

More vital than ever, the Treaty turns 165

For the Confederated Tribes of Warm Springs—in relation to the United States and all other sovereign governments—the Treaty of 1855 is the founding document.

Each year since the 1960s the Confederated Tribes had hosted Pi-Ume-Sha, observing the anniversary of the signing of the treaty. This year—for the safety of the membership—the tribes had to cancel powwow: At this time the risk of inviting hundreds of visitors onto the reservation poses too great a risk of spreading the coronavirus, Tribal Council decided in late spring.

Still, and clearly, the anniversary of the Treaty of 1855—this year marking its One-Hundred and Sixty-Fifth year—is to be recognized. For the treaty in a sense is really all around us: In the existence of reservation itself, the enrollment; and in the gathering, fishing and hunting on the Ceded Lands.

The binding legal aspects of the document are vital to this day, invoked in actions of Tribal Council; as well as by individuals exercising off-reservation rights.

For some broad historical context: In 1855 the President of the United States was Franklin Pierce, known for his inability to address slavery, leaving this to Abraham Lincoln. Meanwhile the overriding issue in the Pacific Northwest was the growing wave of non-Indian settlers, bringing devastating illness, and land disputes.

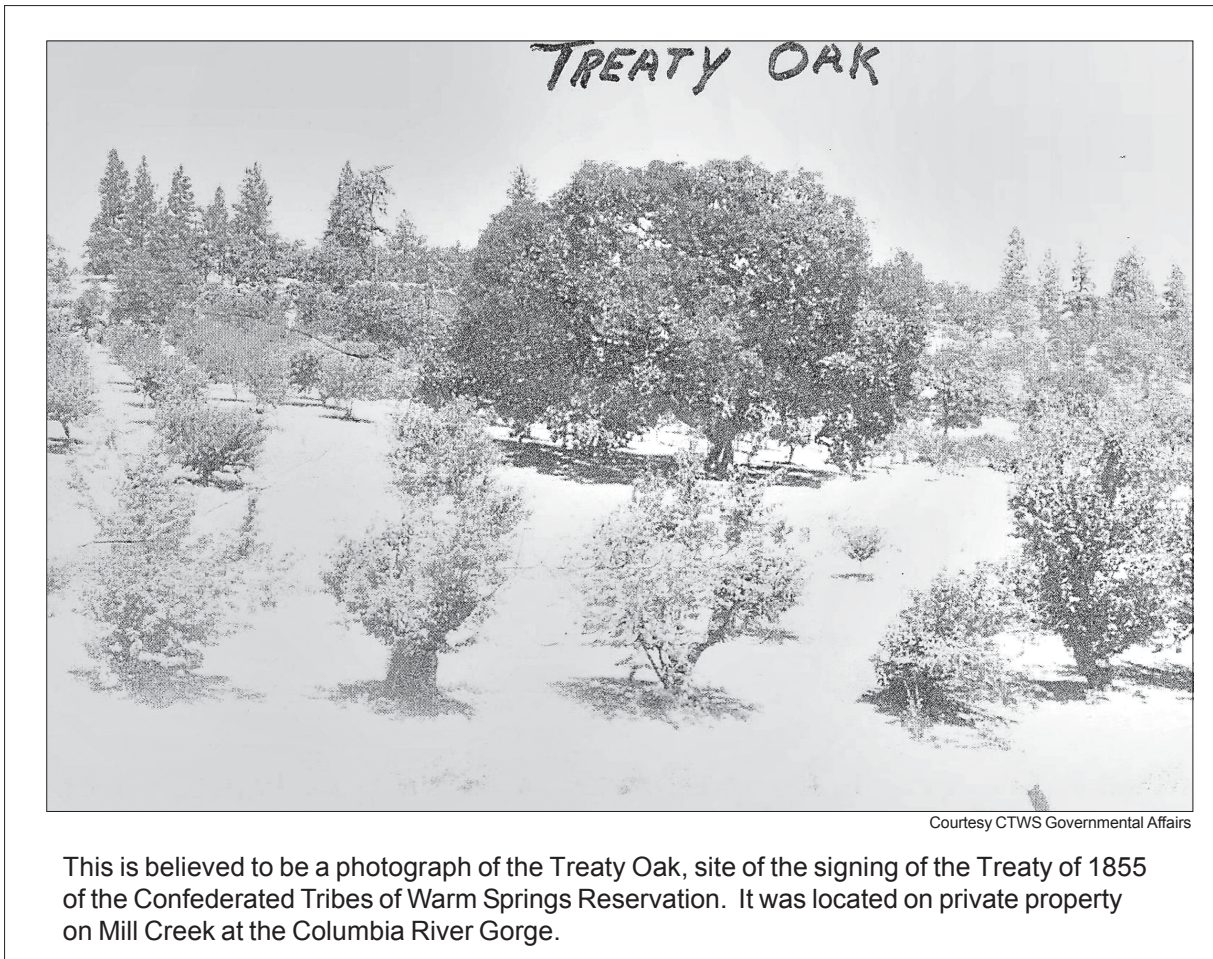
The solution for the United States was a series of treaties with tribes throughout the region, including the Middle Bands of Oregon.

