



# Spilyay Tymoo

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## Governor sides with tribes on 1865 document

Tribal Council recently welcomed Oregon Governor Kate Brown for discussion of tribal treaty rights. A point of focus was the 'Huntington treaty of 1865,' a document that has never been recognized by the tribes or federal government.

The Treaty of 1855 created the Warm Springs Reservation while recognizing the tribal right to hunt, fish and gather at usual and accustomed places, and on "unclaimed lands" within and beyond the 11-thousand square miles of Ceded lands.

Then a decade later the Oregon superintendent of Indian Affairs, one J.W. Huntington, orchestrated the so-called 'treaty of 1865.'

This document—with no apparent compensation to the tribes, and with hardly any tribal signatures—purported to eliminate tribal off-reservation rights as ensured by the Treaty of 1855. A provision in the 1865 document also says tribal members could only leave the reservation with written BIA permission.

This erroneous document was eventually ratified by the U.S. Senate. Yet it has never been recognized or enforced, either by the tribes or the federal government. So only in bureaucratic theory does the document appear to still exist.

In the mid 1990s the tribes and U.S. Senator Mark O. Hatfield were working on a project formally to clarify the null and void status of the 1865 document. However, then-governor John Kitzhaber was unwilling to support the effort, effectively ending the



Alyssa Macy photo

Gov. Kate Brown signs a letter supporting the tribes in regard to 'the Huntington treaty.' On hand were Council members Lee Tom, Ron Suppah, Carina Miller, Valerie Switzler, Brigette McConville, Charles Jody Calica, Warm Springs Chief Delvis Heath, and Council Chairman Austin Greene Jr. (from left)

project.

Current Governor Kate Brown, though, is a supporter of the tribes in correcting this shameful episode in tribal-federal government relations.

With support of the Governor and the tribes, the present federal legislative delegation of Oregon could reconsider the means of clarifying this matter, through whatever means appropriate.

Over the decades there have been many instances of federal recognition only of the Treaty of 1855 as the defining document of

the Confederated Tribes.

In 1866, just a year after the 1865 document, Warm Springs Indian agent Jason Wheeler wrote to the Commissioner of Indian Affairs in Washington, D.C.:

"If ever a fraud was villainously perpetrated on any set of people, red or white, this was, in my opinion, certainly one of the most glaring..."

In more recent decades, various court decisions—a notable example is the 1969 decision by Judge Robert Belloni, in U.S. v. Oregon—have found the provi-

sions of the Treaty of 1855 to be the binding law of the land.

Federal agencies have concurred. For example, a 1997 U.S. Forest Service report concludes:

"The Treaty of 1855 remains the only document describing the rights of the Warm Springs tribes. As a matter of policy, the Forest Service recognizes only the Treaty with the Tribes of Middle Oregon, 1855."

— Dave McMechan

## Tribal Council ballots mailing

The tribes this week mailed out the 2019 Tribal Council ballots for the out-of-town voters.

This edition of the Spilyay includes statements from some of the candidates (starting on page 6). The election will be on April 4.

The **Agency District** candidates are Mike Clements, Austin Greene Jr., Leona Ike, Anita Jackson, Cassie Katchia, Dan Martinez, Carina Miller, Jeff Sanders Jr., Wilfred Sando, Dustin Seyler, Glendon Smith, Randy Smith, Lola Sohapp, and Valerie Switzler, and Marcia Soliz (write-in).

The **Simmasho District** candidates are Levi Van Pelt, Raymond Tsumpti, Charles Calica, Ron Suppah, Sal Sahme, JP Patt, Jaylynn Suppah, Lincoln Jay Suppah, Raymond Moody, Harold Pennington, Emerson Squemphen, TJ Foltz, Evaline Patt, Aurolyn Stwyer, and Priscilla Frank.

The **Seekseequa District** candidates are Reuben Henry, Lee Tom, Martha Winishut, Wilson Wewa, Gerald Tufti, and Brigette McConville.

## 509-J meeting at Academy

The Jefferson County School District 509-J will host the Warm Springs Community Engagement Night this Wednesday evening, February 13 at the Academy cafeteria area.

All community members are welcome.

The engagement night is to provide community collaboration and participation, with a chance to examine and provide information on the district programs. Questions, comments and feedback are welcome.

There will be a meal at 5:30 p.m., with discussion beginning at 6 p.m. Childcare will be provided.

## Honoring 2 young riders

Two young Warm Springs rodeo riders—Isaiah Florendo and Siddalee Spino-Suppah—have competed among the best in the nation.

Isaiah was a 2018 International Miniature Rodeo Association Finals Qualifier.

Siddalee was a 2018 Junior National Finals Rodeo Qualifier.

Family and friends will gather this Friday evening, February 15 at the Agency Longhouse.

The event is the Long Live Cowboys Potluck Dinner—*Come celebrate and honor the achievements of these young rodeo talents!*

For more information you can talk with Paleena Spino.

## Snowy weekend greets 42nd Lincoln's

Simmasho welcomed many guests as the community celebrated the Lincoln's Powwow.

Lincoln's this year celebrated 42 years of the tradition. It was a snowy weekend yet the guests and residents braved the weather—guests arriving from around the Northwest, to as far away as Arizona and Iowa.

Margie Tuckta, of the powwow organizing committee, has compiled the results of the dance competitions. Here are the results (in order of finishing—first, second, third, etc.):

### Junior Division

#### Girls

**Fancy:** Keiara Onepennee, Wapato. Eva Jurado, Salem. Katelyn Tanewasha, Warm Springs.

**Jingle:** Kaylyani Estimo, Warm Springs. Janessa Abundiz, Wapato. Sky Victorino, Warm Springs.

**Traditional:** Askewin Tom, Kyra Eastman and Sharmiah Brisbois, all of Warm Springs.



Courtesy SimmashoPowwow site on Facebook

#### Boys

**Fancy/Grass:** Liam Beebe, Toppenish. Julian Stwyer, Warm Springs. Joeray Stwyer, Pendleton.

**Grass:** Elijah Denney, Warm Springs. Joseph Boise Jr., Warm Springs. Jeryn Little Eagle, Wapato.

**Traditional:** Jayden Esquiro, Warm Springs. Christopher Beebe, Toppenish. Arthur Miller, Warm Springs.

#### Teen Division

#### Girls

**Fancy:** Beth Scabbyrobe, and Gigi David, both of Warm Springs.

**Jingle:** Ashley Beebe, Toppenish. Coreena Stwyer, Warm Springs. Hermione Johnson, Warm Springs.

**Traditional:** Mariash Beebe, Toppenish. Jordan Heemsah, Toppenish. Marjorie Heath, Warm Springs.

Results continue on page 12



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