



Termination of federal supervision over the Klamath Tribe of Indians, Oregon, 1928-1961  
by William Lynn Beard

A thesis submitted to the Graduate Faculty in partial fulfillment of the requirements for the degree of  
MASTER OF ARTS in History  
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Abstract:

Over twenty-five years elapsed between the first Klamath request for a termination of federal supervision in 1928 and Congressional enactment of the Klamath Termination Act in 1954. In the interim period, terminal legislation for the Klamath remained before Congress almost constantly. The type of legislation changed repeatedly in the twenty-five year period, from incorporation and final enrollment to liquidation, voluntary withdrawal, and finally termination. Yet, throughout the period members of Congress regarded the Klamath as one of the most advanced tribes in the nation and considered the tribe ready for a termination of federal supervision.

Throughout the period from 1928 to completion of termination in 1961, the Klamath tribe remained split over terminal procedures. Two fierce and antagonistic factions developed that opposed each other on nearly every major issue before the Klamath. The deep factionalism destroyed all possibilities for unified tribal action and subjected the Klamath to the desires of Congress and the Bureau of Indian Affairs. While the tribe united behind a voluntary withdrawal bill between 1947 and 1953, the Interior Department refused to endorse the measure and the tribal unanimity fell victim to the termination movement after 1953.

Department refusal to endorse voluntary withdrawal and the resultant return of tribal factionalism caused Congress to enact an unsatisfactory withdrawal bill. As a compromise between the tribal factions, the House subcommittee added a withdrawal provision to the act that nearly resulted in the economic and ecological destruction of the Klamath Basin. Only last minute amendments in 1957 and 1958 prevented the termination act from wrecking the Basin. The efforts of three Oregon Democrats, Senator Richard L. Neuberger and Representatives Edith Green and Albert Ullman, saved the Basin from the eminent calamity and allowed termination to proceed smoothly to completion in 1961.

Unfortunately, termination proved less effective than its proponents had predicted. Only about one-third of the enrolled Klamath received full control over their own money and affairs, while the other two-thirds' lived under supervision on the local level. The federal government established guardianships and trusteeships for all minors and over 35 per cent of the adult withdrawees, while another one-fifth of the tribe remained in a tribal business entity under the supervision of the United States National Bank of Portland. In the final analysis, termination developed into a transfer of responsibilities from the federal government to local agencies and freed few Klamath from supervision.

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TRIBE OF INDIANS, OREGON, 1928-1961

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WILLIAM LYNN BEAIRD

A thesis submitted to the Graduate Faculty in partial  
fulfillment of the requirements for the degree

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Approved:

Pierre C. Miller

Head, Major Department

Thomas R. Wessel

Chairman, Examining Committee

Henry L. Parsons

Graduate Dean

MONTANA STATE UNIVERSITY  
Bozeman, Montana

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## ABSTRACT

Over twenty-five years elapsed between the first Klamath request for a termination of federal supervision in 1928 and Congressional enactment of the Klamath Termination Act in 1954. In the interim period, terminal legislation for the Klamath remained before Congress almost constantly. The type of legislation changed repeatedly in the twenty-five year period, from incorporation and final enrollment to liquidation, voluntary withdrawal, and finally termination. Yet, throughout the period members of Congress regarded the Klamath as one of the most advanced tribes in the nation and considered the tribe ready for a termination of federal supervision.

Throughout the period from 1928 to completion of termination in 1961, the Klamath tribe remained split over terminal procedures. Two fierce and antagonistic factions developed that opposed each other on nearly every major issue before the Klamath. The deep factionalism destroyed all possibilities for unified tribal action and subjected the Klamath to the desires of Congress and the Bureau of Indian Affairs. While the tribe united behind a voluntary withdrawal bill between 1947 and 1953, the Interior Department refused to endorse the measure and the tribal unanimity fell victim to the termination movement after 1953.

Department refusal to endorse voluntary withdrawal and the resultant return of tribal factionalism caused Congress to enact an unsatisfactory withdrawal bill. As a compromise between the tribal factions, the House subcommittee added a withdrawal provision to the act that nearly resulted in the economic and ecological destruction of the Klamath Basin. Only last minute amendments in 1957 and 1958 prevented the termination act from wrecking the Basin. The efforts of three Oregon Democrats, Senator Richard L. Neuberger and Representatives Edith Green and Albert Ullman, saved the Basin from the eminent calamity and allowed termination to proceed smoothly to completion in 1961.

