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LAST COUNCIL IN WALLOWA CONTROVERSY TEN YEARS AGO

CHIEF JOSEPH'S HALF CENTURY CONTEST FOR THE VALLEY OF HIS FATHERS IS FAST FADING FROM MEMORY ALTHOUGH THE CLIMAX CAME WITHIN THE PRESENT DECADE.

(By Caroline Wasson Thomason)

Changes in Union and Wallowa counties are taken place so rapidly that epoch making events are whirled into history, and cease to receive attention while separated from the present by only a few years. Just ten years ago Chief Joseph with a small following was in Enterprise negotiating, although in vain, for the possession of a large portion of Wallowa county. Nine years ago the famous Wallowa county controversy of fifty years' duration was closed, and the Indians were forever bereft of the hope of regaining the lands of their fathers.

The conflict opened at a council between the Indians and the whites in May, 1855, at Walla Walla. At that council I. I. Stevens represented Washington and General Joel Palmer represented Oregon. Seventeen tribes of Indians were present. The Nez Perce tribe, 2500 warriors, selected as their camping place, the spot where the residence of President Penrose of Whitman college now stands.

What a scene it must have been when the palefaced brethren gathered the pow wow with their red brothers to arbitrate the giant question of land settlement and general peace. The council progressed smoothly, the pipe of peace was smoked by all. It seemed that the council was to close satisfactorily, when, like a war-cry on a midnight stillness, came the report to Chief Joseph the elder that without his knowledge the Nez Perces had signed away his ancestral home, his beloved Wallowa.

Joseph at once appealed to his fellow chieftains. Big Thunder, Three Feathers and other prominent warriors promised to help him. Upon consultation I. I. Stevens and General Palmer decided to reconsider the treaty in order to prevent a general uprising among the Nez Perces who had always been the professed and seeming friends of the whites. A map was furnished Chief Joseph. With a pencil he traced the boundaries of the reservation he desired. Needless to say he included the Wallowa.

Joseph the elder was yet to encounter difficulties over the Wallowa for in a council eight years later, June 9, 1863, the Nez Perce tribe in spite of his violent opposition, signed away this possession. Joseph never signed or acknowledged the validity of the treaty, he and his people being known as the "non-treaty" Indians. The old chief continued to make annual visits to Wallowa accompanied by his people. He died about 1865 and was buried about five miles from the head of the Wallowa canyon.

At his death, Joseph, the elder was succeeded by his son, Chief Joseph, the Napoleon of the Nez Perces, the ablest general who ever led a band of hostile Indians. At this time Joseph was 30 years old.

Although of unusual muscular strength and weighed over 200 pounds he was not as tall as he was commonly supposed to have been, being 5 feet and 11 inches. He was thoroughly versed in the Wallowa controversy, having been imbued with the love and the lore of the beautiful valley from his earliest boyhood.

The early Wallowa valley pioneers came in all good faith as soon as the wonderful new country was opened. But "Chief Joseph" and his non-treaty followers regarded the treaty of '63 as absolutely illegal as Joseph, the elder had never signed it. And even if the father should have signed away the lands they considered that the contract would have been in no way binding upon the children. Thus, with their crude theories of law, the Josephs considered themselves justified in adopting the most extreme measures to prevent the encroachment of the whites. The whole misunderstanding was due to the difference of opinion among the Nez Perce Indians themselves respecting the rights of the tribe as a whole to cede away the reservation of a particular clan.

At the council of "Old La Grande," July 4, 1872, composed of over 200 whites and Indians, there was a great

deal of discussion over the ownership of Wallowa county. It was determined here to send A. C. Smith and J. H. Stevens (father of "Jap" Stevens of this city) to Lapwai to council with Joseph, "Eagle-of-the-Light," and other Nez Perce leaders.

Indians from Lapwai met the delegation from La Grande at Asotin, and in solemn procession conducted it to the scene of the council. Perin Whitman, a nephew of Marcus Whitman, was the interpreter for the Nez Perces who said that they would resort to severe measures if the whites attempted to drive them from their homes. A. C. Smith and J. H. Stevens had two documents, the treaties of 1855 and 1863, showing that the Wallowa country belonged to the whites, legally.

Search as they would the Indian sympathizers could find no written statement of the agreement made with the Indians of 1855. So in gloom and discontent the Indians left the council tepee.

