdays and Sundays from 1948 to the present in meeting with various Indian groups, County and State officials in proposing withdrawal of the Indian Service over affairs of Western Oregon Indians and knows of no one opposing such a proposal; therefore it is recommended that the proposed legislation . . . be presented to Congress with strong recommendation for favorable action thereon at an early date (Pryse 1953f).

In Pryse's summary, it is unclear on which tribes he is commenting. There is evidence to assume that the Siletz and Grand Ronde committees approved of the concept of termination (Indians 1951a; 1951b; Oregon 1951a; 1951b). However, Pryse does not reference any actual documents that contain such information. The discussions set the tone for termination of the tribes.

Constant discussion of the topic by Indian agents influenced people to realize that termination was an inevitable event. Grand Ronde elder Bob Tom, who grew up at Siletz, and whose father was from Grand Ronde recalls that his father knew that termination was happening and moved his family to Salem in advance of the termination date:

My folks moved to Salem in 43', 44', and my dad and mom moved there specifically so that we could go to public school there and get a better education. My dad and mom may have bought into the termination methodology of, you need to go out there and compete with the greater society, as an equal (Tom 2006).

At Grand Ronde, elders expressed that they heard from their uncle Abe Hudson reported on Indian Affairs on a regular basis. Cheryle Kennedy, Tribal Council Chair, describes her feelings about termination as a child:

We knew we were involved in the sessions, when we would come. We had an uncle, Abe Hudson, married to my aunt, grandma's sister, that was on the council . . . . I remember they'd be sitting around the table like that and talking. . . . Something dreadful is going to happen. And we don't know how to stop it . . . We knew that something bad was coming cause I was Indian (Kennedy 2006).

That feeling of inevitability caused many Indians to make decisions to preserve their families well before there was any assurance of termination occurring. The feelings of inevitability were strong enough to influence children's emotions and prompt tribal families to begin moving off the reservation.

## **State of Oregon Preparation for Termination**

### ***Governor's Interstate Council***

Parallel with the Federal activation for termination was a state-level discussion that involved at least 17 Governors of states with large Indian populations. The states represented were Minnesota, Arizona, South Dakota, Utah, Wisconsin, Oklahoma,

Washington, California, Wyoming, North Dakota, New Mexico, Montana, Idaho, Nebraska, and Oregon. The 17 Governors established the Governors' Interstate Council on Indian Affairs and met annually at conferences from the late 1940s and into the 1960s. The Governors and their appointed representatives to the Commission discussed problems with the Bureau of Indian Affairs in their state and searched for good management models to ease the problem of thousands of Indians suddenly coming under state management through termination of their reservations. At the second meeting of the Council held in Salt Lake City on May 12, 1950, these goals were agreed on by all:

1. That Indians should be given full citizenship rights.
2. That segregation should be abolished.
3. That equal educational opportunities should be given the Indians in our public schools.
4. That the Bureau of Indian Affairs was too far away to deal directly and quickly with Indian problems needing immediate attention.
5. That most states had been derelict in their duties in dealing with the Indians, mostly taking the attitude that Indians are the problem of the Federal Government.
6. That the ancient treaties, red tape, and ward ship of the Federal Government should be straightened out as soon as possible.
7. That all states having Indian reservations should unite and make a careful analysis of all their respective Indian problems; then work out definite, concrete plans that could be presented to Congress.
8. That there should be Indian representation in the formulation of any program that would affect the Indians (Wright 1950).

The goals from the Council show a willingness to begin addressing some of the issues of Indian Affairs within the states. The goals are very similar to what we see for the overall Indian management issues of the Indian Office, and there is an urgency to study and understand Indian issues quickly. A certain naivety was apparent since the Governors appeared to believe that some of the long-term Indian problems could be "straightened out" or solved with a little effort on the part of the states, problems that a hundred years

of Indian Office management had not yet solved. However, the council served as a sounding board for annual meetings of state representatives representing different state programs. The council continued into the 1960s and published numerous newsletters and other reports on Indian issues.

Prompted in part by discussions had at the interstate conferences, states began planning for the termination era well before the termination acts were passed by Congress. There was extensive state agency coordination in Oregon, initiated by Governor Douglas McKay, who formed the Oregon State Committee on Indian Affairs in 1947.<sup>2</sup> On the Commission, Governor McKay brought state and federal officials together to find some solution for the predicted influx of thousands of Indians into state programs. Committee members consisted of Oregon State department officials, local government officials, federal Indian agents, and university experts, including Luther Cressman of the University of Oregon, Anthropology Department. Included on the commission were representatives from the tribal reservations, including Abe Hudson from Grand Ronde and Coquelle Thompson from Siletz. The committee met regularly for nearly a decade to talk about what to do about the Indian problems in Oregon and to give advice to the Governor on what actions the state must begin planning in support of the Indians (McKay 1950).

### ***Oregon Indian Affairs Conference 1950***

In 1950, Indian people in Oregon participated in a state-level Indian affairs conference organized by Governor Douglas McKay. Discussions about termination at the state level had to wait until the State of Oregon and the tribes discussed how their

relationship would evolve. The State of Oregon had never managed Indian people, much less a population of thousands. The not-too-distant past for Indian management in Oregon (1849-1859) included warfare between the settlers and the Indians in several regions of Oregon. Exclusion laws for Indians still existed in Oregon into the 1950s. The exclusion laws in Oregon consisted of a prohibition against Indians buying alcohol, and a law banning Indians from marrying whites (Berg 2007). Despite the 1924 Indian Citizenship Act, making every Indian a U.S. citizen, many states still had exclusion laws on the books.

Governor McKay opened the conference with an important statement that brought the subject of Oregon's exclusion laws to the forefront:

We are proud of our Indians and, if there is anything the state of Oregon can do to improve the status of our first citizens, I think we should give it every consideration. We have no preconceived ideas of what should be done, if anything. We have no political axes to grind – our only purpose today is to make a fair and honest appraisal of the status of the Indian in our state and to explore the possibility of cooperating with all existing agencies to give the Indian a full and equal citizenship status that has been so long delayed and so justly deserved (McKay 1950).

Several Tribal representatives at the meeting readily pointed out the irony of

Governor McKay's statement. Boyd Jackson of the Klamath Reservation stated:

It seems strange that the state should make such an assertion. Inasmuch as the state has seen fit to have a law passed prohibiting use of liquor among ourselves, then I hope you will be farsighted enough to have this law repealed. That is one of the major reasons we consider ourselves outcasts. . . . You have also discriminated against us by prohibiting intermarriage among your people. . . . The same holds true as far as the prohibition law is concerned (McKay 1950).

Abe Hudson from Grand Ronde supported Jackson's statements regarding exclusion:

A law has been enacted . . . that an Indian cannot buy a drink. It is one thing I don't like – there isn't an Indian here that likes it either – that an Indian cannot go into a saloon like a white man, yet they want to make us white men (McKay 1950).

Jackson suggested that such state laws “Create[d] lines of thought other than what the law was designed for” meaning that the law practices racism, or discrimination against native peoples (McKay 1950). As stated by Jackson, the state laws made natives who engaged in interracial marriage and drink alcohol “dodgers of the law instead of citizens” (McKay 1950).

States had passed exclusion laws since their inception. The exclusionary and discriminatory policies and laws place Indians in a different social category from whites. The prospect of Indians being taken care of by the state did not appeal to Hudson, “I don't blame some of the Indians for not wanting to join the state because we are being discriminated against; we don't come up to par with the whites” (McKay 1950).

At the conference, A. H. Wright, Director of Indian Education in Oregon and chair of the newly formed Advisory Committee on Indian Affairs, stated, “I would like to remove the miscegenation law from the Oregon statutes. Any Oregon statute that is discriminatory in nature should be abolished” (McKay 1950).

Additional discrimination occurred for native war veterans. Mr. R.J. Burke, from Umatilla Reservation stated his experiences, “In the armed forces we had over 200 Indian boys drafted – when they came back from the war they were denied G.I. loans and other benefits because they had lived on a reservation” (McKay 1950). Indian men in WWII received much publicity for their contribution to the war effort. Yet, when Indian men

returned from duty, they were discriminated against by both federal and state systems. It was not enough that they risked their lives to serve the country that continued to discriminate against Indians.

Later Coquelle Thompson of Siletz expressed his opinion about segregation, hunting, and fishing rights,

As long as we have to maintain Indian reservations we are going to have various people segregated and we will always have problems that we have today. People that are segregated are bound to be a little different. At one of our tribal meetings hunting and fishing rights were discussed – one man stated: ‘now if we are going to be assimilated and become full citizens of the United States we would just as soon pay for our fishing and hunting license and fish and hunt in season’ (McKay 1950).

Thompson then suggests that since there will not be any full-blooded Indians on the reservation there is no need to continue with the reservation.

These subjects were a surprise to Governor McKay who stated his ignorance of such laws: “[I] was not aware of a law prohibiting intermarriage of Indians and whites and that this would be investigated prior to the 1951 legislature” (McKay 1950). The Indian exclusion laws were stricken from the books by May 1951 by the Oregon State Legislature. These important statements by tribal representatives provided the foundation for future meaningful discussions within the committee. Indians had never addressed these issues before to the State as the Federal government had always managed them.

Jackson suggested to the governor that “As far as a more workable relationship between the Bureau of Indian Affairs and our state being established, I did not know that such a relationship existed other than in connection with our schools” (McKay 1950). It is amazing that the state of Oregon had been in existence for almost 100 years and the



Indians and the state had almost no relationship. Jackson stated, “The Indian problem has been dangling here before the National Government over 100 years and still remains a problem. . . . Although we are a mere drop in the bucket compared to the population of this country, evidently we are quite a problem” (McKay 1950). Assimilation of Indians would require some sort of communication between the states and the federal government to make the process successful. The lack of communication likely contributed to the failure to assimilate natives. Natives would not desire to assimilate into a discriminatory society.

Poor health services were common at the reservations. The transfer of responsibility to the state would likely bring better services to the tribes from local state agencies. At the conference, Jackson addresses the issue of health, “we have had the problem of health. Our hospital has been closed and we have been unable to reopen it. We have attempted to work out some ways or means whereby some other hospital organization might take over but as yet have not found an organization” (McKay 1950).

Advice from the non-native committee members varied widely. Some thought that Indians were not prepared for termination and would immediately swell the ranks of the welfare poor and therefore should not be terminated immediately. Others thought that tribal members were completely assimilated and they could compete socially and economically with whites Oregon. Of the many members on the committee, Harvey Wright, Indian Education Director, stands out as the most thoughtful. Harvey Wright proved understanding of the Oregon Indian issues and suggested a logical solution to the issues,

The only way we will rid ourselves of the so-called Indian problem in Oregon is for the state, the counties, and the local communities to accept all Indians as citizens and accord them the same rights, benefits, and privileges as other citizens. I think the Indians must be given full citizenship rights, and that they must assume the obligations and duties of full citizenship (McKay 1950).

Additionally Wright suggested that the federal government's work was not over as he understood that the change would place a burden on the state, "it seems only logical to me that the federal government should subsidize the state of Oregon during this period of transition" (McKay 1950).<sup>3</sup> Wright's suggestion that the tribes were not fully prepared for assimilation, was a common issue that other states voices in Congressional hearings. The states did not want to shoulder the whole burden of the transition.

### *Oregon Politicians Preparing for Termination*

Governor Douglas McKay, Senator Wayne Morse, and Senator Richard L. Neuberger were the primary state officials who were in charge of Indian Affairs at the state level. In 1952, Governor Douglas McKay was in the midst of his second term as governor. He had promised to serve the full six years, but instead accepted the position of Secretary of the Interior offered to him by President Eisenhower. Secretary McKay was in a position to use much of the information he had received about the Oregon tribes as Secretary of the Interior, and following his insertion as Secretary, preparations for termination continued unabated. Afterward, Secretary McKay led the government's policy of termination of Indian reservations through the next few years. McKay used the termination of the Oregon tribes as a positive example of termination for the rest of the nation.

Political officials in the state of Oregon played a large role in the liquidation of state Indian reservations. Senators, representatives, mayors, attorneys, state departmental directors, and the Governor's office all worked with the issue of termination in committee meetings and in discussions with the tribes. E. Morgan Pryse, BIA Supervisor of Indian Affairs for the Portland Area office, was also a member of the committee. Governor McKay opened the initial conference on July 14, 1950 with this list of discussion topics and/or goals:

- (a) Bring about the early and equitable settlement of Indian treaties
- (b) Accomplish the social and economic rehabilitation of Indians with emphasis upon the initiative and self-reliance of the Indian himself
- (c) Equip Indians for living with and in our American culture through education and training
- (d) Encourage Indians to preserve, as individuals, their best traditions as an integral part of American life
- (e) Bring an early end to federal ward ship, with adequate federal aid in the interim (McKay 1950).

The topics clearly followed the previous goals of the federal government to bring about an efficient termination to the tribes. One goal in particular, of "preserving their traditions," stands out as different from that proposed by Congress or that practiced for almost one hundred years by the Indian Service. The Congressional goal was to assimilate Indians, and not to retain native traditions. National Indian policies of assimilation did not include a priority to preserve tribal culture as well.

Goal (a), the "equitable settlement of Indian treaties" is similar to a goal of the "Ten-Year Programs" established in 1944. The goal was to settle Indian land claims forever. There was likely some collusion between Governor McKay and Indian Agent Pryse over some of these goals. The settlement of Indian treaties was beyond the

jurisdiction of the states to settle. Letters from E. Morgan Pryse to Governor McKay indicate that there were ongoing meetings between the two, even before the creation of the Indian Affairs committee. In one such letter, Pryse summarizes their discussion on Oregon Indians and thanks Governor McKay for coming to an agreement over the Indian problems:

I was especially gratified for the opportunity to visit with you on March 22 to discuss problems to the Indians in yours state. I am very pleased that you agree on a mutual approach to the solution of Indian problems since I firmly believe that it is only through combined efforts that solutions may be obtained which will be beneficial to the Indians, the federal government, and the State of Oregon (Pryse 1950a).

The collusion between Governor McKay's and the Indian Office helped McKay to become well informed about federal Indian policy and termination legislation. McKay's experience with these issues may have aided his appointment to Secretary of the Interior in 1952. It is apparent from McKay's statement of goals for Indian management at the state level and Pryce's statements about termination that the Indian Office influenced Governor McKay.

Education for the tribes is a particularly important issue that they understand was necessary for people to make a living in American society. Sam Kash Kash from Umatilla addressed this issue; "There should be a law to educate the white people so they would know that Indians are human. I can speak well of Umatilla County, and the public schools have taken care of our children very nicely. . . [But] Several children on the reservation have not been able to continue school because of lack of funds" (McKay 1950). In addition, Coquelle Thomson of Siletz stated a similar experience "We have a choice of sending our children to Chemawa or to the public schools. I find that the

majority of the people are sending their children to public schools” (McKay 1950). Those of Abe Hudson from Grand Ronde mirror Thompson’s statements, “As far as our schools are concerned the Grand Ronde Indians have been self-supporting for some years. I was a member of the tribal council when this thing started. We have the privilege of sending our children to Chemawa if we want to but most of us are taking the advantage of sending them to the public schools” (McKay 1950). Both statements implicate the federal government and make favorable comments about the state’s schools suggesting that it would be a benefit to have the state take over this service completely. Education of the terminated tribal members is later coordinated between the Bureau of Indian Affairs and the state at termination.

Ultimately, the conflict between remaining under federal supervision and termination made some Oregon Indians questions whether they were Indians. At the conference, Abe Hudson expressed familiar identity questions, “I am getting old and I don’t know where I stand, I don’t know what I am – they call me an Indian and I guess I am an Indian but I really don’t know what makes an Indian” (McKay 1950). Many younger people saw the value in selling the land and gaining control of their finances, but this required a loss to the overall tribal community.

Oregon Indians knew well the impact of the loss of federal services and administration. Even before P.L. 280 was passed in 1952, making state law the prevailing law on some reservations, the tribes were thinking about how this would work. The transfer of the criminal and civil jurisdiction to the state is a significant impact on

sovereignty rights for tribes. Jackson advocates for the transfer of law enforcement to the state,

I believe in turning law enforcement over to the state. Our plans are such that we intend to continue as a reservation setup, and legal problems will crop up; things we can control we will, and things that are too deep for us I think we should be able to pass along to the state (McKay 1950).

It is unclear why Jackson advocated for this path, but the tribes did not have well developed legal departments with the ability to try both criminal and civil cases. Most tribes had relied on the federal government for this throughout reservation history. In addition, there is a value in having local legal jurisdiction, as federal law enforcement does not respond as quickly or completely as many desired.

### **First Termination Attempt**

The first attempt at termination of the western Oregon Indians was the *Program for the Early Withdrawal of Selected Activities and Withdrawing Federal Supervision over Indian at Grand Ronde-Siletz and Southwestern Oregon*, (Pryse 1950b). Pryse drafted this initial proposal to expedite termination of the western Oregon Indians as he felt that the western Oregon Indians were “well advanced in the ability to handle their own affairs” (Pryse 1950b:3). Pryse pursued early withdrawal for the western Oregon tribes because they had expressed to him a desire to be free of government interference making them the ideal candidates for termination (Pryse 1950b:6). Pryse suggested, “Indians of the Grand Ronde-Siletz Administration have already experienced most of the privileges and responsibilities of full citizenship. They have long been accepted by their white neighbors on the same basis as other citizens and are permitted to act on the local school and election boards, as well as other civic affairs” (Pryse 1950b:6).

Additionally, Pryse suggests that many of the southwestern Indian communities prior to 1938 had not received assistance from the government and as such were running their own affairs (Pryse 1950b:6). From all appearances, all of the tribes and communities in western Oregon were assimilated and ready for termination.

The Indian Office held discussions with the Grand Ronde, Siletz, and southwestern Oregon communities to seek the approval of the communities for early termination. However, Siletz was the sole tribal government to agree to early termination (Indians 1951b; Indians 1950). Grand Ronde did initiate resolutions that began to eliminate much of their administrative oversight (Oregon 1949; Oregon 1951a; Oregon 1951b), as did the southern Oregon and other coastal tribes (Alcea 1951; Coquille Tribe 1951) (See Appendix G for the Grand Ronde Resolutions). Despite this positive feedback, in 1951 Pryse submitted his opinion to Commissioner of Indian Affairs Dillon Meyer, regarding the process of gaining tribal support, "I believe the commissioner would be justified in starting action without formal resolutions since not one Indian has objected" (Pryse 1951).

The early withdrawal proposed settlement of fourteen issues. Many of the issues were ongoing problems between the tribes and the federal government that could not be resolved quickly or easily. The Indian Claims settlements were one such problem, as the tribes previously stated a desire to settle the awards before they would approve termination. Additionally, from the federal perspective, the proposal gave too much to the tribes, not requiring them to pay for allotments or communal lands. The fourteen settlement points were:

1. Disposal of tribal lands.
2. Transferal of unrestricted tribal lands to the Siletz tribe.
3. Patents in fee to be issued covering the communal lands and buildings at Grand Ronde and Empire.
4. Patents in fee to be issued for 126 Indian allotments in western Oregon.
5. 31 allotments to be sold.
6. Early determination of pending Indian claims cases.
7. Almost ten thousand dollars in funds be issued to cover this effort.
8. Bring tribal rolls up to date.
9. All tribal trust accounts to be transferred to a bonded officer.
10. Settle funds owed the Empire community.
11. Pay Tribal member funds owed them, except minors.
12. Grant Siletz and Grand Ronde members same rights as all other Americans.  
Revoke all special privileges including treaty rights.
13. Appoint a special commission to expedite Indian claims awards.
14. If applications for patents in fee or sale of land is not received in six months dispose of the property (Pryse 1950b:1-2).

The reason for the proposal's failure is that there were too many unresolved issues between the tribes and the federal government for early withdrawal to occur. The federal government still needed to conduct a full reconciliation of funds spent on the reservation. In addition, the tribes would need a couple years to create their termination rolls. Finally, the tribes had not fully agreed.

Pryse's plan was a precursor to P.L. 588 and the discussions about the plan outlined for the government the issues needing a solution before the tribes would agree to termination. Agreement was an issue with some Congressional representatives who were sensitive to whether the tribes were truly prepared to handle their own affairs.

### **Second Termination Draft Bill**

The passage of P.L.108 helped to make the second attempt at termination of the western Oregon tribe a success. P.L. 108 changed the status of the Grand Ronde tribe to the "fully assimilated" category (Committee on Interior and Insular Affairs 1954a). The



rise of Oregon's Governor Douglas McKay to the position of Secretary of the Department of Interior in 1953 likely spurred this change. Previously, Zimmerman's tables in 1947 indicated that Grand Ronde has "no resources" (Committee on Civil Service 1947:545-546). With national termination policy set, and Grand Ronde elevated to fully assimilated status, termination of the western Oregon tribes began in earnest.

### ***1953 Tribal Progress Reports***

In the 1950's, E. Morgan Pryse Superintendent of Indian Affairs for the Portland Area Office, spent much of his time traveling to meetings at Siletz and Grand Ronde. Following the meetings, Pryse sent reports to the Commissioner of Indian Affairs and tribal leaders. Pryse and his staff were an integral part of the termination process. They maintained a dialogue with the tribes and communicated to the commissioner information about the tribes' attitude regarding termination, and wrote the initial drafts of the laws. The commissioner then reported to Congress how the tribes felt. At times, Pryse traveled to Washington, D.C. and testified before Congress. Pryse was an essential component in getting termination approved by Congress and by the tribes.

In 1953, during the second attempt to terminate the western Oregon tribes, Superintendent Pryse stepped up his efforts as the next year Congress was set to pass the termination acts for Oregon. Mindful of the failure of his first attempt at termination, in part caused by a failure of the federal government to settle the Indian Claims cases expeditiously, Pryse worked to build a case for termination that would be successful. Pryse's reports maintained that the tribal members exhibited continuous support for termination and he continually pushed the point that the tribes had assimilated enough to

run their own affairs. In addition, success required a comprehensive accounting of the tribes of western Oregon. In writing the law Pryse stated that it was a difficult task to find every name, “we keep finding more tribes and groups all the time scattered throughout western Oregon” (Pryse 1953e).<sup>4</sup>

In October of 1953, Pryse began working to build the case for termination by seeking tribal approval first. The first report for 1953 was to Mr. Vernon Reibach, of the Grand Ronde Tribal Council, establishing a deadline for review of the draft termination act (see Appendix I for the Draft termination bill):

October 6, 1953

This proposed bill is a rough draft for discussion purposes only. It is requested that each Indian group meet together with their respective tribal bodies at the earliest practicable date and make any changes or additions that they believe advisable. Any suggested changes or additions adopted by tribal action should be drafted and sent to this office immediately for further consideration. It is recommended that resolutions similar to those contained in the “Plan for the Withdrawal of Federal Supervision over Indian tribes of Western Oregon, Portland Area Office, 1951” be prepared and submitted as evidence of affirmative action on this proposed bill.

We have been instructed by the Washington Office to submit a draft of proposed legislation not later than November 1, 1953 with your comments (Pryse 1953d).

Pryse understood the need for current resolutions as those drafted in 1951 related to the first proposal for termination. In addition, Pryse’s letter to Vernon Reibach carefully explained that the draft is for discussion purposes only, understanding that the tribes’ were not in full agreement. Later in October, Pryse informed the Commissioner of Indian Affairs of the timeline for community meetings and his expectations as to the outcome from these meetings:

October 23, 1953

We expect to hold meetings with the Grand Ronde- Siletz people November 1. These folks are scattered over a very large area up and down the coast and since it is also their busiest season it has not been practicable to hold meetings at an earlier date. We do not anticipate anything but favorable action on the Grand Ronde-Siletz bill (Pryse 1953c).

Pryse set the tone for the commissioner by stating an expectation of approval of the draft plan by the tribes. Pryse's positivism comes from previous public statements and resolutions from both tribes in favor of termination. Pryse's early expectation of approval for the law began to establish a positive outcome for the commissioner.

However, in a meeting in Siletz on November 1, 1953, Indians from western Oregon expressed their concern about the Indian claims awards and stated they desired final settlement before they approved the termination bill. Tribal members questioned why Congress had not approved the Alcea settlements yet. Others expressed a concern that they required more time to review the draft termination bill before they would approve it. Superintendent Pryse communicated the tribes' desires to the commissioner and made a simple comment in his report, "I believe it would be good business to grant their request" (Pryse 1953a).

On November 5, 1953, Pryse submitted a second report about the tribes to the commissioner by telegram. He again presented a positive image to the commissioner as to the expected outcome of the future meetings:

Preliminary reports on legislation . . . [meeting of] November 3. Indians have taken no affirmative action yet. Expect affirmative action on Grand Ronde-Siletz after meeting with them again November 22 (Pryse 1953b).

Unexplained in Pryse's report is why the tribes did not take affirmative action in their November 3 meeting. As well, the shortness of the report does not bode well for affirmation, as Pryse did not elaborate on any issues likely brought up in the meeting.

In the December 7, 1953 report, Pryse continued to make the case that the tribes favor termination. Pryse did reveal that the tribes reiterated a desire for a final settlement of the Indian Claims Cases. There was no evidence submitted which suggests that the tribes supported the current termination bill, while in fact, Pryse inserted a statement suggesting that the tribes do not approve of termination:

The attached report . . . contains resolutions from the affected tribes, together with statements from local officials, including Honorable Douglas McKay, Secretary of the Interior, who was then Governor of Oregon. Both Siletz and Grand Ronde Indian groups, in recent meetings, asked that no withdrawal program be carried out pending distribution of the moneys which were recovered by the plaintiffs in the case Alcea Tribe of Tillamooks, et al v. United States. We do not believe, however, that there has been any change in their general attitude which favors the termination of Federal responsibility at an early date. In fact some Indians have expressed informally their displeasure in the delay in obtaining legislation to accomplish Federal withdrawal (Pryse 1953f:Emphasis mine).

In this report, Pryse makes statements contradicting the statements of the tribes. Pryse reported that the tribes do not desire termination before Congress settles the Indian claims awards and that they have stated this in the last few meetings. This statement is revealing, as Pryse did not report this issue in his report on the meetings of November 3 and 22<sup>nd</sup>, when he simply stated the expectation of a positive outcome. However, Pryse suggested that the previous acceptance of termination gained from the Siletz and Grand Ronde tribes in 1950 and 1951 was an acceptance of termination on the part of the tribes in the present draft legislation (Indians 1951a; 1951b; Oregon 1951a; 1951b). It is true that

tribal elders in 1952 made public statements in approval of termination, but there is no indication if they still approved of termination in 1953 (Oregonian 1952a) (see Appendix H for the statements). In addition, Pryse offers a non-specific referral to “some Indians” which is a continuation of his strategy of building an impression of success with the commissioner. Furthermore, Pryse invokes statements of the Secretary of the Interior, Douglas McKay to build his argument.

In December 1953, Pryse, confident that his arguments in support of termination would succeed, began writing the Western Oregon Indian Termination Act. In February 1954, only a few months before Congress is to pass the termination act, Pryse reported at length on the reasons why the tribes failed to produce a favorable review of the current draft:

Plans and procedures for terminal action have been formulated after thorough discussion and study by and with the Indian people involved, extending over a period of more than three years. The proposed legislation, in substantially its present form,<sup>5</sup> has been widely distributed throughout the area and has been discussed at length with the various groups of Indian people. By formal resolution they have expressed themselves as favoring early termination of Federal supervision over their affairs. They declined to take favorable action on recent drafts of proposed bills for the reason that moneys recovered several years ago as judgments by the Rogue River Indians, the Alsea Band of Tillamooks, and others in the area, have not yet been distributed to the members of the successful claimant tribes. These funds are presently deposited in the United States Treasury to the credit of the interested tribes, and bills are pending before Congress which would authorize and direct the Secretary of the Interior to distribute the funds. One such pending bill is H.R. 4118, which was introduced in the first session of the 83<sup>rd</sup> Congress.

Copies of the proposed legislation together with our program for the termination of Federal responsibility have been distributed to State and County officials and to prominent citizens interested in the welfare of these Indian people. No objections have been voiced. On the other hand there has been widespread approval of the proposal. The copies of the program which have been submitted by the Department in connection with its report include the favorable endorsements of officials in the counties where the majority of the Indian people reside, together

with a copy of letter of approval by the then Governor of Oregon, the Hon. Douglas McKay, now Secretary of the Interior (Pryse 1954:Emphasis added).

Pryse continued to build an image of comprehensive support for termination. Pryse reported that many prominent officials in Oregon, including local governments, prominent citizens, and the Governor (now Secretary of the Interior) agreed with termination. This statement lends authority to Pryse's case for approval. Again, Pryse could not state that the western Oregon Indians have agreed to termination. In fact, the only statements the tribes made were that they still objected to termination because Congress had not settled the Indian claims awards. The only favorable opinions issued by the tribes were the 1951 resolutions passed by the tribes in favor of termination under the early withdrawal plan. Pryse statements sidestep the issue of termination stating that they are in favor because all of his years of experience working with the tribes suggested this to be so.

Finally, Pryse finished establishing his case for approval of termination by eliminating any chance that the tribes' can state their own opinions before Congress. By eliminating Indian testimony at the Congressional hearing, Pryse controls the environment and assures passage of the law.

It is not believed the tribes will send delegates to appear before the committee. They approve the bill in principal, are conservative with their funds, and are busy making a living (Pryse 1954).

This statement may very well have been true as few Indian people in western Oregon had the money or could spare the time to travel to Washington, D.C. and testify before Congress. However, it is more likely that Pryse never communicated with the western Oregon tribes when the hearings would take place. Since Pryse manipulated the reports, it

is likely that he made a conscious decision to eliminate the possibility of the tribes' offering negative statements at the hearing. Grand Ronde elder Merle Holmes suggests that in fact the tribe did not know about the hearing:

There was not one word of a meeting, when it was to be, or what it was about I never knew anything about it literally until it was all over (Merle Holmes: Broadcasting 2000).

Merle Holmes' statement contradicts the Pryse's statements about the tribes' being unable to attend the hearings. Pryse assured that Congress would not invite the tribes, and Congress did not expect them to be able to attend the hearings. As such, Congress did not hear relevant native testimony or opinions from the tribes regarding their termination.

Superintendent Pryse's statements set the stage for full approval of the termination bill in Congress with assumed Indian consent. Yet, these statements do not convey what the Indians actually feel about termination at the time and leads to the assumption that any further negotiations with the tribes were unnecessary. In short, Pryse effectively and bureaucratically managed the Indians and manipulated the outcome of the second termination effort.

Pryse's document is wholly false, misleading to the extreme, and does not convey the true wishes of the tribes. If this was the deciding document to convey the tribal government's wishes, then the tribal member stories are correct in saying that the tribes never agreed to termination. In addition, it is conceivable that Pryse never asked the tribes if they wanted to testify and led Congress to believe that they did not want to testify, effectively cutting off communication between the tribes and Congress.

Superintendent Pryse authored several inaccurate statements about the tribe's support for termination. Pryse reported that no tribal members concerned with the bill were able to make statements to Congress. As well, the Grand Ronde tribe did not issue any official statements or current resolutions regarding the second termination act, as they had for the first early termination proposal. Yet the bill, as authored by Pryse, states repeatedly "upon request of the owners" in its presentation text (Affairs 1954a:136). Additionally, the follow-up report *Withdrawal of Federal Supervision, Grand Ronde and Siletz Jurisdiction, State of Oregon* submitted by E. Morgan Pryse (Affairs 1954a:140-153), within the hearings document states: "The attached resolutions indicate the desire of the Siletz and Grand Ronde groups that the Government withdraw its trusteeship over their properties. They are willing to accept the burden of taxation and otherwise to assume full responsibility of citizenship" (Affairs 1954a:143). The "indications" submitted by Pryse do not rise to the level of "approval" of termination as shown previously. The contention of the federal government has always been that the Grand Ronde tribe willingly consented to termination, but from the evidence submitted this is not the situation. There remains no evidence that the general council of the Grand Ronde tribe in 1953 or 1954 "desired" to be terminated under P.L. 588. From this evidence, termination of the tribe occurred through bureaucratic misdirection, perpetrated by staff of the Bureau of Indian Affairs.

The constant misquoting of the story that the tribe willingly submitted to termination, is a fallacy in federal documents. This story repeats in many of the follow-up reports, continuing to legitimize this fallacious history. In the years following



termination, many officials were convinced that the tribes had approved of termination and acted according to this story. The following is from H. Rex Lee, Associate Commissioner of the Department of the Interior in correspondence to Senator Wayne Morse on April 30, 1958:

The members of the Confederated tribes of Grand Ronde community thoroughly discussed the proposed termination on at least two occasions, and by resolution passed on August 20, 1951, voted to have Federal supervision withdrawn. . . . the wishes of the tribes as a whole were taken into consideration by the Department and Congress at the time the legislation was considered and the Act passed (Lee 1958).

The issue here is whether the 1951 tribal resolutions truly applied to the 1953-1954 termination acts. Lee accepted the legitimacy of this application without questioning whether the original proposals for termination changed.

The urban legend is so pervasive that many native people have accepted this story as fact; despite repeated tribal oral histories to the contrary. Surprisingly, federal *Task Force Ten* reports unveiled the truth in 1976 “No referendum vote on the subject of termination by Oregon Indian tribes ever took place (Commission 1976; Ten and Commission 1976:52). Yet, despite this repudiation of the will of the tribe, the urban legend of their willing termination persists within and beyond Indian Country.

### **The Western Oregon Indian Termination Act**

On February 17, 1954, a joint bill S. 2746 and H.R. 7317 was submitted to a Joint subcommittee of the Committees on Interior and Insular Affairs for the Senate and House of Representatives. The president of the Senate was Richard M. Nixon. This joint bill is the Western Oregon Indian Termination Act. It listed sixty tribes, bands, and tribal

reservation governments from, Oregon, California (Karak, Tolowa) and a tribe from Washington State (Chinook) (Congress 1954).<sup>6</sup>

The Western Oregon Indian Termination Act stated that the United States would have to settle all accounts owed the Indians and tribes, settle all land claims, and rectify all allotment issues owed the government. In addition, the bill provided for the “termination of Federal supervision over tribal real and personal property of individual Indians” (Affairs 1954a:138), and “Federal restrictions are removed from the property of each tribe and its members . . . thereafter such Indians will have the same status under State and Federal law as any other person or citizen” (Affairs 1954a:139).

The Western Oregon Indian Termination Act, or Public Law 588, was passed August 13, 1954 (Congress 1954). Published with the act were the first sets of tribal rolls for Grand Ronde and Siletz. Both tribes and the southwestern communities were given almost two years to complete the rolls, before the final termination bill was passed. In addition, the BIA area office had to settle the accounts, and sell all of the land. In the meantime, to facilitate the transition, the federal government began working on the education and relocation programs to get tribal people to move away from the reservation and be retrained for their new lives.

### ***Post-Termination Meetings***

Following the passing of the Western Oregon Indian Termination Act, the BIA continued to hold meetings and make plans with the tribes. In late January 1955, Indian Agent Martin N. B. Holm visited with the Grand Ronde Tribal Council:

A short stop was made at Grand Ronde where I talked with Vincent Mercier, Secretary to the council. We discussed the proposed roll and I was assured that it would be submitted within a month or so. There is question as to whether or not they will wish to form a corporation to take over the tribal territory there. We need to discuss this with them in the meeting. Mr. Mercier stated that there was very little interest in Termination at Grand Ronde, and that it was difficult to get a council meeting crowd. He is concerned about the delinquent loans and asked that Credit send strong letters to those who are delinquent. This has been passed on to Credit (Holm 1955b).<sup>7</sup>

Since Grand Ronde had accepted reorganization under the Indian Reorganization Act, the tribal rolls had been kept up to date. There was not much work needed by the tribe to submit their rolls. Interesting here is the reiteration in the “lack of interest” in termination at Grand Ronde. This is understandable considering the tribe had never given approval for termination and so many in the community likely felt powerless regarding this federal process.

In 1955, Acting Area Director Martin B. Holm continued in the style of previous Area Director Pryse to submit statements regarding the assimilation of the tribes in Oregon and their readiness for termination.

The Bureau of Indian Affairs has, over the period of many years, assiduously sponsored and promoted education of Indian children of the west coast tribes of Oregon, and in this process has mixed the Indian children with white children through school contacts. Association with the whites, in school and general society of their respective communities, has resulted in intermarriage and wide assimilation has taken place (1955b:19).

This positive comment on the eve of the final passage of the termination act helped to assuage any fears on the part of Congress as to whether western Oregon Indians were prepared for termination.

### ***Relocation and Education Programs***

To aid the assimilation of the tribes into American society, and in preparation for termination, the Office of Indian Affairs established two programs to help Indians move to urban centers. The relocation program was opened to all tribes in 1950, after its initial successful beginning with the Navajo Tribe (Tyler 1973:159). When terminations took place in 1954, thousand of terminated and non-terminated Indians relocated to major urban centers utilizing the two programs. Major population centers like Denver CO, Oakland CA, Cleveland OH, and Los Angeles CA, were the primary centers for relocation. The relocation program reported success when in 1956, a reported 74 percent of those relocated remained in the area they had been removed to (Tyler 1973:159). However, in reality, there was little to return to following termination as tribal community centers collapsed without federal support. The programs were open to all tribal members of federally recognized tribes, not simply the tribes slated for termination in the first round.

Some federal officials heavily criticized the program at the time for stranding Indians in unfamiliar cities and a completely different culture and lifestyle. Philleo Nash called the program “a one-way bus ticket from rural to urban poverty” (Philp 1986:166). Relocation of some amounted to a situation similar to international immigrant populations’ first entry into the United States. Relocated Indians had few resources and no reserve wealth to fall back on for support after the initial federal support. As such, some Indians returned to the reservation and took advantage of the relocation program several times (Means and Wolf 1995). Generally, following the end of many programs, a

considerable proportion of tribal people would lapse into poverty if they did not find stable work.

The Bureau of Indian Affairs worked with the State of Oregon Department of Education to collaborate their services for relocation and education of tribal members to urban environments (Office 1956:8). Seventy-one people entered the education program and fifty-three finished their training by October 1956 (Office 1956:8). Sixteen people were placed in jobs because of the training program (Office 1956:8). Two hundred and fifty-five people took advantage of services in the education and relocation programs in Oregon, which constitutes benefits to one-fifth of the western Oregon Indians (Office 1956:8).

Grand Ronde elders Margaret Provost and Kathryn Harrison remember the programs as a way to break up the tribe:

I think it changed a lot of peoples' lives. Just before we were terminated, they had a program that they were sending people to school (Margaret Provost: Broadcasting 2000).

They had what they called a relocation program. The people from the Bureau of Indian Affairs came here, they said we will send you to Denver Colorado, If some young man wanted to be a welder they would send him to Los Angeles. The tribe looked at that as another way to break up the tribe. Sending the young people away (Kathryn Harrison: Broadcasting 2000).

The programs did help many people gain skills they could use to find jobs in society and assimilate. Some tribal members were too young to take part in the program, before it was closed (Tom 2006). The tribal community at Grand Ronde suffered with the loss of young people and whole families. Once educated, these tribal members did not return home, as there are few jobs in the Grand Ronde area. In the urban centers, like

Cleveland and Oakland, the relocation programs brought tribal members from many different tribes together. Indian groups established Urban Indian organizations where cultural traditions were integrated in cultural events like Pow wows. Cultural integration began with boarding schools and continued with relocation of tribal members to the cities (Lomawaima 1994).

The Relocation and Education programs buttressed the efforts of the federal government to terminate tribes. All tribal people were able to access the programs because the original intention was to terminate all tribes, and if there were a gradual attrition from the tribes, the resultant drain of people would help break up the tribes. Indians that remained in cities as “urban Indians” would likely stay and their descendants would never become members of the tribes. In the 20<sup>th</sup> century, the Indian Office only counted Indians living on the reservation on the annual reservation censuses (Affairs 1965).

### **Non-Consent for Termination**

There are many actions taken by Indian agents and the tribes that together suggest the conclusion that the Grand Ronde Tribe did not consent to termination. As described above, Pryse intentionally left the Indian’s opinions out of the Congressional hearings by not inviting them to attend and publishing false statements. Even if the tribes had been asked to testify, they were never fully informed of what termination actually meant. This confusion regarding termination had several sources. Many tribal members were either ill informed or misinformed in regards to what termination actually entailed. The original agreements formed in the late 1940s did not carry through into the termination act in any

substantive way. There was confusion on both the federal government's part and the tribe's part as to who had the right to consent to termination for the tribe. There was also extensive confusion in regards to the tribal rolls. How could they approve of something that they did not fully understand? The final vote at Grand Ronde regarding termination was held after the passing of the law and did not include a representative majority. Various experts in the field of Indian affairs voiced their trepidations regarding termination and whether or not the tribes approved of it but much too late to change the actions of the federal government.

### ***Confusion about Termination***

Much of the termination period for the Grand Ronde Reservation (1944-1956) is fraught with confusion and misconceptions of the meaning of termination and what would actually happen once the tribe was terminated. The fact that the issues that the tribe and the Indian Office staff in Portland discussed and agreed upon changed during the course of ten years aided the confusion. The understanding that the Grand Ronde Tribal Council had of termination in 1951 was very different from that passed by Congress in 1954 (Congress 1954). In 1950, the Grand Ronde people assumed that they would keep the land, but in P.L. 588 in 1954, there was no provision for keeping the land as all reservation land was subject to sale.

Despite the many years of discussions between the Portland Area Indian Office and the tribal members as outlined by Superintendent Pryse, there was no indication that the people knew all that termination would entail. Confusion about hunting and fishing rights, rights to the reservation timberlands, and their ability to keep their allotted lands

were some of the points of contention. In fact, in an example from the Klamath Indian reservation, in a Stanford University Research Institute Report, only fourteen Klamaths believed that the tribe had requested trust withdrawal, and four Klamaths believed that the tribal members were more assimilated than other terminated tribes (Fixico 1986a:123). Much of this confusion was aided by the fact that the BIA Indian Agents kept the tribes uninformed or misinformed about how the process for termination would work. The tribes, cut off from information, and afterward suddenly terminated, were understandably confused as to what their rights were.

### **Elder Perspectives in 1952**

Superintendent Pryse had the support of published perspectives from tribal leaders in favor of termination. In 1952, the *Oregonian* published a large article about termination with photos from the western Oregon tribes of prominent tribal people, like John Hudson, Coquelle Thompson and Vincent Mercier (*Oregonian* 1952a). In this article, all of these prominent tribal leaders agreed to termination:

John “Mose” Hudson an elder of the Grand Ronde confederation, for example, generally endorses the plan. “Its just 100 years too late, that’s all.” Hudson said. “Many of our old people died of broken hearts because of the way they were treated.” William Simmons, who at 82 maintains an articulate and sprightly interest in Grand Ronde affairs, thinks the full and complete emancipation will be a fine thing for the younger generation. A nondrinker, Simmons maintains, with complete justification, that federal liquor regulations in regard to Indians are outmoded and discriminatory. “That was the worst thing they ever did,” said Simmons. Coquelle Thompson, a leader of the coast Indians, and an ex-OSC football star, thinks federal withdrawal will be a healthy thing for all concerned (*Oregonian* 1952a).