Regarding the Warm Springs confederation: The tribes held a General Council gathering, lasting several days, in June of 1855. Then on June 25 of that year—it was a Monday—tribal leaders met at the Treaty Oak with officials from the United States government.

On the tribal side were leaders from the Taih, Wyam, Tenino, and Dock-Spus Bands of the Walla-Walla; and the Dalles, Ki-Gal-Twal-La, and the Dog River Bands of the Wasco. Representing the United States was Joel Palmer, superintendent of Indian Affairs in the Oregon Territory.

At the Treaty Oak that Monday they signed the document: This involved the creation of the reservation, a tribally sovereign area of some 1,019 square miles; and removal to the reservation of many Indians from their Columbia River homeland. The treaty reserved the tribal fishing, hunting and gathering rights on the traditional 'ceded' lands—some 10 million-plus acres—which had always existed, and always will. The following is the actual language of the Treaty of 1855:

Treaty of Wasco, Columbia River, Oregon Territory with the Taih, Wyam,



Tenino, & Dock-Spus Bands of the Walla-Walla, and the Dalles, Ki-Gal-Twal-La, and the Dog River Bands of the Wasco.

June 25, 1855
(12 Stat., 963. Ratified Mar. 8, 1859. Proclaimed Apr. 18, 1859.)

Articles of agreement and convention made and concluded at Wasco, near the Dalles of the Columbia River, in Oregon Territory, by Joel Palmer, superintendent of Indian affairs, on the part of the United States, and the following-named chiefs and headmen of the confederated tribes and bands of Indians, residing in Middle Oregon, they being duly authorized thereto by their respective bands, to wit:

Sym-tustus, Locks-quis-sa, Shick-a-me, and Kuck-up, chiefs of the Taih or Upper De Chutes band of Walla-Wallas; Stocket-ly and Iso, chiefs of the Wyam or Lower De Chutes band of Walla-Wallas; Alexis and Talkish, chiefs of the Tenino band of Walla-Wallas; Yise, chief of the Dock-Spus or John Day's River band of Walla-Wallas; Mark, William Chenook, and Cush-Kella, chiefs of the Dalles band of the Wascoes; Toh-simp, chief of the Ki-gal-twal-la band of Wascoes; and Wal-la-chin, chief of the Dog River band of Wascoes.

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 claimed by them, included in the following boundaries, to wit:

Commencing in the middle of the Columbia River, at the Cascade Falls, and running thence southerly to the summit of the Cascade Mountains; thence along

said summit to the forty-fourth parallel of north latitude; thence east on that parallel to the summit of the Blue Mountains, or the western boundary of the Shoshone or Snake country; thence northerly along that summit to a point due east from the headwaters of Willow Creek; thence west to the headwaters of said creek; thence down said stream to its junction with the Columbia River; and thence down the channel of the Columbia River to the place of beginning.

Provided, however, that so much of the country described above as is contained in the following boundaries, shall, until otherwise directed by the President of the United States, be set apart as a residence for said Indians, which tract for the purposes contemplated shall be held and regarded as an Indian reservation, to wit:

Commencing in the middle of the channel of the De Chutes River opposite the eastern termination of a range of high lands usually known as the Mutton Mountains; thence westerly to the summit of said range, along the divide to its connection with the Cascade Mountains; thence to the summit of said mountains; thence southerly to Mount Jefferson; thence down the main branch of De Chutes River; heading in this peak, to its junction with De Chutes River; and thence down the middle of the channel of said river to the place of beginning.

All of which tract shall be set apart, and, so far as necessary, surveyed and marked out for their exclusive use; nor shall any white person be permitted to reside upon the same without the concurrent permission of the agent and superintendent.