Unfortunately, termination proved less effective than its proponents had predicted. Only about one-third of the enrolled Klamath received full control over their own money and affairs, while the other two-thirds lived under supervision on the local level. The federal government established guardianships and trusteeships for all minors and over 35 per cent of the adult withdrawees, while another one-fifth of the tribe remained in a tribal business entity under the supervision of the United States National Bank of Portland. In the final analysis, termination developed into a transfer of responsibilities from the federal government to local agencies and freed few Klamath from supervision.

## INTRODUCTION

On August 13, 1961, the federal government terminated all federal supervision over the Klamath Tribe of Indians in southcentral Oregon. The termination ended the ninety-five year existence of the reservation and granted the Indians complete freedom from the Bureau of Indian Affairs. Members of the tribe had clamored for their independence since the late 1920's, but only after thirty years of almost constant activity in Congress did the tribe achieve its final goal. Unfortunately, final triumph produced certain unforeseen costs, and many of the Klamath merely exchanged federal supervision for an equally stifling local supervision.

Tribal members had openly called for an end to federal supervision as early as 1928. In 1928 several Klamath testified before a Senate subcommittee. At the hearing, the Indians had split over the method they felt most ideally terminated federal supervision, yet their testimony motivated Congressional action toward a "final settlement."<sup>1</sup> The movement reached its peak in 1934 when a "final enrollment" bill passed both Houses of Congress. President Roosevelt vetoed the bill, however, and ended all realistic hopes for a Klamath final settlement bill before World War II.<sup>2</sup>

During the 1930's, a tribal division developed that separated the tribe into two fierce factions. Ironically, while the leading personalities of each of the two factions remained constant between

1930 and 1960, the stands of the factions often switched. Wade Crawford led one faction that originally advocated incorporation, switched to federal purchase of tribal lands, and finally supported liquidation of tribal assets to private purchasers. Boyd Jackson and his group initially supported liquidation and opposed incorporation, then moved to support incorporation, and finally favored federal purchase of the tribal assets. While the stands of the two factions changed periodically, the two groups almost invariably held opposing views on any issue. The factionalism doomed any hopes of a united tribal effort, and left the tribe at the mercy of the erratic whims of Congress and the Bureau of Indian Affairs.<sup>3</sup>

As the force of the New Deal Indian administration waned after World War II, Congressional proponents of final settlement again initiated appropriate legislation for the Klamath. Although World War II and the resignation of John Collier as Indian Commissioner had weakened the Indian Reorganization Act, the Bureau of Indian Affairs mustered enough strength to effectively oppose the Congressional liquidation bills. While Congress did not enact terminal legislation for the Klamath immediately after World War II, the failure proved only temporary. Within six years, the pro-termination people gained control of the Indian Bureau and Congress.

The temporary lull in the termination movement created the atmosphere for the only real united Klamath effort. Between 1947 and

1953, the two Klamath factions agreed on a desirable plan of action and created bi-factional support for voluntary withdrawal. In this brief period, the factional leaders displayed a rare unanimity while working together for Congressional enactment of a voluntary withdrawal bill. The Klamath forged a viable alternative to liquidation and asked only for Congressional concurrence. Unfortunately, the Interior Department opposed the Klamath proposal, and consequently refused to report favorably on the plan. As a result of the Department's inaction, Congress refused to pass the bill the Klamath desired. When the Interior Department finally presented an alternative to voluntary withdrawal in 1953, the proponents of termination had gained control of the Bureau and Congressional machinery. In 1953 Congress passed House Concurrent Resolution 108 of the 83rd Congress that made termination the official goal of Congress. The reemergence of the termination movement shattered Klamath unanimity and caused the reappearance of tribal factionalism.<sup>4</sup>

The 83rd Congress passed the Klamath Termination Act and President Eisenhower signed the bill into law on August 13, 1954.<sup>5</sup> Despite the voluminous testimony taken in hearings and the large number of investigations concerning the Klamath, Congress failed to pass a satisfactory law. Criticism of the act arose almost immediately. The critics pointed to the many shortcomings of the law and predicted economic, social, and ecological disaster if Congress allowed the act

to run its course to completion. Former members of the Collier régime initiated the attacks, but the administrators of the termination act soon joined the amendment forces. Within two years, newspaper editors and citizens all across Oregon united with the earlier critics and called for immediate amendment to the law in order to avert the predicted catastrophe.