While the apparent tone of their responses is positive towards the program, their responses reveal an early understanding of what termination would mean. Nowhere in



their statements is there an understanding of the loss of culture and language, the loss of community, and the long-term poverty for many tribal members. The rhetoric of “emancipation” is used as if this were an American nationalist emancipation such as freeing of the slaves. However, the termination version of emancipation was not the same as some of the assumptions of these tribal elders. Additionally, termination did not only involve federal withdrawal, but a liquidation of all tribal assets.

Likewise, the opinion of Coquelle Thompson of the Siletz Reservation does not exhibit an understanding that the Siletz Reservation trust lands will be sold off. The 1951 Siletz resolutions and their 1952 *Oregonian* statements are based on assumptions that they would retain the tribal lands and be able to use the timber resources to finance the tribe (Indians 1951a). In addition, they assumed they would manage their own tribal business without interference from the Indian Office, “It will help him and others of the younger men at Grand Ronde and Siletz to get somewhere in the marketing of timber. As it stands now trust land must be cruised by the federal government before it can be logged” (Oregonian 1952a).

Coquelle Thompson suggests that the timberlands now owned in common by the tribe or by Indian individuals will remain in Indian or tribal ownership. This is not what termination allowed for Grand Ronde or Siletz. In the 1954 termination bill, all lands were sold and individuals were allowed the option of purchasing back their land. Proceeds of the reservation land sales were split amongst all remaining members on the final termination roll.

The parallel opinions of respected elders from Grand Ronde, Siletz, and Klamath all apparently thinking that the tribes will retain the timberlands leads to the possibility that in the early tribal discussions with the Indian Agents that they were told misleading information; that they would be able to retain their lands. It is conceivable that in the initial discussion about termination that the tribes were assured that they could keep their lands and that the only change would be the elimination of Indian Office administration (Ball 2006).

### **Broken Promises**

In the late 1940s, during meetings between the western Oregon Indians and Indian Office agents, the agents promised tribal members some services from the government if they agreed to termination. Elders reported promises of; they would keep their lands, they would receive burial services, and they would retain hunting and fishing rights. In the ten years or more between the early discussions and termination, the Congressional legislation process eroded these promises. In the 1950s, Congress wanted to completely sever the relationship, terminating all programs or rights to services for terminated Indians. This is understandable as alterations to Congressional bills are common. During the 1975 *Task Force Ten* hearings in Salem, Oregon, Grand Ronde Tribal Council member Merle Holmes conveys some of the early promises made by BIA Indian Agents during the early discussions about termination:

Mr. Holmes: We are afraid they [elders] were grossly misinformed and didn't ask enough questions before they voted yes.

Ms. Hunt: Do you know the kind of promises the bureau made? Were they promises that if you do decide to terminate you'll get money or you'll be able to drink or this wouldn't affect future generations or you'll have things better?

Mr. Holmes: that was in fact the thing that led most of those people on. They said just because you terminated that doesn't mean we won't give you money for reorganization. We want you to be self governing here in your tribal structure. There was money to reorganize. They promised they would send us to workshops and conventions, BIA and other organizations, so that we'll be informed and able to govern our people even though we're terminated. But this, as we know, nothing along this line was ever done over there (Ten and Commission 1976:135).

Mr. Holmes' understanding of the promises is based on stories passed down to him by the elders of Grand Ronde. However, his statements make sense when compared to the comments of the tribal members in the 1952 *Oregonian* article (see above) making statements about how positive termination would be for the tribes. It is understandable that in the early years of termination discussions that many promises were made because the policy was not well fleshed out.

### ***Misconceptions of Treaty Rights***

It was not only the Indians who were confused about Indian issues. Politicians share in much of the confusion by not understanding the nature of treaties. In 1955 Secretary of the Interior Douglas McKay, in a letter to Mr. Oliver La Farge, appears to misunderstand this arrangement and questions the fact that the Indians should consent to termination. McKay questions whether Indians should have "a special veto power over legislation which might affect them" constituting rights "over and above these normal rights of citizenship" (McKay 1955). McKay chooses to place Indians in the same category as any other population group "No other element in our population . . . has such a power and none ever has had in the history of our country" (McKay 1955).

This is one of the most misunderstood issues regarding American Indians. Treaty rights are not "special" rights but instead regular and normal rights that Indian tribes have

gained through treaties, legal and binding treaties with the United States government. These are arrangements that the U.S. government initiated, agreements, which do not have a termination date. The tribes understood their rights, and carried the oral histories of their agreement through many generations. Many of the Indian Claims cases, such as that of the Cow Creek Umpqua, were based on elder stories of the original treaty signings where Indian Agents made many promises. The United States in its subsequent actions broke the promises that were made, as evidenced by the successful history of Indian claims.

However, McKay stated, “Indians are citizens and now have the privilege of the ballot in all 48 states. This means they are represented in Congress just as other citizens are and that they have the same rights (which they frequently exercise) of petitioning the Congress and of stating their views before Congressional committees considering legislation” (McKay 1955). It is a fact that all Indians are citizens since the passage of the Indian Citizen Act of 1924, but tribal reservations, being federal lands, fall outside of the jurisdiction of state senators or congresspersons. Tribal people living on reservation are not in fact represented in Congress. The tribal nations themselves are represented through their agreements or treaties with the United States.

In his letter, McKay continues to criticize the need for Indian consent for termination, “I believe it would be extremely dangerous to pick out any segment of the population and arm its members with authority to frustrate the will of Congress which the whole people have elected” (McKay 1955). Congress’s plenary power to abrogate treaties

is of issue here as McKay, like many U.S. politicians, is reluctant to allow tribes to have a say in whether Congress has ultimate authority over them.

Consent from the Indians, freely and without coercion, was a recommendation from Congress. Tribal affirmation would assuage the fears of Congressional representatives that they were forcing termination on the tribes and casting them into poverty. In addition, McKay states that the western Oregon Indians “explicitly requested such legislation” (McKay 1955), in repetition of the growing urban legend of tribal approval.

### ***Grand Ronde Business Committee***

Many tribal stories exist about what happened at the time of termination. There are misunderstandings of which tribal members were on which committee and who signed the termination documents. The Grand Ronde Business Committee receives the brunt of the criticism as they passed resolutions with a committee of only five people. The Business Committee was created as part of the tribe’s acceptance of the Indian Reorganization Act. In 1951, the Business Committee had to agree on how the land sales issues would be settled between the BIA and the Tribe. This dialogue constitutes some of the elements of that confusion at the time of termination:

Yeah when they were terminated. Fremond Bean, Vernon Reibach, Vincent Mercier, I think Sammy Riggs, and Wilson Bobb were on the committee at the time. When we were terminated. And when they were supposed to have this meeting for termination, Fremond and Bobby decided, or Vernon decided they would not attend that meeting because they could not have a quorum, and they couldn’t vote on it, and so they disappeared, when they had the meeting, and after I came back to Grand Ronde and was talking to [a tribal elder] about it, [they] told me that Vincent said Vernon and Fremond signed, were the ones that signed off

on the termination, and I said no they couldn't because they weren't there. Come out Vincent Mercier was the one that signed [for selling the land].

And then the BIA wanted them to sign off, to terminate the tribe, so apparently there was a meeting, BIA came, and was all supposed to be signed off by these five people . . . It was only a meeting of the business council . . . it wasn't a general membership meeting (Bean 2006).

The process of approving the method of disposing of Indian trust lands must have been contentious. All resolutions submitted by E. Morgan Pryse were from 1949 and 1951 and did not directly address the 1954 termination act (Oregon 1949; Oregon 1951a; Oregon 1951b). The Business Committee submitted a resolution that approved of the process by which tribal properties, Indian trust properties, and allotments would be disposed of in 1951. Pryse used the Business Council resolution to support his argument that the Grand Ronde tribe approved termination. However, the Business Council is not the representative body to approve such an action.

### ***Final Vote at Grand Ronde***

There was a final vote before the general council at Grand Ronde that approved of termination. This vote took place after P.L. 588 passed. In 1975, before the *Task Force Ten* hearings in Salem, Oregon, Tribal Council member Merle Holmes discussed the final vote in favor of termination:

Mr. Holmes: . . . of the 882 people on our . . . termination roll . . . there were 79 yeses and 11 nos on this, and we feel that this isn't enough to constitute the majority because it was [supposed to be] 2/3 of the adult population, as I recall, in our charter to, we feel, kind of slip it by the people there. There weren't enough there to actually voice the will of those people . . .

Ms. Hunt: was this prior to the passage of the act or was this just on the distribution of assets?

Mr. Holmes: that was to accept the act as it was executed.

Ms. Hunt: and it was already passed into law?

Mr. Holmes: Yes (Ten and Commission 1976:128-129).

Merle Holmes testimony indicates that the vote of the general council at Grand Ronde was not representative of the will of the people. In addition, it is unclear whether the vote was necessary. If P.L. 588 was already law, then there were no requirements of Congress to gain an agreement from the Grand Ronde tribe in favor of termination. The Indian Agents treated the approval of the tribes as a formality, though it was a recommended part of the government process.

### *Experts on Indians*

Several scholars of Indian culture were involved in the state level discussions about termination. Dr. Luther Cressman was a professor of anthropology at the University of Oregon and the resident scientific expert on many of the tribes. Cressman served on the Oregon State Indian Affairs committee for many years.

Cressman was solicited by the Association on American Indian Affairs, President Oliver La Farge in a Western Union telegram of February 2, 1954:

DEEPLY CONCERNED TO LEARN REAL SENTIMENT OF INDIANS OF GRAND RONDE AND SILETZ AND KLAMATHS ON PENDING LEGISLATION TERMINATING FEDERAL RELATIONS WITH THOSE GROUPS. GRAND RONDE-SILETZ HEARINGS IN WASHINGTON FEBRUARY 17; KLAMATH HEARINGS FEBRUARY 22 AND 23. CAN YOU HELP US SECURE TRUE INFORMATION AND POSSIBLY ADVISE WHO WOULD MAKE SOUND EXPERT WITNESS IN HEARINGS (La Farge 1954).

Executive Director Association on American Indian Affairs Alexander Lesser raised the same questions a few days later with Pryse:

Telegram, E. Morgan Pryse

Association telegrams to Reibach, Chairman Grand Ronde and Logan, Chairman Siletz undelivered. Can you help us learn official Tribal views and plans on Joint-House-Senate hearings February 17 on S. 2746, H.R. 7317 terminating Federal relations with Grand Ronde and Siletz? Will Tribal delegations testify February 17 [?] Can you also advise whom Association can contact directly in each tribe? (1954).

Regarding western Oregon Indians Cressman answers,

The Grand Ronde-Siletz . . . [are] a small group whose members are pretty well incorporated into the white community. They seem to have good leadership. There is little property concerned. I believe they initiated their own bill to have their relationship with the Federal Government terminated. As far as I can see, this program is what the Indians want and will probably be entirely to their advantage (Cressman 1954:1).

Cressman effectively sums up his understanding of the situation in Oregon.

Cressman states opinions about the Siletz or Grand Ronde tribes, even though he worked primarily on the east side of the Cascades and more directly with the Klamath tribe. In this instance, Cressman is repeating the federal government's position concerning termination. It is not clear otherwise how he forms his opinion. Cressman clearly lacks knowledge about how the termination bills were created saying "I believe they initiated their own bill." This was not at all the situation as shown previously. At the end of the letter, Cressman forecasts an impending problem associated with termination, something the federal government has not taken into account, the need of "heroic efforts" to be made to "salvage the values, both human and economic for the Klamaths" (Cressman 1954:2). Cressman points LaFarge to Harvey Wright of the Oregon State Office of Education and as the Chairman of the Governor's Committee on Indian Affairs but does not think Wright understands the internal affairs of Klamath termination.

On May 11, 1954, Wright reported to Oregon Governor Paul Patterson that,



No one would want to keep the Indian ghettos [reservations], but we must keep a balance between idealism and realism in resolving this problem. While we should go along with the present policies of Congress, we should not accept any federal legislation that is hasty or unconsidered. I can assure you beyond a shadow of a doubt that much of the statistics in support of this bill are outdated, optimistic, and unrealistic. It should be incumbent upon Congress to cooperate with all agencies concerned, including the Indians, and state and local governments in working out the details of any withdrawal program (Wright 1954:6).

### *Creating Tribal Rolls*

The issues of tribal rolls are some of the most complex at the reservation. The final termination rolls became the restoration rolls of the Grand Ronde tribe in 1983-84. Those rolls established the legitimacy of every tribal member to have rights at the tribe as well as the power to pass on those rights to their descendants. The rolls and the general issue of membership enrollment policies have become embroiled in extensive community discussions and successive periods of policy changes.

By listing all of the tribes on the Western Oregon Indian Termination Act (PL 588), Congress provided nearly full coverage in their termination of the western Oregon Indians regardless of whether every tribe knew what was happening.<sup>8</sup>

Through P.L. 588, the tribes terminated in western Oregon were tasked with creating their own termination rolls:

Within 90 days after the date of this act, the Secretary shall publish in the Federal Register a list of those tribes for which membership rolls will be required for the purposes of this Act (Congress 1954; Murray 1954).

The question of whether Grand Ronde had sufficient time and resources to compile comprehensive termination rolls is significant. For Grand Ronde, since they had kept their rolls current, the roll was easy to compile, "In 1953 a representative committee

of ten members reviewed the 1940 Grand Ronde roll and brought it up to date” (Holm 1955a).<sup>9</sup>

After the termination bill passed, the government allowed the Siletz and Grand Ronde reservations three months to correct the rolls:

Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within ninety days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals the roll of the tribe shall be published in the Federal Register and such roll shall be final for the purposes of this Act (Congress 1954).

On April 1, 1955, Vincent Mercier, Secretary of the Tribal Council, contacted the Portland Area Office to request the first petition to the termination roll:

Mr. Mercier reported by telephone and will confirm by letter that after the roll was completed and submitted, No. 33 Wilson Bobb, told him he was now a member of the Yakima Tribe and wished to relinquish his enrollment on the Grand Ronde roll. He made the same request for Russell Bobb, Wilson Bobb, Jr., Edna Bobb, Emerson Bobb and Isaac Bobb (Holm 1955a).

Regarding the process of petitioning the rolls, the Indian Agent Martin N.B. Holm established a formal process in his letter to Vincent Mercier on May 4, 1955. Vincent Mercier wrote on April 1, 1955 requesting that the members of the Wilson Bobb family, the Strong family and the Sutton family be stricken from the Grand Ronde final termination roll (Morse 1959):

1. A formal protest to the inclusion to the inclusion of their names on the Grand Ronde roll should be filed with the Area Director.
2. The formal protest to the inclusion of their names on the Grand Ronde roll should state the reason for such a protest as being that they are enrolled on the Yakima roll.

3. Each adult should file a written statement requesting such action, and a formal protest to the inclusion of his name on the Grand Ronde roll. Wilson Bobb should file written statements for his children and Mrs. Strong for Simon, Ramon and Laura.

While the proposed roll had not been published, we believe you will wish to contact the families concerned and advise them of what is required in order to protest the inclusion of their names on the final roll (Morse 1959).

There is no indication during 1954 or 1955 whether there were people left off the rolls. However, the Portland Area Indian Office received thousands of petitions to join the tribal rolls of all of the terminated tribes in the years following the final termination act. Because of the short period the tribe had to construct the rolls, it is clear that the tribes did not have the time and likely the resources to hunt down all members for inclusion on the final termination roll.

### ***Membership Petitions***

The implication of the termination roll is that after the roll was finalized, no new names could be added. This left many people that did not receive the news that shared the same heritage as those listed on the roll, off the roll and in a termination nexus. These people, essentially, never had an opportunity to discuss the issues and as such never agreed to termination. The BIA denied all petitions for enrollment after the final termination dates.<sup>10</sup>

### **Final Termination Bill, 1956**

On August 13, 1956, Two years following the passage of the Western Oregon Indian Termination Act, the BIA completed its tasks in time for the final termination bill. The major issues between 1954 and the final termination date were to settle the land

issues, to settle tribal accounts, to finish and publish the membership rolls for Grand Ronde and Siletz, to appoint a trustee for any remaining funds, to complete the training program, and to provide for minor's awards.

The BIA, in collaboration with the Grand Ronde Business Committee worked to dispose of 597 acres of land that were in small tracts. The Indian Office sold unassigned parcels through competitive bidding. The Indian Office sold 253 acres and transferred 344 acres to the trustee. The sales netted "\$16,310 coupled with over \$13,000 of other funds to credit of tribe provided for a per capita distribution of \$35.00 to each member which was made July 24, 1956" (Office 1956:2-4). The Indian office transferred the remainder balance of \$3,836.98 to the trustee. In addition "Undelivered per capita of Grand Ronde . . . have been transferred to Special Deposits . . . Individual trust accounts transferred to Special Deposits include 24 of deceased members [for all of Western Oregon] not probated; 6 whose whereabouts are unknown and 30 for information on current addresses, certified copies of pertinent documents or other required records" (Office 1956:2-4).

Minors presented a special concern. After consultation to determine, the minors' competency the Indian Office made determinations of whether minors would receive a check immediately:

It was determined that the best interest of the minors would be served by paying their per capitas in care of parents where such existed and disbursing by Bureau regulations to others having care and custody of children. Per capita recipients were counseled by letter and, when possible, by person (Office 1956:7).

The Bureau appointed attorney Harold R. Fuller of Stayton as the trustee to manage the minors' funds and tribal community lands following termination of the tribe. Some minors did receive the initial checks for \$35 (Day 2006). Fuller received "all necessary documents including Bureau files relating to Grand Ronde property in trust agreement to be delivered to trustee. Includes detailed description and plats of each tract, appraisals, loan records, and membership rolls" (Office 1956:3-4). In addition, the trustee was expected to consult with the BIA to access records related to the tribe (Office 1956:4).

In addition, because the Grand Ronde tribe had participated in the Indian Reorganization Act (1934), special loan funds were available to them afterward. Several tribal members had outstanding debts owed to the tribe and to the United States. The collection of these debts fell to the trustee.

On August 13, 1954, there remained the following indebtedness to the United States

- 12 credit fund debts totally \$5,973.77;
- 11 house assignments totaling \$6,130.95; and
- one education loan to the United States totaling \$280.

At the time of the report and because of the final payments to the tribe and tribal members, there remained \$5,784.49 in overall debt (Office 1956:9).

One of the final acts for settlement of the final termination was to publish the final roll. The Federal Register published the first proposed roll on May 24, 1955. On August 22, 1955 expended the appeals period for the final roll, two days less than the three months given the tribe to finish the rolls. The area office prepared the final roll which was published in the "Federal Register April 14, 1956 with 862 names" (Office 1956:2).

The last remaining issue to solve was the final settlement of all accounts and the sales of all remaining tribal property by the trustee. Many elders thought that the trustee had settled the land issues by 1961, but in the 1970s, some land sales issues remained unsolved. The tribe maintained and managed the 2.5-acre tribal cemetery as its final community property.<sup>11</sup>

### **Conclusion**

Western tribes possessed great-untapped resources and lands, and the state and federal governments sought to possess those assets for the benefit of the new settlers in the west and for the growth of the western economy. Coercive agricultural methods that had limited the potential of the Midwest United States needed an influx of raw resources, resources which tribes held the rights to, and the growth of the western populations needed the freedom to exploit natural resources for the growth of the region.

Termination was termed an experiment by at least one Indian Agent. Martin N. B. Holm, Assistant Area Director of the Portland Area office stated, "Western Oregon will be a testing ground" for Indian termination (Holm 1954a). Holm's statement on the eve of the termination of the western Oregon Indians is telling. The federal government had never perpetrated such an act as termination before and did not know what would occur, or how termination would affect Indians that had always been protected by federal trust status. The experiment was a politically propelled demographic movement based on the economic needs of the federal government and the continued desire to eliminate American Indians as a liability.

Oregon State preparation for termination commenced early in the discussions on termination, but first the state government had to establish a relationship with the tribes. State politicians saw termination as a significant boon to the state as it would free natural resources to help the local economy. However, the state needed to rectify a few discriminatory laws in order to make termination more attractive. The most organized of the state's preparations was that of education. Under Harvey Wright, many Indians entered education and training programs and were successful. Termination was not a seamless affair as many Indians entered the welfare rolls immediately.

The greatest impact on the tribes' culture was the success of the program of assimilation in Oregon. The collaboration between the BIA and the State took Indian families off the former reservations and into the cities to live permanently. The combination of the federal relocation program and the state's education programs proved to be particularly effective.

The termination of the Grand Ronde tribe presents an example of the inconsistencies and political manipulations of tribes, by Congress and of the State of Oregon in favor of assimilation and eradication of tribal resources, culture, and heritage. This experiment changed tribal cultures and communities in ways that may never be recovered from by descendant peoples.

In the years following termination in western Oregon, many tribal people reacted with confusion, not truly understanding what the act did to their tribe. Many petitioned to be added to the final rolls only to be denied by federal and state officials. Others sought to practice their cultural rights as Indians to hunt and fish or participate in other tribal

events. The non-terminated tribes interpreted terminated tribes as having sold-out, and voluntarily giving up being culturally Indian. The state insisted that Indian people obtain regular state issue hunting and fishing permits even though the termination acts never took away these rights.

Finally, the majority of tribal members left the former reservation, strongly affecting the lives of those in the native community that remained at the reservation. People scattered to far away cities and lost connections with family. Native languages, oral histories and a community consciousness ceased to exist for many.

Most Native families struggled and many immediately began accessing state and federal social services and struggled with assimilation. A. S. Wright, Chairman of the Governor's Advisory Committee on Indian Affairs, addressed the issue of whether the terminated tribes were truly assimilated enough, or prepared to be terminated on May 11, 1954:

A quick survey of the Klamath Tribe would not support the thesis that these people have the necessary education, business experience, background, or the unanimity of purpose of managing a hundred-million-dollar corporation. If the assets of the reservation were liquidated and distributed among the members of the tribe, it is inconceivable that the people would have the necessary business acumen to handle their assets judiciously. Frankly the State of Oregon could possibly face the fiasco of having the reservation liquidated, all the timber cut off, the watershed denuded, and hundreds of Indians in relief (Wright 1954).

From this report by Mr. Wright, the administration of the time is well aware of the problems of termination, and in fact, his last statement, "hundreds of Indians in relief," does foretell the future for most of the Indians in Oregon that were terminated.



## Notes

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<sup>1</sup> Full transcript of telegram: September twenty-eighth results meeting Siletz September thirtieth, indicated vote twenty eight to nothing to hold another meeting October seventh when decision would be made on acceptance of legislation on withdrawal indicated by vote sixteen to nothing legislation accepted with few exceptions to be worked out next Sunday October seventh.

Unanimous opposition by the forty-four members present to accept sub section B of section two unless before corporation under state law is formed the tribal timber lands are sold and proceeds of sale distributed among membership contending that is corporation accepted fee patent and sold such land much of proceeds would be eaten up in Federal and State tax assessments thus dissipating their heritage. Apparently, Siletz Indians wish form corporation to conduct enterprise and operate cemetery following Federal withdrawal. If Secretary of the Interior will approve sale of Tribal timber land now we believe no further opposition by Siletz in approving proposed legislation.

<sup>2</sup> Douglas McKay owned a car dealership in Salem previous to being the Governor.

<sup>3</sup> Full transcription of Wright's speech: The only way we will rid ourselves of the so-called Indian problem in Oregon is for the state, the counties, and the local communities to accept all Indians as citizens and accord them the same rights, benefits, and privileges as other citizens. I think the Indians must be given full citizenship rights, and that they must assume the obligations and duties of full citizenship; furthermore it seems only logical to me that the federal government should subsidize the state of Oregon during this period of transition.

I am aware of the legalistic web of some 4,000 treaties and statutes and the thousands of judicial decisions and administrative rulings that enshroud the Indian. I am also aware that the Indian is a mythical legendary figure in the eyes of the public, alternatively pictured as a cruel, crafty, bloodthirsty savage, or as a poor, misguided, misunderstood aborigine whose culture must be preserved at all costs.

If the state of Oregon sees fit to explore the proposals discussed at this meeting, we must first find out where we want to go. Is the Indian capable of becoming a first class citizen? Is he capable of learning? Is he capable of handling his own affairs, or will he ever be capable of doing so? Can the state take care of all its citizens, or are the Indians special problems that must be handled by the federal government? Is segregation the answer?

If we are to accept the thesis that the Indian is a normal human being, then we must initiate a program that will eventually give him full citizenship and assimilate him into our society. However, I do not think that the Interstate Council on Indian Affairs should make any change in the status quo without the advice and counsel of the Indians. I know from experience that it will take a lot of tenacity and courage to carry such a program through. There will be some Indians that will fight such a program, some of the leeches hanging onto the present program will fight any change, and we always have our sentimentalists that want to preserve the Indian culture.

If we believe in the democracy to which we give lip service, if we believe in the principals on which our country was founded, then we must carefully consider the possibility of accepting the responsibility of all or our citizens.

Our national policy in Indian affairs has been a zig-zag affair. Our first policy was extermination; we then tried the idea of segregation; and the latest experiment was an attempt to get the Indian to return to the tribal autonomy that his fathers were presumed to enjoy, and to preserve his culture. To me the logic of

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present events is all in opposition to segregation. I believe that our final policy must be assimilation. (McKay, 1950).

<sup>4</sup> For the full list of the tribes terminated in P.L. 588, see Appendix E, Reference 3.

<sup>5</sup> It is unclear if there were missing sections or the review copy was incomplete.

<sup>6</sup> See Appendix I or Appendix E, Reference 3.

<sup>7</sup> See Appendix E, Reference 1 for the full report.

<sup>8</sup> See Appendix E, Reference 3.

<sup>9</sup> See Appendix E, Reference 2.

<sup>10</sup> These petitions are likely in the BIA Portland Area Office desk files at the National Archives in Seattle. A few petitions were found in limited research in the desk files boxes. These were primarily for inclusion in the Grand Ronde, and Klamath tribes. Many wanted to be included because of the eventual larger payout from the Indian Claims cases.

<sup>11</sup> There is some confusion about this period. See discussion in chapter 6.

## **CHAPTER VI**

### **THE POST-TERMINATION ERA**

#### **Introduction**

The post-termination era begins in 1956 for the western Oregon Indians.<sup>1</sup> This period is an era associated with disenfranchisement, dislocation, and invisibility for the western Oregon Indians. Termination was devastating to tribes. Many native people were unprepared for assimilation and when it occurred, they lost land, resources, and access to health care.

Termination eliminated federal recognition and the associated rights to claim services and land, but did not terminate the tribes in their entirety. For the western Oregon Indians, the tribal organizations remained in existence.<sup>2</sup> Grand Ronde maintained administration, through their trustee, of a few parcels of land. The trustee sold most of the tribal land in the 1960s, except for the tribal cemetery. The structure and power of the tribal government was limited for a time because it was difficult for many people to maintain a living in the rural economy of the former Grand Ronde Reservation much less organize a tribe. Some people found the resources to purchase their former allotments and

remained. The majority of the former tribal membership moved away from the reservation to find work to support their families.

Most tribal members had with nothing to show for over 100 years of living within the United States. Many left the reservation with nothing, and had to enter the lowest sector of society to find wage labor, and compete with other Americans. Few took advantage of education programs and others made do with a lifestyle similar to how they lived at the reservation. Many men kept their jobs in the timber industry, even though their families moved off the reservation.<sup>3</sup> The results of this disenfranchisement were poverty, illnesses, and alcohol and drug abuses. Additionally, tribal members lost an understanding of their history, community consciousness, and culture through a disintegration of the tribal center. Many Indians lost contact with their reservation communities completely; some never learned about their Indian heritage, causing greater loss of connection and culture.<sup>4</sup>

Many native people lost their identities as Indians. Tribes and the public reclassified the terminated Indians as no longer Indian. From experiences in the reservation era, Grand Ronde people were already “others” to society, regardless of the reports of the Indian Agents to the contrary.<sup>5</sup> Having lived with discrimination throughout their lives, many did not feel accepted with white Americans. Tribal elders state that Indians in public schools were treated “worse than dirt” by mainstream Americans in Sheridan and Salem.<sup>6</sup> Following termination, Grand Ronde members were culturally disenfranchised in American society, neither accepted nor welcomed in any culture.

## Effects of Termination

### *Post Termination Petitions for Membership*

Following termination, one of the first issues that erupted was the thousands applications for enrollment from people claiming Indian heritage. As many as 2,000 people petitioned the Oregon State Senators Morse and Neuberger, and the Bureau of Indian Affairs for information and aid in claiming their tribal rights (Morse 1958).<sup>7</sup>

The Bureau of Indian Affairs have informed me that they have received approximately 2,000 appeals from claimants attempting to establish membership in the six groups of tribes in Oregon (Lee 1958).<sup>8</sup>

Many petitions included detailed genealogical information and could claim multiple tribal ancestries. In nearly every case, the BIA investigated the legitimacy of the claims and found that either they had petitioned past the deadline, or there was not enough evidence to prove their case. Some of the petitions had nothing to do with enrollment, but instead were questions about their rights, or were requests for help with a particular problem of land. Many of the petitioners were more concerned with adding their names to the Indian Claims case rolls for awards. Some issues were older land and resource issues that the BIA had not settled before termination. Most claimed no knowledge of the termination act or what year it passed.<sup>9</sup>

One example of an enrollment problem at Grand Ronde is in the petition of Prosper Picard and family of May 15, 1959 to the Bureau of Indian affairs and to Senator Wayne Morse. In his correspondence, Picard, who is 88 years old, petitions on behalf of his family, for enrollment in the “Molallalas, Tillamooks, Calapooia, Umpqua, and

Chetco Tribes” (Picard 1959). These tribal members were part of the Grand Ronde reservation, and in the Indian Office’s response, they connect Prosper with Grand Ronde. In his original letters, Prosper Picard relates to Senator Morse the story of his petition and denial experience with the Indian Office. He also relates stories of his growing up in the Willamette Valley. Prosper Picard states:

We were rejected as being of Indian blood not eligible to participate. I feel that the Portland Office did not give us proper consideration . . . I find it hard to understand that an Indian wouldn’t know his ancestry. Especially in my case, since my Grandmother, my mother and I were born in the Willamette Valley of Oregon (Picard 1959).

Prosper Picard wrote on behalf of 141 relatives, each one of whom is named in the correspondence of May 15, 1959, the response from the BIA. In addition, the Indian Office’s letter is very detailed, naming ancestors from 120 years previously, some of them originally members of the Walla Walla Tribe east of Portland on the Columbia River.<sup>10</sup> Historically, there were descendants of the Walla Walla tribe removed to the Grand Ronde Reservation in 1856, after having married French-Indian traders. P.L. 588 did not terminate the Walla Walla people, so it is conceivable that the family could claim ancestry with a different tribe.

Picard’s experience is very similar to that of many tribal people denied enrollment based on a lack of evidence. For 100 years, the government was engaged in a process of assimilation, to eliminate Indian identity and disassociate Indian people from their tribe and culture. This process was highly successful for many descendants, so much so that when asked to prove their heritage, they lack sufficient proof to do so. Many tribes and

the BIA assumed that undocumented Indians have assimilated and are urban Indians and therefore are no longer Indian.

In an additional case, Senator Morse requests aid from H. Rex Lee, Associate Commissioner of the Department of the Interior about a petition for information about why a member of the Rogue River Tribe must pay taxes. Lee states:

This Bureau has endeavored to protect the rights of the Indians, and we are sorry to learn that Mrs. Hartman believes her rights as an Indian have not been respected. It is true that by Act of Congress, approved February 13, 1954 (68 Stat, 724), termination of Federal supervision over certain tribes of Indians, including the Rogue River Tribe, was authorized. All restrictions by the Federal Government on the sale or encumbrance of trust or restricted land owned by members of the tribes were removed two years after date of the act. The property and income therefore became subject to the same taxes, State and Federal, as in the case of non-Indians (Lee 1958).

The answer from Lee emphasizes the immediate problem for many Indians labeled non-Indian because of termination. More importantly, the Hartman family did not receive the information regarding the Rogue River Tribe's termination. It is cases like this that Indian descendants lost their land due to repossession.

### ***Settlements: Land allotments***

Between 1954 and 1956, the Portland Area Indian Office arranged for the sale of all tribal allotments at Grand Ronde based on the resolution of the Grand Ronde Business Committee. In the case study below, we see how the sales of the allotments at Grand Ronde proceeded despite the will of an allottee. Fremond Bean was a participating member of the Grand Ronde Business Committee, and while he had signed one of the referendums in 1951, his wife, Laverne Bean, indicates that he did not sign the second

referendum (Bean 2006). The Grand Ronde resolution substantiates this story. The Grand Ronde resolution of August 22, 1951 states:

Adopted by the Business Committee of the Confederated Tribes of Grand Ronde Community in regular session, duly noticed and called, at which four members representing a quorum for conducting business were present, by an affirmative vote of four members and no dissenting votes (Committee 1951).

However, the signature list includes Fremond Bean as a signatory along with four other names. This obvious error may complicate the legitimacy of this document and is the source of the disagreement between Fremond Bean and the Indian Office that occurs in 1956, just before the final termination of the tribe.

Bean's property became his allotment because of John Collier's Grand Ronde Indian Reorganization Act. Bean gained his allotment in 1938 under Section 5 of the Act. In 1956, Bean wrote to the Commissioner of Indian Affairs explaining that the Act forced him to sell his property and requested a fair remedy.

Bean's first letter presents us with a multilayered response to termination. Termination either forced Indians on reservations to purchase the lands they had gotten through allotment, or allow the government to sell their lands to the public. The government sold the lands at a low rate without considerations for property improvements, heirs, hardship, or time in residence. The Commissioner was valuing the acreage at a present day rate, not the rate at the time that the Indians received the land. Bean understood this well and he undertook research in the laws and assembled a good amount of information about Indian rights and policy.<sup>11</sup>

Fremond Bean engages with, Senator Wayne Morse, and officers in the Bureau of Indian Affairs regarding the impending sale of his property. The exchange is wonderfully



explanatory of many of the issues at play during this time including the hopes and dreams of Bean as representative of other members of Grand Ronde.

You have the option, therefore, of purchasing either one or both Assignments, Nos. 18 and 19, at the appraisals. Assignment no. 18 is appraised at \$200. Assignment No. 19 is appraised at \$2,435. The terms of the sale are cash within 30 days from the date hereof. Title will be conveyed in fee simple by deed executed by the Area Director. It is Necessary also to advise you that the land which you do not desire to purchase will be offered for sale to the highest bidder. If you do not wish to purchase your homesite assignment, No. 18, that land will also be sold and you will have a period of 60 days for the date of sale in which to remove the house from the premises (1956).

The above letter sets the initial stage of notification of Fremond Bean of the need to make a decision in the matter of buying his land, land that he already owned. The process, as stated here appears not to allow Bean to have any role as an individual in the decision of the sale of his land on behalf of the Grand Ronde community, although he did participate as a Business Committee member in 1951. The BIA treats the land and their house as two separate properties. One of the statements above, that “it has generally been impossible to determine what the exact purchase price of the smaller acreage would have been” rings hollow because land values are verifiable for each period for Oregon.

On April 17, 1956, Bean presents a well-reasoned response to the notice to buy his land or vacate the property.

When this bill was discussed, before acceptance by the Indians, it was understood that if the land was ever sold that the Indians could buy it for the original price. I accepted my assignment in the belief that I would be able to use the land for life and that my children would inherit my rights; and, that, should this plan fail, I could buy the land for the original purchase price. . . . I feel that I should be allowed to purchase my assignment for \$21.13 per acre because I have lived up to my agreements and have spent quite a bit of money in the belief that I would always have use of the land, or in the event it was sold, I could purchase the land for the original price paid. I, also, asked in August, 1950, to have first right to

purchase the adjoining assignments because, then, I would have enough land to make a workable farm. All the other assignees, and many of the members of the tribe feel as I do. We would appreciate an early reply, because if we cannot get our crops in right away we will be forced to sell our stock (1956).

This reasoned response by Bean clearly articulates the facts of his property. He, unlike the Department of the Interior, was able to find the original and exact price of his property. He detailed the improvements and expenses he had incurred, a very reasonable issue as he likely bought the property from the tribe assuming that he would remain there for his whole life. In addition, Bean obtained additional time to settle the property because the deadline is affecting the wellbeing of many members of the tribe. The implication here is that termination is proceeding without full tribal member support. The 1951 Grand Ronde resolution presents evidence that the community was aware of the intent to sell all land originally allotted to tribal members, as community property. However, the text of the letter suggests that not everyone agreed with this action. It is also clearly evident that the tribe did not fully embrace the new termination bill as they did not voice an approval, nor were allowed to testify to Congress during the hearings (Pryse 1953f).<sup>12</sup>

There is no sense that the government was genuinely concerned with the wellbeing of individual Indians, as there is no allowance for individual financial situations only that of the "tribe." However well the Indians at Grand Ronde assimilated, nearly anyone who suddenly lost their land, and thus their stability, became financially stricken. The land sales occurred in the mid-summer, in the midst of their most profitable farming period. In addition, their land was undervalued according to land values of the 1950s, and therefore helped place these people into extreme financial hardship. Without

getting a positive response from the Indian Office, Bean sent another petition for help to Senator Morse, who responds stating he cannot be of any help.

In a letter to Senator Morse from Mr. Greenwood, Acting Commissioner of Indian Affairs, Greenwood states that the Grand Ronde Community elected to, “dispose of all its tribal lands and terminate its identity as a tribal organization.” He goes on to state that, “the community has already decided that all funds now on hand and all income from the sale of lands will be distributed to all members whose names appear on the final rolls” (Greenwood 1956). Finally, the letter states:

The Bureau of Indian Affairs in carrying out its trust responsibilities to all members of the Grand Ronde Community has determined that the appraisal method represents a fair and equitable procedure in the disposition of tribal lands in which the members have an interest (Greenwood 1956).

There is no explanation of what method the government employed to create surveys or appraisals of the lands of the reservation.

The multilayered response from Bean exemplifies an understanding of Indians and American’s right to fair treatment under the law. At the time that Bean gained his allotment, he did so under those provisions of the IRA that provided protections for Indian allotments. The final termination bill changed the character of the arrangement with the tribes. This is a good example of how the Federal government made promises to the tribes early in the termination process, yet the legislative process changed the details of those promises drastically. The result for Bean is that either he must purchase his property again, or he loses it.

The BIA treated the Grand Ronde Reservation Indians equally, and did not account for individual successes or failures. Fremond Bean was a successful man at the

reservation, had done well, and utilized several properties to his benefit. For his reward, the Grand Ronde community subsumed his individual accomplishments and divided them amongst all. Perhaps in a healthy tribal community, this sort of communal wealth would work fine, where individual achievements help the entire community, but federal government were releasing the Indians at Grand Ronde from federal recognition, and as such they would not retain government benefits. Bean then would have to go into debt to purchase the land in order to remain in his community. Most Indians at the reservation did not have the resources to purchase their land with cash.

### ***Termination is a State Burden***

From the beginning of termination discussions, individual states foresaw the termination of thousands of Indians as a significant burden. For over a century treaty rights tasked the Indian Office with the welfare of the Indians on the reservations. The Indian Office never had enough resources to keep Indians living in the same fashion as average Americans with adequate water, power, and other public services. Therefore, by the 1950s, many reservations were not equipped with the basic essential public services for Americans. The states knew about these problems and understood that the massive construction and development projects required supplying the former reservation with all public services was their responsibility. The states tried to organize around and manage the impending burden through state-level Indian Affairs committee meetings and through their Congressmen by providing opinions to the federal government during the termination process.

Despite the preparations of the Governor's Indian Affairs committee, the Oregon State Welfare Office in November 1954 called for additional help in a memo stating: "We are going out of business at Western Oregon." The office was inundated with new cases and claims being generated from the former reservation communities and the other terminated Indians in the southwestern portion of the state (Holm 1954b).

Termination policy of the federal government remained in effect well into the 1970s. Termination occurred for a few individual tribes after 1961. The issue of the burden on states became a significant barrier to states approving of the termination of the tribes within their borders. In 1954, Oregon State government approved of termination to a wide degree. This helped the federal government carry through its policy. As termination commenced and reports of the impact on the tribes and the states surfaced, other states were reticent to approve of termination.

### ***Remaining Tribal Society at Grand Ronde***

Termination did not remove tribal people's rights to hunt and fish, leaving the issue unaddressed. Many people, tribal and non-tribal assumed that natives had lost all rights as Indian people in the United States including hunting and fishing rights. Many tribal people challenged this assumption by continuing to practice their rights to hunt and fish within their traditional homelands. While state governments and non-governmental fishing and hunting interest groups assumed that natives had lost all rights and as such were breaking the law by continuing to practice their traditions.

In Oregon, there were legal conflicts over rights to hunt and fish, that played out in the lawsuit commonly called the Belloni Decision which the tribes won in 1969

(Belloni 1969). The more famous Boldt Decision of 1974 was based on the Belloni Decision (Boldt 1974). The Belloni decision upheld that Indian tribes are entitled to their fair share of the salmon harvest under treaties signed with the United States in the 1850's (Belloni 1969). The Boldt decision reaffirmed this right in Washington State when Judge Boldt stated,

By dictionary definition and as intended and used in the Indian treaties and in this decision, 'in common with' means sharing equally the opportunity to take fish . . . therefore, non-treaty fishermen shall have the opportunity to take up to 50% of the harvestable number of fish . . . and treaty right fishermen shall have the opportunity to take up to the same percentage (Boldt 1974).

Termination legislation did not include the elimination of tribal rights to hunt and fish. This issue had been a politically charged point from the beginnings of the meetings between Grand Ronde tribal members and the Indian Office. The unwillingness of the tribes to agree to an elimination of their hunting and fishing rights caused Congress to leave those issues unaddressed in the termination legislation. The hunting and fishing issue was brought up early in the termination discussions (McKay 1950). For the Grand Ronde tribes, there had never been guaranteed hunting and fishing rights written into their treaties, so they did not have "treaty rights" to practice these traditions. Grand Ronde members in the post-termination era chose to acquire Oregon State hunting and fishing tags and licenses like the general population.

There was conflict among tribes in Washington State over fishing rights. The tribes in Washington State had "treaty rights" to fish and hunt in their traditional territories. Termination legislation failed to address the hunting and fishing rights of these tribes. In the late 60s and 70s, there were local conflicts between Washington State native

people and state law enforcement over tribal people's right to fish. These conflicts caused legal battles that culminated in the Boldt decision (1974), which allowed Indians the right to fish in their traditional way and forced Washington State to recognize the Indian's right to a fifty percent portion of the annual fish harvest (Belloni 1969; Boldt 1974).

