

The Middle Oregon Treaty of 1855

by **Jim Zeender**
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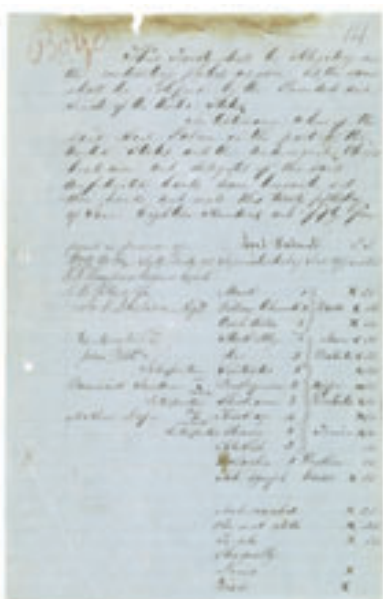
That the exclusive right of taking fish in the streams running through and bordering said reservation is hereby secured to said Indians; and at all other usual and accustomed stations, in common with citizens, of the United States, and of erecting suitable houses for curing the same; also the privilege of hunting, gathering roots and berries, and pasturing their stock on unclaimed lands, in common with citizens, is secured to them.

— Middle Oregon Treaty signed at Wasco, near the Dalles of the Columbia River, June 25, 1855

For thousands of years, Native peoples of various tribes resided in what, in the 1850s, was known as the Oregon Territory. Their cultures were closely tied to the land, its waters, and the many forms of life it supported.

In 1846 the Oregon Treaty, signed by the United States and the United Kingdom, settled the northwest border between the United States and Canada. More importantly, it set the stage for thousands of American settlers to swarm over what had been Indian lands.

In 1853, Joel Palmer, the Bureau of Indian Affairs Superintendent for the Oregon Territory, negotiated a series of treaties with the tribes of the northwest to obtain much of their land and force them on to reservations. Under the provisions of the 1855 Middle Oregon Treaty, the tribes ceded 10 million acres to the



Courtesy National Archives

One of the Treaty signing pages.

United States, and 578,000 acres were reserved for what became the Confederated Tribes of the Warm Springs Reservation.

The Columbia River soon became a major east-west route for settlers and others traveling to the Pacific Northwest region. The land reserved at Warm Springs was a remote corner of the territory. One Wasco elder told Palmer, “The place you have mentioned, I have not seen. There [are] no Indians or Whites there yet, and that is the reason I say I know nothing about that country. If there were Whites and Indians there then I would think it was a good country.”

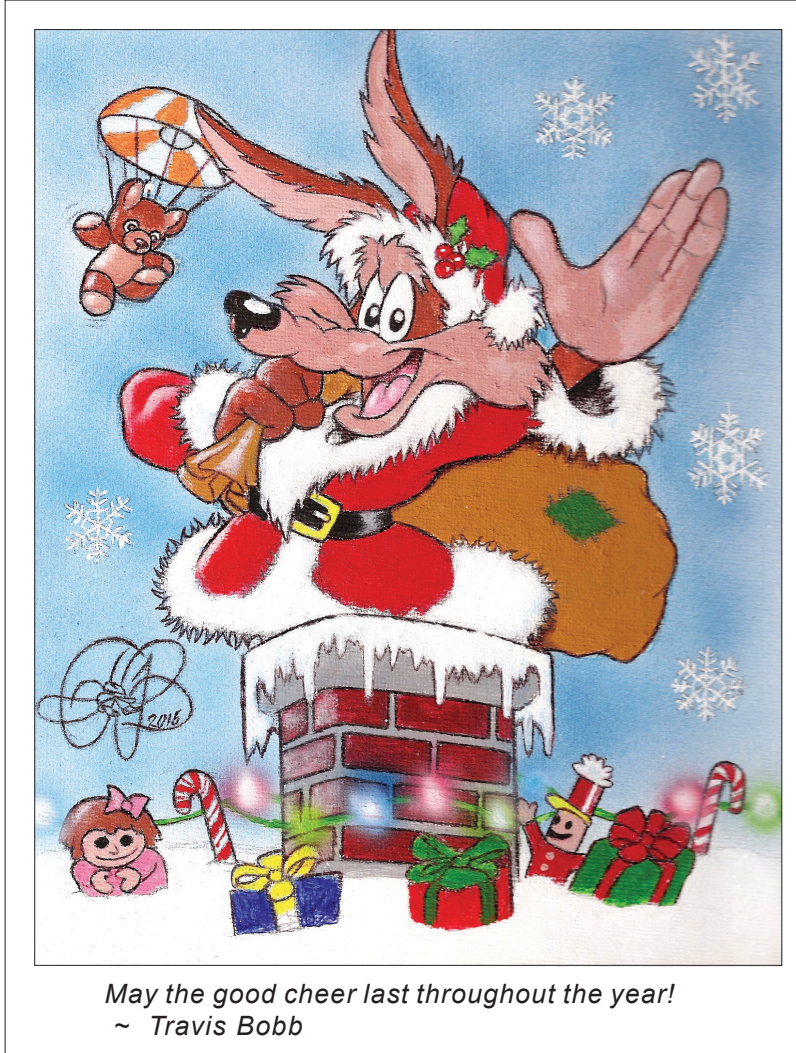
In January of this year, we received a loan request from the Museum at Warm Springs to feature the original 1855 Middle Oregon Treaty in October 2018 as