The Oregon Congressional delegates responded to calls for amendment by introducing amendatory legislation in 1957 and 1958. Oregon Democratic Senator Richard L. Neuberger led the amendment forces in the Senate while his fellow Oregon Democrats, Edith Green and Albert Ullman, headed the movement in the House. These three individuals not only introduced amendment bills, but also conducted and participated in hearings, investigated all possible alternatives, and finally pushed through two amendment bills. In 1957 the Oregon delegates succeeded only in delaying completion of the termination act; but in the next session of Congress, they managed to pass a federal purchase bill. Federal purchase eliminated many of the economic and ecological dangers inherent in the original act, and provided for an orderly completion of termination in 1961.<sup>6</sup>

When the federal government terminated supervision over the Klamath in 1961, the Indians nominally abandoned their wardship status. In reality, however, most of the Klamath remained in a subordinate status. Only about one-third of the tribal members received full

control over their affairs. Under the provisions of the Act, the government decided that nearly one-half of the tribe required protection in handling their affairs. Almost one in every seven of the enrolled members decided to remain in the tribal business entity. Under this trusteeship, the United States National Bank of Portland performed most of the duties the Bureau of Indian Affairs had formerly handled. In short, while the federal government ended federal supervision and the Klamath Tribe ceased to exist in 1961, over 60 per cent of the Klamath remained in a wardship status.<sup>7</sup>

## INTRODUCTION FOOTNOTES

<sup>1</sup>Superintendent L. D. Arnold to the Senate Committee on Indian Affairs, Report on Testimony Taken by Subcommittee, November 16, 1958, Klamath Agency Records, Record Group 75, Federal Records Center, Seattle.

<sup>2</sup>Congressional Record, 73d Congress, 2d session, June 8, 1934, p. 10773; June 15, 1934, pp. 11298-99; June 18, 1934, p. 12457.

<sup>3</sup>Theodore Stern, The Klamath Tribe, Seattle, 1965, p. 250.

<sup>4</sup>H. Con. Res. 108, 83d Congress, 1st session, 1953.

<sup>5</sup>Public Law 587, 83d Congress, 2d session, 1954.

<sup>6</sup>Congressional Record, 85th Congress, 1st session, August 2, 1957, p. 13488; August 6, 1957, pp. 13714-15; August 15, 1957, p. 14818; Public Law 132, 85th Congress, 1st session, 1957. and: Congressional Record, 85th Congress, 2d session, August 23, 1958, p. 19585. Public Law 731, 85th Congress, 2d session, 1958.

<sup>7</sup>Stern, The Klamath Tribe, pp. 254-55. See also: Governors' Interstate Indian Council, Study on Termination of Federal Supervision on Indian Reservations, Report submitted by Committee at Missoula, Montana Conference, August 13, 14, 15, 16, 1961, p. 26.

## CHAPTER I

### EARLY KLAMATH HISTORY

The Klamath Termination Act of 1954 ended nearly 100 centuries of Klamath tribal existence. For nearly 10,000 years, the ancestors of the Klamath and Modoc tribes occupied the regions of present-day southern Oregon and northern California.<sup>1</sup> The tribes settled in the Klamath Basin, a fault-caused trough of highlands located in the southwestern reaches of the Cascade Mountains.<sup>2</sup> The Basin, nearly 100 miles long and 25 miles wide, provided many fish in its streams, abundant game in its vast forests, and numerous roots and berries in its rich pumic soil.<sup>3</sup> Mountains and forests encircled the Klamath Basin and afforded the Klamath and Modoc protection from many of the surrounding hostile tribes. Nature did not totally isolate the Klamath and Modoc, however, and the Basin people periodically contacted the Plateau tribes to the north and the California tribes to the south.<sup>4</sup>

Although the Klamath Basin provided a hospitable atmosphere, the Klamath and Modoc tribes remained quite small. Anthropologists estimated that the aboriginal population of the two tribes numbered only 1200 to 2000 individuals with the Klamath accounting for two-thirds of the total.<sup>5</sup> According to anthropologists, six triblets combined to form the Klamath tribe, while three triblets made up the Modoc tribe.<sup>6</sup>