Though the Indians had established their fishing rights, the conflict proved that tribes needed a political organization that would work to protect their cultural and sovereign rights to practice their traditions. A series of continuous and discouraging battles could eventually cause the further decline of tribal culture.<sup>13</sup> Terminated tribes came together to form new tribal organizations, like the Small Tribes of Western Washington (STOWW). Such organizations became regional centers of tribal political activism helping struggling tribes work toward federal restoration (Tom 2006).

### ***Invisible Indians***

The termination era contributed to the anonymity for the Indians affected. Where before, the various agencies of the federal government tracked and managed Indian decisions and actions, in this era the government no longer documented the lives of Indian people. Many families dissolved into Oregon society where many became the members of the poorest social classes. Before termination, reservations were a center of scientific research on Indian languages and culture, but in the termination era, this nearly ended, with much of the research occurring in cities and subsequently becoming Urban Studies.<sup>14</sup> During the 1960s and 1970s, original research among western Oregon Indians was nearly non-existent; most documentation used research done fifty to 100 years

earlier. Therefore, most of what we know about the termination era is from a few rare government reports and from tribal members' oral histories of the era.

Public understanding of the terminated tribes was that they no longer existed, as if they had virtually become extinct.<sup>15</sup> In the 1950s, the western Oregon tribes and peoples were nearly invisible, and that apparent invisibility remains today a common element of the tribal and individual interactions with the public and with state and federal organizations. Western Oregon Indians literally disappeared from history and anthropology books except as footnotes or ethnological accounts from 100 years earlier.<sup>16</sup> Similarly, maps of the United States reservations and federal lands eliminated the Grand Ronde, Siletz, and Klamath reservations from the landscape. To this day, official USGS maps created between 1956 and 1980 are still common teaching tools in university and public school classrooms. These maps do not depict any reservations in western Oregon or in the Klamath Basin, adding credibility to the notion of invisibility or extinction.<sup>17</sup>

The Grand Ronde expression of "Indian-ness" was and is incredibly varied. There is not a common expression of being native at Grand Ronde. The tribal community adopted cultural phenomena from American culture and from the cultural traditions of different native societies throughout North America.

In the 1970s and 1980s, pan-Indianism was the primary expression of native identity in urban settings. Large native groups formed around universities, urban Indian health organizations, radio stations like KBOO in Portland, and in Title IX Indian education parent committees. Pow wows occurred regularly in high schools and western



Oregon education organizations like the Parents Committee in Eugene became a powerful community group for native activities.

After 1972, when Congress created the Office of Indian Education in the U.S. Department of Education, the native parent groups formed committees connected with school districts. The Oregon Indian Education Association formed in order to bring Indian educators throughout the state together. Tribes and urban Indian communities worked together to improve the educational status of their children. All the while, tribal committees formed to work toward the restoration of the tribes (Tom 2006).

Through the nearly thirty years of termination of the Grand Ronde tribe, many families remained at poverty levels. Seasonal agricultural traditions like hop and berry picking for a significant portion of the annual income ended for many families, as many workers had to move into the cities and take regular wage labor. Following termination, natives stopped being a prominent ethnic group in the Independence hop yards. During the same period, there was a horrendous hop blight that ravaged the hop fields of western Oregon, breaking the cycle of annual native pickers. Many native men were loggers before termination and remained in the industry afterward as logging remains a prominent economy for the Pacific Northwest. Grand Ronde men helped establish a long tradition in logging, as being among the best loggers in Oregon throughout the 20<sup>th</sup> century (Day 2006; Jeffers and Jeffers 2006; Jeffers 2006; Tom 2006; Tom 2008).

Some tribal members, before termination, had chosen to move away from the tribe and assimilate into American society, but upwards of 5,000 Indians in western Oregon had to make this change without any time for adjustment. The state social and

educational services in Oregon were preparing for a sudden growth in unemployment, welfare, and educational services with this influx of natives. Additionally, over the next decade, thousands of natives adopted drug and alcohol addictions as a reaction to the many stresses of the loss of their reservation. Native populations became the most disenfranchised people in Oregon, within their traditional homelands.

### ***Comparisons of Tribal Lifestyles Previous to Termination***

Despite all of the problems that Grand Ronde Indians faced, they found ways to preserve their culture within their lifestyles as terminated Indians. The following are stories of many of the extraordinary measures that Indian people took to maintain community connections and find a way back to a community consciousness. The following transcriptions are native perspectives of tribal members associated with Grand Ronde. Their stories represent a commonly untold story of native experience in history. Common understandings of western Oregon Indians during termination and after are that all tribes disappeared. These stories reveal that this era was a time of extreme hardship, hope, and cultural survival.

### **Cheryle (Allen) Kennedy**

Cheryle (Allen) Kennedy is an elder, a member of the Grand Ronde Tribe and currently the Chair of the Tribal Council. Kennedy has served several terms as a tribal council member and as Chair of the council. She is married to Vernon Kennedy, a member of the Burns Paiute Tribe. In the 1990s, Kennedy helped raise the funds for the Grand Ronde Tribal Health and Wellness facility, and was the director there for several

years. Kennedy's life was typical for many natives from the Pacific Northwest during the termination era: Her parents traveled between and beyond Indian reservations searching for work, visiting relatives, and maintaining their culture. Kennedy describes her early life, the period from 1948 until just after final termination in 1956:

DL-So you grew up for much of your life at Warm Springs, is that true?

CK-That's pretty true, my father was an engineer, as so we traveled a lot and we stayed in many different places. He was an engineer for other tribes, so if there were projects like, we stayed up around Fort Hall and Pocatello, in the period for the projects in the housing development, who we was responsible for. We stayed up by the Colville Tribe, for I don't know how long it was, I was young. Felt like a long time. But generally they were summer, probably around four months for the season, building season, four to five months. After my father died, we lived with our grandmother, and of course she was totally tied to Grand Ronde. So its been a long time here. Every summer coming spending the summer, entire summers out here and down at the coast and that kind of thing.

DL-so when did parts of the family move to Warm Springs? Maybe you can talk about some of your family history?

CK- Ok, Well, we always came here to Grand Ronde. All of my teen years, from little to all of my teen years. And I guess to back up a little bit before that. My grandmother was born and raised here. So was my mother.

CK- My grandparents, Elmer and Pauline, separated, and I think divorced, back about in 1930s, late 20s, early 30s possibly, during the time of the World War II. And there were these camps that were set up to train people to do work to support the war. Some of those camps was, they called them CC Camps.

DL- Conservation Corps?

CK-Yeah, was set up near Warm Springs at Hee Hee. And that's where my grandmother had met her next husband Oren Johnson, and my grandfather Elmer Tom, met his wife of Christine Wewa. So that was when that occurred. Then they went to the shipyards in Portland,<sup>18</sup> my grandma was a welder, and I still have her welding card. And my mother was probably teenager, maybe seventeen or so and that when she met my dad. He was also a welder, because that is what it seemed like they were doing with Indian people is, making welders and that kind of labor, of Indian people. So he was there and that's how they met, and married. And then came back here for a while. But he was an engineer, and he was a degree person, and so that's how that movement took place. When jobs came up he was called upon to step in and lead those construction developments. He was employed by the Warm Springs tribe as the head of their department. And that's another reason we were there. But he was killed, he was murdered, when I was a young child. He had received notice that there was some kind of a land sale, and he was an Indian

man, he was an enrolled member of the Flandreau Santee-Sioux tribe, and he was notified there was some kind of land sale and somebody was coming back and he should come back and take care of his side of it. So he went back, and he was murdered on his way back and robbed. So there were six of us kids then two had already died, and for my mother that was a huge task to take on, and so the four oldest kids which included Pauline, John, Pat and I were then adopted by my grandparents, and the two younger ones, Leroy and Deborah stayed with mom, though we were all together, but just for practical purposes that's how things came out. So I was raised then in my grandparents' home. And my grandmother, I think one of the things about the Grand Ronde people is they're matriarchal<sup>19</sup>, and so grandma really handled that role very well. She was a leader, in the sense of us children, she taught us some very good skills, not only how to work and how to care for yourself, but also how to deal with people, how to approach people, being respectful of them. There's some real strong values that we got from her. My biological grandfather also lived at Warm Springs, and he wasn't really that close to us because he now was raising his new family. But we seen him, quite frequently, and we remained close to his children there who were my mother's younger brothers and sisters.

DL-that's good, and so when were you born?

CK- I was born in 1948.

DL-48, ok so you are talking about in the 50's then, you came to Grand Ronde and lived with your grandparents.

CK- well, no, we came, my grandmother lived at Warm Springs after the CC era, the ship building era, and all that, she and Oren came and lived here at Grand Ronde for, I'm not sure how long. But then they moved to Warm Springs because he had property and home and all of that over there. So we went there, but we'd come and it was grandma's practice that we'd spend the summers here.

That's how we knew about Grand Ronde and our family here and all of the ways that she learned from her mother, we continued.

DL- So there was a lot of traveling.

CK- Oh yeah. It seemed like as a kid it was long, those old Model Ts putting up over the mountain.<sup>20</sup> So then the things that we did in the summertime as we got older too, grandma continued to believe that working is an important ethic and I don't think she portrayed it though so much like work but as a way of life. So we met and worked among the Grand Ronde people in all of the hop yards and the berry-picking.<sup>21</sup>

DL- So that was pretty prevalent.

CK- Yeah that was the way they lived.

DL- Did you do that in Grand Ronde area or in Salem?

CK- It was more around Independence . . . that area was where they had these houses, those camps that were set up. And so we were among all of our relatives. It was fun (Kennedy 2006).

As reflected by Kennedy's experiences, native families did not fit the American nuclear family model. Frequently grandparents or even aunts and uncles raised children. This is partially owing to the low life expectancy of American Indians that has historically been an issue, as well as cultural norms that the extended family would often take responsibility for the raising of the next generations. This is a traditional native way of bringing up children in a tribal setting.

Travel between and beyond reservations was common with natives in Oregon. This is still true throughout Indian Country<sup>22</sup> where many natives today have relatives on several reservations and travel during the summer Pow wow season. This is a common cultural phenomenon among many tribes. Therefore, this has formed into a survival strategy that takes advantage of available income opportunities during the key seasons that helped keep the families connected through annual visitations.<sup>23</sup>

Seasonal travel cycles echo the annual work cycles associated with the reservations throughout the Pacific Northwest and elsewhere in Indian Country, with native peoples leaving the reservation to find work in agriculture during the summer. The annual tradition approximates that of the pre-reservation life ways of Tribal cultures.<sup>24</sup>

Cheryle Kennedy recalls the time as "fun" even though the lifestyle must have been strenuous with annual travel to various reservations and long days of hard work in the hot summer months. There was a rigorous extended family spirit then, where it was common for cousins to visit and stay awhile with relatives. Even children had to contribute to the family's resources, picking in the hop and bean fields and taking responsible roles in helping raise their siblings.

Most important is the willingness of families and relations to help each other out, to remain in contact despite hardships. Today the journey from Grand Ronde to Warm Springs is 4 hours or more by car, in the 1940s the journey must have been an all day affair. The families had a desire to maintain close relationships with each side despite any barriers. Kennedy's family would travel into the Grand Ronde area at the right time for agricultural work. Additionally, it was a common practice for the people from Warm Springs to travel into the Willamette Valley to find work (Kennedy 2006; Tom 2006).<sup>25</sup>

### **Norma (Mercier) Lewis**

Norma (Mercier) Lewis grew up in Grand Ronde. She is a daughter of Julius Mercier and Gertrude (Hudson) Mercier, and granddaughter of John B. Hudson Jr. and Hattie (Sands) Hudson, Francis Mercier and Marie (Petit) Mercier.<sup>26</sup> Her grandfather John (Mose) Hudson Jr. was a primary informant for Melville Jacobs, who was likely the last speaker of the Santiam Kalapuya Language for Grand Ronde. In discussions with Norma, she would always say that she did not remember much about her family history, but when speaking with her about the history she was able to reveal much that I had not heard before about her lifestyle at the Grand Ronde Reservation:

NL- I grew up in Grand Ronde. We lived on an acre of ground, we had a little property, we had a little house. [laugh] people would call it a cabin now, because it, no insulation, no electricity, you could almost see through the cracks. It was comfortable, we had a wood stove in the winter, you know when we needed heat. And then when I was about, it must have been about, I was pretty young, its hard to think because I can remember when the folks bought me a tricycle, I was about five I think, 4-5 and they bought me a little used tricycle for Christmas, you know, they'd gather things for us. They couldn't afford to buy nice presents, well then they didn't have anything much. Anyway, and then we moved to a farm that belonged to my grandfather. And he left all of his animals on there, like cows, horses, everything, chickens, geese. And so we made a living, always ate real

good because we had all of the beef, we had a big vegetable garden, you know, and mom did a lot of canning. And the only thing we really had to go to town for was flour, sugar, coffee, whatever, things like that. We had everything else. And then I was about 12 or 13 and we moved off of that property, down to our acre. It was connected property but they had that acre leased to them. I mean given to them by my mother's father, so it was just taken off of a part of that property that we moved up to, which was just a few blocks. . . . and then from there, I lived there then until I was 18 years old in that place.

DL- and was that the property that you told me was just off of the main highway in Grand Ronde?

NL- well yes it was at old Grand Ronde, they called it that, old Grand Ronde, and then you go down between and new Grand Ronde is on the other side past the government buildings.

DL- so old Grand Ronde is by maybe St. Michaels?

NL- yes, its on that Hebo Road. Off of the Hebo but then you went up a gravel road. And then for years, when I was young, clear up until I don't know how long, they didn't have a road back in there but it was just a dirt road, but in the winter time, well they finally got money together and they planked it with big planks, and they run on these planks up to the house, for years. And the planks would slide out and people would drop in and get stuck, oh I can remember times like that. And then, I never did have electricity in that house, lived in that house when they had electricity. I was married and everything and later on they did have electricity up that road.

NL- they used to have dances in private homes. And I was always too young to dance or anything my mother would take us kids up there, we'd sit, it would be a neighbor, we never did have anything at our house because it was too small, but these people, they'd have a piano player and we'd go up there, that was our, we never went anywhere else, except we'd maybe go to Sheridan once in a while when we were kids. And then they had a government hall that, oh, occasionally like, they'd have a dance, basket social, pie socials, gatherings, everybody would have fun and all of the people at Grand Ronde would come. Mostly everyone.

DL- so you did a lot of, picking berries?

NL- oh yes. We picked berries and walnuts, hops.

DL- in that area or did you go somewhere?

NL- no we would have to go and camp in these places and one was around Independence, one was right down here at Wheatland Ferry

DL- Wheatland Ferry, that's were the hop fields are, where they are now?

NL- uh huh, yes. Yes in that area yeah. There was a lot more than there is there now. And then the walnuts, we'd have to go there out of Sheridan there. And they had the hilly mountains and they'd have walnuts back there, and we'd work back there. That was the only way, means that us kids had to get our school clothes.

DL- did your whole family go, or just the kids?

NL- Mom, and my sisters, well we were only all girls anyway, Daddy would always stay home. He'd stay home. We'd be gone several, couple of weeks maybe, is all, you know, he'd come and get us.

DL- Was that something that a lot of Indians did?

NL- oh, most of the Grand Ronde Indians, men, were loggers. They worked in the woods. I really don't remember. A few of the families would do that yes. Yes.

DL- was there a cannery in Grand Ronde?

NL- no. well the only thing they had was, the Indian tribe, we'd pick berries and they'd pay us so much a gallon to bring these blackberries, they were wild blackberries, you'd got back in the, and they'd grow the vines, and we used to like pick a gallon a day or something. And we knew where these good patches were, and they we'd take them in there and they'd make this uh berry jam. They called it moccasin foot, or something like that.<sup>27</sup>

Norma offers us a view of the Grand Ronde Reservation from a family who had been on the reservation from its beginning. Norma participated in many of the same activities as most other tribal members, agricultural picking, producing jam in a community project, and social events. Norma even describes how poor her family was, similar to other people on the reservation. Norma made no mention of any help from the Indian Office, as the Indians had to grow or raise their own food or gather it in the surrounding forestlands.

The jam project and the government hall building were part of the 1930s-1940s Rehabilitation programs of the Federal government that included the Indian Conservation Corps, mentioned by Cheryle Kennedy previously. The programs included building houses for tribal members, helping Indians grow gardens, and establishing a principal industry for each reservation. In western Oregon, the Federal government financed and built the tribal canneries at Grand Ronde and Siletz reservations, Chemawa Indian School and at Empire, Oregon for the southwestern Oregon Indian community. However, the success of the canning program was economically minimal despite sales to vendors like Sunriver Resort, J.C. Penney, and the railroad. The cannery lasted for about ten years



before discussions of liquidation of the reservations gained prominence. The program lost BIA support in the late 1940s. The Grand Ronde Indians continued to use the cannery into the 1970s with community members annually collaborating to can their crops in quantities. Elders at the tribe still talk about how they would line their pantries with hundreds of jars of canned foods using the facilities at the cannery.<sup>28</sup> Tribal leaders gave Moccasin Jam to the state politicians as presents for their help in restoring the tribe.

The period of Norma's childhood spans 1920s-1940s, which was the time before talk of termination began. There was a different feeling about the reservation and the community was actively working together in agriculture and in social events. Even hop picking was a social event to Grand Ronde Indians as a good portion of the tribe would move to the hop yards in the Independence or Wheatland Ferry areas for several weeks of the summer. This period was before discussions of termination began to change the way people felt about the reservation. For Norma, there was no suggestion of the fear that Cheryle Kennedy and Bob Tom experienced as children in the 1940s and 1950s. In fact, much of Norma's teenage years were spent on outings in the area with groups of similar-aged kids, many close relatives, and attending community dances in a carefree manner.

### **Bob Tom**

Robert (Bob) Tom is an elder of two native communities in western Oregon, Siletz, and Grand Ronde reservations, as his father was from Grand Ronde and mother was from Siletz. Bob Tom was a central figure in the restoration of the Siletz Reservation testifying in Congressional hearings and serving as the first executive officer of the tribe at restoration. As a young man, Bob Tom contributed greatly to the early restoration

efforts at Siletz and was instrumental in the formation of the tribal government and in the subsequent efforts for restoration of the Tribal economy, culture, and education. Today, Bob Tom is a regular participant and Master of Ceremonies in tribal cultural gatherings, Veterans Pow wows, the Grand Ronde Culture Committee, and state-level policy and project meetings. Bob Tom also enjoys golf, and is a regular visitor to tribal golf courses across the country. In his youth, Bob Tom was part of the Tribal basketball town league, and played on the Warm Springs team, who accepted him as a teammate despite the termination of Siletz. As part of the Warm Springs team Bob traveled to many other reservations in Indian Country to play in Indian basketball tournaments. As such, Bob knows many of the most prominent native leaders in Indian Country and regularly visits his old friends.

Bob's early years were spent at the Siletz Reservation. Bob describes his life at Siletz and explains why his family moved to Salem in the 1940s just before the tribe's termination:

BT-We lived in . . . my folks moved to Salem in 43, 44, and my dad and mom moved there specifically so that we could go to public school there and get a better education. My dad and mom may have bought into the termination methodology of "you need to go out there and compete with the greater society, as an equal." But there were still some things that supported the move, there was production logging by some big logging companies, that were logging out the Siletz area in a short period of time versus any gradual scale. They brought in machinery and men from other states and other towns and just started doing production logging. The logging was going to run out there, you could see that, and my dad was a timber faller, and so, because that was going to happen, and then also to get us into where we could get a better education, because my dad said, probably the rest of your life you are going to work amongst non-Indian people and you need to be able to compete, to get a good job, to support your family.

And so we moved in 43, 44. Wasn't very well received by family and tribal members from Siletz, they just thought you were being uppity or thinking you were better than somebody else and moving away and it was kind of a traumatic time for a lot of our family, and what people thought about that. Even though later on some more of our family started moving to Salem, and to Eugene, about the time of termination, to go to school and to get other jobs.

And so, living in Salem, being in high school and playing sports I had a whole set of friends and set of activities, high school kind of activities. So termination wasn't a traumatic thing for me individually because my mom and dad moved us there in 44 in preparation of being on our own and competing on our own. And so, that's what the government forced a lot of people to do, but they forced a lot of people to do that, termination didn't force us to do that, we had already decided to do that. And so termination wasn't traumatic personally (Tom 2006).

The knowledge that termination was on the horizon clearly affected Bob Tom's family. His parents planned for the traumatic effects of having to compete in American society, and established their family in Salem in order to ease them into American society and to gain access to a better education for their children. The inevitability of termination of the tribes was well socialized into Indians at Siletz and Grand Ronde through continued discussions with the Indian agents from the BIA (Pryse 1954).

Similarly, Norma Lewis was not that involved in the termination of the Grand Ronde tribe.

When we were [terminated] . . . it could be around '54 I'm thinking because at that time they sold all of the property. And they gave the tribal members that they had on the rolls, they gave them all a dividend on that. And I think the first we got was possibly about \$500 but it could have been a little more, the second payoff was about a \$1000, for each member. And that was when they broke up. It was no longer a tribe. But you know when I was young, of course at that time I was married and had all of my children, by that time. But years ago, I mean you know I wasn't very interested in what's going on and I just had a kid's normal child's life (Lewis 2006).

From Norma's memory, the tribe's members were dissociating from the reservation a few years after termination. The payments she stated were likely awards

from the Indian Claims cases were many Grand Ronde members were party to several, because of their multiple tribal ancestries.

Cheryle Kennedy, Bob Tom, and Norma Lewis had very different upbringings and experiences with termination. The stability of Bob Tom and Norma Lewis' childhoods is in contrast to Cheryle Kennedy's movement between reservations, although they both had strong families. Norma Lewis' experiences were as a young adult already caring for several children and living outside of the reservation in Sheridan. Norma, being an adult at termination, likely received the termination and Indian claims awards directly. Both Cheryle and Bob were minors and as such may have had trust accounts established for them and therefore did not have a direct experience with the awards.

### ***Cultural Survival and Identity within the Termination Era***

The intention of the termination policy was to free Indians to assimilate into American mainstream society. What it did was scatter tribal members throughout a wide region and forced many to move away from the reservation to find work. In 1975, Grand Ronde Tribal Council member Merle Holmes testified before the *Task Force Ten* hearings in Salem, Oregon about the effects of termination on the tribal community:

Mr. Bojorcas: the rationale used in terminating tribes was instead to put the Indians in the mainstream of society. Has that been successful in the Grand Ronde case?

Mr. Holmes: It would have if it put them in the mainstream of society, in as much as it run most of us out of there. There was no way to make a living in there. After I went out of the service, I came out and ended up here in Salem and I don't know, there's no way I could have got anywhere if I would have stayed there. Nobody wants to walk around in the woods soaking wet all winter long, and its not the kind of life for most of us, and it scattered us all around. We have people who took advantage of the education. I know one gentleman who lived in California. He was educated in diesels there, and he still lives there.

Ms. Hunt: So termination not only did ruin tribal structure, but any sense of community in being able to do things on a collective basis?

Mr. Holmes: this is true. We're pretty much victimized being isolated like we are in Grand Ronde. There's the nearest town, Willamina. You're looking at nine miles there. So you have to drive to Lincoln City and we're isolated to just the lumber industry to sustain. So we need the vocational training to get the people into a little bit of a better blue collar work (Ten and Commission 1976:133-134).

Merle Holmes points out the disintegration of the tribal community and suggests to the commission that something needs to be done to help the Grand Ronde community get education and better jobs.

Tribal members who stayed in contact with their relatives maintained some cultural traditions and kinship relations, but many people lost all connection with their extended families and cultures. The resulting generations of descendants disassociated from their culture and extended family members. Native families who left the reservation formed new family groups and cultural nodes that began traditions of diaspora settlements inside and outside of their traditional homelands of western Oregon. This pattern existed for several generations. For Grand Ronde, many families settled or resettled in Eugene, Roseburg, Portland, Salem, Washington State, California, or even Michigan.<sup>29</sup> Many of these diaspora communities became culturally associated with the tribal traditions in the areas where they moved. Some families who had kinship relations with other tribes moved to those tribal reservations to access services and to find a common tribal community bonds. There are specific families who moved to Warm Springs and Yakima reservations after termination (Kennedy 2006). A few families moved to far-flung regions of the world such as Europe and Kenya.<sup>30</sup>

Cheryle Kennedy's account of the 1960s and 70s shows us that family kinships and the maintenance of those relations were important to maintaining cultural and familial understanding:

CK- Well again, my father died at the same time as about termination. And, so for us, what we seen from our family that the only one close relative that remained here, although there were lots of uncles and aunts that were elders at that time, like George Leno, and Gus Leno, Agnes Leno Mercier, Dolly Leno Pichette, stayed here yet.

DL- so a number of people kept their land.

CK- yeah, Myrtle

DL- because there was an attempt by the BIA to have their allotted lands sold off, but from what I can figure out, many people did sell out and left, there were some people who said their grandfather sold their land and moved to British Columbia. But then a lot of Grand Ronde people kept their land because.

CK- They were in fee,

DL- so they didn't totally sell out.

CK- right they still had their places and, so there was a place for us, ya'know, to come back to, and visit with relatives. So there were many though that left, many of our relatives that we lost track of because we didn't know where they went! I know that we were related to the Smiths and Rosemary Smith ended up marrying a Smith at Warm Springs too so she didn't have to change her name. Still Rosemary Smith. Her father Lawrence Smith, seemed like we would still see him when we would pick berries during the summertime. And I thought maybe he lived around Portland someplace. But then the other daughter must have been on relocation, Maurine, and ended up in Oakland<sup>31</sup>, and that's where she grew up. I mean that's where she had a family then raised all of her children and grandchildren, they are still there. So I always wondered about those kids who were close to my age and now John is in Portland, came back about, maybe I don't know, a dozen years ago or so, reconnected kind of with the tribe and lives in Portland. Stays in contact with the Portland Office there. But that's how we just kind of wandered. Ya'know, what happened to all of the people? Sometimes names will come up and think, yeah where'd they ever go? And we're related to the Petite's, and some that just kind of disappeared. They live way over on the east coast! And we haven't seen them for decades. So termination, ya'know, really had its toll, I think on the heart of the Grand Ronde people, which is the families.

DL- the community and the families and their relations to each other?

CK- That's right and you had to survive however you could, make ends meet, we went wherever that would lead you to then. A lot of times you just ended up staying. At the time of restoration in 1983 the surveys that we conducted, and I was part of that, showed that over half of our members lived outside of Oregon,

and now, about 75 percent of the members live in Oregon. But at that time we were only surveying about 900 people [in 1983], now there's about 5,000 [in 2006]. So we have a lot more people who returned.<sup>32</sup> At least to Oregon.

DL-So what was it like in the 60's, did your summers here continue?

CK- We continued because my aunt still lived here and all of the other old, they'd be great-aunts, and uncles, lived here. So, we still continued, come every summer and spend time down at Taft. Grandma, took us there and said this is the spot I was raised. My parents brought us here we did all of our, summer gathering, and canning, and drying, and whatever. We still do this. So, we'd be down there and aunts and uncles, we'd come and stay at Aunt Nora's and make our tours. By then . . . of course in the sixties there was a lessening of the going to the fields for work. I don't know why that happened. But it seems like that took place. Maybe the hops died, I don't know. The stringbeans . . . it seems like we didn't do too much of that. I was like 17, or in that age, but up to like 13 (Kennedy 2006).

Kennedy's family life remained strong with extended family throughout the termination era. The non-terminated reservations, like Warm Springs, served as a haven for many Indian people who still wanted to live in a native cultural lifestyle. This is true across Indian country. As well, Cheryle Kennedy's grandmother passed on many cultural phenomena:

And so one time she took me out, she said I'm going to teach you what I know, and for whatever the purpose of that plant was, and I want you to write down, and so I told her OK. And when I was very young even, she used to take me around, and we'd ride around and we'd collect plant, and she'd have me dry them and keep them. But she didn't never, when I was little, she didn't talk to me about what they were for. Just we'd gather. We would gather and when I think about it, besides the ones she'd dried, she always kept. And then I remember in the winter time she'd throw some in a pot. And if we were sick, and put it in that white cloth, its gauzy-like, and she'd hang it around our neck, or she'd make us drink some. I guess I never really did think about things like she was doctoring us from, but that's what she was doing! So anyhow, this was about, oh maybe 20 years ago, because I have picture in my car when I drove her all over doing that. It might have been about 80, so that was 26 years ago. And we picked all of these plants and she showed me some that were used like for cataracts. And we gathered that. (Kennedy 2006)

Kennedy's experiences, some at the Warm Springs Reservation and some in the Grand Ronde community, helped maintain the traditional culture for her family.

During the termination era, tribal members suffered discrimination from non-terminated tribes for being terminated Indians. Foremost, the tribal members suffered from a lack of access to services and jobs they traditionally were allowed to access at the reservations.

So, tribes were terminated, you received the last services for many of my relatives that worked at Chemawa if they weren't working there already, then they would have to when they applied for a job they wouldn't get Indian preference, which gave you so many points in that when you were being hired, you got extra points for being an Indian. But, once terminated even if you could tell someone was an Indian visually the BIA wouldn't give you preference points for being Indian. It affected a lot of our tribal members that worked for IHS and the BIA.

The discrimination from accessing jobs in federal service forced many people to look for work outside of the reservations. Many people who remained on the reservations as non-federal-status Indians were forced to live at the poorest levels of society. Eventually, this lowest social status gained a derogatory name, "terminated Indians."

It created a terrible status for a lot of Indian people. It got to where being called a terminated Indian was one of the ugliest things you could call somebody, [by] another Indian, between Indian people. If they called you a terminated Indian, they were saying something really negative. A lot of tribes, a lot of tribes that resisted termination, or a lot of tribes where termination was never even applied or attempted, felt that the terminated tribes just sold out. Sold their land, and wanted some money and sold out hunting and fishing rights, everything. And looked down on somebody that would do that, and so being called a terminated Indian was a very, very negative thing. A lot of my family and a lot of my relatives and fellow tribal members faced that. I was lucky, I never faced that, after high school, a couple years after high school, I started playing Indian basketball for the Magpies from Warm Springs Oregon. I and a kid from Colville, and a kid from Lapwai, were the only three non-Warm Springers playing for them, and I traveled all over Oregon, Washington and Idaho, Nevada, Arizona,



Northern California playing basketball, against reservations, and in Indian basketball tournaments, and no one ever said that, even on the programs it would list what tribe you were from, and they would list me as Siletz, I still never did face people using that derogatory term toward me. But I had other family and other friends from tribes that would happen to them. And a lot of them stayed away from a lot of Indian functions just because of such a negative term. And it went from termination “terminated Indians” to “urban Indians” that was the next really ugly term. It kind of disappeared when a lot of people, their own family moved to urban areas to go to school or go to work, so pretty soon if they called you an urban Indian in a negative way well they’d also be also talking about their relative, so that kind of disappeared, I think, only for that reason (Tom 2006).

This post-termination discrimination occurred contemporaneously within issues of urban versus reservation Indians. Even deeper, there is a legalistic discrimination applied politically between restored tribes and non-terminated or continuous-reservation tribes over issues of land claims for cultural and natural resources. However, it’s obvious that the discrimination many Indians sought to escape from in white American society became doubly applied and expressed by non-terminated tribes against the so-called “sell-out” terminated Indians. Discrimination multiplied because many terminated Indians were still discriminated against by white Americans and so many ended up belonging nowhere, dispossessed from either culture, white or Indian, for nearly three decades.

Cheryle Kennedy experienced a sense of social and cultural disconnectedness associated with being a terminated Indian:

DL- So that’s kind of one of the things that occurred after termination. I’ve been told that being called a terminated Indian became sort of a dirty phrase. Did you hear that a lot?

CK- Oh Yeah. Yeah, you’re just kind of worthless. You’re not, not white, you’re not . . . , well what are you? . . . I was always Indian. I mean that’s all there was. Even though other tribes looked down on us, and then when you went for

services, of course being at Warm Springs, we'd, if we had a toothache or whatever, you were always told you can't come here, you're not Indian.

DL-So it must have been tough living out at Warm Springs in that environment.

CK- Oh yeah. Oh yeah.

DL- Did everyone treat you that way at Warm Springs?

CK- We had a lot of friendships and that kind of thing. The agencies<sup>33</sup> were more of that opinion.

DL- Most of the people

CK- The people were OK. There wasn't a . . . I think Warm Springs has something of a melting pot of other Indian people. But there were quite a few Grand Ronde people there (Kennedy 2006).

Kathryn Harrison, a Grand Ronde elder, describes a different situation in the post-termination era. Kathryn Harrison and her children never settled down in one place very long and lived in a constant state of poverty. This lifestyle began before termination and continued into post-termination. They traveled from blue-collar job to blue collar job barely making a living. The family lived in Oregon; their father drove a dump truck in Idaho, participated in berry picking in Arizona, and moved back to Lebanon, Oregon for logging. Kathryn's oldest girls left the family to early marriages to escape the poverty. Other relatives married into the Umatilla Tribe, which became a haven at times of need for the family. Finally, fed up with her husband Franks' alcoholic binges, Kathryn and the children left him (Olson 2005:78-81).

Kathryn Harrison's experience was not unlike many tribal members. For many, the lack of money and a foundation for building a life kept many families on the edge of poverty. Health and basic needs like food and clothing suffered. In attempts to deal with the stress of that life, of living powerless in society, many people turned to alcohol. Others, like Kathryn, chose to work harder to make a better life for themselves and their family.

Another example of a tribal member growing up during the time of termination is that of Don Day. Day is a tribal elder at Grand Ronde who is active in helping restore the tribal culture. Day's passion is in the field of native traditional technologies and he combines his work with archaeological studies at the University of Oregon. Day has been instrumental in restoring knowledge to tribal members about how to split cedar planks using strictly traditional tools, wood splitting wedges, and wood mallets. His work lends itself to building of traditional plank house structures similar to those built by the Yurok and Tolowa in northern California, and at Siletz Reservation in Oregon. Day now works to redevelop a Kalapuya-style plank house appropriate for many of the traditional cultures of the Willamette Valley and the Grand Ronde Reservation. Day has collaborated with many Northwest Coast tribes in cedar plank splitting; his most significant is with the Haida Nation of the Queen Charlotte Islands.

Day did not come early to his talents with traditional technologies and had a difficult life for his first 40 years, having been a soldier in Korea and Vietnam and having to contend with healing from racial abuse in his childhood upbringing:

Ok, spent some earlier time growing up in the back streets of the capital city of the state of Oregon, in Salem. Through grade school its like, I think I was suspended from all of the schools in Salem for fighting, because I was an Indian person. I had no idea what that was, at that time. Joined the service at a real young age, 17, and turned 18 in Korea, 20 in Vietnam, and when I came back from the service I had my own ideas about life and death, and they didn't involve an education at all, because of what I'd seen, what I'd experienced at the age of 20. I believe I brought back a full on attitude as an alcoholic and I know that it took me like 30 years or so to find out that I was one. It was all directly related to the past experience in Vietnam era in that time.

What I was able to find out about my father and mother, my father is Joseph Lloyd Day a Siletz tribal member who was a prisoner of war and was also diagnosed with alcoholic disease, if I remember correctly he passed when he was 50 years old. He had divorced my mother when I was approximately 2 years old

so never really met him until I was like 21 or something like that. And then it was a short time later that he had a massive heart attack and died at a Veterans hospital in Washington State, a VA hospital. My mother was Rose Lee Peters, daughter of Mary Peters of Dallas Oregon, and Henry Peters . . . My mother married a non-native person by the name of Albert Bennett. He became my step-father, who gave me the title of “you black little bastard”, which I thought was my name until I was 20 years old. So there’s a whole lot of what, culture, implied something. I grew up with that in my life for I don’t know 30 years anyway. Until I finally realized that I wasn’t that person (Day 2006).

Day’s life took a difficult trajectory from his youth and did not improve much until about he was 30 years old. Day’s experiences are not unlike the experiences of Frank Harrison (Olson 2005), and many other tribal members who had wartime experiences and did not have a healthy tribal community to return to. Day had to find a way to heal himself and find who he was. In his 40s, Day entered Chemeketa Community College and settled on archaeology as a passion that has led him to a master’s degree in Interdisciplinary Studies at the University of Oregon. Like other tribal members at Grand Ronde, Day is working to restore the culture, and making progress some 25 years after the restoration.

### **Jeffers Family**

Members of the Jeffers Family are descendants of the ancestral Jefferies family from Grand Ronde. They lived in the Eugene area before termination and maintained contacts with grandparents, William Jeffers & Josette Quinelle, who owned a land allotment at the Grand Ronde reservation. This land was sold during termination proceedings. Members of the family today are highly active in working on enrollment issues and working with the Grand Ronde Satellite Office in Eugene.

Ivan was born in Eugene in 1920 and lived in Oregon and Washington his whole life. He was a logger and owned at least three “outfits” in his life. He apparently knew

much about logging and told many logging stories. He never lived at Grand Ronde nor ever visited the reservation as a working adult as he was too busy. He knew where his grandfather's property was at the reservation and said that a brother of his grandfather also owned property. The government took all this property away from them when termination came. He does not know what the people did after termination but William, the grandfather, might have gone up to Canada to farm.

Their distance from the tribe challenged Ivan's family in the Eugene area. In the 1960s, when there were some tribal member meetings happening at Grand Ronde, Ivan's family would travel there and maintain their family on the rolls. Busy making a living in logging; Ivan had little time for meetings at Grand Ronde, but his children and aunt attended regularly. Of termination, Ivan knows very little as his family had moved away well before termination occurred. Ivan said, "I remember hearing about it . . . but I was too busy taking care of other business" (Jeffers 2006).

Ivan Jeffers, 86, worked his whole life in the timber industry. He relates that he owned three logging companies during his career and has many stories and associations still with the industry. This history is not unlike many other tribal members who were professional loggers and traveled throughout the western States, even up to Alaska in the logging industry. In Ivan's interview, he related many stories of his experiences with logging. Ivan was very illustrative on commenting about college scientists who in his words "knew nothing about logging" (Jeffers 2006). It is likely that most college scientists know little about the practice of logging and most were never loggers. Ivan commented on the environmental movement issues in saying "trees don't save water;

they use water, thousands of gallons a day.” He went on to state, “when the tree needles turn red, the beetles are gone, they live in the green trees,” and that “those big beautiful trees, they are all rotten inside.” He believes that “there are no more Douglas firs growing, they are red firs” (Jeffers 2006).<sup>34</sup> Ivan’s knowledge of logging practices is encyclopedic from working in the industry for over 40 years.

Ivan’s experiences are very similar to many people with families associated with the Grand Ronde Reservation as, beginning in the early 20<sup>th</sup> century, Indians who did not match the correct blood quantum, nor could find work or fair treatment at the reservation left to work and live in the Willamette Valley. In the Eugene area, the Jeffers family established a home outside of Eugene. Their homestead was off the highway enough that for many years they had to ford a stream to cross to the highway (Jeffers and Jeffers 2006). From this original homestead, the Jeffers families have spread out and now maintain residences in the Eugene and Springfield area with literally hundreds of descendants in the area (Jeffers and Jeffers 2006; Jeffers 2006). In Grand Ronde during the termination era, few of the Jeffers family maintained a close association with the Grand Ronde area. This situation changed following restoration.

One member of the family, Courtney (Warren) Rose, was part of the Grand Ronde Tribal Royalty representing the tribe. Rose states, “I was honorary princess for the tribe 1989 to 1991. I was Junior Miss Grand Ronde 1992/1993, which I also believe was our ten-year anniversary for the Tribe. I was the first Veterans Queen 1997/1998. I did a lot of representation for the Tribe all over OR, CA, ID, NM, NV, and WA” (Rose 2009).

In addition, Rose secured a job at the Grand Ronde Tribe's Eugene Satellite Office in 2006.

Some of the Jeffers family had somewhat disassociated themselves from the reservation before termination, there were few opportunities for re-association until after restoration in 1983. This has clearly affected long-term familial associations within the Grand Ronde community, since at least two generations of Jeffers experienced termination. Still, powerful matriarchs and patriarchs of the Jeffers family have sought to teach their culture and restore their family's associations with Grand Ronde and maintained some connections during the post-termination era. Members of the family regularly attend tribal community meetings in Grand Ronde and Eugene. They have been very active in discussions and debates about the issue of tribal enrollment.

However, the distance has cost the family much in terms of membership rights at the tribe. Many tribal elders report that throughout the 1970s there were general community meetings where they would sign up their families on the tribal rolls. There is no information on where these rolls ended up or who maintained them. Ivan remembers signing his family up on the tribal rolls several times:

IJ- My Aunt Georgia was always after us to go sign up, we signed up a long time before that but they said we didn't sign up down there but we did. And then we went back down and signed up again. The first time my Aunt Georgia took all the kids down there and signed them up the first time. They went and signed up at Grand Ronde. And then went back down the second time and signed up again.

DL- Maybe in the 80's when they tribe was restored?

IJ- Might have been before that . . . probably '65 (Jeffers 2006).

Contemporaneously, many of these distant families, those not living immediately in the Grand Ronde area, are struggling to prove their right to be tribal members under the strict

membership policies. While older members usually are able to get on the roll, their descendants are finding it difficult as the policies become more restrictive. The membership barriers limit access of these tribal descendants to social and cultural services at the tribe. These barriers continue to affect tribal identity. While they remain Indians, as much as many other tribal members, they do not have an opportunity to re-associate themselves with the tribe on many levels and begin the process of restoration of their tribal identities. In effect, they remain terminated Indians, caught in a bureaucratic system that began with tribal termination and continues into the present.

### **LaChance Family**

The LaChance surname is an old name associated with Grand Ronde. Members of the family are listed on the Grand Ronde termination rolls. In the termination era, the family dissociated with many families at Grand Ronde and began their own restoration efforts. Today members of the family are enrolled at the Cow Creek Band of Upper Umpqua Tribe as well as at Grand Ronde. This situation spotlights one of the most dramatic of the changes from the termination era. Several families formerly associated with the Siletz and Grand Ronde reservations banded together with the small tribal organizations in southwestern Oregon to become newly restored tribes in the 1980s. Where before these tribes did not originally have permanent reservation land-bases and their governments went largely unrecognized and unsupported by the federal government, today they are fully recognized tribes with reservations. Many western Oregon Indians are now eligible to enroll in several different tribes, Grand Ronde



Community, Siletz Reservation, Cow Creek Band of Umpqua, Coquille Indian Tribe and Coos, Lower Umpqua and Siuslaw.

The LaChance Family has old roots among the fur trappers of the Fort Vancouver days. During the termination era, in 1960, one of the LaChance families was struggling to survive performing low-income labor in the suburbs of Seattle:

As a follow-up to your letter of June 3, 1960, concerning the Alvin L. LaChance, Sr., family, I wish to report the following information.

While it is true that the LaChance family reside in a trailer court in a suburbe [sic] of Seattle, it is one of the more permanent type, very modern, large and well kept.

Both Mr. And Mrs. LaChance and their children were seen at the time of my interview and appear to be a fairly stable and cohesive family unit. When questioned about the ties with relatives in Brookings, Oregon, Mr. LaChance reported that his mother, Mrs. Stella LaChance, resides in that Oregon community and that he and his family lived there from approximately August to December of 1959, while he was working there.