In the fall of 1872 the settlers were badly scared by orders from the Indians to leave the valley within three days or a massacre would ensue. The consternation extended no further than to cause the erection of several forts and the collecting of all the available firearms. The brave pioneers had already sacrificed too much for their homes to vacate them without a struggle. The Indians thought better of their threat and the settlements rested in peace once more.

An attempt on the part of the Indian agents to establish a reservation in Northeast Oregon was frustrated by Governor Grover, in 1874. Joseph must now fight if he would dwell in the land of his forefathers, and the occasion for fighting came in 1876.

A quarrel over some range horses resulting in the death of an Indian at the hands of A. B. Finley threw the country into a violent excitement. The Indians demanded that might be allowed to deal with Finley. Upon being refused by the courts in which Finley was acquitted on the ground of self defense Joseph declared that he would drive out the whites if they did not leave.

Volunteers from Union county began to pour into the Wallowa. Chief Joseph and his warriors drew up in fighting array about one mile from Wallowa lake, the town of Joseph taking its name from this act. General Force from Fort Walla Walla made a forced march across the mountains and succeeded in making peace with Joseph.

Although Joseph yielded without staining his tomahawk his heart bled with bitter indignation. He diplomatically accepted the stipulation offered only because he was at a decided disadvantage and needed time to collect arms and troops. Thus Wallowa, the golden apple of the following bloody war, lay at peace and quietude while with the cunning of a fox and the courage of a tiger, Joseph fought for it; Joseph the Napoleon of the Nez perces.

The war of 1877 followed, ending in the 1500 mile retreat of Joseph and his band to Bear Paw mountain, Montana, where they were finally captured. For 22 years this remarkable chieftain dropped out of Wallowa history. For eight years an exile in the Indian Territory, he was then removed to Colville reservation, which he occupied with Moses. This arrangement proved unsatisfactory to Joseph for the vision of Wallowa never faded from his sight, and the desire to recover it burned as strongly in his heart as in the days when he shed his blood for it. He resolved finally to make a last effort.

In August, 1899, four Indians, dressed in citizens clothing and riding in a double seated hack, drove into Enterprise. Without delay they proceeded to the city hall where an expectant crowd was assembled. A. C. Smith introduced Chief Joseph, his acquaintance of former council days. Through A. C. Smith, Joseph stated the purpose of his visit. He desired the consent of the Wallowa county people to the establishment of an Indian reservation in Wallowa county. He wanted all the land northeast of

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Wallowa river and Trout creek except the towns of Enterprise and Joseph. Wallowa lake was to be included in the reservation, and the people were to have ample pay for their land. The people did not give their consent, as a matter of course.

But Joseph had no idea of abandoning his hops so easily. So he hastened to Washington, D. C., where he interviewed the Indian agent and the secretary of the interior. The latter recommended that an inspector be appointed to accompany Joseph to Wallowa and look into the matter. The inspector was requested to report as to the advisability of granting Joseph 70,000 acres. Upon investigation Inspector McLaughlin found that Joseph stood almost alone in his desire to leave Colville.

Having gathered all the data he desired on the Colville reservation, McLaughlin, accompanied by Chief Joseph, Peo-Peo-Tobet (Chief Joseph's nephew) Edward Raban, interpreter, and Phillip Andrews, camp tender, made a trip to Wallowa county, where he found a strong sentiment against a reservation. Finding conditions here unfavorable for establishing a reservation, he so reported to the Secretary of the Interior. Thus the long controversy ended.

Joseph was confident that the report of McLaughlin would crush his hopes, so his last visit to Wallowa was overshadowed with gloom. In a photograph taken of him and of A. C. Smith at this time his face is touched with a subtle pathos and sadness. On Sunday, June 17, 1900, he made his last trip to Wallowa lake. He was accompanied by the members of his party, and A. C. Smith and J. S. Hodgins, a prominent attorney of La Grande at present.

Silently the grim old chieftain gazed at the crystal waters in which the lofty mountains were perfectly reflected. Who could know the savage longings of his heart! Only to breathe once more the breath of freedom! Only to scale the snowy summit of Eagle Cap and look out on the world unfettered! There would he behold a ridge where once his ponies fed on the tender grass, where once from its aerial in that stately pine an eagle screamed at his arrow's touch; oft there is the Aneroid lake with its perpetual ice; there is the huckleberry slope where once the stevedore bear snatched a sleeping papoose from its mother's arms; in the distance the Seven Devils stand out boldly.

But now he would see from Eagle Cap fields of growing grain and busy towns—the white man has taken it all, even the sacred spot where rests the bones of his father, Joseph ran

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