The Klamath triblets generally inhabited the northern portion of the Basin, centering around the Klamath Marsh and Upper Klamath Lake, while the Modoc triblets lived in the southern Basin near Lower Klamath and Tule Lakes.<sup>7</sup>

The two tribes not only inhabited different portions of the Klamath Basin, but also exhibited slightly different lifestyles. The Klamath survived largely by fishing. The tribal members caught and dried tons of fish during the early Spring "runs" of suckers and salmon, and preserved the fish as their main staple food.<sup>8</sup> The Klamath supplemented their fish diet with roots such as the "camas," and pond-lily seeds they called "wokas."<sup>9</sup> Unlike the Klamath, the Modoc lived primarily as hunters. The Modoc diet consisted largely of deer, antelope, and mountain sheep. The Modoc also supplemented their diet with "wokas," but they relied more heavily on berries and seeds than did their northern kinsmen.<sup>10</sup>

The two tribes' lifestyles differed somewhat, yet their similarities far outnumbered their differences. The tribes spoke languages so similar that linguistic experts concluded the Klamath and Modoc had only recently separated and that they had never separated totally.<sup>11</sup> Tribal ceremonies also exhibited remarkable resemblance, as did their clothing and the structure of their homes.<sup>12</sup>

Due to the geographic isolation of the Klamath Basin, white contact came somewhat belatedly to the Klamath and Modoc. The initial

contact with the white man occurred in 1826 when the Canadian adventurer, Peter Skene Ogden, visited the Basin. Ogden found the Klamath "with but a single horse and uneasily awaiting raids by joint parties of Cayuse and Nez Perces."<sup>13</sup> In 1836 a group of French-Canadian trappers contacted the Klamath and took a party of tribal members to the trading post at the Dalles.<sup>14</sup> Immediately thereafter, Klamath and Modoc contact with whites at the Dalles and elsewhere increased rapidly.

In 1843 and again in 1846, the explorer and "Pathfinder," Captain John C. Fremont, traversed the Klamath Basin. While the Klamath treated the young Captain with courteous hospitality during his first visit, Fremont's 1846 expedition met with resistance in the Klamath Basin. Near Upper Klamath Lake members of one of the Klamath triblets attacked Captain Fremont's party and killed three Delaware Indians who accompanied the expedition. Fremont's reprisal proved swift and decisive. He and his troops attacked an innocent Klamath triblet and indiscriminately killed men, women, and children.<sup>15</sup> This merciless slaughter left a lasting impression on the Klamath.

While the Fremont attack probably quieted the Klamath hostility, the Modoc continued periodic hostilities against the whites until 1873. In 1852, for instance, the Modoc habit of attacking wagon trains ended in a reprisal from the citizens of Yreka, California. Under the pretense of council, the Californians, under one Ben Wright, killed forty-one Modoc warriors.<sup>16</sup> This massacre temporarily quieted the Modoc, but

in 1870 the Modoc chief, Captain Jack, led a portion of the tribe off a newly established reservation. This action led to the famous skirmishes in the Lava Beds of California in 1872-73.<sup>17</sup> This so-called Modoc War ended in 1873 and resulted in severe punishment to the errant Modoc. Federal officers hung five of the main leaders at Fort Klamath, and sent a portion of the tribe to the Quapaw Reservation in the Indian Territory.<sup>18</sup> With the end of the Modoc War armed hostilities ceased among the Modoc and the tribal members returned to the reservation.

Even before the time of the Modoc War, the Klamath and the Modoc had agreed to the establishment of a reservation located in the Klamath Basin. The tribes signed the initial treaty on October 14, 1864, agreeing to cede some 13,700,000 acres of land to the United States.<sup>19</sup> In December of 1869, Congress amended the treaty slightly, and the Klamath and Modoc signed it again. Finally, on February 17, 1870, President Grant formally proclaimed the Klamath Reservation.<sup>20</sup>

Federal administration of the Klamath reservation began in the midst of President Grant's so-called Peace Policy. Under the Peace Policy, the Government assigned each reservation to a particular religious denomination. In 1870 President Grant appointed the Methodist Episcopal Church as the moral guardians of the Klamath.<sup>21</sup> The Methodists maintained a missionary on the reservation from 1870 on, and the Klamath remained largely Methodist well into the twentieth century.<sup>22</sup>