Mr. LaChance is presently employed for the Independent Magazine Distributors in Seattle, where he has worked for approximately one and a half months. Prior to that time, he was employed with a service station in Seattle, after coming up from Oregon. His previous employment before August 1959, was with the Salem News Agency in Salem, Oregon, for two years and with the American News Company for one year. He gave seemingly valid reasons for terminating employment at those jobs.

Mention was made of the family plan for use of the minors' funds, which I believe is on file in your office. Nan has had the usual difficulty with her teeth, possibly complicated by poor dental care, and now wears a partial lower plate, and is in need of orthodontic correction. This would be the primary area of need for her funds.

While the children are now out of school, they have been attending Kenmore Elementary School, which is within a reasonable distance from their home. This is given as one of the reasons why the family has moved at least once since arriving in Seattle, that is, to be closer to a school.

On the basis of my interview and appraisal of the family. I would recommend that the minor's funds be released to the parents (L'Esperance 1960).

The above agency correspondence gives us a valuable snapshot of what this family was going through following termination. Poor health, multiple moves, and low income (\$385/mo.) had forced them to live in a trailer park. Before termination, tribal reservation houses came with plenty of land, and access to natural resources in the coast range where the reservation was situated. The LaChance' lifestyle and culture was dramatically different from that of 4 years previously. The judgment funds were the last remaining money due to the family following the Umpqua Indian claims lawsuit. The judgment released money for Alvin LaChance Jr. and Nan LaChance to the family on July 25 and July 30, 1960 to take care of their dental needs. However, the overall poor quality care they received would follow them and cause adverse health effect for many years.

### ***Task Force Ten Committee and Report on Termination***

In 1975, Congress appointed a series of commissions to report on various issues relating to American Indians tribes. The *Task Force Ten Commission*, Jo Jo Hunt (Lumbee), John Stevens (Passamaquoddy), and Robert Bojorcias (Klamath-Modoc), George Tomer (Penobscot), were appointed to investigate the effects of termination on the terminated tribes. The Commission questioned western Oregon Indians about the effects of termination in Salem, OR, including members of the Grand Ronde community.

Tribal members from all of the western Oregon tribes stated that they did not realize the severity of the Congressional Act that terminated the tribes. They did not understand they would lose the right to send their children to Chemawa Indian School, that all services were to be taken away, and that they would cease to be a tribe

(Commission 1976; Schwartz 1997:256). The report supported previous evidence that stated that the Indians were left jobless, since the promised vocational trainings of the BIA occurred for a small percentage of tribal members (Office 1956). Bob Tom, at the Salem hearings noted:

With self-identity and self-concept being a national problem, our people are in a position of not being first class citizens in the white society. Without federal recognition, we are not first class citizens in the Indian world either (Commission 1976:63).

The report documented that this situation weakened tribal governments in western Oregon and they were unable to maintain and support cultural, economic, or social aspects of Indian life. The resultant degradation of language and cultural knowledge is a result of the federal termination process. The report documented that Indian families of Western Oregon became the poorest in society, even among Indian tribes, and felt the effects of alcoholism, broken homes, death, disease, divorce, and lack of employment.

The Congressional *Task Force Ten Report* was critical in helping terminated tribes gain evidence to support of restoration in the 1970s and 1980s.

## **Conclusion**

These histories tell us of the disappearance of tribal languages, of the terrible experiences that the people endured of poverty, drug abuse, domestic abuse, and of a people living with Indian identities while not being accepted into either Indian or white society. There was racial and political discrimination against terminated Indians, a subject that has yet to be fully analyzed.

The Congressional *Task Force Ten Report* asserts, “There is simply no evidence that termination in any way on any measure had a positive effect on Klamath or Western

Oregon Indians” (Commission 1976). In effect, the termination of Indians did not solve the “Indian Problem” only created new and more pervasive problems that the now restored tribes are still attempting to solve. The Western Oregon Indians appear to not consent to termination and the results are the disintegration of tribal society and culture. The Final Report of 1976 concludes these issues by advising that the wrongs done to the Indian people must be corrected.

The ultimate problem with termination is the government’s disregard for the terms of the agreement. As mentioned elsewhere, members of the tribes were in a contractual arrangement with the United States government and the only way to terminate that agreement was for the tribes and the government to agree to this arrangement. The findings of the *Task Force Ten Report* stated, “No referendum vote on the subject of termination by Oregon Indian Tribes ever took place” (Commission 1976). It goes on to say, “A strong case can be made that most Indians were unaware of the important features of the termination bill, and that cooperation and participation in the passage of the bill was extremely limited” (Commission 1976:52).

The post termination era, more than any other era, is a mystery for many people. Very few studies of this era exist, and for tribal people who lived through the era, there was little time to take stock in what was occurring. Termination then has caused a negation of tribal culture and identity, a fragmentation of what once was common knowledge to all tribal members; like familial relations, native language, and cultural traditions. In turn, several generations of Grand Ronde tribal members following

termination have suffered a negation of their understanding of history, community, and kinships. Linda T. Smith writes:

The negation of indigenous views of history was a critical part of asserting colonial ideology, partly because such views were regarded as clearly 'primitive' and 'incorrect' and mostly because they challenged and resisted the mission of colonization (1999:29).

After Grand Ronde Reservation termination, the government sold most of the remaining land to the public (594.5 acres) except the tribal cemetery (2.5 acres) (Office 1956:2-4). This had been a priority of the federal government since before removal of the tribes to reservations, because the reason for removal was to free up the land for white settlement, and to protect the remaining Indian people from further genocide. The effort continued through several stages of reduction of reservation lands and into the 20<sup>th</sup> century with further losses of lands under the Dawes Act. Finally, termination completely dispossessed all western Oregon Indians from their traditional homelands. What remained was a new immigrant population of natives in the cities, a population cleansed of its ability to claim aboriginal rights.<sup>35</sup>

We can assume that this history shows that the continued existence of "tribes" contests the continued efforts by the United States to colonize all of the land. The tribes and their culture represented a challenge to the United States in offering another vision of how to use the land. There are other ways to use the land. The need for these resources came from demographic movements due to war, and environmental collapse that created a need to continue United States colonization in the west.

The oral histories of the termination era document the reality for Grand Ronde tribal members. The freedom that was supposed to solve all of the “Indian problems” simply caused deeper and broader problems as many people completely dispossessed from their history, community, and culture. Those that did survive with some sense of who they were as native people chose to work to restore the tribe. Their stories challenge the United States government in its attempt to assimilate all tribal people, fully colonize the tribe, and eventually erase it from history. The Grand Ronde efforts constitute what Linda T. Smith calls a resistance and struggle for justice from colonization:

Telling our stories from the past, reclaiming the past, giving testimony to the injustices of the past are all strategies which are commonly employed by indigenous peoples struggling for justice. ... the need to tell our stories remains the powerful imperative of a powerful form of resistance (1999:34-35).

The stories are validations to many in the tribe that termination was a terrible act of colonization perpetrated on the native people of western Oregon. By validating these stories, all tribal communities with similar experiences may join in resistance to any future actions by the federal government to erase the tribes. The tribes may also work together to continue working to heal from the effects of termination.

## Notes

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<sup>1</sup> The post-termination era begins in 1961 for the Klamath Indians, the last tribe terminated in Oregon.

<sup>2</sup> It was different from the Klamath termination. At Klamath, the Indians were expected to leave the tribal membership.

<sup>3</sup> Bob Tom Stated this about his father, after the family moved to Salem, 2009.

<sup>4</sup> This is a common statement made by Tribal members in Oregon. Many have “just found out” maybe a year previously and did not know why they were never told. This situation corresponds with my personal experience. As a young man in the 1970s, I was told I was Indian but at that time, the Tribe was not federally recognized.

<sup>5</sup> See chapter 5 and 6 for more information on the Agents reports.

<sup>6</sup> Gary Lewis, personal communication 2006. Don Day, personal communication 2006.

<sup>7</sup> Senator Morse apparently created a form letter to send to petitioners because this was a common appeal.

<sup>8</sup> There were several of these letters in the Morse Collection, University of Oregon Special Collections and University Archives.

<sup>9</sup> See chapter 5 and 6 for more discussion of this.

<sup>10</sup> Prosper’s account is accurate for the progress of settlement of white men and Indians. After the early period of fur trade in the Oregon Territory (roughly 1810-1840), many settlements were established by French Canadians and Americans along the Columbia River. Beginning in the 1840s, and some earlier, the Willamette Valley became the primary focus of settlement with towns like Butteville, Champoeg, St. Paul, and Willamette Falls (now Oregon City) being founded. When Americans took political power in the Oregon Territory, during the same period, all of the full and half Indians who worked for the Hudson Bay Company became part of the Indian removal to the newly formed reservations of Grand Ronde and Siletz. This is how the Walla Walla, a tribe situated several hundred miles east of Portland came to Grand Ronde Reservation.

<sup>11</sup> When Mrs. Bean gave me documents to copy, among them were several copies of Congressional acts and government policies regarding Indians. I have assumed that these were gathered by Fremond Bean.

<sup>12</sup> See Chapter 5 for the more on this issue.

<sup>13</sup> This is my own assumption based on the evidence at hand.

<sup>14</sup> This is a noticeable phenomenon. It is possible that the growth of Urban Studies in the 1950s and 1960s was a result of the termination of many reservations and the demographic movement of so many Indians into the cities through the various government programs. In a sense science followed Indians into the cities.

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<sup>15</sup> From personal experience.

<sup>16</sup> There are many examples of this. A dramatic example is in the Museum of Natural and Cultural History at the University of Oregon. There, the divide is not one hundred years but instead 50 or 60, where during the termination era there is no information or representation of that period in the museum displays. The permanent displays show a gap from 1930s to the 1980s. This gap is represented by the doorway into the next gallery. I noticed this situation in 2006.

<sup>17</sup> An example of this was personally seen in a Portland Community College (Sylvania) anthropology classroom in 2007.

<sup>18</sup> The Portland Oregon shipyards that greatly expanded during World War II. Many women and minorities and those not eligible for enlistment took jobs at the shipyards where thousands worked in temporary housing so vast that it was a city in itself. This industry collapsed following WWII.

<sup>19</sup> This is a common societal dynamic among Indian tribes although in recent generations, with many Grand Ronde people subjected to assimilation, many families have become patriarchal.

<sup>20</sup> Highway 20, the Santiam Highway, which begins at the I-5 junction at Salem, OR and crosses the Cascade Mountains to about Redmond, OR. This is about a 4-hour trip to Warm Springs.

<sup>21</sup> Common work for Oregon Indians, who left the reservations in the summers to take part in the agricultural harvest as whole families.

<sup>22</sup> A common phrase that encompasses all of the reservations and communities living within a native cultural worldview.

<sup>23</sup> This annual pattern may replicate a pre-settlement pattern of travel between tribes to visit relatives at various tribal centers. Along the way resources were harvested, hunted or fished in a regular manner.

<sup>24</sup> In the pre-reservation cultures, tribal societies traveled about an annual cycle of hunting, fishing, and gathering "camps", typically named a "seasonal round." This is usually categorized by anthropologists as a "complex hunter-gatherer society." However, the impermanence of the categories and anthropological characterizations do not take into account the fact that archaeology and tribal oral history has established these tribal societies in the same location for as much as 10,000+ BCE in many locations throughout the Pacific Northwest. This extremely stable tribal society, or at very least tribal cultural cycle, exhibits a permanence that deserves more examinations and likely a more highly developed characterization of the "camps" as a different variety of native settlement imbued with a permanent association like that of a "city".

<sup>25</sup> There are oral histories of Warm Springs people traveling to the Portland area to pick blueberries, and recently, I heard a story of people from Arizona traveling to the Willamette Valley every year to work in agriculture.

<sup>26</sup> Norma Lewis is my grandmother, she passed in 2008.



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<sup>27</sup> The jam was called “Gay Moccasin.” Gay in this instance means frivolity and fun. Later the jam’s name was reduced to simply “Moccasin” as gay took on other meanings in society.

<sup>28</sup> Similar to pre-settlement and post-settlement cultural practices of tribes processing foods together as a community.

<sup>29</sup> According to the Tribal enrollment department.

<sup>30</sup> For example, my family lived in Germany and Italy for about 5 years as my father was in the Army.

<sup>31</sup> Oakland, California, a common location where Indians moved as part of the Indian Relocation Program.

<sup>32</sup> The tribe adopted policies to create jobs at the tribal government to attract tribal members to return to the tribe. The original government had only a handful of staff positions. In 2006 there were over 500 staff employed by the government. In addition, the Spirit Mountain Casino has attracted more tribal members back to the tribe by offering several hundred other jobs in this tribal enterprise.

<sup>33</sup> The Bureau of Indian Affairs Indian Agencies situated on many reservations for management purposes.

<sup>34</sup> Online encyclopedias suggest that Red Fir is another name for the Douglas Fir. See Answers.com and About.com.

<sup>35</sup> Except Hunting and fishing, but the tribe had to fight for this. See the earlier sections in Chapter 6.

## **CHAPTER VII**

### **RESTORATION**

Termination is one of the most destructive, one of the most awful things that has ever happened to any people here in the United States - Bob Tom 2006.

#### **Introduction**

Restoration of the Grand Ronde tribe must occur on two fronts: the political and legal front as well as on the social and cultural front. The changing political climate, partially due to the civil rights movement, of the 1960s and 1970s brought the plight of terminated Indian tribes into focus for politicians and the American public. During the 1970s, Indians in Oregon began working toward restoration. The restoration of the Siletz tribe inspired and motivated the groups working at Grand Ronde. Working towards restoration involved restoring the tribal community as well as beginning the long task of restoring each individual's cultural identity. Cultural restoration works to decolonize tribal culture and individual tribal members' tribal identities. In the 1990s, the tribe began working towards restoration projects in the traditional homelands, on education of the public and collaborations with governmental organizations. Restoration of the tribe's

cultural identity will continue for many generations, as tribal members slowly restore what once was commonplace in their lifeways.

### **Political Restoration Movement**

In the 1950s, amid criticisms of the rapid termination policy grew an answering policy of self-determination. In March 1960, the first defining statement of this new policy took shape in a radio address by Secretary of the Interior Fred Seaton. The “objective is not to terminate special Federal protection and services for any tribe or group of Indians until they themselves are ready, prepared and willing to take on the full responsibilities for managing their own affairs” (Senese 1991:36; Tyler 1973:187). This statement was a stark change in the attitude of the early 1950s where a number of tribes were declared assimilated by the Bureau of Indian Affairs officials and the tribes were added to lists based on their assumed assimilation status.

Continued work on self-determination continued through the 1960s. Key officials in charge of the Department of the Interior and the Bureau of Indian Affairs sought to conduct studies of native society to find ways of preparing them for self-determination. The “move was towards a sophisticated social/psychological rehabilitation of Indian America” as emphasized by the Commission on the Rights, responsibilities and Liberties of the American Indian formed in 1957 (Brophy and Aberle 1966; Senese 1991:47).

Work by the Commission and efforts by native activists from the tribes and those terminated proved to be powerful arguments for changing the national policy to self-determination. In the midst of the 1960’s American Indians began speaking out in defense of their civil rights. The period’s most active activists were the American Indian

Movement (AIM) who spearheaded many of the actions of the activists in a movement popularly called the “Red Power Movement” (Josephy, et al. 1999). Clyde Warrior, President of the National Indian Youth Council, in 1967, summed up the foundation of what the movement was fighting,

We are not free. We do not make choices. Our choices are made for us; we are poor. For those of us who live on reservations these choices and decisions are made by federal administrators, bureaucrats, and their “yes men,” euphemistically called tribal governments. Those of us who live in non-reservation areas have our lives controlled by local white power elites. . . . We are rarely accorded respect as fellow human beings. . . . We are the “poverty problem” (Josephy, et al. 1999:17).

In 1969, a contingent of native people called “Indians of All Tribes” occupied Alcatraz Island in San Francisco Bay in order to claim the island by “right of discovery” (Josephy, et al. 1999:28). In May 1973, member of AIM, namely Russell Means and Dennis Banks and 250 other supporters occupied Wounded Knee on the Pine Ridge Reservation for seventy-one days in protest of the leadership of Richard Wilson, seen by many as a puppet of the BIA (Josephy, et al. 1999:48). The resultant standoff between AIM and the Federal Bureau of Investigation brought national attention to the plight of tribal people on reservations and the measures that the federal government was willing to take to quash native protests. The next decade was typified by the formation of native activism with the formation of Women of All Red Nations (WARN), the formation of many regional AIM chapters, supported by scholarship from Vine Deloria, Jr. Universities saw a rise on student chapters and diverse gathering of natives gave rise to Pow wows in every corner of “Indian Country.” The overwhelming civil rights activism of the 1960s and 1970s helped bring public and political sympathy toward the plight of American Indians in the

United States. The era ended with the Longest Walk, where native people walked from San Francisco to Washington, D.C. in 1978, to dramatize the forced removal of natives from their lands (Josephy 2007:2). In 1973, in the height of the Red Power Movement, Ada E. Deer, leader in the fight for restoration of the Menominee Tribe, the first tribe restored following their termination in the 1950s, stated:

Termination was a misguided and now-discredited experiment that targeted several tribes, including mine. This policy completely abrogated the federal trust relationship. State jurisdiction was imposed on tribal members and land. My tribe went from being prosperous to being Wisconsin's newest, smallest, and poorest county (Josephy, et al. 1999:138).

Activism from the national Red Power Movement affected the ability of the terminated tribes to gain a political and public audience for the plight of their people. Their story reached the highest levels of political power in the United States and spurred action by several Presidents and Congress through the late 1960s and with a succession of legislative acts in the 1970s.

President Lyndon B. Johnson, in 1968, joined in the repudiation of the termination policy:

I propose a new goal for our Indian programs: A goal that ends the old debate about "termination" of Indian programs and stresses self-determination; a goal that erases old attitudes of paternalism and promotes partnership and self-help. Our goal must be:

--A standard of living for the Indians equal to that of the country as a whole.

--Freedom of Choice: An opportunity to remain in their homelands, if they choose, without surrendering their dignity; an opportunity to move to the towns and cities of America, if they choose, equipped with the skills to live in equality and dignity.

--Full participation in the life of modern America, with a full share of economic opportunity and social justice. I propose, in short, a policy of maximum choice for the American Indian: a policy expressed in programs of self-help, self-development, self-determination. (Johnson 1968:336-337)

President Johnson's statements did not end termination policy but was a strong statement in favor of changing policy. In 1970, President Richard M. Nixon voiced his repudiation of termination policy:

The first Americans - the Indians - are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement - employment, income, education, health - the condition of the Indian people ranks at the bottom. . . . This policy of forced termination is wrong, in my judgment... The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government (Nixon 1970:564-567).<sup>1</sup>

The two Presidents' statements of repudiation of termination as the national policy effectively ended any further termination of tribes. In the 1970s, there was a change in the national policy for tribes to self-determination. The change was ushered in by Gerald R. Ford's signing of the Indian Self-Determination and Education Assistance Act (Congress 1975) which established self-determination of tribes as the national policy:

Termination-Congress repudiates and rejects House Concurrent Resolution 108 of the 83d Congress and any policy of unilateral termination of Federal relations with any Indian nation (Congress 1975:Section f).

In addition, President Gerald R. Ford committed his administration to the goal of self-determination for tribes:

I have signed into law S. 1017, the Indian Self-Determination and Education Assistance Act. My administration is committed to furthering the self-determination of Indian communities without terminating the special relationship between the Federal Government and the Indian people (Fixico 2007; Ford 1976).

The statements of three presidents ushered in a pro-Indian political movement, in the midst of the Red Power Movement, in support of tribes. Afterward, many legislative acts were passed to help tribes, American Indian Self-Determination Assistance Act

(1975), Indian Health care Improvement Act (1976)<sup>2</sup>, Indian Crimes Act, (1976)<sup>3</sup>, Health Scholarship Act, (1977)<sup>4</sup>, American Indian Religious Freedom Act (1978)<sup>5</sup>, and the American Indian Child Welfare Act (1978).<sup>6</sup> These Congressional acts and the changing political and social climate of the country paved they way for Grand Ronde tribal restoration.

### **Oral Histories and Restoration**

Naomi Rainville Riebe, an Umpqua Indian, expressed this feeling in the hearings for *Task Force Ten* in 1975; “I believe they should do as they promised to do and the promises were the written agreements that they had with the government of the people that worked in them” (Ten and Commission 1976). The story of the government promises is legendary among American Indians. The continuance of this story of the promises speaks to the power of Indian oral histories to motivate descendants to continue to assert their rights. Riebe, a descendant of the original Umpqua people, did not personally experience the negotiations for the Coast Lands, nor the signing of the Coast Treaty in 1855. Nevertheless, the powerful story of this arrangement had been passed down through many generations in her tribe and contributed to the galvanizing of the tribal community to seek redress for their uncompensated agreement with the United States.

Likewise, council member Merle Holmes from Grand Ronde expressed his frustration at the history of federal government broken promises and connects termination to this history:

we feel that ever since the first treaty was signed there’s been one breach upon the other as far as the government is concerned . . . People here in Grand Ronde—even if you go there right today, you can see that they’re way below poverty level

and there is certainly no way they will ever get above it unless we get some recognition (Ten and Commission 1976:26, 111-112).<sup>7</sup>

Grand Ronde's promises are represented in seven treaties ratified by Congress in the 1850s. In the one and twenty hundred years from removal to the reservation to this hearing, the situation of the tribes had not improved and was made worse by termination.<sup>8</sup>

Howard Barrett Sr., A tribal community leader from Florence spoke of these promises in 1953 in regards to termination,

For all these things promised should be paid for first. Those things that are law now have no bearing on our treaty or agreement made with all of the Coast Indians, whom was given the right of recovery by the Supreme Court of the U.S.A. (Barrett Sr. 1953).

This sentiment made enough of an impression that it was communicated during a November 1, 1953 meeting at Siletz a few months before the termination bill was to go to Congress. On November 3, 1953, E. Morgan Pryse in a letter to the Commissioner of Indian Affairs stated, "Other Indian members raised the usual objection that many Tribes do, to wit: "no withdrawal until all claims against the Government are settled"" (Pryse 1952a:Emphasis added).

The oral history of the unfairness of their situation, of the federal government breaching promises is maintained into the present era. The lack of a settlement helped to unite the community to seek restoration.<sup>9</sup>

This issue is important enough that tribal elders pass down a version in the present day. Bud Lane, Tribal Council member at Siletz Reservation, told a story about some of the meetings at Siletz, that the Indian claims awards were held up by BIA officials in order to get the Indians to approve the termination bill (Lane 2006). Both Bud Lane and



Esther Stutzman, an elder and storyteller enrolled at Siletz, stated that some Tribes were not allowed to attend the meeting. In fact they were locked out of the meeting and made to stay in a shed outside of the governance hall, because they did not reside on either Grand Ronde or Siletz reservations (Lane 2006; Stutzman 2006). At the time, these tribal members had been labeled as troublemakers as they did not agree with termination and their tribal members were known detractors of the proposed bill and as such were singled out to prevent more dissension in the meetings (Lane 2006; Stutzman 2006). For the southwestern Oregon tribes, centered at Empire, Oregon, approvals from the general councils for termination were not necessary as they did not have a reservation and there were fewer resources to settle. The southwestern Oregon tribes were not required to create a termination roll either.

The story of Grand Ronde termination is that the tribes never agreed to termination, despite what the federal government implied.<sup>10</sup> Tribal members in the 1960s and 1970s carried this story with them and banded together to seek restoration based on the power of this story. In 1975, the *Task Force Ten Report* and meeting transcripts agreed with the story from the tribes.

No referendum vote on the subject of termination by Oregon Indian Tribes ever took place [and] A strong case can be made that most Indians were unaware of the important features of the termination bill, and that cooperation and participation in the passage of the bill was extremely limited (Commission 1976; Ten and Commission 1976:52).

Cultural memories of the tribes relating to termination, representing another breach of federal promises, proved to be more accurate than the story from the federal government, and were a powerful motivating factor in galvanizing the tribes to seek restoration.

## **Grand Ronde Restoration**

Grand Ronde peoples worked toward restoration for over a decade, beginning in 1972 and ending with the first act of restoration of its federal status in 1983. Among tribal members, efforts began in earnest following the restoration of the Siletz Reservation in 1977. Several tribal members from Grand Ronde, now elders, assisted in restoration of the Siletz Reservation. Kathryn Harrison served as a secretary for Siletz Reservation and helped organize meetings. Bob Tom also served the Siletz Reservation by attending meetings and helping to develop its government infrastructure. Both Bob and Kathryn attended and testified at the Congressional hearings in Washington, D.C. Their work on behalf of Siletz Reservation helped Grand Ronde's restoration by giving tribal leaders experience in the process. Their efforts established methods and models that led to the restoration of five Oregon tribes (Olson 2005:91-102).

### ***Initial Activation for Restoration at Grand Ronde***

A group of about a dozen tribal members began holding meetings in 1972 in Grand Ronde. Margaret Provost, Marvin Kimsey, and Merle Holmes, some of the earliest leaders in restoration, describe the conditions at the reservation and the first meeting to establish restoration as a goal of the tribe.

I could see our young children that didn't have dental care, their health was poor and they lived in these old shacks, not warm, no clothes that they needed, and I thought when we were restored we could fix some of these things. So we called the meeting at Grand Ronde, at the library down there and there was probably 50-60 people came and I didn't know how the people would react. Would they think it Ok the way they were. Maybe they didn't even want to be a tribe. We asked them if they wanted to be reorganized, to be a recognized tribe again, we took a vote and it was unanimous. It turned out they really, really wanted to go ahead with it (Broadcasting 2000; Department 2008).<sup>11</sup>

The Grand Ronde tribe continued to have meetings and eventually created a newsletter. The meetings were well attended, with Tribal members from outlying cities traveled to the meetings regularly. Tribal members had bake sales, held Pow wows, wrote grants, and took donations to fundraise for restoration. Tribal leader created the tribal rolls and potential members signed up on unofficial rolls throughout this period.<sup>12</sup>

While working toward restoration, Grand Ronde members had to take an inventory of what resources they had to aid their efforts. Grand Ronde settled its land issues in 1961, but before and after this time, the Tribal Council at Grand Ronde had to work with the appointed trustee, Mr. Fuller, to buy and sell land that the community maintained. The tribe still owned the Governance Hall into the 1960s when it was sold for \$800. Elders say this sale price was significantly less than it was worth. The buyer turned around and sold the property for \$8,000. Today, a tribal member owns the Governance Hall and still lives there. In 1976, the tribe was investigating the remaining tribal properties through Fuller's attorney out of Albany but they struggled to get a clear understanding of the status of their land holdings (Ten and Commission 1976:124-125). Fuller did not sell or lease the tribal properties he managed in a timely manner nor did he sell them according to the best interest of the tribe. There remain unanswered questions about how the trustee handled the tribal finances and land.

After 1975, tribal members discovered that the tribe still owned the 2.5-acre cemetery but were unsure of the remaining size of the land. The tribal council sought to understand how large the parcel was, only to find that a neighboring farmer had encroached, appropriated some of the land for farming, and had even plowed up some of

the gravesites. In the late 1970s, seven additional acres were purchased and added to the parcel (Oregon 1985:2-20). Thereafter, much of the work for restoration took place within the maintenance shack at the tribal cemetery. Much later, the tribe purchased the old railroad depot and leased the old Grand Ronde Hotel in downtown Grand Ronde for government operations.

### ***Political Action***

Tribal members undertook a campaign to gain the support of state politicians. Senators Mark Hatfield, Bob Packwood, and Governor Les Aucoin all played a role in restoration. Tribal Members Margaret Provost, Merle Holmes, Kathryn Harrison, Frank Harrison, Karen Harrison, Sandy Schmidt, Jackie Whisler, and Marvin Kimsey all participated in organizing meetings and attending Congressional and Oregon State meetings. Future Congresswoman Elizabeth Furse was an early part of the restoration team.

The greatest deterrents to restoration were public fears that the tribe would begin fishing and hunting, taking resources away from sport and commercial anglers and hunters. The powerful fishing and hunting lobbies send letters to Congress and to Oregon State politicians against the tribe's restoration. Tribal elders state that several fishing organizations were created by the larger organizations in order to have more letters in opposition of restoration read into the Congressional hearings.

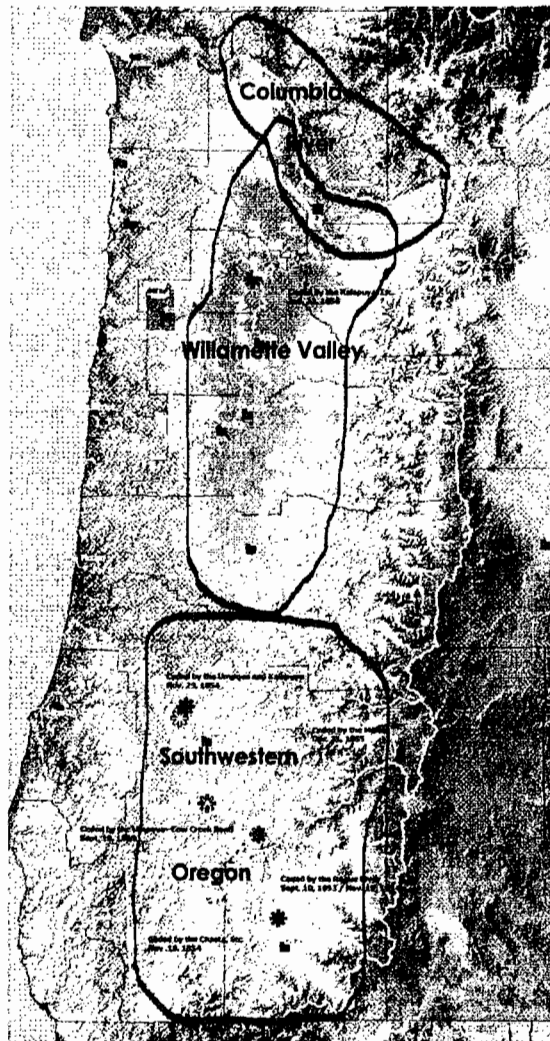
The tribe faced a problem of wanting and needing to restore their federal recognition, yet being unwilling to give up hunting and fishing. In order to restore tribal recognition, the tribe had to agree to relinquish hunting and fishing rights. This

agreement became the “consent decree” section of the restoration bill. Since then, the Grand Ronde tribe has worked to restore their rights to hunt and fish.

The tribe finally reached an agreement with Congressional representatives and state politicians. September 14, 1983, Representative Les AuCoin introduced the Grand Ronde Restoration Bill to Congress with wide support from Oregon politicians, and Oregon’s federally recognized tribes. Grand Ronde leaders went to Washington, D.C. and testified in a hearing before Congress. Karen Harrison stated,

All my life, I have only known termination. People ask me what tribe I am, and when I tell them, they've never heard of it. That, in itself, would mean a lot to me: for people to know that I am part of the Molalla Tribe of the Grand Rondes, and how proud I am to be a member of my tribe (Canty-Jones 2007).

The day that the tribe heard that the bill was signed, elders state that everyone was elated and celebrated the occasion. Today, tribal members celebrate the Grand Ronde Restoration Bill signing date, November 22, 1983, as a tribal holiday and President Ronald Reagan is considered a tribal hero for signing the bill.



**Figure 5: Overlapping Areas of Tribal Land Claims in Western Oregon. top circle - Columbia River, middle circle- Willamette Valley, bottom circle- southwestern Oregon, Colored asterisks- Treaty signing sites, Yellow areas- treaty boundaries, Red areas- usual and accustomed places land claims, Pink area- original Grand Ronde Reservation, Light Blue area- Contemporary Grand Ronde Reservation. Adapted from Confederated Tribes of Grand Ronde, Ceded Lands Map, Volker Mell and GIS Program 2008.**

### *Inter-Tribal Politics*

Some of the difficulties of the tribe's land-claims related to termination. Non-terminated tribes suggest that terminated tribes had willingly given up their treaty rights, which meant that they could no longer claim aboriginal rights to their traditional homelands. As we have seen, this was not the case and there are now issues between the Confederated Tribes of Grand Ronde, neighboring tribes, and regional federal and state agencies that manage lands and resources.

The Grand Ronde tribe has worked for the past twenty-five years to reestablish themselves as tribes that signed treaties (treaty tribes) ceded lands on the Columbia River. However, other treaty tribes refuse to admit that the Grand Ronde claims these treaties and as such refuse to acknowledge the right of the Grand Ronde tribal government to administer the natural resources of the region of the Columbia River between Oak Point and Cascade Locks. Termination placed the non-terminated tribes in a privileged political and economic position, and they in turn claim the right to oversee land and resources that were traditionally outside of their ceded lands.

There are many sides to this conflict. If in fact the Confederated Tribes of Grand Ronde were to remain terminated, then it would be understandable that other recognized tribes would take responsibility over many of the traditional functions of the terminated tribes. These functions relate to plant and animal resources, as well as archaeological and cultural resources. This is what occurred in some areas following termination in Oregon. Since the Confederated Tribes of Grand Ronde are restored and are taking responsibility of their ceded lands, the encroachment by other tribes needs to decline. This dynamic too

is a symptom of restoration, as tribes need to understand how termination affected all tribes in Oregon and make adjustments because of the restoration of the western Oregon tribes. This is in fact occurring in many areas, like southwestern Oregon, the Willamette Valley and the Columbia River, where there are conflicts between tribes (see figure 5 for the CTGR ceded lands map).

### ***Restoration***

The tribal government was restored on November 22, 1983, when House Resolution 3885 was signed into law by President Ronald Reagan (Department 2008). Federal restoration required that the tribe have continuous governance and the community management of the cemetery helped fulfill this requirement. In addition, the tribe had to prove that it had continued cultural traditions. Finally, the tribe had to have a population, and for this requirement, the tribe had to use the final termination roll.

The tribe was given a year to create the first restoration membership roll. This was difficult as word spread for members to sign themselves and their families up. The government gave the tribe a small amount of time to create the roll, and this limitation caused many names to be left off the roll that should have been included. The tribe did not have the time to track down tribal descendants who were eligible for inclusion on the restoration roll. The restoration roll had a little over one thousand one hundred names when finished in 1984.

After restoration, the tribe created its own government and installed officers. Some five years later in 1988, Congress passed the Grand Ronde Reservation Act signed by President Reagan. This act restored 9,111 acres of the original reservation to



the tribe. The land restored is nearly all timberlands, and the tribe harvests timber to help the restoration of the Tribal government. The tribe began an aggressive economic development program following the passage of the American Indian Gaming Act in 1989. In 1995, the tribe built the Spirit Mountain Casino in the midst of the Yamhill Valley. The casino has created revenue for the continued development of the tribal infrastructure, and in 2008, the government was funded at about 90 million for all programs, employing over 500 tribal and non-tribal staff positions. The casino employs several hundred additional jobs and is the largest employer in Yamhill and Polk counties. The tribe has initiated other economic development projects, a mall in Salem, an apartment complex in Portland, a trucking company, a pallet washing operation, and a construction company, but the Casino complex, including the hotel and gas station, store and several restaurants, remains the principal means of revenue creation. For much the past ten years, the casino is the largest tourist attraction in the state of Oregon.

### ***Restoring Community Relations***

The tribe actively pursues community partnerships with local, state, and federal agencies. Many government organizations have not had a working relationship with the tribe ever. The tribe is working to establish itself as a committed community partner and government within Oregon and southern Washington. The tribe's departments of Natural Resources, Education, Cultural Resources and other programs consistently work to create productive community relationships. Part of this campaign is the Spirit Mountain Community Fund that energizes a portion of the casino profits for community grants. The fund grants to nonprofit and civic organizations money for cultural projects and as of

2007 has given over 25 million to non-profit organizations in Oregon, making it one of the ten largest granting agencies in the state. In 2008, the community fund opened an additional \$300,000 annually in grants to Oregon tribal projects. The tribe is proving that it is a contributing partner of many organizations in western Oregon through its casino revenues.

### **Complexities in the Restoration Era**

Social and cultural restoration is a more complex issue than political and economic restoration. Such restoration cannot be documented through a series of political acts or legal maneuvers. The notions of identity and culture are fluid with each community member as everyone has different ideas of what they mean. Restoration of the Grand Ronde community's cultural identity requires a conscious effort at reversing the effects of colonization. Decolonization requires that we continually work to promote Grand Ronde culture, history, and work to reestablish tribal members' knowledge of cultural and historical phenomenon.

Termination is directly implicated in the loss tribal knowledge because tribal members lost a community consciousness causing an associated loss in their knowledge of history and culture. Bob Tom promotes the associated notion of cultural competency at Grand Ronde as an answer to the problems associated with termination.

Cultural competency. There's a lot of feelings, like me, I can say I'm Grand Ronde but then I know what tribes I'm from. But to some people that say they're Grand Ronde and that's who they think they are, they're Grand Ronde, versus being Shasta or Klamath River or what, you know, Kalapuya or what. There's some people that think, OK these five tribes, I've always thought there were a lot more tribes than five, that there were other small bands, with differences. There's some people think Ok we all got put on this reservation and even though we're from different places and different ways, we've been on this reservation, and so

now there is a Grand Ronde culture. So I guess you would get into discussions with people that were very serious, very adamant and emotional about Grand Ronde culture. While somebody else would say I want to deal with the culture of the Shasta, I want to deal with the culture of the Kalapuya. It can get really mixed up but termination hurt our membership ability to be as Indian as we should be. There are just way too many western influences in our tribe and our people (Tom 2006).

It is very important that tribal members not only have an association with the contemporary Grand Ronde Tribe but also understand where they came from. Many people who have grown up since the restoration have had no experience in traditional native society and many are not learning what that means. Bob Tom continues:

What things that you see and feel and experience, how does it define your life? How does it define who you are and or where you go. Well, so these kids that aren't thirty what things have they seen, what things have they experienced, and what's going to help define who they are and where they go, and how they serve? Ya know. Its not going to be any of those things that I saw. What's it going to be, television? What else? I don't know (Tom 2006).

Grand Ronde people may never return to the way it was in the past, 100 years ago, but they can learn the cultural lifeways of being Indian, of living in a tribal society. Tribal members make their own decisions about much to be involved in native culture. The tribe has an interest in promoting cultural competency so that members may restore necessary knowledge of tribal history and culture so that there is a continuous tribal culture. Such efforts are a decolonizing project.

### **Complexities of Grand Ronde Identity**

One of the fundamental parts of being a tribe is that members are participants in a tribal culture. This is different from being in a corporation, as people are born into the tribe and so they are always of that tribe, regardless of whether they are legally a member

of the tribe. The tribe is a large interconnected network of families. Members of the Confederated Tribes of Grand Ronde are not simply of one tribal heritage. At Grand Ronde, there are twenty-seven original tribes, and over the course of over one hundred and fifty years, all of the tribal members have become interrelated. The vast majority of members are descendants of three or more tribes. Therefore, there is not one culture, one worldview, or one traditional homeland, as we find in many eastern and mid-west tribes where many contain one tribe per reservation. This multi-tribal dynamic produces many complex situations within the reservation relating to politics, alliances, marriage, genealogy, and the like.

In 1985, the Grand Ronde Tribe summarized the tribal identity issues in the *Grand Ronde Reservation Plan*:

Termination affected the individual tribal members in several ways: to a few there was “little change from what once it was”, but to others, primarily Tribal elders, it was a “loss of home and personal identity”, as well as the health and educational services previously available through the BIA and the IHS. With the loss of their land and thus the resources which could provide a livelihood, it was necessary for many members to move from the community to seek employment where available. The fact that less than half of the population resides in the six county area reflects this movement away from the community (Oregon 1985:2-19).

Some tribal identity issues historically connect to how Indians were treated within the United States and by their non-terminated Indian peers. While to the non-Indian community they are “Indians,” even though they have no homeland or reservation, to other Indians they are not real “Indians.” Many current Grand Ronde members grew up in a precarious environment of discrimination from other tribes against them being Indians.<sup>13</sup> In the contemporary era, conversations about identity, culture, and tribe can be difficult. Some people want to be identified as Grand Ronde, while others want to

identify with their traditional tribe, like the Clackamas. When questions arise about what the tribal culture is, some people will state that there are at least twenty-seven tribal cultures or more. Others hold that there is one tribal culture. Therefore, the issue is rife with conflict, as people who want their tribal culture represented are critical of, and at times jealous of, the restoration advancements of other tribal cultures. This can and does cause political conflict at the tribe.

There is a way to reconnect the people with the traditional worldview of the tribe. Elders at Grand Ronde suggest that native people need to become reacquainted with the “original instructions” (Tom 2006). This is part of the challenge at Grand Ronde. Many people remain disconnected from their history and as such are disconnected from their community. There is a sense of disconnectedness from the core of which they are a native people from a specific landscape and from a specific cultural context.

There is not one correct way for Grand Ronde people to restore their identity. Termination severed many of the community decision-making practices of the tribe. In some instances, there is no direction from elders or others as to what is correct. This is a function reserved for the immediate family. Community gatherings and events restore aspects of the community interaction. Some tribal members are “assembling” their identities in a post-modern manner. To assemble a tribal identity, some cultural ways are imported from other tribal traditions based their life experiences.

Historically, many of the original tribal members dispersed amongst several reservations, so there are surviving traditions at many of the neighboring reservations. Because there are surviving traditions at reservations that remained culturally cohesive,

many Grand Ronde members are learning and restoring cultural traditions from neighboring tribes. These traditions are now coming back to the tribe with the restoration of significant cultural phenomena like canoe journeys, carving weaving, and plank house traditions.

Therefore, despite the history of tribal people at the Confederated Tribes of Grand Ronde, tribal members have to contend with some dimensions of colonization of tribal peoples, and still find ways to maintain their Grand Ronde identity. In the next generations, there will continue to be growth of members' cultural identities.

### **Cultural Restoration**

The Grand Ronde Reservation is a unique amalgamation of cultures. This traditional homeland contains approximately six million acres and extends from southern Washington State to northern California and from the Cascade Range to the Pacific Coast. In all, there were about sixty tribes and bands in this region. Neighboring tribes spoke unintelligible languages yet had similar cultural practices. Tribes like the Kalapuya and Clackamas had many cultural similarities, partly owing to the long-term associations with each other. There was extensive trade and inter-tribal marriage between the various villages of these tribes before the reservation system. At Grand Ronde, there is such a diversity of cultures that it is literally impossible to restore every culture at the same time and rate. In addition, restoration takes on different meanings for different people.