part of their *Memory of the Land* exhibition. In her request, the museum’s former executive director, Carol Leone, wrote:

“The Museum at Warm Springs exists as an answer to a question that has troubled Native Americans in general, and the Confederated Tribes of Warm Springs in particular, for most of the past century. Can this nation’s indigenous peoples take meaningful steps on their own initiative, under their own control to halt the erosion of their traditions, the dispersal of their sacred artifacts, and the loss of their very identity as a culture. After 25 years, the answer this question is, decidedly, yes.”

In the months that followed, many emails and multiple phone calls were necessary to explain NARA’s loan requirements and to work out logistical details for transport, installation, and security.

See **TREATY** on page 8



May the good cheer last throughout the year!
~ Travis Bobb

Ball fields

(Continued from page 1)

The soccer and softball fields together create the multi-purpose sports fields.

There will be new fencing for backstops, fence lines and outfields. The ballfields will have new restrooms, and a food concession building.

Outfields will be grass. There will be walkways, players fabric shelters, and park furniture to include picnic tables and picnic shelters, plus players benches with backrest.



Schematic drawing of the ball field project.

Courtesy Bruce Irwin/CTWS

Ruling puts Indian health law in question

A federal judge who invalidated the Indian Child Welfare Act issued another controversial ruling that could devastate tribal nations.

In a 55-page decision issued on Friday, Judge Reed O’Connor declared the entirety of the Affordable Care Act to be unconstitutional.

The law, enacted in 2010, includes a permanent reauthorization of the Indian Health Care Improvement Act; so now the IHCA has been thrown into an legal gray area.

And just like the ICWA ruling, O’Connor did not attempt to determine whether he could save the IHCA, which updates key programs at the Indian Health Service, or other provisions of Obamacare that benefit Indian Country.

Except for one sentence about tribal citizens who are exempt from the law’s health care insurance mandate, the decision did not address the federal government’s trust and treaty responsibilities.

“American Indians and Alaska Natives have specific health coverage benefits and protections in the Health Insurance Marketplace,” the IHS noted in a post on Facebook, reminding tribal citizens of the ability to choose to enroll in a health care plan.

“Members of federally recognized tribes and ANCSA shareholders can enroll in a plan year-round, but this is still a good time to think about your health care needs,” the post continued, linking to an explanation of Obamacare’s Indian Country provisions. Unlike the ICWA decision, though, O’Connor did not impose an injunction that might otherwise suspend the Affordable Care Act so the law—including the IHCA—remains in force. California Attorney General Xavier Becerra is vowing to ensure it stays that way.

WINTER

Anm
Ichishkiin snwit (Sahaptin Language)
Chaxelxix
Kiksht awawat (Wasco Language)
Tomo Numu
Numu (Paiute)

DECEMBER

Nch’i An
Ichishkiin snwit (Sahaptin Language)
Itgachaxelqwlmax Akłmin
REFERS TO WINTER HOUSE MONTH
Kiksht awawat (Wasco Language)
Tomo muha
Numu (Paiute)



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