The said bands and tribes agree to remove to and settle upon the

same within one year after the ratification of this treaty, without any additional expense to the United States other than is provided for by this treaty; and, until the expiration of the time specified, the said bands shall be permitted to occupy and reside upon the tracts now possessed by them, guaranteeing to all white citizens the right to enter upon and occupy as settlers any lands not included in said reservation, and not actually enclosed by said Indians.

Provided, however, That prior to the removal of said Indians to said reservation, and before any improvements contemplated by this treaty shall have been commenced, that if the three principal bands, to wit: the Wascopum, Tiah, or Upper De Chutes, and the Lower De Chutes bands of Walla-Wallas shall express in council, a desire that some other reservation may be selected for them, that the three bands named may select each three persons of their respective bands, who with the superintendent of Indian affairs or agent, as may by him be directed, shall proceed to examine, and if another location can be selected, better suited to the condition and wants of said Indians, that is unoccupied by the whites, and upon which the board of commissioners thus selected may agree, the same shall be declared a reservation for said Indians, instead of the tract named in this treaty.

Provided, also, 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 privi-

lege of hunting, gathering roots and berries, and pasturing their stock on unclaimed lands, in common with citizens, is secured to them.

And provided, also, That if any band or bands of Indians, residing in and claiming any portion or portions of the country in this article, shall not accede to the terms of this treaty, then the bands becoming parties hereunto agree to receive such part of the several 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 have 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, also, That where substantial improvements have been made by any members of the bands being parties to this treaty, who are compelled to abandon them in consequence of said treaty, the same shall be valued, under the direction of the President of the United States, and payment made therefor; or, in lieu of said payment, improvements of equal extent and value at their option shall be made for them on the tracts assigned to each respectively.

Article 2. In consideration of, and payment for, the country hereby ceded, the United States agree to pay the bands and tribes of Indians claiming territory and residing in said country, the several sums of money following, to wit:

Eight thousand dollars per annum for the first five years, commencing on the first day of September, 1856, or as soon thereafter as practicable. Six thousand dollars per annum for the term of five years next succeeding the first five. Four thousand dollars per annum for the term of five years next succeeding the second five; and Two thousand 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 building, opening and fencing farms, breaking land, providing teams, stock, agricultural implements, seeds, &c.; for clothing, provisions, and tools; for medical purposes, providing mechanics and farmers, and for arms and ammunition.

See **THE TREATY** on 7

From Warm Springs Holistic Health: Stay home, Don't stay still

by **Alicia Oberholzer**
Physical Therapist
W.S. Holistic Health

Walking is a simple form of exercise that can greatly improve your overall health. Here are a few tips on how to get started and move forward with your program.

Set a goal: The American Heart Association, American Diabetes Association, and American Cancer Foundation recommend 30 minutes of aerobic exercise, five days per week.

First moves: When getting started, it is okay to break up the 30 minutes into shorter sessions throughout the day. An example

of this would be 10-minute walks spaced between the morning, afternoon, and evening. You can work your way up to 15 minutes, two times per day; and eventually the full 30 minutes.

Do your best and progress gradually. The most important part is getting motivated and moving.

Progression: A good rule of thumb is to increase your training volume by 10 percent per week. This allows your body to safely adapt to your new routine.



Once you reach 30 minutes of duration, try to increase your speed. Researchers at the Mayo Clinic found that individuals with a brisk walking pace lived 15-20 years longer than those who walked at a slower pace.

Another way to progress your walking is to embark on trails with uneven ground. This will not only increase the difficulty of your work out, but also improve your balance and strength.

Lastly, **Add an incline:** Walking uphill is a great way to increase

your heart rate, challenge your muscles, and burn more calories. Camelback awaits!

Fun Fact: A study out of Stanford University found that those who walked in nature experienced less anxiety, more positive thoughts, and improved memory than those who walked in an urban setting. This is one of many reasons to take a walk in the woods!

Warm Springs Holistic Health is open 8 a.m. to 5 p.m., Monday through Friday. Appointments are required. Call 541-777-2663 to learn more. The center, a program of Managed Care, is located on campus next to the courthouse.

Sanitation pickup

Warm Springs Sanitation will do the Friday trash pick-up routes this Thursday, July 2, due to the Fourth of July holiday.

People who normally have their totes out Thursday night for Friday pick up will need to set them out on the road on Wednesday evening, so they can be picked up Thursday morning.