In the 20<sup>th</sup> century, the amalgamated culture of Grand Ronde did not possess the same diversity as that of the 19<sup>th</sup> century. Most tribal members existed alongside rural Oregon society, and participated in most of the functions of society. Tribal members were

well integrated into the agriculture industry and in logging. Yet, there remained tribal cultural phenomena that many people practiced, mainly within the home or in tribal gatherings. Many tribal members spoke “the jargon” in their homes, taught to them by their grandparents. Chinook Jargon, now renamed Chinuk Wawa, is a pre-settlement regional native language, that facilitated communication between tribes and which became the first language for many at Grand Ronde (Zenk 1984). Other tribal members participated in wilderness gathering of natural resources for money, or making baskets, hunting and fishing. The early 20th century, up to termination, constitutes a common memory in the minds of tribal elders today. Most elders fondly remember these times and comment readily on the fun they had in berry picking, making jam, hop picking with many families, going to dances, going to movies, and playing baseball and basketball. These experiences too are the culture of Grand Ronde.

The tribal culture is incredibly varied. When attempting to reconstitute the culture, it is necessary to include both the 19<sup>th</sup> and 20<sup>th</sup> century histories and memories of the culture. This is a situation that remains a challenge for tribal members to understand and many seek their traditional culture from a variety of historic tribal cultures available. At Grand Ronde, some of the most prominent tribal cultures are the Chinook, Kalapuya, Rogue River, Molala, Nehalem, Shasta, and Umpqua tribal cultures. Some tribal members are only concerned with reviving traditional cultural phenomenon, unsullied with the effects of civilization. Others seek to revive for themselves the traditional culture as it is portrayed in the present day, including the advancements of modern life. Still others seek to revive only and understanding of their history and genealogy. Many do not

seek restoration at all, accepting their modern life experiences as being a living tribal cultural experience.

Perhaps the most common desire among tribal members is to understand native traditions. These traditions are present in oral histories, in conversations with elders, in native language studies, in traditional cultural events and gatherings, in committee meetings, in tribal government, in hallway conversations, in aunties' remembrances of your relatives, and in the fabric of the tribal community. These traditions are called "original instructions" by some elders (Tom 2006). Some basic traditions in community settings are treat people with respect, honor elders, practice patience, and do the right thing. In ceremonial events, there are additional traditions, allow elders to eat first, honor people who travel the furthest or who are from further away, treat dancers at Pow wows with respect, treat eagle feathers a certain way, and ask rather than assume. Individual tribal cultures have other traditions that not everyone follows. In ceremonial gatherings in the plank house, the Rogue River and Tolowa separate the men and women on different sides of the house. Some tribes do not eat bear, as they are "like humans" while other tribes do not have an issue eating bear. The Umpqua tribes revere white deer. There are many traditions for each tribe and it takes long experience within the native community to coming to understand each one.

Being within the tribe, and living among the community teaches native traditions and begins to change people who remain within these contexts. Native philosophy is at the foundation of having a tribal identity. Learning and understanding the traditions of the tribe challenges some tribal members because this requires them to rethink how they



interact with the world and community around them. In order to begin to interact respectfully within the community, some members may need to give up individualistic ways of living.

One factor that draws Grand Ronde people together is a sense of common genealogy and connectedness to our traditional homelands. We all come from the same bloodlines and the same homelands, and we have similar tribal ancestries. We are one large family that is working together to restore a common sense of place, a sense of belonging to this land. The western Oregon landscape and environment is a powerful force within this restoration movement.

At Grand Ronde, Kennedy elucidates how members of her family maintained the tribal culture during the termination era.

My grandma . . . she's the one who, is still in all of us kids. Grand Ronde people are very important people, they're very strong people, and her Rogue River background, and she'd laugh about it, she'd say, yeah my, my father would tell my mother, "yeah that's just your mean Rogue River blood, that's why you won't listen." She'd talk about the distinctions in the tribes, and of course with Rogue River and Umpqua<sup>14</sup> from her side. But it was very important, she had a lot of pride in who she was and about where she came from, and she instilled that in us and we were going to maintain the tribal identity and this is who you are. So, when we'd come and spend our two or three months in the summer out here, that's what we did. We just caravanned around to all of the relatives, knowing who they are. This is who you're . . . This is your uncle, this is . . . Ya'know that was just always here, that oral history. It was very strong. Her fluent language, she was a fluent Chinook speaker. While she said that, Mose Hudson<sup>15</sup>, who was Uncle Abe's brother was fluent in Kalapuya. She said it's a very hard language to, to speak, because something about your tongue. I don't know about it. She said that for her the Grand Ronde people are really first and foremost, in her thinking, in her training. So, I think I've been very fortunate, because not all Grand Ronde members have that, kind of a, person that's going to safeguard and make sure that you know who you are, and carry it on. . . . we had a strong tribal identity, and a lot of self worth in being native. (Kennedy 2006).

Perhaps the most important experiences for tribal members are the tribal community gatherings. At the gatherings, people of all parts of tribal society, young, and old, get together and talk about themselves, their family, the community, and all manner of other subjects. The gatherings draw people because they are a healthy experience, where people can discuss their problems and release stress. In addition, people continue to learn from each other how to be a community. As the tribe continues to draw more people back to the community, it is necessary to continue to make members comfortable with the community.

This is a beginning stage of cultural restoration for many. In the 1970s, when Grand Ronde and Siletz began working toward rebuilding their community, the community gatherings were important for building towards restoration. Similarly, Bob Tom states that when community gatherings began at Siletz;

Some other elders that would come, Ed Ben's mother and father, Muschap, Gladys and her mom, Pearl Relatos, and there was some older people that just enjoyed coming and visiting and helping with the dinner and food, and visiting. Later on it was important because you could see those ladies. When more people started getting involved, young people would come. A lot of people didn't know who they were related to, they didn't know their family history. . . . So they would be visiting with those, the old people would be introducing themselves. Oh you're so and so's son, Oh you're . . . So they started talking. They really enjoyed that and they served that valuable purpose. Making people feel good, making sure they knew who they were (Tom 2006).

The restoration of Grand Ronde was the restoration of a fully functioning cultural society. Early efforts for restoration had to address not only economic, legal, and political issues but also cultural and community issues of re-establishing relations between people and restoring cultural traditions.

Kathryn Harrison chose to work for Siletz restoration despite not being a Siletz tribal member because of the community rebuilding efforts. Harrison became involved at Siletz as they had “an intact Indian culture . . . I never had to wonder if my relatives and the rest of the Indian community in Siletz would be there” (Olson 2005:94). Ultimately, Harrison’s reasons for working at Siletz in the early 1970’s, related to her cultural identity:

My Indian-ness is as strong as ever these days as I work around the Siletz community as a member of the Lincoln County Mental Health Advisory Board, as a member of the Board of Directors for the Home Health Agency. . . I see so much that could be accomplished. With restoration, our work will be just beginning. . . . There is a growth of pride in the eyes of our young people as they share . . . the culture of the tribe. Since the restoration bill started . . . there is a new spring in our step, a feeling of expectation in the air, a hoping that maybe this time the Indians will acquire something- something desperately needed. And it will be our own (Harrison 1976; Olson 2005:95).

From a place of relative insecurity, Kathryn found community empowerment in her Indian identity. In the 1970s, she was able to harness that empowerment at Siletz to help restore the tribe. Without that sense of common Indian identity, restoration may not have occurred for Siletz, much less any tribe who sought to be successful at restoration. Harrison found that same spirit in Grand Ronde went the tribe sought restoration. The sense of a tribe’s cultural identity, its association with the land, culture, and traditions, establishes the foundation for the members’ cultural identities.

The culture of the tribe is a collaboration of many different cultural and tribal phenomena that combine in the contemporary tribal government, bureaucratized into separate tribal programs. Restoration of the tribe forced the tribal government to create a bureaucratic organization. As such, the tribal departments of social services, health and

wellness, tribal administration, natural resources, education, and cultural resources along others contain pieces of the tribal culture.

The social services department manages resources to help families pay their expenses and helps provide training, education, advocacy, and facilitation for foster children, and people with drug and alcohol dependencies. Health and wellness provides medical services, dental, optometry, and wellness education. Education department offers formal education services like scholarships and classrooms for preschool to adult education. The Natural Resources Department manages the tribe's forestlands, stream health, and fish, wildlife, and plant communities. Cultural Resources works to restore cultural traditions, preserve and protect the existing cultural traditions and resources, and provide cultural education to the tribal community. Tribal administration provides leadership throughout the tribal community for all programs. These programs, along with many other services and support programs take different cultural functions within the tribe.

Together the tribal government creates a functional tribal culture. Survival of each of the parts is necessary for the survival of the culture and that culture can bring the parts into a functional whole:

The generalized picture of Indian tribes today is of a people that has survived in numbers, in social organization, in custom and outlook, in the retention of physical resources, and in its position before the law. The situation may be described as a survival of fragments, of incomplete entities . . . but . . . any people at any time is the survival of fragments out of the past. The function of culture is always to reconstitute the fragments into a functioning whole. The Indians, for all that has been lost or rendered useless out of their ancient experience, remain a continuing ethnic and cultural enclave with a stake in the future (McNickle 1962:9).

At Grand Ronde, this is a task yet to be fully defined and implemented to restore the tribal culture. In the future, additional priorities will be needed to help all programs work together to aid the tribal community.

### ***Decolonization***

Decolonization involves the necessity of examining the political matrix of the tribes and making decisions that eventually lead to a return of the people to a traditional cultural worldview. Such a worldview re-engages each member in a tribal cultural society and implements tribal traditions regarding the surrounding world. This does not mean a return to living in the manner of the past, as in eliminating the physical phenomenon of contemporary lifestyles but instead adopting a horizontal relationship with the rest of the tribal community, the land, and with the surrounding American society. The path to this would involve a long-term commitment by the tribe to completely examine its society and structure and make gradual and intentional changes in the direction of a traditional cultural worldview. Some of these changes would mean implementing a leadership position of the tribal chiefs, implementing traditional native medicine, and restoring the tribal dances and songs and ceremonies of the original tribes. A significant part of this change is occurring presently with the building of the tribal Plank house. The Plank house serves as a spiritual center of tribal community ceremonies. The Plank house can also function as a political and at times legal center of the tribe as in many tribes the plank houses or Long houses are where important intertribal meetings are held or where community conflicts are worked out. For tribes like the Athapaskans, (Rogue Rivers, Tututni, Tolowa, and Umpqua) the Plank house is where the community's relationship

and place in the world is annually recognized and reaffirmed in the Nee-dash or Feather Dance ceremony, also called World Renewal.

The project of asking questions about history and cultural identity is an effort to recover the tribal history. Of this process, Victor Montejo of Guatemala refers to a similar process among the Guatemala Maya people:

to represent themselves, the Maya must now focus their attention on the construction of texts (auto history) that could destroy the negative images that are embedded in the minds of the . . . population (2002:123-124).

The act of taking control of the tribe's history and cultural images of themselves and within the minds of the public constitutes a reconstruction of the fragmented culture of the tribe.

The project of decolonization is a lesson in survival. The Grand Ronde tribe must fully engage in its own survival. It is the,

Lesson of building and rebuilding one's own civilization, of changing while remaining true to basic values, regardless of the nature of that change. At the heart of those values is an understanding and appreciation of the timeless- of family, of clan, of tribe, of friends, of place, of season, and of earth. It is a lesson that American civilization has yet to learn (Strickland 1997:11-12).

This will be a difficult path yet necessary for the survival of the tribe. The temptation is to rely on established strategies and on expert opinions. Many of these outside strategies are intended to address different agendas that do not have the welfare of the tribe as their foremost concern. The answers and strategies for the project of restoration/decolonization need to come from the tribal people that are engaged in the struggle and not as a reaction to outside agendas (Smith 2002:210).

Only recently has the tribe begun to support important symbolical cultural phenomena, which are rooted in the tribe's cultural past. These symbols are the tribe's Chinuk Wawa language, the Canoe family and participation in the journeys, and the plank house. Therefore, the tribe is engaged in the use of the "powerful symbols of the past to reconstruct the present and build the future" and retracing, "the footprints of our ancestors on the ancient bridge that links the past to the present" (Montejo 2002:129).

### ***Restoring the Tribe's Presence***

The tribe is working to educate the Northwest regional public about its history, culture, and continued existence. One of the most significant restoration projects is the re-habitation of the tribes ceded lands. Since 2003, the tribe took an active stance toward the ceded land-claims of its antecedent member tribes, which held lands in western Oregon and southern Washington. Work on the plan is beginning to open up federal and state laws and projects to involvement by the Grand Ronde tribe.

The Ceded Lands agenda is now unveiling many questions about the tribes' boundaries. As the tribe seeks to protect its status within its ceded lands, the tribe is looking at its associations with the treaties, usual and accustomed places, and tribal ethnic homelands. The re-association with the tribal treaties brings the Grand Ronde Tribe into conflicts creating opportunities for renegotiations with federal, state, and tribal agencies and governments over consultation and rights within the tribe's ceded lands. In the Willamette valley alone, there are land claims from at least four tribes based on each of their understandings of their history. These claimants are the Grand Ronde Tribe, Siletz Tribe, Warm Springs Tribe, and Cowlitz Tribe. There are additional claims to areas of the

Willamette Valley from Yakama Tribe, and Chinook Nation (non-federally recognized). Many of these claims are based on the concept of “usual and accustomed places,” where the claimant tribes possess oral histories about how their people fished at Willamette Falls, or traveled annually to a location in the valley. These claims to usual and accustomed places do not hold the same weight as tribal claims to ceded lands specified in ratified treaties, like those claimed by the Grand Ronde and Siletz tribes. The ceded land claims are based upon aboriginal land claims where the tribes lived on the land for many thousands of years.

### ***History Restoration***

As the tribe restores an association with the traditional homelands, there is an associated reassociation with its history. History or anthropology texts do not accurately tell the history of the tribe. The reeducation projects will result in the production of a dominant narrative in American society about the Grand Ronde tribe. The dominant narrative will have accurate information about the tribe’s history and culture and will be controlled by the tribe (Bruner 1986:143).

The production of a historic narrative will guide future histories for many generations, as the tribe becomes the center of information about its own history. Future narratives must answer to the new tribal narrative and form a dialogue with many of the new stories exposed and illuminated. Tribal scholars are now working to unveil un-told events and correct inaccurate histories regarding the tribe. Some of these projects are: to understand when the tribes were removed from their aboriginal homelands to the reservation; research what occurred to tribal properties and funds under the appointed



trustee during the termination era; conduct a population study to account for every Indian removed to the reservation; and conduct a full accounting of the agreements made between the tribe and the federal government to determine if the final payout for termination was fairly and accurately accounted. In addition, a follow up project to this dissertation project is to create a detailed accounting of the agreements made between the tribe and the federal government for termination, to determine whether the BIA and Congress acted legally or illegally. To involve tribal members as the scholars in the production of their own history serves to empower the tribe for restoration.

### ***Language Restoration***

On the reservation, as the tribal members married and established multiple native ancestries, their associated cultural traditions were also complicated. Language in particular, because of its unique role in carrying cultural traditions, became complicated. At Grand Ronde, the Chinook Jargon, or “the Jargon” became a first language, or pidgin, for many households and for a time the sole language in common throughout the reservation among natives and whites. In time, English took over this central communication role, but the Jargon remained spoken in many of the community households in a unique pidgin dialect of the original jargon, now called “Chinuk Wawa” (Zenk 1984). The other tribal languages declined after the natives moved to the reservation, most disappearing completely just before or following termination of the tribe. The last of the Santiam Kalapuya speakers, John (Mose) Hudson, Jr. passed in 1954. Following termination, Chinuk Wawa use continued in some households although its regular usage declined, and at restoration, only tribal elders spoke the language. The

tribe is now working to restore Chinuk Wawa with the understanding that it is the single native language that all tribal members and tribes had in common.

The tribe is fully engaged with restoring and preserving the Chinuk Wawa language in a program managed by Tony Johnson of the Chinook Nation. The tribe has one of perhaps a dozen successful full immersion language programs in the country. Adult education language classes have now run for over ten years at the tribe, and the Cultural Department operates two immersion classes, for Preschool and Kindergarten. The goal of the program is to establish a preschool through eight-grade program and to make Chinuk Wawa a first language of the tribe again.

### ***Plank House Restoration***

Plank house building also represent a significant cultural phenomena of the Northwest Coast. Oregon and northern California is experiencing a restoration of the plank house traditions. Before white settlement, most tribes in the Northwest Coast built plank houses to function as their winter living quarters. Some houses were specially built to host ceremonial activities. In the late 1970s, at the Smith River Rancheria in northern California, the Tolowa people restored their dance house traditions. Loren Bommelyn and his family at Nelechunden built the Tolowa Dance house, a unique plank house with a ceremonial purpose. Subsequently, after two decades, Loren Bommelyn was successful in restoring the Tolowa language, the native songs, the dance traditions, and the dance house traditions at Smith River Rancheria. In the 1980s, members of the Siletz Tribes, namely Bud Lane, began working with Loren on restoring their knowledge of dance, songs, language, and plank houses. In mid 1990's, the Siletz tribe was successful in

building a dance house. During the next ten years, the plank house became a renewed cultural icon in Oregon. Universities and state parks began building plank houses to represent and honor the Oregon tribes.

In 1999, a Grand Ronde elder, Don Day, began working with tribal youth to restore traditions of cedar plank-splitting using traditional tools. Don has since been successful in exposing up to one hundred natives to cedar plank splitting. Don has since built a replica plank house for the Museum of Culture and History at the University of Oregon. Don began efforts at the Grand Ronde tribe to build the first traditional plank house. Today, the facility being built is more modern, fitting a contemporary tribal setting.

However, the lessons that Don Day teaches to tribal members are important to the restoration and growth of the tribal culture. Day has always stated that “we can build a plank house ourselves” and that “tribal members need to understand this” (Day 2006). This is an important lesson, as many people in the tribe do not feel that they can participate culturally. Day has worked with elders and youth and convinced many tribal members believe that they can build the plank house together. Culturally, this is how plank houses were built in the past.

An additional community-building project is the Canoe Family. This program is supported by the tribe and operated by a non-profit community organization. The Canoe family engages the tribal community members, and staff to restore Chinook-style canoe traditions. The restoration activities include using Chinuk Wawa, dance, song, and tribal traditions of operating canoes and visiting neighboring tribes. The Canoe family has two

Chinook-style canoes and incorporate youth and adults in long canoe journeys to visit tribes. The canoe journeys include about a thousand people and about a hundred canoes from tribes in Oregon, Washington, and British Columbia. The canoes travel together during the summer throughout the northwest for about two weeks visiting several tribal centers. The Canoe Journeys reestablishes intertribal kinships, political relationships, and tribal traditions. The project is especially important to the youth who are now growing up within these cultural traditions and as such will carry them on to the next generation. In 2009, the Canoe family will add at least one more canoe to the tribal fleet. The canoes are mainly hand carved in a traditional cultural style.

Projects like Canoe Family and the Plank house are important to rebuilding cultural traditions for tribal members. However, many members struggle with understanding who they are as tribal people and where they fit into society. Their efforts to sort out their unique identity from a myriad of native identities require knowledge of the tribal history.

### ***Restoration of Tribal Identity***

The restoration of the cultural identity of the tribes of Grand Ronde is a complex project for the tribe. Many Tribal members are motivated to restore their tribal identity. However, how each person goes about restoring his or her tribal identity is an individual choice. Many tribal members seek to recover the traditional culture as part of their identity. The traditional culture of the tribe is now a mixture of twenty-seven cultures after over one hundred and fifty years of intermarriage. Many of the individual tribal cultures exist as fragments, written into books and research documents as ethnography or

linguistic notes. Other part of the tribal culture exists in elders' memories where oral histories, ceremonial traditions, Chinuk Wawa language, and weaving techniques are prominent. Hunting and fishing traditions are very strong in the tribe. Elders and others are working to restore flint-knapping cedar splitting, plank house building, dances, songs, carving, weaving, berry picking, and camas harvesting. Many tribal members are practicing pan-Indian traditions alongside the original traditions. Still others simply want to live within a functioning community. Many people believe that the ways things were before termination is the way things should be for the tribe, and wish to learn more about what was forgotten fifty years ago. Culture for many people is a fluid concept, where the culture has now changed to fit our circumstances. This understanding accepts the ways things are today as the legitimate tribal culture.

Every tribal member is a descendant of at least one of the antecedent tribes and therefore they have a spiritual and genealogical connection with specific places in Oregon. Their ancestors are buried in the traditional homelands. It is the responsibility of tribal people to associate in a spiritual ways with their traditional homelands.

The restoration of cultural identity is a unique discussion among formerly terminated tribes, although there are many tribal descendants working to restore their identities in the world today throughout Indian country. At times efforts for restoration and preservation of an individual's tribal identity are at odds with commonly held beliefs in tribal nations that Indians from contiguous reservations are more traditional than urban Indians or those from formerly terminated reservations. Those formerly mentioned must "think about [their] Indian-ness and protect [their] Indian-ness more every day" in order

to protect and preserve their tribal identity (Tom 2006). Formerly terminated tribes conduct themselves in the same ways as the non-terminated tribes: they attend tribal council meetings, attend Pow wows, fish, hunt, fish for eel, participate in traditional dances, gather in the appropriate seasons, and work with a tribal government, the same as all other tribes (Tom 2006). In addition, formerly terminated tribes have an extra layer associated with termination where they lost all political power and rights in their region for as long as 32 years. The former terminated tribes must fight to be recognized, fight to be considered an equal of non-terminated tribes, fight to assert their rights in their ceded lands, work to educate the public that the tribes did not go extinct, and work hard to reassemble tribal culture and community at the same time.

The project of restoration of tribal identity is a common movement among international indigenous organizations and governments. In Guatemala, the Mayan people believe there is a need to ignite the people to aid in decolonization and to form a functioning tribal society with strong leadership:

Reconstruct a new Mayan political front that would make Mayan voices and knowledge relevant to the current process of national reconstruction . . . [There is a] sense of voicelessness, unfortunate when peace accords need strong and effective leadership . . . [and] need to redefine goals and use ancestral heritage, both material and spiritual as major symbols for their self-representation . . . to dispel the political amnesia of the majority of Maya and ignite a stronger desire to empower ourselves and promote our identities for the future (Montejo 2002).

The Mayan experience is similar to that at Grand Ronde where these people are working to galvanize the people through the restoration of ethnic culture, governance, and community, essential parts of their ethnic cultural identity.

## Conclusion

Restoration of the Confederated Tribes of Grand Ronde constitutes decolonization, and a dialogue at all levels of society, Indigenous and non-Indigenous. Individual conflicts are indications of the emotional severity of the dialogue. As the dialogue at Grand Ronde continues, there will be advancements in the way sectors of society interact, and the community will be gradually rebuilt. This process will take many years and likely several lifetimes to complete.

In the arena of culture, the Grand Ronde tribe struggles with full support from the tribe of efforts for restoration. As of 2008, there is only one department in tribe, which has a mission to maintain and restore the tribe's culture, the Cultural Resources Department. The funds allocated to the department constitute less than 1% of the overall government budget. Because of this, there are community groups surfacing to take independent control of restoring culture. Many tribal members feel that if the tribe does not make cultural restoration a priority that the community will have to do the work themselves.

The mission now for the Grand Ronde tribe is to work to restore tribal culture with the contemporary tribal community, and to continue working to reestablish a tribal society. Many tribal members need to revive an understanding of the tribal history and confront erroneous characterizations of the tribe. This is a process of decolonization, of healing from the effects of the past 100 plus years of colonization of the Grand Ronde tribes, including the act of terminating the tribe. Linda T. Smith confronts the issue of history by asking:

Why then has revisiting history been a significant part of decolonization? . . . Our colonial experience traps us in the project of modernity. . . there is unfinished business, that we are still being colonized (and know it), and that we are still searching for justice (Smith 1999:34).

Similarly, Grand Ronde's history of colonization and disenfranchisement is a necessary lesson for all tribal members. The recovery of the knowledge of the history of the tribe by a significant population of the tribal members will help efforts for restoration of the tribal culture, restoration of the tribal community, and facilitate the development of a stronger tribal government.



## Notes

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<sup>1</sup> For full text of Nixon's statement, see Appendix F.

<sup>2</sup> "Indian Health Care Improvement Act," P.L. 95-195, September 20, 1976, *U.S. Statutes At Large*, 88: 2206-2208.

<sup>3</sup> "Indian Crimes Act of 1976," P.L. 94-297, May 29, 1976, *U.S. Statutes At Large*, 90:585.

<sup>4</sup> "Health Scholarship Act," P.L. 95-83, August 1, 1977, *U.S. Statutes At Large*, 91: 393

<sup>5</sup> "American Indian Religious Freedom Act," P.L. 95-341, August 11, 1978, *U.S. Statutes At Large*, 92: 469.

<sup>6</sup> Indian Child Welfare Act," P.L. 95-608, November 8, 1978, *U.S. Statutes At Large*, 92: 3069-3084.

<sup>7</sup> This is clearly the case with tribal peoples across the United States and may be the driving issue behind the constant feelings on the part of Native peoples that the government owes them something.

<sup>8</sup> See Appendix B for the treaties and Figure 5 for the ceded lands of the Grand Ronde Tribes.

<sup>9</sup> My own theory of the situation, of how the continuation of a lack of settlement of this issue brought the community together to seek restoration.

<sup>10</sup> See chapters 5 and 6.

<sup>11</sup> Margaret Provost also has spoken about the notion of restoration coming to her while on a fishing trip.

<sup>12</sup> Norma Lewis told of signed up all of the kids and grandkids on the rolls in the 1970s. These rolls were unofficial early attempts and remain unaccounted for.

<sup>13</sup> See chapter 6 for more on inter-tribal discrimination.

<sup>14</sup> The so-called Rogue River and Umpqua tribes. They are sometimes grouped under the same title, Rogue River, but are actually from several distinct languages, Athapaskan (many dialects), Takelma, Shasta (Sasti/Chasta) and Umpqua (also Athapaskan but from the Umpqua River).

<sup>15</sup> John Moses Basile Hudson Jr., a key informant for many linguists who came to Grand Ronde for their studies. He spoke two Kalapuya languages, Santiam and Marysville, and Chinuk Wawa, and English.

## **CHAPTER VIII**

### **CONCLUSION**

The Grand Ronde experience is like that of other tribes in what is now the United States. Numerous studies have documented the effects of loss of traditional community structure, impoverishment, discrimination, and violence as outlined in Chapters II and III. My research addresses the full trajectory of diaspora of the Grand Ronde Reservation in western Oregon, followed by restoration at the reservation. My perspective benefits from the works by Vine Deloria, Jr. (1969, 1995) and work by Linda Smith (1999), Beatrice Medicine and Sue Ellen-Jacobs (2001), Faye Harrison (1997), and Sergei Kan (1999, 2006). Through this research, I learned that an understanding of decolonization must begin with a focus on the colonization process and the motives and experiences of both the colonizers and the colonized. Both government representatives and individual tribal members participated in the processes of colonization at varying levels, and there is not always a clear distinction between the agendas of each when it came to economic development, or health and welfare, for example. This is less so for outsiders such as

settlers, business people, and government representatives who stood to benefit directly from the dissolution of Indian land tenure.

The trajectory of colonization and restoration for the Grande Ronde people is about the community taking control of its own destiny and never letting go of its indigenous identity and ties to the land or ancestral traditions. This historical anthropological study becomes part of the continuity fostered by tribal elders and those of younger generations who have sought to renew their cultural legacy.

Termination was the final step in a long history of colonization of the tribal lands, as it finally granted full access to Indian lands by white Americans. It completely disenfranchised the tribes from their lands and assimilated the tribal people into American society. Termination solved many of the “Indian problems” that plagued the government; problems caused by the lack of will by successive Congresses to completely commit to aiding the tribes as shown in Chapter IV.

The process of termination did not include full participation or approval from the Grand Ronde tribe. Federal Indian Agent E. Morgan Pryse promised the western Oregon tribal communities that they would continue to have some rights and support after termination, and that their perspectives were a necessary component of the process. After nearly a decade of meetings with the Indian Agents, tribal members believed that termination would occur and that they were left with little choice but to go along with the plan. After termination, Pryse’s promises to the tribes proved to confuse them, as many tribal members did not understand what had occurred, or what rights they retained. Many tribal descendants did not even realize that they were being terminated. Final payout for

termination after 100 years on the Grand Ronde reservation was \$35 per individual (Office 1956).

Termination caused a massive exodus from the former reservation, as most of the population was forced to move to cities to find work. Federal education and relocation programs helped those immediately eligible, but the majority was left to make their own way. Their situation was very much like new immigrants to the United States, with no property, no resources, and little support for creating a new life in an unfamiliar environment. Termination forced those tribal members remaining in Grand Ronde to purchase their land from the federal government after decades of living on the property.

The post-termination era caused many problems for the original Grand Ronde community. Poverty was a common problem and many natives developed substance abuse and/or mental health issues. The community fractured and many people lost connection with distant family. Tribal culture and language were lost, as far-flung members could no longer operate as a tribal community. General health of the tribal members was a serious concern, as most members could not afford health care. Most non-terminated tribes rejected the Grand Ronde people as natives. One of the assumptions by tribes surrounding Grand Ronde is that the tribal members had a choice in whether they accepted termination. The phrases “terminated Indian” and “urban Indian” became pejorative terms for Grand Ronde tribal members. At the same time, identifying as an Indian in American society subjected natives to prejudice from white Americans.

In the 1970s, tribal members began organizing for restoration. Many tribal members had found ways to retain their tribal culture and they galvanized the remainder of the community to approach state and federal politicians to support restoration. These organizers found that the tribe retained a 2.5-acre cemetery and this became their base of operations. Tribal members gave their limited personal finances, held events, bake sales, sold jam, and wrote grants in support of restoration. After the restoration of the Siletz and Menominee reservations, precedent was established and Grand Ronde organizers gained the support of key politicians in the state.

Elders have suggested that the best reason for the restoration of the Grand Ronde Tribe is that it was the right people working at the right time and that “it was the appropriate thing to do.” In the Civil Rights Era, and after the 1976 Task Force Ten hearings and report, politicians realized that the tribes had not consented to termination, and termination was causing more problems for tribal people than they had exhibited before 1956 (Commission 1976; Ten and Commission 1976). Tribal restoration occurred in 1983 and some of the reservation lands were restored in 1988.

The Grand Ronde Tribe is restored for over twenty-five years. The tribe has had significant development of its government infrastructure, has created the largest casino in the state, and offers a full range of services, including education, social services, culture and language classes, housing, health and wellness, natural resources, jobs, elder’s services, and regional offices as well as many other services for tribal members. Yet, the tribe is in the beginning of a long process of restoration. The foundation of the tribe, its culture, remains a continuing project of restoration.

Federal termination, forced the assimilation of many tribal members into American society and away from their culture, tribe, relations, and history. With the restoration of the tribe, its members now work towards a greater facility with all aspects of their tribal culture. Some tribal members seek to understand where they came from, what their tribe is, and what their culture is. The tribe has many projects working to help members restore their association with tribal culture. Projects like the Chinuk Wawa language classes, tribal craft classes, the Canoe Family, and tribal community meetings, all play a role in teaching tribal members about essential components of the tribal culture. Most members who participate in cultural restoration will be exposed to, and will learn something about the tribal culture. Many members born within the past 25 years may have greater success with restoration of elements of traditional culture as they are exposed to it and for some immersed in it from an early age. To many, traditional culture is the Canoe Family, Pow wows, and a facility with Chinuk Wawa. The next generation will have another set of cultural traditions that are commonplace at the tribe. Once the Plank house is completed and begins to serve as a gathering place and ceremonial center additional traditions will be restored. Nee-dash feather dances, ceremonies, Plank house traditions, and intertribal Plank house events will be part of their traditional culture.

Some members feel that the tribal government has no place in cultural restoration. The culture of the tribe is a holistic concept including all levels of society including government. Unless the tribal government is included there will be significant sectors missing from the tribal culture. At the same time, the tribal government must refrain from

over-managing every aspect of the culture so that there is little space for individual creativity.

An engagement with the tribal history at literary and deeply personal levels helps to develop tribal identity. Additionally, tribal members must also engage and participate in cultural events, participate in tribal government, and seek deeper levels of understanding of American Indian history. As well, tribal members may work to reinvigorate tribal culture within their family so that there is a progression of greater understanding of the tribal culture. In time, through a succession of re-engagement and restorative actions the tribal community will improve their colonized (or decolonized) environment.

It is unlikely that there will ever be full restoration of the tribal culture for all members. The tribal culture at Grand Ronde is a fluid culture that constantly engages with American and other tribal cultures. This will forever be the situation for the tribe but as time goes on, we can look towards a future of greater engagement in tribal culture for more of the tribal members than there is today.

## **APPENDICES**



## APPENDIX A

### CHAPTER II REFERENCES

Reference 1-

In the establishment of these relations, the rights of the original inhabitants were, in no instance, entirely disregarded; but were, necessarily, to a considerable extent, impaired. They were admitted to be the rightful occupants of the soil, with legal as well as just claim to retain possession of it, and the use of it according to their own discretion; but their rights to complete sovereignty as independent nations, were necessarily diminished. While the different nations of Europe respected the right of the natives, as occupants, they asserted the ultimate dominion, a power to grant the soil, while yet in possession of the natives. These grants have been understood by all to convey a title to the grantees, subject only to the Indian right of occupancy.

The United States, then, have unequivocally acceded to that great and broad rule by which its civilized inhabitants now hold title by which it was acquired. They maintain, as all others have maintained, that discovery gave an exclusive right to extinguish the Indian title of occupancy . . . to give also a right to such a degree of sovereignty as the circumstances of the people would allow them to exercise . . . The power now possessed by the government of the United States to grant lands, resided, while we were colonies, in the Crown of its grantees. The validity of title given by either has never been questioned by our courts, it has been exercised uniformly over existence of any right which may conflict with and control it. An absolute title to lands cannot exist, at the same time, in different persons, or in different governments. An absolute, must be an exclusive title, or at least a title which excludes all others not compatible with it (Task Force Three and Commission 1976:22-23)

## Reference 2-

The Act did not simply rearrange the landholding system of the Indians. It dealt, sometimes only in a tentative or partial way with all aspects of the relationship between white men and red: it determined how much land the red man would retain and how much the white man would acquire; it determined whether past treaties would be honored or violated; it determined how much authority the tribe would retain and how much the Indian individual would acquire; it determined what type of law the Indian would be subjected to; and it determined whether or not he would become an American citizen or remain an alien in his own country (Washburn 1975:3).

## Reference 3-

The Dawes Severalty Act, which resulted in an enormous loss of the Indian land base, was . . . justified by the philanthropic Senator Dawes and others in the 1880's as the way to provide full economic opportunity for the Indian, and to accustom him to white economic values of self-interest, selfishness, and the like (Washburn 1995:155)

## Reference 4-

Barbarism has no rights which civilization is bound to respect . . . our first duty to the Indians is to give them the benefit of that civilization which we enjoy. They are in fact part of our commonwealth, subject to our authority, amenable to our law. They are no longer a foreign people and cannot be treated as such . . . We reply that such treaty obligations themselves violate the superior law of civilization, that a treaty which devotes a land to idleness and a people to barbarism cannot stand (Washburn 1975:16).

## Reference 5-

First, the further sale or loss of lands, of Indian lands, must be stopped. Second, land must be procured in order to take care of the Indians who have lost all of their land. New land must also be procured to supplement the land that is poor. Third, we may say what we want about the bad results of the allotment system, but the fact is, that the allotment system had created (valid and rightful) property rights and those rights must be protected. As a result of the allotment act, thousands of Indians live or are owners of individual parcels of land. They own that land. It is their right not only to continue to own but they have the right to transmit, to pass on that they own to their children. This right should not be taken away from them. Therefore, in addition to stopping the loss of land and getting more land, any change in the law must protect these individual property rights of living allottees (Bureau of Indian Affairs 1934:12).

## Reference 6-

In the first place, an Indian community can, if it wants, have the powers of a village or a county. It can elect its own officials and have its own code of ordinances. In the second place, a community may be given power in its charter to do the ordinary things that a business corporation does....In the third place, this charter will give the Indian community the right to do many things that the Office of Indian Affairs now does. Once a charter has been made and given to a community, and this applies to all communities, Congress can't spend your funds without your consent (Bureau of Indian Affairs 1934:31).

## Reference 7-

BE IT ENACTED by the Senate and house of Representatives of the United States of America in Congress assembled, That all non citizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States: Provided That the granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property. (Approved June 2, 1924).

## Reference 8-

The goal of Indian education should be to make the Indian child a better American rather than to equip him simply to be a better Indian. The goal of our whole Indian program should be, in the opinion of your committee, to develop better Indian Americans rather than to perpetuate and develop better American Indians. The present Indian education program tends to operate too much in the direction of perpetuating the Indian as a special-status individual rather than preparing him for independent citizenship (Affairs and Representatives 1945:340).

## Reference 9-

we always went to Aunt Maude's, it was very important [grandma] would say, this awful thing is going to happen to us, as Grand Ronde Indian People, and that we need to be, we need to be aware and I remember they'd be sitting around the table like that and talking and sometimes other relatives would be there, and it was like this, ya'know as a child you just sense, ya'know, our . . . We're scared! Something dreadful is going to happen. And we don't know how to stop it. And so that is kind of the sense that I had. I guess you can't really comprehend; at least I didn't as a child, what it meant when they said you're not going to be Indian any more. That just . . . I don't know how that could happen. How could that happen? (Kennedy 2006).

## Reference 10-

I conceive the broad function of Indian policy and Indian administration to be the development of Indian democracy and equality within the framework of American and world democracy . . . achieving full Indian democracy within and as a part of American democracy, is the continued survival, through all historical change and disaster, of the Indian tribal group, both as a real entity and as a legal entity . . . . The complete withdrawal of . . . protection would merely substitute a more difficult problem in place of one that is on the way to a solution. It would create a permanently dispossessed and impoverished group that would either have to live on the dole or would become one more sore spot in the body politic . . . . The government's relationship to Indians is itself in transition . . . I think we can agree, however, that federal advisory "supervision" ought not to be withdrawn until Indian have attained a fair political, economic, and cultural equality equivalent to that guaranteed by the Four Freedoms . . . the Indians need political experience and economic experience. Our planning is directed to that end . . . "planning" must be democratic and participative, not authoritarian and directed . . . . We must continue and increasingly, to plan with Indians and not for Indians. Plans for Indian advancement must be not only accepted but cooperatively devised by the Indian themselves (Collier 1943).

## Reference 11-

For the Siletz Reservation:

1. To make the Indian a self-supporting, self-respecting, substantial citizen of the community, qualified through education, health and training to make his own living, and to contribute to the good of the community.
  2. Great emphasis on accomplishing the above by individual effort and increasingly less help from the Government.
  3. Adoption of the policy that Indians absorbed into a white community socially and economically cease to be a responsibility of the Government and eliminated as a ward.
  4. Definition of elimination as to ward ship, assistance from the government, ownership of trust lands, and its future administration by the Government.
  5. Continued guidance and encouragement in tribal participation and management of community affairs and property.
- Decreasing Government assistance during the next ten years and final termination of such help at the end of that time (Bureau of Indian Affairs and Agency 1944:Siletz 23)

## Reference 12-

Similarly the Southwestern Oregon program goals were:

1. An early determination of those individuals entitled, by blood or tribal affiliation, to recognition as Indians, and an indication of those individuals by approval of the present roll or issuance of instructions for preparation of a suitable roll.
2. In the interest of economy and to limit the size of any program for the future, those Indians of less than one-half Indian blood should probably be eliminated from consideration in any future program, but it is felt these also could be assisted to secure land and small financial loans, including education.
3. The various groups discussed have never discontinued tribal affiliation and most individuals have close relatives at Grand Ronde or Siletz. All these groups desire and it is felt they should be authorized to organize, and be recognized under the reorganization act.
4. Land in small parcels is a vital necessity for most Indian families. No recommendation is made for a full allotment of 160 acres in each case, unless farming is intended, but homes and small plots are essential.
5. Organization of the people at each community, better enabling them to assist themselves and providing easier contacts with the Salem Office.
6. Assistance concentrated during the next ten years.
7. The goal for each family should be a suitable home and an increase equal to that of other families with similar training and background (Bureau of Indian Affairs and Agency 1944:Southwestern 18).

Reference 13-

The survey team found that no one can answer precisely the question "Who is an Indian?" Various limited definitions exist, such as the legal limitation that the Bureau can pay school tuition only for Indians possessing a minimum of one-quarter degree of Indian blood. This problem of definition involves the related questions of wardship or trusteeship, tribal membership, and maintenance of tribal rolls. The question is complex, but until it is settled by law, the problem remains open-ended and not even a gradual narrowing of the limits of Federal responsibility will be possible (Committee on Interior and Insular Affairs 1954a:vi-1).

Reference 14-

In my own judgment the Indian Service is not doing a complete job. It is not rendering equally to all the Indians throughout the country the service for which we are responsible. . . . There has not been a single year in which the Budget Bureau has allowed us the full sum requested by us to do the job, and I think it is also true that in no single year has Congress approved the estimate as submitted by the Bureau of the Budget. In other words, we know and we admit that there are certain Indian children who

are not in school. They are not in school because we do not have the school buildings or teachers (Committee on Civil Service 1947:74). We have no one over-all plan. We have made a study of each reservation, of each Indian group and have attempted to measure their present assets and have attempted to work out a program for each group (Committee on Civil Service 1947:86).

Congress might well reconsider some legislation we proposed, to turn law and order over to the States. That would be a definite step (Committee on Civil Service 1947:126).

A substantial portion of the Indian population can be relieved of Federal supervision in 20 years (Committee on Civil Service 1947:128).

Congress has it within its power to negate treaties and repeal treaties and statutes (Committee on Civil Service 1947:130).

The personnel of the Indian Service is engaged in rendering a variety of services that provide education, medical services, building roads, developing irrigation systems, and generally developing Indian reservations, and assisting the Indians in bringing them into use. Obviously, the cost of this service can be reduced. It is possible to curtail or eliminate any one of those. It would also be possible to reduce the number of Indians who are entitled to this service (Committee on Civil Service 1947:543).

#### Reference 15-

Mr. Zimmerman- I have prepared a list of the Indian groups, by their present jurisdictional units or reservations. I have broken that down into three parts. The first list includes those which in my judgment could be denied Federal services immediately or in the future, whichever the Congress should decide. In the second group there are a number of tribes who should be able to function with a small degree of Federal supervision, or no Federal supervision whatever, within 10 years. That second group includes some tribes for which a definite congressional policy should be established. The termination of Federal service would place the burden either on the Indians or on the States, and the termination of Federal service should not be brought about with full attention to that result. Now, the third group are the remaining tribes which, so far as can be foreseen today, would require a longer term than the 10-year term. I would like to point out in passing that the 10-year period is an arbitrary one. I selected it for two reasons, first because we had in the Indian Office prepared data, to which some reference has been made previously, on our so-called 10-year program, and the second." reason is that the Indian Commission has a 10-year period in which to make its findings on the claims of the Indians against the United States. In the first group I have included these: the Flathead, the Hoopa, Klamath, Menominee, Mission, the Six Nations of New York, the Osage Tribe in Oklahoma, the

Potawatomi in Kansas, and the Indians in northern California under the jurisdiction of the Sacramento Agency. Now, I have also in this first group, Mr. Chairman, tentatively placed the Turtle Mountain group in North Dakota, but I would like to discuss then a little later when I make the proposal to your committee that the State of North Dakota take over the Sacramento administration of the Indian Affairs in that State.

Mr. Chairman. Can you tell us about how many Indians there are in that group?

Mr. Zimmerman. Roughly, about 40,000 Indians. The second group is a rather longer group. I will just read these by name, and, Mr. Chairman, or any member of the committee, if you want to ask me about them, I shall be glad to explain why I think they belong in those groups [reading]: Blackfoot, Cherokee, Cheyenne River, Colville, Consolidated Chippewa, Crow, Fort Belknap, Fort Peck, Fort Totten, Grand Ronde, Great Lakes, Northern Idaho, Quapaw (in part), Taholah (Tulalip), Tomah, Umatilla, Warm Springs, Wind River (In part), Winnebago (in part).

Senator Thye: How many would be in that group, Mr. Zimmerman?

Mr. Zimmerman. I would make a rough guess, at least 50,000 or 60,000.

Mr. Riley. Mr. Chairman, may I ask how many personnel that would be designed to release?

Mr. Zimmerman. In the first group I estimate at least 500 employees could be eliminated.

Mr. Riley. How much less budget would that require; do you know?

Mr. Zimmerman. I have not that figure tabulated. I can supply that very easily if you wish.

Mr. Riley. As much as \$5,000,000, do you think?

Mr. Zimmerman. I think it should not be that high (Committee on Civil Service 1947:544-545).

#### Reference 16-

In the first group are a number of well-situated tribes that had successful economies, and as Zimmerman writes, "could be denied Federal services immediately" (Committee on Civil Service 1947:546). In the first group is the Klamath tribe of Oregon, with over 900,000 acres of timberland. Wade Crawford, a former Indian Agent, and member of the Klamath Tribes testified that:

The record shows that in the past 34 years our income from timber receipts has been \$19,107,633.52. The cost of administration from the time we signed the treaty up to 1936 was \$7,434,601.03. That leaves a balance of \$12,127,162.49. In other words, during this period of administration for approximately 38 years the Klamath paid for the administration of all of their affairs over \$7,000,000 (Committee on Civil Service 1947:138).

Mr. Crawford presents an image of the Klamath Reservation as being very successful. However, to further prove his point, Mr. Crawford continued: We have had probably seven or eight white people on the reservation to one Indian for the past 25 or 30 years we have three towns on the reservation. The main railroad goes through the reservation. The main highway goes through the reservation. And the Indians there have assimilated with the whites for the past 50 years . . . . They live there the same as anybody else. They make their own individual living. The Indian Service does not do anything for them (Comm. on Civil Service 1947: 138).



## APPENDIX B

### WESTERN OREGON TREATIES

#### Unratified Western Oregon Treaties, 1851

Anson Dart negotiated 13 treaties in August of 1851, on treaty grounds at Tansy Point, on the south shore of the Columbia at the mouth of Lewis & Clark River (see map below). Treaties are drawn up with the Clatsop, Wau-ki-kum, Konnaacc, Kathlamet, Klatskania, Wheelappa, and Lower Chinook bands of the Chinook peoples, as well as the Tillamook and other bands. None of these treaties was ratified by Congress. (Beckham 1987:7)  
Unratified Treaties found in NARA Microfilm series T494 Roll 8 of 10.

Copy of each page as it appears on the roll, files are in order of appearance.\*

	Title/description	pages
File 1	Documents relating to the negotiation of an unratified treaty of April 19, 1851 with the Kalapuya and Molala Indians	15pp
File 2	Twalaty Band, Copy of treaty made and concluded at Champoeg in the territory of Oregon 19 <sup>th</sup> April 1851 between Gaines, Skinner, Allen, US Commissioner and the chiefs of Twalaty Band of the Callapooya Tribe of Indians	14pp
File 3	[correspondence] Office of Commissioner, Oregon City August 5, 1851 from Allen, Gaines, Skinner to Luke Lea Commissioner of Indian Affairs, re: passing on of copy of the negotiations journal	5pp
File 4	a) Letter of transmission from Oregon City May 21, 1851, b) Copy of the negotiations Journal of the proceedings of the Board of commissioners appointed to treat with the Indian Tribes, west of the Cascade Mountains, in the Territory of Oregon, entries on Oregon City January 24 <sup>th</sup> ,	49pp

	Feb 4 <sup>th</sup> , March 7 <sup>th</sup> , March 31 <sup>st</sup> (2x), Champoeg April 3 <sup>rd</sup> , April 11 <sup>th</sup> , 12 <sup>th</sup> , 13 <sup>th</sup> , 14 <sup>th</sup> ; c) treaty signed With Santiam Tribe April 14 <sup>th</sup> 1851.	
File 5	a) Champoeg April undated Wednesday-Friday Journal of negotiations with the Twalaty Band of Kalapuya, b) April 24 <sup>th</sup> 1851, journal of negotiations with the Yamhill band of Kallapuya tribe of Indians, through May 2 <sup>nd</sup> . Both treaties begin with Article 1 then the remaining is missing	48pp
File 6	Champoeg May 3 <sup>rd</sup> 1851, journal of negotiations with the Mol-lal-le tribe of Indians, through May 6 <sup>th</sup> 1851.	19pp
File 7	a) Champoeg May 3 <sup>rd</sup> 1851, Journal of negotiations with the Santiam band of the Mol-lal-le Tribe of Indians (see file 4) b) letter of transfer	8pp
File 8	Documents relating to the Negotiation of an Unratified Treaty of July 14, 1851, with the Rogue River Indians, treaty	7pp
File 9	Documents relating to the negotiation of an unratified treaty of August 1, 1851, with the Chinook Indians. Described are Chinook, Clatsop, Kathlamet, Waukikum, Konniack, Klatskanie, Coquille, Clackamas, written by Anson Dart	33pp
File 10	Washington Territory, treaty by A. Dart, with the Chinook Tribe or Upper band in W.T. Aug 8, 1851, Waukikum Band.	11pp
File 11	Oregon territory, Treaties by D. Dart with Weelapa Band of Chinook Indians, August 9, 1851.	10pp
File 12	Washington territory, Treaties by A. Dart with Lower Chinook Indians, August 9, 1851.	10pp
File 13	Washington Territory treaties by A. Dart, with Kon-naack Band of Chi-nook Tribe of Indians, august 8 1851	10pp
File 14	Documents relating to the negotiation of an unratified treaty of March 25, 1851 with the Kalapuya Indians, Journal of negotiations, Original Treaty between the United States and Tualatin Band of the Calipooia Indians.	45pp

\*Actual spellings in context

### Unratified Treaties in Oregon, 1853-55

Treaty	Negotiation information
AGREEMENT WITH THE ROGUE RIVER, 1853.	Sept. 8, 1853.   Unratified. Indian Office–Oregon, 1844-1858, Ore. Supt. L., 323.*
Oregon COAST TRIBES TREATY OF 1855	August 11, 1855

\*(Kappler 2003)

### Ratified Treaties: Western Oregon Indian Treaties, 1853-1855

Negotiated by Joel Palmer (Kappler 2003).

#### *1. Treaty with the Rogue River*

September 10, 1853

Sept. 10, 1853. | 10 Stat., 1018. Ratified Apr. 12, 1854. | Proclaimed Feb. 5, 1855.

Whereas a treaty was made and entered into at Table Rock, near Rogue River, in the Territory of Oregon, this 10th day of September, A. D. 1853, by and between Joel Palmer, superintendent of Indian affairs, and Samuel H. Culver, Indian agent, on the part of the United States; and Jo-aps-er-ka-har, principal chief, Sam To-qua-he-ar, and Jim Ana-cha-a-rah, subordinate chiefs, and others, head-men of the bands of the Rogue River Tribe of Indians, on the part of said Tribe.

#### Article 1

The Rogue River Tribe of Indians do hereby cede and relinquish, for the considerations hereinafter specified, to the United States, all their right, title, interest, and claim to all the lands lying in that part of the Territory of Oregon, and bounded by lines designated as follows, to wit:

Commencing at a point one mile below the mouth of Applegate Creek, on the south side of Rogue River, running thence southerly to the highlands dividing the waters of Applegate Creek from those of Althouse Creek, thence along said highlands to the summit of the Siskiyon range of mountains, thence easterly to Pilot Rock, thence northeasterly to the summit of the Cascade range, thence northerly along the said Cascade range to Pitt's Peak, continuing northerly to Rogue River, thence westerly to the headwaters of Jump-off-jo Creek, thence down said creek to the intersection of the same with a line due north from the place of beginning, thence to the place of beginning.

#### Article 2.

It is agreed on the part of the United States that the aforesaid Tribe shall be allowed to occupy temporarily that portion of the above-described tract of territory bounded as follows, to wit: Commencing on the north side of Rogue River, at the mouth of Evan's Creek; thence up said creek to the upper end of a small prairie bearing in a northwesterly direction from Table Mountain, or Upper Table Rock, thence through the gap to the south side of the cliff of the said mountain, thence in a line to Rogue River, striking the southern base of Lower Table Rock, thence down said river to the place of beginning. It being understood that this described tract of land shall be deemed and considered an Indian reserve, until a suitable selection shall be made by the direction of the President of the United States for their permanent residence and buildings erected thereon, and provision made for their removal.

#### Article 3

For and in consideration of the cession and relinquishment contained in article 1st, the United States agree to pay to the aforesaid Tribe the sum of sixty thousand dollars, fifteen thousand of which sum to be retained, (according to the stipulations of article 4th of a "treaty of peace made and entered into on the 8th day of September, 1853, a between Gen'l Jo. Lane, commanding forces of Oregon Territory, and Jo., principal chief, Sam and Jim, subordinate chiefs, on the part of the Rogue River Tribe of Indians,") by the superintendent of Indian affairs, to pay for the property of the whites destroyed by them during the late war, the amount of property so destroyed to be estimated by three disinterested commissioners, to be appointed by the superintendent of Indian affairs, or otherwise, as the President may direct. Five thousand dollars to be expended in the purchase of agricultural implements, blankets, clothing, and such other goods as may be deemed by the superintendent, or agent most conducive to the comfort and necessities of said Tribe, on or before the 1st day of September, 1854; and for the payment of such permanent improvements as may have been made by land claimants on the aforesaid reserve, the value of which to be ascertained by three persons appointed by the said superintendent.

The remaining forty thousand dollars to be paid in sixteen equal annual instalments, of two thousand five hundred dollars each, (commencing on or about the 1st day of September, 1854,) in blankets, clothing, farming-utensils, stock, and such other articles as may be deemed most conducive to the interests of said Tribe.

#### Article 4

It is further agreed that there shall be erected, at the expense of the United States, one dwelling-house for each of the three principal chiefs of the aforesaid Tribe, the cost of which shall not exceed five hundred dollars each, the aforesaid buildings to be erected as soon after the ratification of this treaty as possible. And when the Tribe may be removed to another reserve, buildings and other improvements shall be made on such reserve of equal value to those which may be relinquished; and upon such removal, in addition to the before-mentioned sixty thousand dollars, the United States agree to pay the further

sum of fifteen thousand dollars, in five equal annual instalments, commencing at the expiration of the before-named instalments.

#### Article 5

The said Tribe of Indians further agree to give safe-conduct to all persons who may be authorized to pass through their reserve, and to protect, in their person and property, all agents or other persons sent by the United States to reside among them; they further agree not to molest or interrupt any white person passing through their reserve.

#### Article 6

That the friendship which is now established between the United States and the Rogue River Tribe of Indians shall not be interrupted by the misconduct of individuals, it is hereby agreed that for injuries done by individuals no private revenge or retaliation shall take place; but instead thereof, complaint shall be made by the party injured to the Indian agent; and it shall be the duty of the chiefs of the said Tribe, that upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States; and in like manner if any violation, robbery, or murder shall be committed on any Indian or Indians belonging to said Tribe, the person or persons so offending shall be tried, and if found guilty, shall be punished according to the laws of the United States. And it is agreed that the chiefs of the said Tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which has or may be stolen or taken from any citizen or citizens of the United States, by any individual of said Tribe; and the property so recovered shall be forthwith delivered to the Indian agent or other person authorized to receive the same, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of the said Tribe a full indemnification for any horses or other property which may be stolen from them by any citizens of the United States: Provided, That the property stolen or taken cannot be recovered, and that sufficient proof is produced that it was actually stolen or taken by a citizen of the United States. And the chiefs and head-men of the said Tribe engage, on the requisition or demand of the President of the United States, superintendent of Indian affairs, or Indian agent, to deliver up any white person or persons resident among them.

#### Article 7

It is agreed between the United States and the Rogue River Tribe of Indians, that, should it at any time hereafter be considered by the United States as a proper policy to establish farms among and for the benefit of said Indians, it shall be discretionary with the President, by and with the advice and consent of the Senate, to change the annuities herein provided for, or any part thereof, into a fund for that purpose.

#### Article 8

This treaty shall take effect and be obligatory on the contracting parties as soon as the same shall have been ratified by the President of the United States by and with the advice and consent of the Senate.

In testimony whereof the said Joel Palmer and Samuel H. Culver, on the part of the United States, and the chiefs and headmen of the Rogue River Indians aforesaid, have hereunto set their hands and seals, the day and year aforesaid.

Joel Palmer, [L. S.]

Superintendent Indian Affairs.

Samuel H. Culver, [L. S.]

Indian Agent.

Jo, his x mark, [L. S.]

Aps-er-ka-har,

Sam, his x mark, [L. S.]

To-qua-he-ar, [L. S.]

Jim, his x mark, [L. S.]

Ana-chah-a-rah, John, his x mark, [L. S.]

Lympe, his x mark, [L. S.]

Signed in presence of -

J. W. Nesmith, Interpreter,

R. B. Metcalf,

John, his x mark,

J. D. Mason, Secretary,

T. T. Tierney.

Witness,

Joseph Lane,

August V. Kautz.

We the undersigned principal chief, subordinate chiefs and headmen of the bands of the Rogue River Tribe of Indians, parties to the treaty concluded at Table Rock, near Rogue River, in the Territory of Oregon, on the 10th day of September, A. D. 1853, having had fully explained to us the amendment made to the same by the Senate of the United States, on the 12th day of April, 1854, do hereby accept and consent to the said amendment to the treaty aforesaid, and agree that the same shall be considered as a part thereof.

In testimony whereof we have hereunto set our hands and affixed our seals, this 11th day of November, A. D. 1854.

Aps-so-ka-hah, Horse-rider, or Jo, his x mark. [L. S.]

Ko-ko-ha-wah, Wealthy, or Sam, his x mark. [L. S.]

Te-cum-tom, Elk Killer, or John, his x mark. [L. S.]

Chol-cul-tah, Joquah Trader, or George, his x mark. [L. S.]

Executed in presence of -

Edward H. Geary, Secretary

Cris. Taylor,

John Flett,

R. B. Metcalf, Interpreter,

Joel Palmer, Superintendent.

*2. Treaty with the Umpqua-Cow Creek Band*

September 19, 1853

Sept. 19, 1853. | 10 Stat., 1027. | Ratified Apr. 12, 1854. | Proclaimed Feb. 5, 1855.

Stipulations of a treaty made and entered into on Cow Creek, Umpqua Valley, in the Territory of Oregon, this 19th day of September, A. D. 1853, by and between Joel Palmer, superintendent of Indian Affairs, on the part of the United States, and Quin-ti-oo-san, or Bighead, principal chief, and My-n-e-letta, or Jackson; and Tom, son of Quin-ti-oo-san, subordinate chiefs, on the part of the Cow Creek band of Umpqua Tribe of Indians.

Article 1.

The Cow Creek band of Indians do hereby cede and relinquish, for the consideration hereinafter specified, to the United States, all their right, title, interest, and claim to all the lands lying in that part of the Territory of Oregon bounded by lines designated as follows, to wit:

Commencing on the north bank of the south fork of Umpqua River, at the termination of the high-lands, dividing the waters of Myrtle Creek from those of Day's Creek, thence running easterly along the summit of said range to the headwaters of Day's Creek, thence southerly, crossing the Umpqua River to the headwaters of Cow Creek, thence to the dividing ridge between Cow Creek and Grave Creek, thence southwesterly along the said divide to its junction with the ridge dividing the waters of Cow Creek from those of Rogue River, thence westerly and northerly around on said ridge to its connection with the spur terminating opposite the mouth of Myrtle Creek, thence along said spur to a point on the same northwest of the eastern line of Isaac Baily's land-claim, thence southeast to Umpqua River, thence up said river to place of beginning.

Article 2.

It is agreed on the part of the United States that the aforesaid Tribe shall be allowed to occupy temporarily that portion of the above-described tract of territory bounded as follows, to wit: Commencing on the south side of Cow Creek, at the mouth of Council Creek, opposite Wm. H. Riddle's land-claim, thence up said creek to the summit of Cañon Mountain, thence westerly along said summit two miles, thence northerly to Cow Creek, at a point on the same one mile above the falls; thence down said creek to place of beginning. It being understood that this last-described tract of land shall be deemed and considered an Indian reserve until a suitable selection shall be made by the direction of the President of the United States for their permanent residence, and buildings erected thereon and other improvements made of equal value of those upon the above reserve at the time of removal.

Article 3.

For and in consideration of the cession and relinquishment contained in article first, the United States agree to pay to the aforesaid band of Indians, the sum of twelve thousand dollars, in manner to wit: one thousand dollars to be expended in the purchase of twenty blankets, eighteen pairs pants, eighteen pairs shoes, eighteen hickory shirts, eighteen hats

or caps, three coats, three vests, three pairs socks, three neckhandkerchiefs, forty cotton flags, one hundred and twenty yards prints, one hundred yards domestic, one gross buttons, two lbs, thread, ten papers needles, and such other goods and provisions as may be deemed by the superintendent or agent most conducive to the comfort and necessities of said Indians, on or before the first day of October, A. D. 1854. The remaining eleven thousand dollars to be paid in twenty equal annual instalments of five hundred and fifty dollars each, commencing on or about the first day of October, 1854, in blankets, clothing, provisions, stock, farming-implements, or such other articles, and in such manner as the President of the United States may deem best for the interests of said Tribe.

Article 4.

In addition to the aforesaid twelve thousand dollars there shall be erected for the use of said Tribe, at the expense of the United States, two dwelling-houses, the cost of which shall not exceed two hundred dollars each, and a field of five acres fenced and ploughed, and suitable seed furnished for planting the same.

Article 5.

The said band of Indians agree to give safe conduct to all persons passing through their reserve, and to protect in their person and property all agents or other persons sent by authority of the United States to reside among them.

Article 6.

That the friendship which is now established between the United States and the Cow Creek band of Indians, shall not be interrupted by the misconduct of individuals, it is hereby agreed that for injuries done, no private revenge or retaliation shall take place; but instead thereof complaint shall be made by the party injured to the Indian agent; and it shall be the duty of the chiefs of said band of Indians, upon complaint being made as aforesaid, to deliver up the person against whom the complaint is made, to the end that he may be punished, agreeably to the laws of the United States; and in like manner if any violation, robbery, or murder shall be committed on any Indian belonging to said band, the person so offending shall be tried, and if found guilty, shall be punished according to the laws of the United States. And it is further agreed that the chiefs shall, to the utmost of their ability, exert themselves to recover horses or other property which has or may hereafter be stolen from any citizen of the United States, by any individual of said Tribe, and deliver the same to the agent or other person authorized to receive it; and the United States hereby guarantee to any Indian or Indians of said band, a full indemnification for any horses or other property which may be stolen or taken from them by any citizen of the United States, provided, the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen or taken by a citizen of the U. S. And the chiefs further agree, that upon the requisition of the President of the U. S., superintendent of Indian affairs, or Indian agent, to deliver up any person resident among them.



## Article 7.

It is agreed between the United States and the Cow Creek band of the Umpqua Tribe of Indians, that, should it at any time hereafter be considered by the United States as a proper policy to establish farms among and for the benefit of said Indians, it shall be discretionary with the President, by and with the advice and consent of the Senate, to change the annuities herein provided for, or any part thereof, into a fund for that purpose.

## Article 8.

This treaty shall take effect and be obligatory on the contracting parties as soon as the same shall be ratified by the President of the United States, by and with the advice and consent of the Senate.

In testimony whereof the said Joel Palmer, Superintendent of Indian Affairs, on the part of the United States, and chiefs of the Cow Creek band of Umpqua Indians, before named, have hereunto set their hands and seals, the day and year aforesaid.

Joel Palmer, [L. S.]

Superintendent Indian Affairs, O. T.

Bighead, Quin-ti-oo-san, his x mark, [L. S.]

Jackson, My-n-e-letta, his x mark, [L. S.]

Tom, son of Quin-ti-oo-san, his x mark, [L. S.]

Tom, Tal-sa-pe-er, his x mark, [L. S.]

Signed in presence of -

J. B. Nichols,

E. Catching,

Interpreters.

Theodore Tierney,

Secretary.

John D. Bown,

W. Starr,

Witnesses.

*3. Treaty with the Umpqua and Kalapuya*

November 29, 1854

Nov. 29, 1854. | 10 stat., 1125. | Ratified Mar. 3, 1855. | Proclaimed Mar. 30, 1855.

Articles of agreement and convention made and concluded at Calapooia Creek, Douglas County, Oregon Territory, this twenty-ninth day of November, one thousand eight hundred and fifty-four, by Joel Palmer, superintendent of Indian affairs, on the part of the United States, and the following-named chiefs and heads of the confederated bands of the Umpqua Tribe of Indians, and of the Calapooias residing in Umpqua Valley, to wit: Napesa, or Louis, head chief; Peter, or Injice; Tas-yah, or General Jackson; Bogus; Nessick; Et-na-ma or William, Cheen-len-ten or George, Nas-yah or John, Absaquil or Chenook, Jo, and Tom, they being assembled in council with their respective bands.

## ARTICLE 1.

The confederated bands of Umpqua and Calapooia Indians cede to the United States all their country included within the following limits, to wit: Commencing at the northwest corner of the country purchased of the Galeese Creek and Illinois River Indians on the 18th day of November, 1854, and running thence east to the boundary of the Cow Creek purchase, thence northerly along said boundary to its northeastern extremity; thence east to the main ridge of the Cascade Mountains; thence northerly to the main falls of the North Umpqua River; thence to Scott's Peak, bearing easterly from the head-waters of Calapooia Creek; thence northerly to the connection of the Calapooia Mountains with the Cascade range; thence westerly along the summit of the Calapooia Mountains to a point whence a due south line would cross Umpqua River at the head of tide-water; thence on that line to the dividing ridge between the waters of Umpqua and Coose Rivers; thence along that ridge, and the divide between Coquille and Umpqua Rivers, to the western boundary of the country purchased of the Galeese Creek Indians, or of the Cow Creek Indians, as the case may be, and thence to the place of beginning.

Provided, however, That so much of the lands as are embraced within the following limits, shall be held by said confederated bands, and such other bands as may be designated to reside thereupon, as an Indian reservation.

To wit: Commencing at a point three miles due south of the mouth of a small creek emptying into the Umpqua River, near the western boundary of John Churchell's land-claim, at the lower end of Cole's Valley; thence north to the middle of the channel of Umpqua River; thence up said river to a point due south of the highest peak of the ridge, immediately west of Allan Hubbard's land-claim; thence to said peak, thence along the summit of the ridge dividing the waters, to its termination at or near the mouth of Little Canyon Creek; thence, crossing the Umpqua River in a westerly direction to the highlands opposite the mouth of said creek; thence following the divide until it reaches a point whence a line drawn to the place of beginning will run three miles south of the extreme southern bend in the Umpqua River between these two points: and thence to the place of beginning. And should the President at any time believe it demanded by the public good and promotive of the best interests of said Indians to be located elsewhere, the said Indians agree peaceably, and without additional expense to the Government of the United States, to remove to such reserve as may be selected; provided that a delegation of three or more of the principal men of said bands selected by them, shall concur with the authorized agent or agents of the United States in the selection of said new reserve. And when said removal shall take place, the particular tracts then actually occupied by said Indians. on the reserve herein described, according to the provisions of this treaty, and those occupied by Indians of other bands that may be located thereon, shall be sold by order of the President of the United States, and the proceeds of such sales expended in permanent improvements on the new reserve, for the use and benefit of the holders of said tracts respectively.

**ARTICLE 2.**

The confederated bands agree that as soon after the United States shall make the necessary provision for fulfilling the stipulations of this treaty as they conveniently can, and not to exceed one year after such provision is made, they will vacate the ceded territory and remove to the lands herein reserved for them.

**ARTICLE 3.**

In consideration of and payment for the country herein ceded, the United States agree to pay the said confederated bands the several sums of money following, to wit: First, three thousand dollars per annum for the term of five years, commencing on the first day of September, 1855. Second, two thousand three hundred dollars per annum for the term of five years next succeeding the first five. Third, one thousand seven hundred dollars per annum for the term of five years next succeeding the second five years. Fourth, one thousand dollars per annum for the term of five years next succeeding the third five years. All of which several sums of money shall be expended for the use and benefit of the confederated bands, under the direction of the President of the United States, who may from time to time, at his discretion, determine what proportion shall be expended for such beneficial objects as in his judgment will be calculated to advance them in civilization; for their moral improvement and education; for buildings, opening farms, fencing, breaking land, providing stock, agricultural implements, seeds, &c.; for clothing, provisions, and merchandise; for iron, steel, and ammunition; for mechanics and tools, and for medical purposes.

**ARTICLE 4.**

In order to enable the said Indians to remove to their new home, and subsist themselves for one year thereafter, (and which they agree to do without further expense to the United States,) and to provide for the breaking up and fencing of fifty acres of land, and the erection of buildings on the reserve, the purchase of teams, farming utensils, tools, &c., and for other purposes necessary to their comfort and subsistence, they shall receive from the United States the further sum of ten thousand dollars, to be paid out and expended under the direction of the President, and in such manner as he shall approve.

**ARTICLE 5.**

The President may from time to time, at his discretion, cause the whole or such portion of the land hereby reserved as he may think proper, or of such other land as may be selected in lieu thereof, as provided for in the first article, to be surveyed into lots, and assigned to such Indian or Indians of said confederated bands as are willing to avail themselves of the privilege, and who will locate thereon as a permanent home, if a single person over twenty-one years of age, twenty acres; to each family of two persons, forty acres; to each family of three and not exceeding five persons, sixty acres; to each family of six and not exceeding ten persons, eighty acres; and to each family over ten in number, forty acres for each additional five members. And the President may provide such rules and regulations as will secure to the family, in case of the death of the head thereof, the

possession and enjoyment of such permanent home, and the improvements thereon; and he may at any time, at his discretion, after such person or family has made location on the land assigned for a permanent home, issue a patent to such person or family for such assigned land, conditioned that the tract shall not be aliened or leased for a longer term than two years, and shall be exempt from levy, sale, or forfeiture, which conditions shall continue in force until a State constitution, embracing such lands within its boundaries, shall have been formed, and the legislature of the State shall remove the restrictions. And if any such family shall at any time neglect or refuse to occupy or till a portion of the land assigned, and on which they have located, or shall rove from place to place, the President may, if the patent shall have been issued, revoke the same, or, if not issued, cancel the assignment, and may also withhold from such person or family their proportion of the annuities or other moneys due them, until they shall have returned to such permanent home, and resume the pursuits of industry; and in default of their return, the tract may be declared abandoned and thereafter assigned to some other person or family of the Indians residing on the reserve.

No State legislature shall remove the restrictions herein provided for, without the consent of Congress.

#### ARTICLE 6.

The United States agree to erect for said Indians a good blacksmith-shop, furnish it with tools, and keep it in repair for ten years, and provide a competent blacksmith for the same period; to erect suitable buildings for a hospital, supply medicines, and provide an experienced physician for fifteen years; to provide a competent farmer to instruct the Indians in agriculture for ten years; and to erect a school-house, and provide books, stationery, and a properly qualified teacher for twenty years.

#### ARTICLE 7.

The annuities of the Indians shall not be taken to pay the debts of individuals.

#### ARTICLE 8.

The said confederated bands acknowledge their dependence on the Government of the United States, and promise to be friendly with all the citizens thereof, and pledge themselves to commit no depredations on the property of such citizens. And should any one or more of the Indians violate this pledge, and the fact be satisfactorily proven before the agent, the property shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other Tribe except in self-defense, but will submit all matters of difference between them and other Indians to the Government of the United States or its agent, for decision, and abide thereby. And if any of the said Indians commit any depredations on any other Indians, the same rule shall prevail as that prescribed in this article in case of any depredations against citizens. Said Indians further engage to submit to, and observe all laws, rules, and regulations which may be prescribed by the United States for the government of said Indians.

## ARTICLE 9.

It is hereby provided, in order to prevent the evils of intemperance among said Indians, that any one of them who shall be guilty of bringing liquor into their reserve, or shall drink liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

## ARTICLE 10.

The said confederate bands agree, that all the necessary roads, highways, and railroads which may be constructed as the country improves, the lines of which may run through the reservation of said Indians, shall have the right of way therein, a just compensation being made therefore.

## ARTICLE 11.

The merchandise distributed to the members of the said confederate bands at the negotiation of this treaty shall be considered as in part payment of the annuities herein provided.

## ARTICLE 12.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Joel Palmer, on the part of the United States as aforesaid, and the undersigned chiefs and heads of the said confederated bands of Umpquas and Calapooias, have hereunto set their hands and seals, at the place and on the day and year heretofore written.

Joel Palmer, superintendent. [L. S.]  
 Na-pe-sa, or Louis, his x mark. [L. S.]  
 Injice, or Peter, his x mark. [L. S.]  
 Tas-yah, or General Jackson, his x mark. [L. S.]  
 Bogus, his x mark. [L. S.]  
 Nessick, his x mark. [L. S.]  
 Et-na-ma, or William, his x mark. [L. S.]  
 Cheen-len-ten, or George, his x mark. [L. S.]  
 Nas-yah, or John, his x mark. [L. S.]  
 Absaquil, or Chenook, his x mark. [L. S.]  
 Jo, his x mark. [L. S.]  
 Tom, his x mark. [L. S.]

Executed in the presence of us—

Edward R. Geary, secretary.

Cris. Taylor.

John Flett, interpreter.

#### *4. Treaty With The Rogue River*

November 15, 1854

Nov. 15, 1854. | 10 Stat., 1119. | Ratified Mar. 3, 1855. | Proclaimed Apr. 7, 1855.

Articles of an agreement entered into and concluded this fifteenth day of November, one thousand eight hundred and fifty-four, between Joel Palmer, superintendent of Indian affairs, on the part of the United States, and the chiefs and headmen of the Rogue River Tribe of Indians, on the part of said Tribe.

##### Article 1.

It is agreed on the part of said Tribe, that the Table Rock reserve, described in the treaty of the 10th September, 1853, between the United States and the Rogue River Tribe, shall be possessed and occupied jointly by said Tribe and such other Tribes and bands of Indians as the United States shall agree with by treaty stipulations, or the President of the United States shall direct, to reside thereupon, the place of residence of each Tribe, part of Tribe, or band on said reserve, to be designated by the superintendent of Indian affairs or Indian agent; that the Tribes and bands hereafter to be settled on said reserve shall enjoy equal rights and privileges with the Rogue River Tribe; and that the annuities paid to the Indians now residing, or hereafter to reside on said reserve, shall be shared by all alike, from and after said residence thereon: Provided, That the annuity of the Rogue River Tribe, as agreed on in the treaty of the 10th September, 1853, shall not be diminished or in any way impaired thereby. It is also agreed, that the United States shall have the right to make such roads, highways, and railroads through said reserve as the public good may from time to time require, a just compensation being made therefor.

##### Article 2.

In consideration of the foregoing stipulations, it is agreed on the part of the United States to pay to the Rogue River Tribe, as soon as practicable after the signing of this agreement, two thousand one hundred and fifty dollars, in the following articles: twelve horses. one beef, two yokes of oxen, with yokes and chains, one wagon, one hundred men's coats, fifty pairs of pantaloons, and fifty hickory shirts; also, that in the treaties to be made with other Tribes and bands, here-after to be located on said reserve, that provision shall be made for the erection of two smith-shops; for tools, iron, and blacksmiths for the same; for opening farms and employing farmers; for a hospital, medicines, and a physician; and for one or more schools; the uses and benefits of all which shall be secured to said Rogue River Tribe, equally with the Tribes and bands treated with; all the improvements made, and schools, hospital, and shops erected, to be conducted in accordance with such laws, rules, and regulations as the Congress or the President of the United States may prescribe.

##### Article 3.

It is further agreed, that when at any time hereafter the Indians residing on this reserve shall be removed to another reserve, or shall be elsewhere provided for, that the fifteen

thousand dollars thereafter to be paid to said Rogue River Tribe, as specified in the treaty of the 10th September, 1853, shall be shared alike by the members of all the Tribes and bands that are, or hereafter shall be located on the said Table Rock reserve.

Article 4.

It is also further provided that in the event that this agreement shall not be ratified by the President and Senate of the United States, or that no other Tribe or band shall be located on said reserve, the two thousand one hundred and fifty dollars stipulated in article second of this agreement to be paid said Rogue River Tribe, shall be deducted from their annuities hereafter to be paid said Indians.

In testimony whereof, the said Joel Palmer, superintendent as a fore-said, and the undersigned chiefs and headmen of the Rogue River Tribe of Indians, have hereunto set their hands and seals, at Even's Creek, on the Table Rock Reserve, on the day and year herein before written.

Joel Palmer, superintendent [L. S.]

Ap-sa-ka-hah, or Joe, first chief, his x mark, [L. S.]

Ko-ko-ha-wah, or Sam, second chief, his x mark, [L. S.]

Sambo, third chief, his x mark, [L. S.]

Te-cum-tum, or John, fourth chief, his x mark, [L. S.]

Te-wah-hait, or Elijah, his x mark, [L. S.]

Cho-cul-tah, or George, his x mark, [L. S.]

Telum-whah, or Bill, his x mark, [L. S.]

Hart-tish, or Applegate John, his x mark, [L. S.]

Qua-chis, or Jake, his x mark, [L. S.]

Tom, his x mark, [L. S.]

Henry, his x mark, [L. S.]

Jim, his x mark, [L. S.]

Executed in presence of -

Edward R. Geary, secretary.

Cris. Taylor,

John Flett, interpreter.

R. B. Metcalfe.

*5. Treaty with the Chasta, etc.*

November 18, 1854

Nov. 18, 1854. | 10 Stat., 1122. | Ratified Mar. 3, 1855. | Proclaimed Apr. 10, 1855.

Articles of a convention and agreement made and concluded at the council-ground, opposite the mouth of Applegate Creek, on Rogue River, in the Territory of Oregon, on the eighteenth day of November, one thousand eight hundred and fifty-four, by Joel Palmer, superintendent of Indian affairs, on the part of the United States, and the chiefs and head-men of the Quil-si-eton and Na-hel-ta bands, of the Chasta Tribe of Indians, the Cow-nan-ti-co, Sa-cher-i-ton, and Na-al-ye bands of Scotons, and the Grave Creek band of Umpquas, to wit, Jes-tul-tut, or Little Chief, Ko-ne-che-quot, or Bill, Se-sel-che-tel, or

Salmon Fisher, Kul-ki-am-i-na, or Bush-head, Te-po-kon-ta, or Sam, and Jo, they being duly authorized thereto by said united bands.

Article 1.

The aforesaid united bands cede to the United States all their country, bounded as follows:

Commencing at a point in the middle of Rogue River, one mile below the mouth of Applegate Creek; thence northerly, on the western boundary of the country heretofore purchased of the Rogue River Tribe by the United States, to the head-waters of Jump-Off-Jo Creek; thence westerly to the extreme northeastern limit of the country purchased of the Cow Creek band of Umpquas; thence along that boundary to its extreme southwestern limit; thence due west to a point from which a line running due south would cross Rogue River, midway between the mouth of Grave Creek and the great bend of Rogue River; thence south to the southern boundary of Oregon; thence east along said boundary to the summit of the main ridge of the Siskiyou Mountains, or until this line reaches the boundary of the country purchased of the Rogue River Tribe; thence northerly along the western boundary of said purchase to the place of beginning.

Article 2.

The said united bands agree that as soon after the ratification of this convention as practicable, they will remove to such portion of the Table Rock reserve as may be assigned them by the superintendent of Indian affairs or agent, or to whatsoever other reserve the President of the United States may at any time hereafter direct.

Article 3.

In consideration of and payment for the country herein ceded, the United States agree to pay to the said united bands the sum of two thousand dollars annually for fifteen years, from and after the first day of September, one thousand eight hundred and fifty-five, which annuities shall be added to those secured to the Rogue River Tribe by the treaty of the 10th September, 1853, and the amount shared by the members of the united bands and of the Rogue River Tribe, jointly and alike; said annuities to be expended for the use and benefit of said bands and Tribe in such manner as the President may from time to time prescribe; for provisions, clothing, and merchandise; for buildings, opening and fencing farms, breaking land, providing stock, agricultural implements, tools, seeds, and such other objects as will in his judgment promote the comfort and advance the prosperity and civilization of said Indians. The United States also agree to appropriate the additional sum of five thousand dollars, for the payment of the claims of persons whose property has been stolen or destroyed by any of the said united bands of Indians since the first day of January, 1849; such claims to be audited and adjusted in such manner as the President may prescribe.

Article 4.

When said united bands shall be required to remove to the Table Rock reserve or elsewhere, as the President may direct, the further sum of six thousand five hundred



dollars shall be expended by the United States for provisions to aid in their subsistence during the first year they shall reside thereon; for the erecting of necessary buildings, and the breaking and fencing of fifty acres of land, and providing seed to plant the same, for their use and benefit, in common with the other Indians on the reserve.

Article 5.

The United States engage that the following provisions, for the use and benefit of all Indians residing on the reserve, shall be made:

An experienced farmer shall be employed to aid and instruct the Indians in agriculture for the term of fifteen years.

Two blacksmith-shops shall be erected at convenient points on the reserve, and furnished with tools and the necessary stock, and skilful smiths employed for the same for five years.

A hospital shall be erected, and proper provision made for medical purposes, and the care of the sick for ten years.

School-houses shall be erected, and qualified teachers employed to instruct children on the reserve, and books and stationery furnished for fifteen years.

All of which provisions shall be controlled by such laws, rules, or regulations as Congress may enact or the President prescribe.

Article 6.

The President may, from time to time, at his discretion, direct the surveying of a part or all of the agricultural lands on said reserve, divide the same into small farms of from twenty to eighty acres, according to the number of persons in a family, and assign them to such Indians as are willing to avail themselves of the privilege and locate thereon as a permanent home, and to grant them a patent therefore under such laws and regulations as may hereafter be enacted or prescribed.

Article 7.

The annuities of the Indians shall not be taken to pay the debts of individuals.

Article 8.

The said united bands acknowledge themselves subject to the Government of the United States, and engage to live in amity with the citizens thereof, and commit no depredations on the property of said citizens; and should any Indian or Indians violate this pledge, and the fact be satisfactorily proven, the property shall be returned, or if not returned, or if injured or destroyed, compensation may be made therefor out of their annuities. They also pledge themselves to live peaceably with one another, and with other Indians, to abstain from war and private acts of revenge, and to submit all matters of difference between themselves and Indians of other Tribes and bands to the decision of the United States or the agent, and to abide thereby.

It is also agreed that if any individual shall be found guilty of bringing liquor into their country, or drinking the same, his or her annuity may be withheld during the pleasure of the President.

Article 9.

This convention shall be obligatory on the contracting parties from and after its ratification by the President and Senate of the United States.

In testimony whereof, Joel Palmer, superintendent aforesaid, and the undersigned chiefs and headmen of said united bands, have hereunto set their hands and seals at the place and on the day and year herein written.

(Signed in duplicate)

Joel Palmer, Superintendent. [L. S.]

Jes-tul-tut, or Little Chief, his x mark. [L. S.]

Ko-ne-che-quot, or Bill, his x mark. [L. S.]

Se-sel-chetl, or Salmon Fisher, his x mark. [L. S.]

Bas-ta-shin, his x mark, [L. S.]

For Kul-ke-am-ina, or Bushland.

Te-po-kon-ta, or Sam, his x mark, [L. S.]

Jo (Chief of Grave Creeks), his x mark. [L. S.]

Executed in presence of us -

Edward R. Geary, Secretary.

John Flett, Interpreter.

Cris. Taylor.

6. *Treaty with the Kalapuya etc.* [Willamette Valley Treaty]

January 22, 1855

Jan. 22, 1855. † 10 Stat., 1143. † Ratified, Mar. 3, 1855. † Proclaimed, Apr. 10, 1855.

Articles of agreement and convention made and concluded at Dayton, Oregon Territory, by Joel Palmer, superintendent of Indian affairs, on the part of the United States, and the following-named chiefs of the confederated bands of Indians residing in the Willamette Valley, they being duly authorized thereto by their respective bands, to-wit: Ki-a-kuts, Le Medecin, and Yat-Skaw, or Dave, chiefs of the Tualatin band of Calapooias; Shap-h, or William, Shel-ke-ah, or David, and Cha-ah, or Jesse, chiefs of the Yam Hill band; Dabo, or Jim, Sco-la-quit, or John, and Yah-kow or Kompetine, chiefs of the Cheluk-i-ma-uke band; Ah-mo, or George, Himpheer, or Hubbard, and Oh-no, or Tim, chiefs of the Chepen-a-pho or Marysville band; Ma-mah-mo, or Charley Peter, Cha-che-clue, or Tom, and Quineflat, or Ben, chiefs of the Chem-a-pho or Maddy band; Luck-a-ma-foo, or Antoine, and Hoo-til, or Charley, chief of the Che-lam-e-la or Long Tom band, all of the Calapooias; Qui-a-quaty, Yalkus, and Kow-ka-ma, or Long Hair, chiefs of the Mo-lal-la band of Mo-lal-las; Kiles, or Jim, and Kow-ah-tough, or John, chiefs of the Calapooia band of Calapooias; Anta-quil-al-la, or John, and Mequah, of the Winnefelly and Mohawk bands; Yack-a-tee, or Sam, To-phor, or Jim Brown, and Hal-la-be, or Doctor, of the Tekopa band; Pulk-tah, of the Chafan band of the Calapooia Tribe; Tum-walth and O-

ban-a-hah, chiefs of the Wah-lal-la band of Tum-waters; Watch-a-no, Te-ap-i-nick, and Wal-lah-pi-coto, chiefs of the Clack-a-mas Tribe; Lallak and Cuck-a-man-na, or David, of the Clow-we-wal-la or Willamette Tum-water band; Tow-ye-col-la, or Louis; Yelk-ma, or Jo, La-ham, or Tom, Joseph Sanegertta, Pullican, Te-na, or Kiles, Pul-kup-li-ma, or John, Sallaf, or Silas, Hoip-ke-nek, or Jack, Yepta, and Sat-invoise or James, chiefs and head-men o the Santiam bands of Calapooias.

#### Article 1.

The above-named confederated bands of Indians cede to the United States all their right, title, and claim to all and every part of the country included in the following boundaries, to wit:

Commencing in the middle of the main channel of the Columbia River, opposite the mouth of the first creek emptying into said river from the south below Oak Point, thence south to the first standard parallel north of the base-line in the Government survey, thence west to the summit of the Coast Range of mountains, thence southerly along the summit of said range to the Calapooia Mountains, thence easterly along the summit of said mountains to the summit of the Cascade Mountains, thence along said summit northerly, to the middle of the Columbia River, at the Cascade Falls, and thence down the middle of said river to the place of beginning.

Provided, however, That said bands be permitted to remain within the limits of the country ceded, and on such temporary reserves as may be made for them by the superintendent of Indian affairs, until a suitable district of country shall be designated for their permanent home, and proper improvements made thereon: And provided, That the United States make proper provision for the security of their persons and property from the hostile attacks of Indians of other Tribes and bands. At which time, or when thereafter directed by the superintendent of Indian affairs, or agent, said confederated bands engage peaceably, and without expense to the United States other than that provided for in this treaty, to vacate the country hereby ceded, and remove to the district which shall be designated for their permanent occupancy.

#### Article 2.

In consideration of, and payment for the country herein described, the United States agree to pay to the bands and Tribes of Indians claiming territory and residing in said country, the several sums of money following, to wit:

Ten thousand dollars per annum for the first five years, commencing on the first day of September, 1855.

Eight thousand dollars per annum for the term of five years next succeeding the first five.  
Six thousand five hundred dollars per annum for the term of five years next succeeding the second five.

Five thousand five hundred dollars per annum for the term of five years next succeeding the third five.

All of which several sums of money shall be expended for the use and benefit of the confederated bands, under the direction of the President of the United States, who may, from time to time, at his discretion, determine what proportion thereof shall be expended

for such objects as in his judgment will promote their well-being, and advance them in civilization, for their moral improvement and education, for buildings, opening and fencing farms, breaking land, providing stock, agricultural implements, seeds, for clothing, provisions, and tools; for medical purposes; providing mechanics and farmers, and for arms and ammunition.

The United States agree to pay said Indians the additional sum of fifty thousand dollars, a portion wherefore shall be expended for such articles as the superintendent of Indian affairs shall furnish the Indians, as soon as practicable after the signing of this treaty; and in providing, after the ratification thereof, and while the Indians shall reside on the temporary reserves that may be assigned them, horses, oxen, and other stock, wagons, agricultural implements, clothing, and provisions, as the President may direct; and for erecting on the tract that may be selected as their permanent homes, mills, shops, school-houses, a hospital, and other necessary buildings, and making improvements; for seeds, stock, and farming operations thereon; for paying for the permanent improvements of settlers, should any such be on said tract at the time of its selection; to pay the expenses of the removal of the Indians thereto, and in providing for their subsistence thereon for the first year after their removal. Provided, however, That if any band or bands of Indians, residing on or claiming any portion or portions of the country described in article first, shall not accede to the terms of this treaty, then the bands becoming parties hereunto agree to receive such part of the several annual and other payments herein named, as a consideration for the entire country described as aforesaid, as shall be in the proportion that their aggregate number may bear to the whole number of Indians residing in and claiming the entire country aforesaid, as consideration and payment in full for the tracts in said country claimed by them. And, provided, Any of the bands becoming parties to this treaty establish a legitimate claim to any portion of the country north of the Columbia River, that the amount to which they may be entitled as a consideration for such country, in any treaties hereafter entered into with the United States, shall be added to the annuities herein provided for.

#### Article 3.

In addition to the considerations specified, the United States agree to provide for the employment, for the term of five years from and after the removal of said Indians to their permanent reserve, of a physician, a school-teacher, a blacksmith, and a superintendent of farming operations.

#### Article 4.

The President may, from time to time, at his discretion, cause the whole, or such portion as he may think proper, of the tract that may hereafter be set apart as the permanent home of these Indians, to be surveyed into lots, and assign them to such Indians of the confederated bands as may wish to enjoy the privilege, and locate thereon permanently; to a single person, over twenty-one years of age, twenty acres; to a family of two persons, forty acres; to a family of three, and not exceeding five persons, fifty acres; to a family of six persons, and not exceeding ten, eighty acres; and to each family over ten in number, twenty acres for each additional three members. And the President may provide such

rules and regulations as will secure to the family, in case of the death of the head thereof, the possession and enjoyment of such permanent home, and the improvements thereon; and he may, at any time, at his discretion, after such person or family has made location on the land assigned as a permanent home, issue a patent to such person or family, for such assigned land, conditioned that the tract shall not be aliened or leased for a longer time than two years, and shall be exempt from levy, sale, or forfeiture; which conditions shall continue in force until a State constitution, embracing such lands within its boundaries, shall have been formed, and the legislature of the State shall remove the restrictions: Provided, however, That no state legislature shall remove the restrictions herein provided for, without the consent of Congress. And if any such family shall, at any time neglect or refuse to occupy or till a portion of the land assigned, and on which they have located, or shall rove from place to place, the President may, if the patent shall have been issued, revoke the same; or, if not issued, cancel the assignment; and may also withhold from such person or family their proportion of the annuities or other moneys due them, until they shall have returned the such permanent home, and resume the pursuits of industry; and in default of their return, the tract may be declared abandoned, and thereafter assigned to some other person or family of the Indians residing on the reserve.

Article 5.

The annuities of the Indians shall not be taken to pay the debts of individuals.

Article 6.

The confederated bands acknowledge their dependence on the government of the United States, and promise to be friendly with all the citizens thereof, and pledge themselves to commit no depredations on the property of such citizens. And should any one or more of the Indians violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other band or Tribe of Indians, except in self-defence, but will submit all matters of difference between them and other Indians to the Government of the United States, or its agent, for decision, and abide thereby. And if any of said Indians commit any depredations on any other Indians, the same rule shall prevail as that prescribed in this article in case of depredations against citizens. Said Indians further engage to submit to and observe all laws, rules, and regulations which may be prescribed by the United States for the government of said Indians.

Article 7.

In order to prevent the evils of intemperance among said Indians, it is hereby provided that any one of them who shall drink liquor, or procure it for other Indians to drink, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

## Article 8.

The said confederated bands agree that when a permanent reserve shall be assigned them, all roads, highways, and railroads, demanded at any time by the public convenience, shall have the right of way therein, a just compensation being made therefor.

## Article 9.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof the said Joel Palmer, on the part of the United States as aforesaid, and the undersigned chiefs of the said confederated bands, have hereunto set their hands and seals this fourth day of January, eighteen hundred and fifty-five, at Dayton, in Oregon Territory.

Joel Palmer, superintendent of Indian Affairs. [L. S.]

Ki-ac-kuts, first chief, his x mark. [L. S.]

Le Medecin or Doctor, second chief, his x mark. [L. S.]

Yats-kow, or Dave, third chief, his x mark. [L. S.]

Shap-h, or William, first chief, his x mark. [L. S.]

Shel-ke-ah, or David, second chief, his x mark. [L. S.]

Che-ah, or Jesse, third chief, his x mark. [L. S.]

Dabo, or Jim, first chief, his x mark. [L. S.]

Sco-la-quit, or John, second chief, his x mark. [L. S.]

Yah-kow, or Kompetine, third chief, his x mark. [L. S.]

Ah-mo, or George, first chief, his x mark. [L. S.]

Hinc-phor, or Hubbard, second chief, his x mark. [L. S.]

Oh-no, or Tim, third chief, his x mark. [L. S.]

Ma-mah-mo, or Charley Peter, first chief, his x mark. [L. S.]

Cha-che-clue, or Tom, second chief, his x mark. [L. S.]

Quineflat, or Ben, third chief, his x mark. [L. S.]

Luck-a-moo-foo, or Antoine, first chief, his x mark. [L. S.]

Hoo-til, or Charley, second chief, his x mark. [L. S.]

Executed in the presence of us -

Edward R. Geary, secretary.

John Flett, interpreter.

George Dorsey.

Phillip A. Decker.

Lorenzo Palmer.

We, the chiefs of the Molalla band of Molallas, and of the Calapooia band of Calapooias, give our assent unto and agree to the provisions of the foregoing treaty.

In testimony whereof we have hereunto set our hands and seals, at Dayton, this ninth day of January, eighteen hundred and fifty-five.

Quia-quaty, first chief, his x mark. [L. S.]

Yalkus, second chief, his x mark. [L. S.]

Kaw-ka-ma, or Long Hair, third chief, his x mark. [L. S.]

Kiles, or Jim, first chief, his x mark. [L. S.]

Kowah-tough, or John, second chief, his x mark. [L. S.]

Executed in the presence of us -

Edward R. Geary, secretary.

Cris. Taylor, assistant secretary.

John Flett, interpreter.

Phillip A. Decker.

Lorenzo Palmer.

We, the chiefs and headmen of the Nin-ne-felly, Mohawk, Chapen, and Te-co-pa bands of Calapooias, Wal-lal-lah band of Tum-waters, and the Clockamus Tribe of Indians, being duly authorized by our respective bands, give our assent unto, and agree to the provisions of the foregoing treaty.

In testimony whereof we have hereunto set our hands and seals, at Dayton, Oregon Territory, this tenth day of January, eighteen hundred and fifty-five.

An-ta, first chief, his x mark. [L. S.]

Quil-al-la, or John, second chief, his x mark. [L. S.]

Me-quah, or Dick, his x mark. [L. S.]

Yack-a-tee, or Sam, first chief, his x mark. [L. S.]

To-phor, or Jim Brown, second chief, his x mark. [L. S.]

Hal-la-le, or Doctor, his x mark. [L. S.]

Pulk-tah, second chief, his x mark. [L. S.]

Tum-walth, first chief, his x mark. [L. S.]

O-ban-a-hah, second chief, his x mark. [L. S.]

Watch-a-no, first chief, his x mark. [L. S.]

Te-ap-i-nick, second chief, his x mark. [L. S.]

Wal-lah-pi-cate, third chief, his x mark. [L. S.]

Executed in the presence of us -

Cris. Taylor, assistant secretary.

Andrew Smith.

John Flett, interpreter.

We, the chiefs and headmen of the Clow-we-wal-la, or Willamette Tum-water band of Indians, being assembled in council, give our assent unto, and agree to the provisions of the foregoing treaty.

In testimony whereof we have hereunto set our hands and seals, at Linn city, Oregon Territory, this nineteenth day of January, eighteen hundred and fifty-five.

Lal-bick, or John, his x mark. [L. S.]

Cuck-a-man-na, or David, his x mark. [L. S.]

Executed in the presence of us -

Cris. Taylor, assistant secretary.

John Flett, interpreter.

We, the chiefs and headmen of the Santam bands of Calapooia Indians, being duly authorized by our respective bands, give our assent unto, and agree to the provisions of the foregoing treaty.

In testimony whereof we have hereunto set our hands and seals, at Dayton, Oregon Territory, this twenty-second day of January, eighteen hundred and fifty-five.

Tow-ye-colla, or Louis, first chief, his x mark. [L. S.]

La-ham, or Tom, third chief, his x mark. [L. S.]

Senegertta, his x mark. [L. S.]

Pul-i-can, his x mark. [L. S.]

Te-na, or Kiles, his x mark. [L. S.]

Pul-kup-ti-ma, or John, his x mark. [L. S.]

Sal-laf, or Silas, his x mark. [L. S.]

Hoip-ke-nek, or Jack, his x mark. [L. S.]

Yep-tah, his x mark. [L. S.]

Satinvose, or James, his x mark. [L. S.]

Executed in the presence of us -

Edward R. Geary, secretary.

Cris. Taylor.

Andrew Smith.

John Flett, interpreter.

### *7. Treaty with the Molala*

December 21, 1855

Dec. 21, 1855. | 12 Stat., 981. | Ratified Mar. 8, 1859. | Proclaimed Apr. 27, 1859.

Articles of convention and agreement entered into this 21st day of December, 1855, between Joel Palmer, superintendent of Indian affairs, acting for and in behalf of the United States, and the chiefs and head-men of the Mo-lal-la-las or Molel Tribe of Indians, they being authorized by their respective bands in council assembled.

#### Article 1.

The above-named Tribe of Indians hereby cede to the United States all their right, title, interest and claim to all that part of Oregon Territory situated and bounded as hereinafter described, the same being claimed by them. To wit: Beginning at Scott's Peak, being the northeastern termination of the purchase made of the Umpaquah, and Calapooias of Umpaquah Valley on the 29th day of November, 1854; thence running southerly on the eastern boundary line of that purchase and the purchase of the Cow Creeks, on the 19th day of September, 1853, and the tract purchased of the Scotens, Chestas and Grave Creeks, on the nineteenth [eighteenth] day of November, 1854, to the boundary of the Rogue River purchase made on the tenth day of September, 1853; thence along the northern boundary of that purchase to the summit of the Cascade Mountains; thence northerly along the summit of said mountains to a point due east of Scott's Peak; thence west to the place of beginning.

#### Article 2.

In consideration of the cession and relinquishment herein made, the United States agree to make the following provisions for said Indians and pay the sums of money as follows:



1st. To secure to the members of said Tribe all the rights and privileges guaranteed by treaty to the Umpaquah and Calapooias, of the Umpaquah Valley, jointly with said Tribes, they hereby agreeing to confederate with those bands.

2d. To erect and keep in repair and furnish suitable persons to attend the same for the term of ten years, the benefits of which to be shared alike by all the bands confederated, one flouring-mill and one saw-mill.

3d. To furnish iron, steel, and other materials for supplying the smith's shop and tin-shop stipulated in the treaty of 29th November, 1854, and pay for the services of the necessary mechanics for that service for five years in addition to the time specified by that treaty.

4th. To establish a manual-labor school, employ and pay teachers, furnish all necessary materials and subsistence for pupils, of sufficient capacity to accommodate all the children belonging to said confederate bands, of suitable age and condition to attend said school.

5th. To employ and pay for the services of a carpenter and joiner for the term of ten years to aid in erecting buildings and making furniture for said Indians, and to furnish tools for use in said service.

6th. To employ and pay for the services of an additional farmer for the term of five years.

#### Article 3.

In consequence of the existence of hostilities between the whites and a portion of the Indian Tribes in Southern Oregon and Northern California, and the proximity of the Umpaquah reservation to the mining district, and the consequent fluctuating and transient population, and the frequent commission by whites and Indians of petty offences, calculated to disturb the peace and harmony of the settlement, it is hereby agreed, the Umpaquahs and Calapooias agreeing, that the bands thus confederated shall immediately remove to a tract of land selected on the head-waters of the Yamhill River adjoining the coast reservation, thereon to remain until the proper improvements are made upon that reservation, for the accommodation of said confederate bands, in accordance with the provisions of this and the treaty of 29th November, 1854, and when so made, to remove to said coast reservation, or such other point as may, by direction of the President of the United States, be designated for the permanent residence of said Indians.

#### Article 4.

For the purpose of carrying out in good faith the objects expressed in the preceding article, it is hereby agreed on the part of the United States, that the entire expense attending the removal of the bands named, including transportation and subsistence, and the erection of temporary buildings at the encampment designated, as well as medical attendance on the sick, shall be paid by the United States.

#### Article 5.

It is further agreed that rations, according to the Army regulations, shall be furnished the members of the said confederated bands, and distributed to the heads of families, from

the time of their arrival at the encampment on the head-waters of Yamhill River until six months after their arrival at the point selected as their permanent residence.

Article 6.

For the purpose of insuring the means of subsistence for said Indians, the United States engage to appropriate the sum of twelve thousand dollars for the extinguishment of title and the payment of improvements made thereon by white settlers to lands in the Grand Round Valley, the point of encampment referred to, to be used as wheat-farms, or other purposes, for the benefit of said Indians, and for the erection of buildings upon the reservation, opening farms, purchasing of teams, tools and stock; the expenditure of which amounts, and the direction of all the provisions of this convention, shall be in accordance with the spirit and meaning of the treaty of 29th November, 1854, with the Umpaquah and Calapooia Tribes aforesaid.

In witness whereof, we, the several parties, hereto set our hands and seals, the day and date before written.

Joel Palmer, [L. S.]

Superintendent Indian Affairs.

Steencoggy, his x mark. [L. S.]

Lattchie, his x mark. [L. S.]

Dugings, his x mark. [L. S.]

Counisnase, his x mark. [L. S.]

Done in presence of the undersigned witnesses -

C. M. Walker,

T. R. Magruder,

John Flett, interpreter.

We, the chiefs and headmen of the Umpaquah and Calapooia Tribes, treated with in the Umpaquah Valley, on the 29th day of November, 1854, referred to in the foregoing treaty, to the provisions of this treaty, this day in convention, accede to all the terms therein expressed.

In witness whereof, we do severally hereto set our names and seals, the day and date written in the foregoing treaty.

Louis la Pe Cinque, his x mark. [L. S.]

Peter, his x mark. [L. S.]

Tom, his x mark. [L. S.]

Billy, his x mark. [L. S.]

Nessick, his x mark. [L. S.]

George, his x mark. [L. S.]

Bogus, his x mark. [L. S.]

Cars, his x mark. [L. S.]

Done in the presence of the undersigned witnesses -

C. M. Walker,

T. R. Magruder,

John Flett, interpreter.

## APPENDIX C

### CHAPTER III REFERENCES

Reference #	Text of Reference
Reference 1	<p>It was necessary, in order to avoid conflicting settlements, and consequent war with each other, to establish a principal, which all should acknowledge as the law by which the right of acquisition, which they all asserted, should be regulated as between themselves. This principal was, that discovery gave title to the government by whose subjects, or by whose authority, it was made, against all other European governments, which title might be consummated by possession. The exclusion of all other Europeans, necessarily gave to the nation making the discovery the sole right of acquiring the soil from the natives, and establishing settlements upon it. It was a right with which no Europeans could interfere. It was a right which all asserted for themselves, and to the assertion of which, by others, all assented. Those relations which were to exist between the discoverer and the natives, were to be regulated by themselves. The rights thus acquired being exclusive, no other power could interpose between them. In the establishment of these relations, the rights of the original inhabitants were, in no instance, entirely disregarded; but were necessarily, to a considerable extent, impaired. They were admitted to be the rightful occupants of the soil, with a legal as well as just claim to retain possession of it, and to use it according to their own discretion; but their rights to complete sovereignty, as independent nations, were necessarily diminished, and their power to dispose of the soil at their own will, to whomsoever they pleased, was denied by the original fundamental principal, that discovery gave exclusive title to those who made it. While the different nations of Europe respected the right of the natives, as occupants, they asserted the ultimate dominion to be in themselves; and claimed and exercised, as a consequence of this ultimate dominion, a power to grant the soil, while yet in possession of the natives. These grants have been understood by all, to convey a title to the grantees, subject only to the Indian right of occupancy. The history of America, from its discovery to the</p>

	present day, proves, we think, the universal recognition of these principals (R.S.W. 1851:2).
Reference 2	<p>Camp on the Branch of Rogue River June 28<sup>th</sup>, 1851.</p> <p>Dear Sir: -I have but a very few minutes to spare to tell you of our operations during the last week, and must be brief. At noon on the 22d our express from the Rogue River mines returned, and reported that a small party of citizens were at the Ferry, ready to co-operate with us; but that, as a general rule, the citizens could not be made to turn out. So much delay for nothing was rather discouraging and it was determined to commence our operations at once, without reference to parties of citizens to operate in other directions. It was deemed expedient to obtain a position on the other side of the river, without, if possible, the knowledge of the Indians. Therefore, as soon as it was dark, we saddled up and at 9 ½ o'clock, quietly crossed the creek, and went up the valley for 20 miles, when we forded the river, near where it emerges from the mountains. Then, sweeping down the right bank, we reached "Table Rock," where we supposed the Indians were assembled. But much to our regret we found the main body had dispersed. We had a little skirmish in the bushes, in which one of our men was wounded in the arm. In the afternoon of this day we found a rancho which we destroyed, killing several males, and capturing 8 squaws with some children. I forgot to mention that some 20 or 30 citizens, joining our packers before leaving camp, formed with a party of about 50 which accompanied us, and rendered us much assistance. The Indians being dispersed, we had to give up all hopes of a regular fight and all we could do was scour the country, and destroy any small parties we might find. On the 23d inst. we were joined by a party from the Shasta diggings, among whom was Maj. Frenner, the "Mustang" of Mexico and Texas notoriety. During the night of the 24<sup>th</sup>, Gen. Lane, with a small party of citizens also joined us, and we had now quite a formidable party. From the time we have been searching about in the mountains, destroying villages, killing all the males we could find, and capturing women and children. We have killed about 30 altogether, and have 28 prisoners now in camp. The prisoners we will take with us and probably send them from California by sea, to the Superintendent of Indian Affairs in Oregon. He having them in possession will probably be able to bring the tribe to terms.</p> <p>I regret I have so little time that I can give you none of the details of our operation. We are all well in camp, and to-morrow we re-commence our march towards California, which I hope will not again be interrupted (R.S.W. 1851:2).</p>
Reference 3	<p>General Lane told us, the evening before his departure for the States, that Gov. Gaines had done all that could have been done to terminate hostilities between the Indians and the whites, -- that he had full confidence, if the whites would refrain from practicing any further lawless and inhuman</p>

	<p>cruelties upon the Indians, they would remain peaceable and quiet, and all would be well. He looked upon the treaty as an important matter to our citizens and gave Gov. Gaines much credit for its accomplishment. . . . All charges and innuendoes that have appeared in the Statesman are false. Gen. Lane, Jesse Applegate, and many other old, substantial, and well known citizens of Oregon, . . . deny the allegations of the Statesman. . . . Let the people of this Territory who have interests here above that of party, look well to the motives of these men, who would plunge the Territory into a bloody war with the Indian tribes within our borders, at the expense of millions of dollars, and at the sacrifice of life and property, to build up a political party who might pander to their political ambition. Such persons are now here—persons who, by making false representations seek to incite the relentless hands of lawless men to the commission of outrageous acts of violence against the Indians, thereby inducing them to re-commence the war which was terminated by the treaty of Gov. Gaines (Anonymous 1851a:2).</p>
Reference 4	<p>Indian Superintendent Joel Palmer negotiated treaties with Oregon Indians which placed them on reservations. The U.S. Senate delayed ratification of the treaties, however, and Indian-white tensions increased. On October 8, 1855, a band of white volunteers surrounded a camp of reservation Indians and killed twenty-three men, women, and children. These men then scalped their victims and returned to Jacksonville. Indians began to attack whites the next day.</p> <p>[And]</p> <p>The first business of the volunteers was to ascertain the locality of the main body of the Indians. Scouting parties soon found that their stronghold was their position of the year before, near Table Rock, to which they had added fortifications with considerable skill. They numbered at least three hundred warriors, commanded by Joe, Sam, Jim and several other minor chiefs; and all were defiant and aggressive, pledging themselves to a war of extermination. The tribes of Chiefs John and Elijah were known to be somewhere on Applegate creek, to the south and west of Jacksonville, and therefore very dangerous to the safety of the town, if an advance was made to Table Rock, which was nearly north. To ascertain the force of these Indians, and to drive them from their position, if possible, Lieutenant B.B. Griffin, of Company A, and Captain J.F. Miller, with a detachment of twenty-five men, were ordered to march on the morning of June 10th. The Lieutenant proceeded to Sterling creek, where he destroyed the rancheria of Chief Elijah after a slight skirmish... (Evans 1889:412-413).</p>
Reference 5	<p>the war against the Indians will be prosecuted with all vigor, promptness and efficiency, I am master of, at the same time without wasting, unnecessarily, the means and resources at my disposal, by untimely and unproductive expeditions.</p>

With the additional force which recently arrived at Vancouver and the Dalles, I think I shall be able to bring the war to a close in a few months, provided the extermination of the Indians, which I do not approve of, is not determined on, and private war prevented, and volunteers withdrawn from the Walla Walla country.

Whilst I was in Oregon, it was reported to me, that many citizens, with due proportion of volunteers, and two newspapers, advocated the extermination of the Indians- This principal has been acted on in several instances without discriminating between enemies and friends, which has been the cause, in Southern Oregon, of sacrificing many innocent and worthy citizens, as in the case of Maj. Lupton and his party (volunteers) who killed 25 Indians, eighteen of whom were women and children. These were friendly Indians on their way to their reservation, where they expected protection from the whites. This barbarous act is the cause of the present war in the Rogue River country, and as Capt. Judah, U.S.A. reports, is retaliatory of the conduct of Maj. Lupton.

By the same mail which brought me your communication, I received one, now before me, from a person whom I think incapable of misrepresentation, which informs me that the friendly Cayuses are every day menaced with death by Gov. Curry's volunteers. The writer says that they have despoiled these Indians- who have so nobly followed the advice of Mr. Palmer, to remain faithful friends to the Americans- of their provisions. Today, he says, these same volunteers, without discipline and without orders, are not satisfied with rapine and injustice, and wish to take away the small remnant of animals and provisions left. Every day they run off the horses and cattle of the friendly Indians. They have become indignant, and will not be much longer restrained from resisting conduct unworthy of the whites, who have made them so many promises to respect and protect them if they remain faithful friends. The writer further says, if the volunteers are not arrested in their brigand activities, the Indians will save themselves by flying to the homes of their relatives, the Nez Perces, who have promised them help, and then all Indians of Oregon and Washington will join in the common defense, This information is, in great measure, confirmed by a person who, I am assured enjoys your respect and confidence.

I need not say, although I had previously instructed Col. Wright to take the Walla Walla country at the earliest moment practicable, that I directed him to give protection to the Cayuses from the depredations of the volunteers. It is such conduct as here complained of, that irritated and greatly increases the ranks of the hostile tribes, and if the Nez Perces join in war against us, which I hope to prevent, we shall require a much larger force than we now have in Washington and Oregon Territories to resist savage barbarities and to protect the whites (Wool 1856).

<p>Reference 6</p>	<p>Tiacan said, they were friendly to the whites and had always been and that they were willing to do as their Great Father (President of the USA) wished and part with all of their lands, except a small portion, that they wished to reserve to live upon, feed their horses and cattle and cultivate.</p> <p>The Board asked if they would be willing to remove beyond the Cascade Mountains provided our Government would give them as good a piece of land there and pay all of their expenses in the removal.</p> <p>They all answered decidedly "No." Alquema said they had once been a great people but now they had decreased to nothing, and in a short time the whites would have all their lands, without their removing.</p> <p>[after a night for consideration]</p> <p>It was time to get the exact boundaries of the territory claimed by the tribe . . . They claim from a point on the Wallamette River called Butte [at Butteville near Champoeg] ; thence up the Wallamette River to a point about 15 miles above the mouth of the Kallapooya River, for a western boundary, thence East in a direct line to the foot of the Cascade Range to a point East of the head waters of the Moo-lal-le River, for an Eastern boundary; thence, west in a line about midway between Moo-lal-le river and Butte Creek that empties into Pudding River until within about five miles of the mouth of the Moo-lal-le River, where the line turns, and runs about southwest to the place of beginning for a northern boundary. . . . The Tribe appeared willing to make a Treaty, selling all their lands, except that between the forks of the Santiam, which they wished to reserve.</p> <p>Gov. Gaines asked if a reserve could be made there without taking the claims occupied by white Settlers.</p> <p>It was said it could not be done.</p> <p>Gov Gaines [stressed again removing beyond the Cascades for the good of the tribe]</p> <p>Alquema objected to removing, said that they could now see that they had thrown away their country; but that they wanted to keep this piece of land as their reserve.</p> <p>Tiacan, said their hearts were upon that piece of land, and they didn't wish to leave it.</p> <p>[another night of consideration]</p>
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	<p>The Hanshoke [Ahantchuyuk] people . . . decided to unite with the main tribe . . . and acknowledge the chiefs as their chiefs . . .</p> <p>Alquema said they had thought over it and they had determined to reserve the country between the forks of the Santiam and that all the Indians would go together into this reserve.</p> <p>Alquema- “We don’t want any other piece of land as a reserve than that in the forks of the Santiam river. We do not wish to remove (Beckham 2006).</p>
Reference 7	<p>[Title] Notice by the Commanding Officer at the Dalles of the Columbia, Oregon.</p> <p>Emigrants, and other white persons, are hereby warned not to settle in the Indian country East of the Cascade Mountains, in the Territories of Oregon and Washington. The Indian title has not yet been extinguished by treaty. Congress by the act of 5<sup>th</sup> June, 1850, authorized negotiations for the lands West of the Cascade Mountains, but no act of congress has yet authorized the president to commence any on the East of those mountains. Therefore it is not proper for settlements to be made there. The same act of Congress extended “the act of 30<sup>th</sup> June 1834, to regulate trade and intercourse with Indian tribes,” over this territory. By the 10<sup>th</sup> and 11<sup>th</sup> sections of that act, it is my duty to warn off settlers from the Indian country. No Assent or consent, of any kind, has been given by any of the organized and powerful Indian tribes, to any settlements being made. The government alone, according to the act of 14<sup>th</sup> August, 1848, has power to treat for the extinguishment of the Indian title; and it becomes all good citizens to wait the action of the government (Alvord 1853).</p>
Reference 8	<p>The Indians of this agency are kept in a state of constant uneasiness and insecurity by reports of whites with whom they come in contact to the effect that they are soon to be removed from their present homes, and that the deeds to their lands are valueless, and may at any time be annulled or canceled. Now it is immaterial whether there is any truth in these reports or not; the effect upon the minds of the Indians is just the same so long as they have no deed in fee-simple, or no assurance from the government that they will be permanently protected in the possession of their lands; and it will be impossible to induce them to permanently improve their farms and become self-supporting until they have some land to improve, as they are no more anxious than white persons to work for years and improve lands for the benefit of others. If they are to be permitted to remain permanently upon any reservation, none could be selected more suitable for them and having any greater natural advantages than Grand Ronde has (Commissioner of Indian Affairs 1877).</p>



Reference 9	<p>I desire, however, to call your special attention to the condition of the property lately turned over to the present agent. All of the mechanical tools are worn out or broken; out of twenty ploughs only two are reported as fit for use. The wagons are out of repair, while the horses and mules are not worth wintering. The saw and grist mills both need repairs, and even the agency buildings are in a dilapidated condition. . . . I have submitted in my annual estimate the amount which will be required for repairs on the mills and for the necessary fixtures to make them complete, . . . I would call your attention to the treaty stipulations with the Umpquas and Calapooias of the Umpqua valley, of the 29<sup>th</sup> November, 1854. The second article of this treaty provides that the United States shall pay to said confederated bands the sum of two thousand and three hundred dollars for the term of five years next succeeding the first five. By reference to the laws and appropriates for the two past years you will observe that Congress failed to comply with this stipulation. I have estimated for this deficiency, and trust that you will embody the same in your estimate for the ensuing fiscal year. . . . The articles forwarded have invariably failed to give satisfaction to the Indians. They are of inferior quality, unsuitable to their wants or tastes. . . . It consumes the entire annuity fund for "beneficial objects" and a large portion of the "incidental fund", to transport these articles to the place of distribution. . . . better articles can be obtained in this market at a less price, and such as are adapted for their wants. This fund should be husbanded and dispersed for objects calculated to benefit the Indians, and not in such transparent trash as has usually been received. . . . only a portion of the funds appropriated in 1860 have, as yet, been received (Commissioner of Indian Affairs and Dole 1861:7-9).</p>
Reference 10	<p>My name is Jack West. I live in Siletz twelve years I stay here. I feel very bad. The Agent does not help me. I have a little girl Sussie West just seven years old this last August. She is not strong. She has a pain in her side most all the time and a cough when she run she gets sick if she goes in rainy days outdoors. Agent tell I want that girl for school. I say not this winter she no strong but soon she get strong, I put her there. I like school for children very well but I don't want put in boarding hall because her mother can't look after her if she gets wet and cold. The school got no fire to warm children feet when cold and wet they go bed at night and sometimes wet. Then Agent no say no more but I send my little girl to her grandma with her grandfather and Agent send policeman and drag her off the horse she cry for Police and she don't know what policeman take her for, Alsea Grant he's policeman, Buford tell him catch that girl. I don't know nothing until her grandpa come my home tell me. I write you help me. Doctor tell me first time your girl no strong, next time all right. Doctor no cure my child. I buy medicine outside. She get cure now Doctor made me cause I buy medicine outside. You please give me my girl back just this winter. I afraid she die, please do. I</p>

	<p>know Agent will not be cruel to my people. My heart girl have we her side we don't allow her get cold, she vomit, she get yellow in her face when she afraid and pain in her side . . . fast white man say her heart too fast (West 1881).</p>
Reference 11	<p>Mr. Larsen- [about Siletz] four hundred and forty nine [Indians] on the census roll . . . about 7,000 acres of trust property, inherited land, and original allotments, and 2,517 acres of Tribal land, timber claims, without 30 acres of agency land used as a headquarters site . . . There are about 24 tribes . . . There are only about 15 of the 551 allottees who still have their allotments in trust. The balance is inherited property.</p> <p>Senator Frazier- What is the means of livelihood of these Siletz Indians?</p> <p>Mr. Larsen- Well it is timbered country. I can not say. I have been down there nine years and I do not know just what they do for a livelihood.</p> <p>Senator Frazier- You mean they work for wages?</p> <p>Mr. Larsen- For wages, road work, and in the timber . . . they have lost practically all of the good farm land . . . [through] nonpayment of taxes and sold, mortgages, and loans.</p> <p>Mr. Larsen- [about Grand Ronde] on the Grand Ronde Reservation there is a total of 333 [Indians] . . . They are in the same condition as the Siletz with the exception that they have about 60 acres of tribal land and 900 acres of inherited tracts. There are only about, I would judge, 100 that do have inherited land.</p> <p>Senator Frazier- What kind of land is this?</p> <p>Mr. Larsen- Burned-over land, hill land, timbered, some of it.</p> <p>Senator Frazier- Not Agricultural land?</p> <p>Mr. Larsen- very little</p> <p>Senator Frazier- What do their Indians do for a livelihood?</p> <p>Mr. Larsen- They are mill workers and farm helpers (United States Senate 1932).</p>
Reference 12	<p>Mr. Hudson- There is another matter I wish to take up in regard to the old Indians. I think this matter has been taken up by one of the members of the tribe. I am from Grand Ronde and we have four or five old people that need attention. Of course, I do not blame the Government for not assisting those people. They are considered citizens of the United States.</p> <p>Senator Frazier- All Indians are citizens of the United States whether they are on reservations or not.</p> <p>Mr. Hudson- Yes. They sold their land, consequently they have nothing at the present time and we have asked the county courts for some assistance and the State or county and they have sent them over to Chemawa to get rid of them, you might say. They tell them to go to Chemawa, "you are a ward of the Government," . . . They are in bad circumstances. Their health is not in good shape . . . I would suggest or would ask that there would be some</p>

	<p>arrangements made whereby there should be set aside something like a few acres where they could do their own farming, raise their own crops, and supply the needs of their home if they have a home . . . . It seems to me that the Government and the counties who take care of things should do that and the Indians should not be shifted from one place to the other (United States Senate 1932).</p>
Reference 13	<p>1891, Dec. 3, 44579, Depoe Charley, Siletz Agency, Oreg. Complains of the action of Supt. Walker in whipping children at Siletz School. Siletz Agency Oregon. Honorable John W. Noble Secretary of Interior Washington City, D.C. Dec. 3, 1891</p> <p>I will make my statements to you about the Superintendent Mr. Walker. He has whipped a girl of twelve years of age. Here face and hands are all cut by strikes of the whipping of Superintendent Mr. Walker. He has done the whipping on Nov. 24, 1891. The bruises and cut showing on the face and hands which I can prove. And prove by the father of the child and several others. The Superintendent Mr. Walker whipped the child for answering him back for some little thing. John Albert proves that his child is a good girl all the time. And child told him in presence of some others. She has been whipped by Superintendent Mr. Walker. Holding her high above the floor, and then gave her the whipping, holding her by the hair. John Albert went to Superintendent Mr. Walker. For using such hard lick and whipping on his child face Superintendent Mr. Walker, said I whip any child the same way for answering me back. John Albert said next time you want whipped my child, you come and whipped me. I am big enough to be whip. John Albert prove his child head a [and?] ear is not right since she receive the whipping which cause her to be deaf, by pulling her up by her hair. John Albert is an Indian. A Tribe of Alsea Indians. His father is Alsea is still alive is an Indian Chief of Alsea Indians. John Albert is very sorry for having his child treated in this manner of way of whipping. If you don't believe my statement that the child have bruises and marks on her face and hands. You will please call on the Matron and Industrial Teacher of the Boarding School and Doctor which they will say my statement is true. If you believe my statement as stated as above, you need not refer to Matron and Industrial Teacher and Doctor because you believe is true. I made my report before to Washington about Superintendent Mr. Walker choking two school boys, and I report before U.S. Special Agent again told him boys will get sick if treated in that way. Them boys sent to Chemawa one of them was sick receiving from choking. Been there two months come back and died, Nov. 2 1891 (Charley 1891).</p>

Reference 14	<p>One unfamiliar with conditions locally or tending toward hurried judgment is inclined to the thought that most of these people are almost completely self-supporting and no especial problem to the Government. This conclusion is partly true at present and without question all families . . . except the old age group, are now enjoying earnings never before received. All such wages including residents are gaining from such firms as lumber companies, defense plants, or other activities connected therewith. This picture however will change materially after the war and it is feared unemployment conditions, similar to those experienced during the CCC program will return. Data furnished the office during 1938 showed the activities of 76 families with yearly earnings averaging from \$152 on the CCC payroll to \$1045 at farming. Of the different activities including CC or W.P.A., timber, farming, and miscellaneous, 28 families gained part of their livelihood from Government-made work and approximately 54 families were in relief. One might express regret that employment possibilities available now could not continue and if that were possible the Siletz Indian problem would pretty well settle itself. The Indians have demonstrated an ability and willingness to work if offered the opportunity and it is felt that this field of income should be exploited to the fullest possible extent now and in the future. Those Indians have secured good positions, wherever the location, should remain if possible after the war (Affairs and Agency 1944:8).</p>
Reference 15	<p>Since the first World War, timber activities have been prevalent in all the Grand Ronde area and for many years, several large mills have operated close to the Indians' homes. A few of the families engage in agriculture almost exclusively, but most Indians where work full time for the timber operators. During the hops season, each fall there is a pilgrimage to various yards, where each familys' [sic] earnings are substantial, with all its members being employed . . . Defense and other activities, connected with the war, have caused many changes for the Grand Ronde Indians. Earnings are larger. Numerous families have moved to Portland or elsewhere where jobs are plentiful. The young people are mostly away . . . In normal times though, the less efficient Indian workers are finally weeded out of the better paying jobs and some of them have trouble to make ends meet (Affairs and Agency 1944:5-7).</p>
Reference 16	<p>We have three Indian children, (orphans) under our care. One a boy of 17 or 18 years whom we got to take care of our animals, but his mother is dying soon after, we were obliged to take his sister of 12 years to keep her from suffering. The third a boy of 13 years who came here and asked by signs so significantly to be permitted to remain with us that we could not refuse. We devote one hour each evening in teaching them to read and spell, and I think I never knew children make more rapid progress. I trust it will not be long before we shall have a flourishing school here, which I think is the most effectual means of benefiting these truly miserable beings . . . however it will not be very difficult to bring them by degrees to cultivate the ground (Brosnan 1932:73).</p>

**APPENDIX D**  
**OREGON CLAIMS CASES**

<b>Oregon Indian Claims Cases against the Federal Government, to 1947.*</b>				
Tribe/case	Jurisdictional act date	Decision date	Final award	Subject
Tillamook (Grand Ronde, Siletz)	Aug 26, 1935	Nov 25, 1946	unknown	Land, fishing, Hunting
Coos, Lower Umpqua, Siuslaw	Feb 23, 1929	May 2, 1938	Dismissed	Land
Alcea Tribe (Siletz dropped out)		Nov. 26, 1946	\$2.26 m	
Rogue River (Molalla, Umpqua, Calapooia)		1950	\$347,000	
Siletz Tribe		1951	\$434,000	
Warm Springs	Dec 23, 1930	Nov 3, 1941	2,622,660.41	Land, treaty
Rogue River et al. (Calapooias, Grand Ronde and Siletz)	Aug 26, 1935	Sept. 30, 1947	92,535.63 +	Accounting, land, timber, mineral rights, hunting, fishing, treaty obligations
Klamath, **Moadoc, Yahooskin	May 26, 1920	Apr 4, 1938	Dismissed	Land
Klamath, **Moadoc, Yahooskin	May 26, 1920	Jun 7 1937	7,291,778.56	Land
Klamath, **Moadoc, Yahooskin	May 26, 1920	Jan. 8 1940	Dismissed	Accounting, fishing, hunting

Nez Perce	Feb 20, 1929	Feb 1, 1943	Dismissed	Money from Land, Per capita, Gold mining
Nez Perce, Joseph's Band	Feb 20, 1929	Oct 6, 1941	Dismissed	Accounting, Land
*(Smith 1947) ** actual case titles				

### Summary of the Klamath Indian Claims Cases

At the Klamath Reservation, all of the Klamath Reservation was sold to either timber companies or into the federal park system, the largest portion of which became the Winema National Forest. The Klamath did not develop the extensive logging operations that subsisted beyond their termination date of 1961. They were one of the few Tribes that had completely paid for the cost of BIA administration on their reservation out of their natural resources. But the continued extraction of timber was a process of sales to local timber companies. The Klamath's ability to pay their bills erroneously gave the impression that they were successfully assimilated.

Additional information regarding the Klamath Indian Claims cases relates to the work of anthropologist Dr. Luther Cressman from the University of Oregon. Dr Cressman served on the Governor's Indian Affairs Committee for several years, and then deferred to his colleague Dr. Theodore Stern (Anthropology Department, University of Oregon) as an anthropologist who was studying the contemporary culture of the Klamath Indian Tribe.

Dr. Cressman served on the state committee as well as was being solicited as an expert witness by law firms and Indian rights organizations concerned with or representing the Klamath Indian Tribe. In a key correspondence, Dr. Cressman received this solicitation from the law firm Wilkinson, Boyden & Cragun from Washington, D.C. on February 28, 1952,

Dear Professor Cressman,

This firm represents the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians with respect to certain claims against the United States, which claims are now pending before the Indian Claims Commission here in Washington, D.C. Certain of these claims are of an historical nature, i.e., the extent of the lands aboriginally used or occupied by the Indians, and in that connection it has appeared to us advisable to determine what expert testimony is or may be available in connection with the proof of things as the aboriginal territory, tribal identity, etc. Expert anthropological testimony on such questions as these has been respectfully admitted by the courts and has weighed heavily in establishing these matters . . . . Dr. Stewart has advised us to contact you with

respect to the Klamath Case since it is his information that you have worked, both as an archeologist and as an ethnologist, with the Klamath Tribes . . . . We have had some correspondence in the latter part of last year with Dr. Theodore Stern of the University of Oregon. At that time Dr. Stern advised us that the pressure on him due to teaching and research obligations was so heavy that he did not feel he could devote much time as an expert trial consultant or witness. We have not closed our negotiations with Dr. Stern . . . . We would very much appreciate hearing from you as to the nature and extent of your scientific work with the Indians of the Klamath Reservation, and whether or not you would be willing and able to participate as an expert witness in this case (Wilkinson 1952).

The status of Dr. Cressman and Dr. Stern of being “experts” regarding the history and identity of the Klamath Tribe is the issue of this letter. The letter clearly establishes the power of such expert testimony in legal proceedings (Deloria 1969). But more to the point, parallel with the preparation for termination, were the Indian Claims Cases, and Dr. Cressman and Dr. Stern took roles that crossed over into each of the processes. This example of the linkage of termination with Indian Claims Cases is only one such, among many.

## APPENDIX E

### CHAPTER V REFERENCES

Reference 1	<p>From: Martin N. B. Holm Subject: Trips to Grand Ronde, Siletz, and Salem, Oregon February 5, 1955</p> <p>On Sunday, January 30, 1955 Mr. Skarra and I attended a council meeting at Siletz. Approximately 40 members and the tribal officials were present. I discussed with them enrollment under the Termination Act, the Judgment Act, the protection of minors funds under both Acts, etc. Mr. Skarra discussed the sale of the Upper Reserve and Medicine Ridge timber units, the formation of a corporation so that they could take title to the cemetery, canal, and the area around the council hall, action that would be taken on their individual allotments, etc. The council was attentive, treated us with courtesy, and expressed their appreciation for our visit.</p> <p>A short stop was made at Grand Ronde where I talked with Vincent Mercier, Secretary to the council. We discussed the proposed roll and I was assured that it would be submitted within a month or so. There is question as to whether or not they will wish to form a corporation to take over the tribal territory there. We need to discuss this with them in the meeting. Mr. Mercier stated that there was very little interest in Termination at Grand Ronde, and that it was difficult to get a council meeting crowd. He is concerned about the delinquent loans and asked that Credit send strong letters to those who are delinquent. This has been passed on to Credit.</p> <p>On February 2 I went to Siletz. Mrs. Service and Mrs. Munsey helped me go through all of the tribal minutes, resolutions, etc., to extract information on past actions and practice regarding tribal membership, enrollment, etc. Mr. Logan, Chairman of the council came for a few hours and the entire matter of membership, enrollment, and how it had been carried on in the past was discussed. This information is being furnished the Washington</p>
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	Office so that the Secretary can publish in the Federal Register, membership requirements for the Siletz. There is very little written documentation in the record as to specific requirements (Holm 1955b).
Reference 2	<p>They found a number of families, primarily living in the Grand Ronde area, who were entitled to be members of the Grand Ronde census roll. They approved these families for enrollment, however, we understand they were never approved by the Grand Ronde General Council and for this reason these families are listed as not having been approved.</p> <p>Since these families were submitted by the representative committee in 1953 and were included on the 1953 roll and have been included on the roll submitted by the Grand Ronde Business Committee for publication as the proposed roll in accordance with P.L. 588, we recommend that the roll as submitted include these families be accepted for publication by the Secretary. Thus the final sheet of the roll submitted would be omitted as these family groups are included in the basic roll (Holm 1955a).</p>
Reference 3	<p>The tribes were: Confederated Tribes of the Grand Ronde Community, Confederated Tribes of Siletz Indians, Alsea, Applegate Creek, Calapooya, Chaftan, Chempho, Chetco, Chetlessington, Chinook, Clackamas, Clatskanie, Clatsop, Clowwewalla, Coos, Cow Creek, Eucheas, Galice Creek, Grave, Joshua, Karok, Kathlamet, Kusotony, Kwatami or Sixes, Lakmiut, Long Tom Creek, Lower Coquille, Lower Umpqua, Maddy, Mackanotin, Mary's River, Multnomah, Munsel Creek, Naltunnetunne, Nehalem, Nestucca, Northern Molalla, Port Orford, Pudding River, Rogue River, Salmon River, Santiam, Scoton, Shasta, Shasta Costa, Siletz, Siuslaw, Skiloot, Southern Molalla, Takelma, Tillamook, Tolowa, Tualatin, Tututui, Upper Coquille, Upper Umpqua, Willamette Tumwater, Yamhill, Yaquina, and Yoncalla (Congress 1954).</p>

## **APPENDIX F**

### **PRESIDENT NIXON'S SPECIAL MESSAGE**

#### **PRESIDENT NIXON, SPECIAL MESSAGE ON INDIAN AFFAIRS**

JULY 8, 1970

To the Congress of the United States:

The first Americans - the Indians - are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement - employment, income, education, health - the condition of the Indian people ranks at the bottom.

This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proved to be ineffective and demeaning.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country - to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.

It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the

conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

#### SELF-DETERMINATION WITHOUT TERMINATION

The first and most basic question that must be answered with respect to Indian policy concerns the history and legal relationship between the Federal government and Indian communities. In the past, this relationship has oscillated between two equally harsh and unacceptable extremes.

On the other hand, it has – at various times during previous Administrations – been the stated policy objective of both the Executive and Legislative branches of the Federal government eventually to terminate the trusteeship relationship between the Federal government and the Indian people. As recently as August of 1953, in House Concurrent Resolution 108, the Congress declared that termination was the long-range goal of its Indian policies. This would mean that Indian tribes would eventually lose any special standing they had under Federal law: the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large.

This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part, the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

This goal, of course, has never been achieved. But the special relationship between the Indian tribes and the Federal government which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.

The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them

unable to relate to a myriad of Federal, State and local assistance efforts. Their economic and social condition has often been worse after termination than it was before.

The third argument I would make against forced termination concerns the effect it has had upon the overwhelming majority of tribes which still enjoy a special relationship with the Federal government. The very threat that this relationship may someday be ended has created a great deal of apprehension among Indian groups and this apprehension, in turn, has had a blighting effect on tribal progress. Any step that might result in greater social, economic or political autonomy is regarded with suspicion by many Indians who fear that it will only bring them closer to the day when the Federal government will disavow its responsibility and cut them adrift.

In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme: excessive dependence on the Federal government. In many cases this dependence is so great that the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving. This is the second of the two harsh approaches which have long plagued our Indian policies. Of the Department of Interior's programs directly serving Indians, for example, only 1.5 percent are presently under Indian control. Only 2.4 percent of HEW's Indian health programs are run by Indians. The result is a burgeoning Federal bureaucracy, programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale.

I believe that both of these policy extremes are wrong. Federal termination errs in one direction, Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy which truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination. In my view, in fact, that is the only way that self-determination can effectively be fostered.

This, then, must be the goal of any new national policy toward the Indian people to strengthen the Indian's sense of autonomy without threatening this sense of community. We must assure the Indian that he can assume control of his own life without being separated involuntarily from the tribal group. And we must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support. My specific recommendations to the Congress are designed to carry out this policy....

The recommendations of this administration represent an historic step forward in Indian policy. We are proposing to break sharply with past approaches to Indian problems. In place of a long series of piecemeal reforms, we suggest a new and coherent strategy. In place of policies which simply call for more spending, we suggest policies which call for wiser spending. In place of policies which oscillate between the deadly extremes of forced termination and constant

paternalism, we suggest a policy in which the Federal government and the Indian community play complementary roles.

But most importantly, we have turned from the question of whether the Federal government has a responsibility to Indians to the question of how that responsibility can best be furthered. We have concluded that the Indians will get better programs and that public monies will be more effectively expended if the people who are most affected by these programs are responsible for operating them.

The Indians of America need Federal assistance – this much has long been clear. What has not always been clear, however, is that the Federal government needs Indian energies and Indian leadership if its assistance is to be effective in improving the conditions of Indian life. It is a new and balanced relationship between the United States government and the first Americans that is at the heart of our approach to Indian problems. And that is why we now approach these problems with new confidence that they will successfully be overcome (Nixon 1970).

## **APPENDIX G**

### **GRAND RONDE RESOLUTIONS: 1949-1951**

Copies of Grand Ronde Resolutions in preparation for termination, 1949-1951.  
From National Archives Records Administration, Seattle, PAO Desk files, 4  
pages.

RESOLUTION

WHEREAS, the Confederated Tribes of the Grand Ronde Community, in the State of Oregon, an Indian chartered corporation, executed and accepted loan agreement contracts I-86-ind-701 under date of January 18, 1937 for \$3,000.00 and I-97-ind-6 under date of September 19, 1938 for \$10,000.00 for a total of \$13,000.00 with the United States, for making loans to individual Indians, and

WHEREAS, it has been found necessary to have only \$8,000.00 of the \$13,000.00 advanced to the credit of our corporation to date, all of which has been repaid, and

WHEREAS, we have a balance of approximately \$7,340.00 in an Individual Indian account obtained from sale and rental of rehabilitation houses, and deposited through the Area Office of the Bureau of Indian Affairs in Portland, Oregon, with the Treasurer of the United States, and

WHEREAS, a letter from the Bureau of Indian Affairs in Washington, D. C., dated November 4, 1949 stipulated that Office would be willing to approve the termination of the rehabilitation trust agreement of the Confederated Tribes of the Grand Ronde Community approved November 14, 1939 and supplemented May 27, 1940 if we would agree to deposit the balance of the funds now available, and accruals thereto, in an I.I. account or other depository from which we could make loans under the provisions of the revolving credit regulations, using revolving credit forms and making annual reports and providing that arrangements would be made to keep the required records, make the required reports, and make collections not in contravention to section 4, Article 1 of the By-laws, now, therefore

BE IT RESOLVED, that a modification of our loan agreement contracts I-86-ind-701 and I-97-ind-6 is hereby requested, reducing the amount of the commitment from \$13,000.00 to \$8,000.00 and that the unadvanced portion, \$5,000.00 of the commitments revert to the United States Treasury, and further

BE IT RESOLVED, that we request the termination of the rehabilitation trust agreement in accordance with the letter from the Bureau of Indian Affairs and further request authority to use the funds now in the I.I. account as well as future earnings from the rehabilitation fund investment as a revolving credit loan fund. We agree to write up an economic development program and statement of plans and policies which we propose to follow in conducting our credit activities subject to the approval of the Commissioner of Indian Affairs or his duly authorized representative.

CERTIFICATION

I, the undersigned, as secretary of the Business Committee of the Confederated Tribes of the Grand Ronde Community, an Indian chartered corporation, hereby certify that the Business Committee of the corporation is composed of 5 members, of whom 4, constituting a quorum were present

-59-

at a meeting thereof duly and regularly called, noticed, convened, and held this 28th day of November 1949; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 4 members; and that said resolution has not been rescinded or amended in any way

Dated this 28th day of November 1949

Date \_\_\_\_\_ 1949  
Approval recommended: \_\_\_\_\_  
(Sgd.) Mrs. Celis Smith  
Secretary, Business Committee  
of the Confederated Tribes of the  
Grand Ronde Community

Regional Representative

Date March 2, 1950

Approved December 14, 1949 subject  
to approval of resolution and economic  
development program and statement of  
plans and policies by the Area Director

Approval Recommended:

(Sgd.) L. P. Towle

(Sgd.) Albert Huber  
for the Commissioner

## RESOLUTION

WHEREAS the membership of the Grand Ronde Tribes of Grand Ronde Community Inc. in two sessions, recently met, discussed and voted on the proposition of early termination of selected activities and withdrawal of Federal supervision over the Indians of Grand Ronde, and

WHEREAS the response of said membership has been a reluctance to accept said program of termination and withdrawal, on the grounds that no provision has been made therein to compensate the membership for loss of alleged rights to fish and hunt, believed to have been retained by the Indians when their lands were ceded by them, or were appropriated by the Federal Government without their consent, and

WHEREAS the following draft of bill has been discussed with this Committee:

Section 1. It is the purpose of this Act to provide for a termination of Federal supervision over the Trust and Restricted Property of Indian Tribes, Bands, and individual Indians that were formerly under the jurisdiction of the Grand Ronde and Siletz Agencies, Oregon, for the disposition of lands set aside for the use and benefit of such Indians, and for a termination of the Federal Services furnished such Indians because of their status as Indians.

Section 2. In order to terminate Federal supervision over the Trust and Restricted Lands of Indian Tribes and Bands that were formerly under the jurisdiction of the Grand Ronde and Siletz Agencies, Oregon, and over lands set aside for the use and benefit of such Tribes and Bands, including improvements thereon, the Secretary of the Interior is hereby authorized:

A. To issue patents in fee or deeds to such lands owned by or set aside for a Tribe or Band that incorporates or organizes under the laws of the State of Oregon with powers and a form of organization satisfactory to the Secretary.

B. To sell such lands upon such terms and conditions as he deems proper and distribute the proceeds of sale to the tribe or band or the members thereof, provided, that no such lands shall be sold without the approval of the Tribe or Band if within a time prescribed by the Secretary the Tribe or Band incorporates or organizes under the laws of the State of Oregon with powers and a form of organization satisfactory to the Secretary.

C. To remove restrictions from, sell, or otherwise dispose of Trust or Restricted Personal Property of such Tribes or Bands.

-43-

Section 3. In order to terminate Federal supervision over the Trust and Restricted Lands of individual Indians that were formerly under the jurisdiction of the Grand Ronde and Siletz Agencies, Oregon, the Secretary is hereby authorized to issue to the Indian owners thereof without their consent patents in fee and orders removing restrictions unless within a time prescribed by the Secretary the Indian owners request or consent to sale of the land pursuant to existing laws.

Section 4. When Federal supervision over all or substantially all the Trust and Restricted Property subject to the provisions of sections 2 and 3 of this Act has been terminated, the Secretary of the Interior shall proclaim that fact and the Indian Tribes, Bands, and individual Indians involved shall not be eligible thereafter for the Educational, Health, Welfare, Rehabilitation and other services extended by the United States to Indians because of their status as Indians.



Section 5. Upon the issuance of the proclamation referred to in Section 4 of this Act the State of Oregon shall have civil and criminal jurisdiction over the persons and property of the Indian Tribes, Bands (including the members thereof), and individual Indians formerly under the jurisdiction of the Grand Ronde and Siletz Agencies, Oregon, to the same extent the State has jurisdiction over the persons and property of other persons and property in the State, such Indian Tribes, Bands and individual Indians shall have all the rights, privileges, immunities, and obligations possessed by other citizens of the State and the statutes of the United States applicable to the Indian Country shall be inapplicable to such Indians and their property.

Section 6. The charter issued by the Secretary of the Interior under the provisions of the Indian reorganization Act of June 16, 1934 (48 Stat. 984), to the Confederated Tribes of the Grand Ronde Community, Oregon, and ratified by the community on August 22, 1936, is hereby revoked, the revocation to become effective on the date of the proclamation referred to in Section 4 of this Act.

Section 7. Nothing contained in this Act shall affect any claim heretofore or hereafter filed in accordance with the provisions of the Act of August 13, 1946 (62 Stat. 1049); but nothing in this Act shall be made the basis for such a claim.

and

WHEREAS the Business Committee believes that it is the will and the mandate of the membership, as evinced by actions previously taken as stated herein, that the Federal Government should withdraw its supervision over the Indians of the former Grand Ronde Reservation and that the draft of bill set forth herein is satisfactory to said membership, with the exception of a portion of Section 7 thereof,

-44-

BE IT RESOLVED that the Confederated Tribes of the Grand Ronde Community does hereby approve the draft of bill set forth herein, provided that Section 7 thereof shall be amended by deleting the following words, immediately following "62 Stat. 1049":

"but nothing in this Act shall be made the basis for such a claim".

and by substituting therefor the following:

"and nothing contained in this Act shall be construed to deprive any Indian of any hunting, fishing, or other right or privilege under Federal law, treaty or agreement."

Adopted by the Business Committee of the Confederated Tribes of Grand Ronde Community in regular session, duly noticed and called, at which four members representing a quorum for conducting business were present, by an affirmative vote of four members and no dissenting votes, this 22nd day of August, 1951 at Grand Ronde, Oregon.

Business Committee of

CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY

/s/ Celia Smith

Chairman

/s/ Vincent Newler

Secretary

/s/ David Leno

Member

/s/ Vernon Reibach

Member

/s/ Fremond Bean

Member

## RESOLUTION

WHEREAS, on June 1, 1951, the Confederated Tribes of the Grand Ronde Community did by a majority vote of its membership, at a regularly called election in which at least 30 per cent of the eligible voters cast ballots, adopt the following proposition:

Shall application be made for a fee patent to the Community land? (Vote cast --- 48 Yes 25 No)

BE IT RESOLVED that the Secretary of the Interior be, and he hereby is requested to terminate his supervisory power over the operation of, and disposition of all tribal properties, consisting of .50 acres at Agency Headquarters, 60 acres of tribal timber reserve and 536.99 acres acquired under Indian Reorganization Act, and

BE IT FURTHER RESOLVED that lands hereinbefore described be fee patented to the Confederated Tribes of the Grand Ronde Community.

Adopted by the Business Committee of Confederated Tribes of Grand Ronde Community at a special meeting called for such purpose, by a vote of 5 for and 0 against, on this first day of June, 1951,

Business Committee of  
CONFEDERATED TRIBES OF GRAND RONDE COMMUNITY

Celia Smith  
Chairman

Attest:

Vincent Mercier  
Secretary.

# APPENDIX H

## OREGONIAN ARTICLE ON TERMINATION: 1952

1952 Sunday Oregonian newspaper article with photos and comments from tribal leaders in Western Oregon, 4 images.

### White Man's Guardianship of Indian t

**BY JAMES STUART**  
*of White Oregonian*  
 pictures on Page 26

Any way you look at it, the historical record of governmental dealings with American Indians is not a pretty picture. The record in regard to Oregon Indians is no exception. In the light of contemporary standards of justice and equity, the white man's treatment in the past of Oregon Indians often was touched with grimness, if not brutality.

Now, a century or so after the original white-Indian conflict in Oregon, the federal bureau of Indian affairs has recommended that congress end all supervision over the affairs of some 2000 coast Indians, embracing an estimated 43 tribes and bands.

When these Indians, or part Indians, will be completely on their own depends on the speed

with which congress acts. There is no reason to believe congress will reverse the recommendation of the Indian bureau—one of the first such recommendations for full emancipation in the nation's history.

In recommending federal withdrawal from the affairs of the coast Indians, the bureau pointed out that nearly all those who would be affected are integrated in their communities and are perfectly capable of handling their own affairs.

This, understandably enough, was no news to the Indians or to their all-white neighbors in many communities up and down the Oregon coast.

**Most Found at Grand Ronde**

Most of the Indians affected by the proposed legislation live at Grand Ronde, Siletz or in southwestern Oregon. Those at Grand Ronde and Siletz live in definable communities; those

in southwestern Oregon, with the exception of a concentration at Agness, have settled in scattered locations.

Some understanding of the history of these peoples, in so far as their relations with the white men are concerned, is necessary to appreciate their present position.

First, very few coast Indians live on prairie ancestral lands. Prior to August, 1855, the tribes occupied a vast, rich area bounded by the coast range of moun-

tains, the California-Oregon border and the Pacific ocean.

But with the continued white infiltration, the discovery of gold at Gold Beach and all the resultant tensions, the Indians in 1855 entered into a treaty with the United States, turning over all this territory in partial return for a permanent reservation along the coast.

Although this treaty was never ratified by congress, the government proceeded to enforce its provisions and established a coast Indian reserve of 1,362,400 acres in November, 1855. This vast area was known as the Siletz reservation.

The Grand Ronde reservation was established on June 30, 1857, and was intended as a temporary reserve for "holding" Indians from the coast until suitable homes could be found for them on the coast reserve.

Some of the Indians, naturally reluctant to leave their ancestral homes, promptly returned to southwestern Oregon as soon as they arrived at Grand Ronde. The government found this difficultly could be overcome by transporting the Indians from their homes on ships. This made it impossible for the Indians to know where they were, or how they got there, when they arrived at Grand Ronde.

ness or backwardness sometimes associated, unfairly, with their race.

At Grand Ronde and Siletz, the Indians work at a variety of jobs, mostly logging and farming. In southwestern Oregon they work as longshoremen, loggers, farmers and guides.

Their integration is so complete that Indian culture has all but disappeared. A few elderly women and men at Grand Ronde and Siletz are expert basket weavers. One family at Siletz has maintained an interest in tribal dances. Otherwise their ancient culture has all but vanished.

Despite a state law (repealed at the last legislature) that frowned on mixed marriage, most of the Indians have white blood. This is particularly true of the younger Indians.

The Indian bureau estimates that 95 per cent of the younger generations of coast Indians have intermarried with other races.

### City News in Brief

**Portlander Named**  
 John Mettala, member of First Methodist church, has been elected to the board of trustees of Iliff school of theology, Methodist seminary in Denver, Colo.

A special committee has been appointed by the board in preparation for observance of the school's 60th anniversary next fall.

**Women Invited**  
 Portland Modern Dance group, sponsored by the bureau of parks and recreation, has invited women interested in modern dance techniques and composition to meet Monday at 7:30 p. m. at Shattuck school. Registration is not required and the class will be open until March 3.

Sichels' devaluation sale of shirts and sports shirts, sports coats and Duke slacks, Irish linen hdk'chiefs, English wool Sox, all silk ties reduced. Suits,

**Reed Man Listed**  
 Dr. Fritz Reed, visiting professor of sociology at Reed College last summer, will take part in an international seminar on psychology in Oslo, Norway, in April. He will return to Reed for the 1952 summer session, conducting for a second time a workshop in group dynamics.

**Two Mark Date**  
 Mr. and Mrs. Leonard Blakely, ex-Portlanders, celebrated their golden wedding in San Francisco Sunday. The couple lived in Portland 40 years before moving to San Francisco, where he was associated with the Civil Drug company until retirement three years ago.

**Bump Hurts Woman**  
 Eulah Johnson, 45, 81 N. Ivy street, suffered a cracked breast bone Friday night in a rear-end automobile collision at N. Broadway and Interstate avenue. She was taken to Good Samaritan hospital.

### Candidate?



JOHN G. JONES  
Eyes congressional seat

### Demo Hints Candidate Bid

John G. Jones, manager of station KLBK at La Grande, indicated Saturday he probably will become a candidate for the Democratic nomination for rep-

resentation to congress.

Some of the Indians, naturally reluctant to leave their ancestral homes, promptly returned to southwestern Oregon as soon as they arrived at Grand Ronde. The government found this difficultly could be overcome by transporting the Indians from their homes on ships. This made it impossible for the Indians to know where they were, or how they got there, when they arrived at Grand Ronde.

### Tribal Lands Diminish

Descendants of Indians no descended still live around Siletz and Grand Ronde.

The original Grand Ronde reservation contained 59,750 acres. By a series of treaties and deeds, some of which it would be charitable to call shady, the Grand Ronde tribal lands diminished over the years to 59749 acres.

Similarly, the huge Siletz reservation has dwindled to slightly more than 2500 acres.

There are additional lands in individual Indian allotments. They, like the tribal lands, are in trust status, meaning the federal government has the final say in their disposition.

It must be remembered, too, that the coast Indians meet none of the requirements of qualifi-

### Identification Difficult

Even some of the old-timers at Grand Ronde and Siletz are of mixed blood. Some are descendants of soldiers stationed as guards at the reservations in the early days.

At any rate, it is impossible to identify many of the coast Indians by appearance.

The Indians who will be affected by complete independence are divided, by location of residence, as follows: Siletz, 731; Grand Ronde, 548; southwestern Oregon, 304. These figures were taken from the census rolls of June 1, 1950.

### Five Dental S, Will Give Adc

Dental problems will be discussed by five dental specialists during the 59th annual meeting of the Oregon State Dental association, March 3 through 5 at the Masonic temple, Dr. Willard H. Kuzley, association president, has announced.

One of the major convention

Image 1, First page, left side.

# Indian to End After 100 Years

ness or backwardness sometimes associated, unfairly, with their race.

At Grand Ronde and Siletz, the Indians work at a variety of jobs, mostly logging and farming. In southwestern Oregon they work as longshoremen, loggers, farmers and guides.

Their integration is so complete that Indian culture has all but disappeared. A few elderly women and men at Grand Ronde and Siletz are expert basket weavers. One family at Siletz has maintained an interest in tribal dances. Otherwise their ancient culture has all but vanished.

Despite a state law (repealed at the last legislature) that frowned on mixed marriage, most of the Indians have white blood. This is particularly true of the younger Indians.

The Indian bureau estimates that 95 per cent of the younger generations of coast Indians have intermarried with other races.

### Identification Difficult

Even some of the old-timers at Grand Ronde and Siletz are of mixed blood. Some are descendants of soldiers stationed as guards at the reservations in the early days.

At any rate, it is impossible to identify many of the coast Indians by appearance.

The Indians who will be affected by complete independence are divided, by location of residence, as follows: Siletz, 731; Grand Ronde, 548; southwestern Oregon, 804. These figures were taken from the census rolls of June 1, 1950.

How do these Indians take to the idea of full independence, an end to federal trusteeship?

In their various councils they voted to ask the government to withdraw from their affairs, so it can be assured they favor the idea. But there are variations in feeling.

### Plan Called Too Late

John "Mose" Hudson, an elder of the Grand Ronde confederation, for example, generally indorses the plan.

"It's just 100 years too late, that's all," Hudson said. "Many of our old people died of broken hearts because of the way they were treated."

William Simmons, who at 82 maintains an articulate and sprightly interest in Grand Ronde affairs, thinks the full and complete emancipation will be a fine thing for the younger generation.

A nondrinker, Simmons maintains, with complete justification, that federal liquor regulations in regard to Indians are outmoded and discriminatory.

"That was the worst thing they ever did," said Simmons.

Coquille Thompson, a leader of the coast Indians, and an ex-OSC football star, thinks federal withdrawal will be a healthy thing for all concerned.

### Lumber Marketing Eyed

It will help him and others of the younger men at Grand Ronde and Siletz to get somewhere in the marketing of timber. As it stands now, the trust land must be cruised by the federal government before it can be logged. But the federal gov-

ernment refuses to put up enough money for cruises, and sometimes refuses to accept private evaluations.

This situation results in frustration, not to mention considerable legal expense.

Thompson, who lives with his family near Siletz, admits some of the elder coast Indians harbor considerable bitterness about the treatment they and their fathers received.

He adds, however, that all the coast Indians, elders included, hold a deep regard for the United States and realize, bitter as the past sometimes was, that they live in a country where individual justice is a reality.

### Voting Not Affected

Fred C. Sandberg, North Bend, a leader of the Coquille tribe, thinks federal withdrawal will be a good move. It will mean, however, that the members of his group will have to pay taxes on a small acreage (6.12 acres) at Empire, where tribal meetings now are held in a government assembly hall and cannery.

Contrary to popular assumption, the federal withdrawal will have nothing to do with Indians voting. Indians have had the right to vote in Oregon for many years. In 1924 the federal government decided wardship and citizenship were not incompatible. Since that time restrictions on voting have been removed by most states.

Some of the Indians fear the withdrawal may snag their suits against the government to collect for lands lost in early days to white infiltration.

Two of these suits, known as the Alsea and Rogue river cases, have resulted in a combined judgment of about \$3,000,000 for the Indians. This money will be distributed when congress passes enabling legislation and when the tribal claimants are sorted out.

### \$8,000,000 Suit Pending

Three other suits have been filed, however. Counsel for the Indians in these cases is E. L. Crawford, a Salem attorney.

One suit asks for \$8,000,000 for lands lost on the Siletz reservation. The plaintiff Indians contend they were defrauded, then received a pittance for the lands taken from them. The Grand Ronde confederation seeks \$871,500 in a similar suit claiming tribesmen were paid only \$28,500 for lands worth many times that amount.

In sort of a blanket suit, going back to aboriginal claims, all the coast Indians ask \$50,000,000 for the country of their ancestors.

All the suits have been filed with the Indian claims commission, but it may be several years before the taking of testimony will start.

In an immediate sense, the federal withdrawal will mean that Indians will have to pay taxes on what are now trust lands; that they will be strictly on their own in so far as medical attention and everything

else is concerned, and they can buy liquor any time they feel like it.

Assuming congress passes the withdrawal legislation, it probably will take some time to settle the affairs, legal and financial, of the old Indian-white relationship.

Then the onerous federal liquor provision (Oregon repealed its law against selling liquor to Indians at the last legislature) will be a thing of the past. Not that anyone wants to get drunk. The Indian simply considers the federal liquor statute a galling discrimination. Some of the Indians delight in telling the story of one of their leaders, a man who was half white, who had a standard reply to questions why he, an Indian, was drinking:

His reply: "It's only the Scotch-Irish part of me that is drinking."

## Five Dental Specialists Will Give Addresses Here

Dental problems will be discussed by five dental specialists during the 59th annual meeting of the Oregon State Dental association March 3 through 5 at the Masonic temple. Dr. Wilbur H. Hurley, association president, has announced.

One of the major convention talks, Dr. Hurley said, will be "The Dental Scene at Home and Abroad" by Dr. Harold Hillenbrand, Chicago, secretary of the American Dental association.

Other speakers will include Dr. George A. Hughes, prosthodontic dentistry professor at the University of California dental school; Dr. F. L. Jacobson, head of the diagnosis department at the University of Washington dental school; Dr. Miles Markley, Denver, Colo., and Dr. Walter T. McFall, Asheville, N. C., clinicians and writers on professional subjects.

About 800 dentists, dental technicians and dental assistants are expected to attend the meeting. At the general assembly March 4 Dr. Hurley will deliver the annual president's



DR. MILES MARKLEY, DR. WALTER McFALL. To address dental meeting

message and a report from the house of delegates, which will meet at 1 p. m. March 2 at the Medical Dental building auditorium.

Dinner meetings of three professional honorary societies are scheduled March 3, with an annual dance planned March 4. On the convention's final day, are scheduled 23 table clinics with a total of 25 speakers.

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Image 2, First page, right side.

# Oregon Indians Express Views on Impending Emancipation

### Proposed Legislation Anticlimactic To Tribesmen at Grand Ronde, Siletz

If all does well congress within the next few months will pass legislation ending federal trusteeship over about 2000 Oregon coast Indians.

How do the Indians themselves feel about their impending emancipation? Where and how do these Indians live? How will they benefit from full freedom?

An attempt to answer these questions and others pertaining to coast Indians, The Oregonian last week sent a photographer on a tour along the storm-worn Oregon coast to talk to persons who will be affected by the legislation.

Here are the stories that appear on this page; they elsewhere will be written.

(All photos by Eric Brown, Oregonian staff photographer.)



**MEMORIES** John (Mose) Hudson, member of Santiam tribe, recalls old days on Grand Ronde reservation, where he has lived all his life. He is somewhat bitter over treatment accorded his people, is not too interested in impending law to free Indians.



### INTEGRATED

Vincent Mercier, grandson of Hudson, is principal and one of teachers at Agency school at Grand Ronde. Here he instructs his

class in social science. Eight of the students in above photo have Indian blood. Mr. Mercier also has taught school at



Image 3, Second page, top of page.

Image 4, Second page, bottom of page.



**ELDER** At 82, William Simmons is the patriarch of Grand Ronde Indians. Simmons has a fond of fabulous stories, which he touches with a lively wit. He thinks full citizenship will be good for young folk.



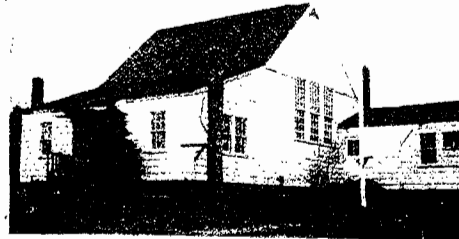
**WORKER** Louie Fuller, who claims to be 84, chops wood outside his house near Siletz. His father, John Fuller, was chief of Salmon river Indians. Fuller has lived in Siletz area since he was young man.



Fred C. Sandberg, North Bend, a long-shoreman, is chairman of the Coquille tribal council. Indians south of Siletz are scattered all over the region. There are few full blood Indians left along coast.



**ACTIVE** Howie Simmons, who lives in a modest house at Siletz and cares for his ailing wife, is a Rogue River Indian. Hard of hearing, Simmons spends much time thinking, reading his newspapers.



**HEADQUARTERS** This house at Empire, outside Coos Bay, is headquarters for Indians in southwestern Oregon. Land for house was donated by realtor, will be taxed when the federal government withdraws from tribes.



**ASSEMBLY** Members of the Grand Ronde confederation, which numbers some 13 bands and tribes, meet in this building to discuss tribal policy. Meetings of late have been concerned mostly with land sales various tribes have filed.



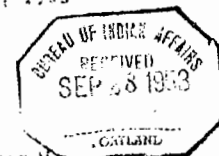
**FRIENDLY** Coquille Thompson, ex-OBC girl star, and his family, who live near Siletz, listen to basketball game here.

**APPENDIX I**  
**THE WESTERN OREGON INDIAN**  
**TERMINATION ACT: 1953**

Draft of P.L. 588 The Western Oregon Indian Termination Act, with notes from  
E. Morgan Pryse, 8 pages

**ROUGH DRAFT**  
FOR DISCUSSION PURPOSES ONLY

BUREAU OF INDIAN AFFAIRS  
September 15, 1953



A BILL

To provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes.

1        Be it enacted by the Senate and the House of Representatives  
2        of the United States of America in Congress assembled, That the  
3        purpose of this Act is to provide for the termination of Federal  
4        supervision over the trust and restricted property of certain tribes  
5        and bands of Indians located in western Oregon, and the individual  
6        members thereof; for the disposition of federally owned property  
7        acquired or withdrawn for the administration of the affairs of said  
8        Indians; for a termination of Federal services furnished such Indians  
9        because of their status as Indians; and for the termination of all  
10       other jurisdiction with respect thereto.

11        SEC. 2. For the purposes of this Act.

12        (a) "Tribe" means any of the following tribes, bands, groups,  
13        or communities of Indians located in Western Oregon: Confederated  
14        Tribes of the Grand Ronde Community, Confederated Tribes of  
15        Siletz Indians, Alsea, Applegate Creek, Calapooh, Calpuya,  
16        Cascades, Chafoo, Chempho, Chatco, Chetlesington, Clackamas,  
17        Clatskanie, Clatsop, Clowewalla, Clowewalla, Coos, Cow Creek,



1 Kuchee, Calico, Calico Creek, Crane, Good River, Justice, Karch,  
 2 Katchikanic, Kusa, Kusotay, Kwatsind and Sites, Kachumite, Long  
 3 Tom Creek, Lower Coquille, Lower Umpqua, Lacharastie, Madly,  
 4 Mary's River, Mequonedan, Motel, Multnomah, Mussel Creek  
 5 Malheur, Malheur, Nehalem, Nestucca, Northern Malalla, Foxe Oxford,  
 6 Pudding River, Rogue River, Salmon River, Santiam, Secon, Sequoia,  
 7 Shasta, Shasta, Siletz, Siuslaw, Siskiyou, Southern Malalla,  
 8 Takelma, Tillamook, Tolowa, Umatilla, United Upper Coquille,  
 9 Upper Umpqua, Wasco, Willamette Turnwater, Trask, Yambilla,  
 10 Tequino, Yagwosh, Yocalla, and Yuki.

11 (b) "Secretary" means the Secretary of the Interior.

12 SEC. 3. Within ninety days after the effective date of this act,  
 13 the Secretary shall publish in the Federal Register (1) a list of those  
 14 tribes for whom rolls will be required for the purposes of this Act  
 15 and (2) a list of those tribes for whom no rolls will be required for  
 16 the purposes of this Act. The tribes on both lists shall have a period  
 17 of six months from the date of publication of the notice in order to  
 18 prepare and submit to the Secretary a proposed roll of the members  
 19 of the tribe. Said roll shall be published in the Federal Register.  
 20 If any tribe on list one fails to submit such a roll within such period,  
 21 as soon as practicable thereafter the Secretary shall prepare said

1 publish in the Federal Register such a roll. Any person claiming an  
2 interest in the assets of a tribe who may be aggrieved by the inclusion  
3 or omission of the name of a person on or from the proposed roll of  
4 the members of the tribe may file an appeal within ninety days from  
5 the date of publication of such roll. The Secretary shall review any  
6 rolls submitted by the tribes and any appeals filed in accordance with  
7 the provisions of this section, and his decisions shall be final and  
8 conclusive. The Secretary thereupon shall publish in the Federal  
9 Register all rolls of the members of the tribes prepared in accordance  
10 with this section, which rolls shall be final for all purposes.

11 SEC. 4. The Secretary is hereby authorized and directed to  
12 transfer to the tribe within two years from the effective date of this  
13 Act title to all property real and personal held in trust by the United  
14 States for the tribe: Provided, That if the tribe requests that title  
15 be transferred to a corporation organized under the laws of a State,  
16 or the District of Columbia, or other legal entity qualified and  
17 capable to take title to all or part of the property owned by the tribe  
18 or held in trust by the United States for the tribe. The Secretary  
19 shall make transfers to such corporation or other legal entity.  
20 Provided further, That the Secretary is authorized, upon application  
21 of the tribe, to sell all or part of the property held by the United

1 States in trust for the tribe upon such terms and conditions as he  
2 deems proper and deposit the proceeds of sale in the Treasury of  
3 the United States to the credit of the tribe for disposition as herein  
4 after provided.

5 In the disposition of property involved herein, the Secretary  
6 is authorized to make a pro rata distribution among the members of  
7 the tribe of all of its property and funds, including the proceeds from  
8 the sale of any property referred to in this section without cost to  
9 the tribe.

10 SEC. 5. (a) The Secretary is directed to transfer within two  
11 years from the effective date of this Act to the respective members  
12 of each tribe unrestricted control of funds or other personal property  
13 now held in trust by the United States for them individually.

14 (b) Effective two years from the date of this Act, all restrictions  
15 as to sale or encumbrance of allotted or purchased trust or restricted  
16 land now or hereafter held by members of the tribes are hereby  
17 removed, and the title then held shall pass in fee simple subject to  
18 any valid encumbrance.

19 (c) Upon application by one or more of the heirs or devisees  
20 for partitionment of the lands of or division of the assets of an estate  
21 now held in undivided ownership by two or more persons, the Secretary  
22 may cause all or any part of such lands to be partitioned and

1 shall issue patents to the heirs, such patents to become unrestricted  
2 two years from the date of this Act. If the Secretary determines  
3 that partition of all or any part of the lands is not practicable, he  
4 may cause all or any part of the land to be sold at not less than the  
5 appraised price, and the proceeds placed to the credit of the owners;  
6 And provided further, That any one or more of the owners may elect  
7 before such sale to purchase the other interests in said land at not  
8 less than the appraised value thereof. In the case of such acquisition  
9 by any owner or owners, title shall be conveyed by the issuance of  
10 a patent in fee simple, or by an order or writ in fee simple title.

11 (d) Six months from the effective date of this Act, the Act of  
12 June 25, 1910 (36 Stat. 555), the Act of February 15, 1913 (37 Stat.  
13 678), and other Acts amendatory thereto are repealed with respect  
14 to the probate of the trust and restricted property of the members of  
15 the tribes. Such repeal shall not be applicable with respect to the  
16 probate of such property of members of the tribe whose deaths may  
17 have occurred prior to the expiration of the said six-month period.

18 (e) Jurisdiction is hereby conferred upon the courts of any  
19 State with respect to the probate in accordance with the laws of the  
20 State of the trust and the restricted property of members of the  
21 tribe whose deaths occur after the expiration of the said six-month  
22 period.

1           SEC. 6. The Secretary is authorized, in his discretion, to  
2 transfer to any tribe or any group of the members thereof covered  
3 under this Act any federally owned property, acquired or withdrawn  
4 for the administration of the affairs of the tribes covered under this  
5 Act, which is necessary for Indian use, or to transfer to a public  
6 body that property which is necessary for public purposes and from  
7 which members of the tribes will derive benefit.

8           SEC. 7. No property distributed under the provisions of this  
9 Act shall at the time of distribution be subject to any Federal or State  
10 income tax. Following any distribution of property made under the  
11 provisions of this Act, such property and any income derived there-  
12 from by the individual or any corporation or other legal entity shall  
13 be subject to the same taxes, State and Federal, as in the case of  
14 non-Indians. Provided, That for the purpose of capital gains or  
15 losses the base value of the property shall be the value of the property  
16 when distributed to the individual, corporation, or other legal entity.

17           SEC. 8. Nothing in this Act shall affect any claim heretofore  
18 filed against the United States by any tribe.

19           SEC. 9. Nothing herein contained shall abrogate any valid  
20 lease, permit, license, right of way, lease, or other contract heretofore  
21 approved.

1           SEC. 10. The Secretary shall protect the rights of minors and  
2 other members of the tribes who are *non compos mentis* or under  
3 other legal disability by causing the appointment of guardians in  
4 courts of competent jurisdiction or by other means as he may deem  
5 adequate.

6           SEC. 11. Upon the removal of Federal restrictions on the  
7 property of individual members of a tribe and when Federal super-  
8 vision over tribal property is terminated, the Secretary shall proclaim  
9 that fact by publication in the Federal Register, and the provisions  
10 of all other statutes of the United States applicable to Indians because  
11 of their status as Indians shall no longer apply to the members of  
12 the tribe; and thereafter such Indians shall have all the rights,  
13 privileges, immunities, or obligations possessed by all other citizens  
14 of the State.

15           SEC. 12. (a) Effective on the date of the proclamation provided  
16 for in Section 11 of this Act, the corporate charter known pursuant  
17 to the act of June 15, 1936 (49 Stat. 904), as amended, to the  
18 Confederated Tribes of the Grand Ronde Community, Oregon, and  
19 ratified by the community on August 22, 1936, is hereby revoked.

20           (b) Effective on the date of the proclamation provided for in  
21 Section 11 of this Act, the powers of supervision, review, or approval

1 of the Secretary contained in the constitution of the Confederated  
2 Tribes of the Grand Ronde Community and the constitution of the  
3 Confederated Tribes of Siletz Indians are hereby terminated.

4 SEC. <sup>13</sup>~~12~~. Notwithstanding any other provisions of existing law  
5 tribal funds now on deposit or hereafter placed to the credit of the  
6 tribe in the United States Treasury shall be available for such pur-  
7 poses as may be designated by the governing body of the tribe and  
8 approved by the Secretary.

9 SEC. <sup>14</sup>~~13~~. The Secretary is authorized to prescribe and pro-  
10 mulgate necessary rules and regulations to effectuate the purposes  
11 of this Act, and may in his discretion provide for tribal referenda  
12 on matters pertaining to management or disposition of tribal assets.

13 SEC. <sup>15</sup>~~14~~. All Acts or parts of Acts inconsistent with this Act  
14 are hereby repealed insofar as they affect the tribe or its members.

15 SEC. <sup>16</sup>~~15~~. If any provision of this Act, or the application  
16 thereof, to any person or circumstance, is held invalid, the  
17 remainder of the Act and the application of such provisions to other  
18 persons or circumstances shall not be affected thereby.

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