On the heels of President Grant's Peace policy came the movement

toward allotment of the Indians. Throughout the 1880's, Congressmen and students of Indian affairs discussed the desirability of allotment. As the debates raged the proponents gradually gained the upper hand, and on February 8, 1887, President Cleveland signed the General Allotment Act into law.<sup>23</sup>

The champions of allotment assured the public that if only the Indians abandoned the custom of owning land in common and adopted the Western practice of individual ownership, civilization would follow. Proponents of allotment felt that the assignment of land in severalty could not fail to act as a "civilizing influence." Over forty years later, the Merriam Commission Report described the allotment phenomenon very well. The report concluded: "It almost seemed as if the government assumed that some magic in individual ownership of property would in itself prove an educational civilizing factor, but unfortunately this policy had for the most part operated in the opposite direction."<sup>24</sup>

Initial allotment procedures began almost immediately on the Klamath Reservation. In early 1888, the Superintendent of the Klamath Reservation reported that his office had enrolled over 800 of the individuals on the reservation for allotment.<sup>25</sup> Boundary disputes delayed actual surveying and assignment of allotments at Klamath, but between 1895 and 1897 Major Charles E. Worden surveyed 775 of 1,020 allotments.<sup>26</sup> Again in 1897, land claim suits interrupted the allotment process. Conflicting claims between the Oregon and California Land

Company and allotted Indians initiated litigation procedures.<sup>27</sup> The suit dragged on for several years, but finally in 1906 an exchange of lands ended the dispute and allowed allotment to continue.<sup>28</sup>

In 1909 Congress authorized the allotment at Klamath of the Modoc Indians still living on the Quapaw Reservation in Oklahoma. Soon thereafter, on April 15, 1910, the Bureau of Indian Affairs closed the Klamath allotment rolls, and no Klamath born after that date received an allotment.<sup>29</sup> As a part of a successful claim judgment in 1938, however, the Federal Government set aside \$375,000 to be paid as \$1,500 in-lieu payments to the unallotted Klamath.<sup>30</sup> By that time, many of the original allottees had already lost control of their lands.

Between 1895 and the closing of the rolls in 1910, the Bureau of Indian Affairs issued allotments totaling 244,688 acres on the Klamath Reservation.<sup>31</sup> Beginning in 1913 and continuing until 1924, several Klamath allottees received patents in fee for their land.<sup>32</sup> As happened on most other reservations, the Klamath alienated much of this fee patented land. In 1947, the Agency records showed that Klamath allottees had held 106,350 acres in fee patents, and that the owners had sold 100,179 acres of this to whites.<sup>33</sup> In 1954, Bureau of Indian Affairs' records revealed that Indians had alienated a total of 107,659 acres of unrestricted property on the Klamath reservation.<sup>34</sup>

The Klamath fared much better than many tribes under the General Allotment Act. Nevertheless, the tribe still lost about one-

tenth of their reservation through alienation. More importantly, however, the Klamath managed to hold on to the vast tribal timberlands, and prevented this valuable resource from sale as "surplus" land. Once the Bureau of Indian Affairs opened this land to lumbering in the twentieth century, the Klamath tribe would become one of the richest groups in America.<sup>35</sup>

## CHAPTER I FOOTNOTES

<sup>1</sup>Theodore Stern, The Klamath Tribe, (Seattle, 1965), p. 4.

<sup>2</sup>Ibid., p. 3.

<sup>3</sup>Ibid.

<sup>4</sup>Ibid., p. 4. Stern notes that the Klamath had most contact with the Plateau tribes to the north, while the Modoc had more contact with the California tribes to the south. This factor, Stern maintains, accounted for the differences in lifestyles that will be seen below.

<sup>5</sup>Ibid., p. 5.

<sup>6</sup>For a listing of all nine triblets and their geographic locations, see Stern, The Klamath Tribe, p. 19.

<sup>7</sup>U. S. Congress, House, Committee on Interior and Insular Affairs, Investigation of Bureau of Indian Affairs, H. Rept. 2503, 82d Cong. 2d sess., 1952, House Miscellaneous Reports on Public Bills, VIII, 422.

<sup>8</sup>Stern, The Klamath Tribe, p. 11-12.

<sup>9</sup>Ibid.

<sup>10</sup>Ibid., p. 14.

<sup>11</sup>Investigation of Bureau of Indian Affairs, H. Rept. 2503, p. 421.

<sup>12</sup>Stern, The Klamath Tribe, pp. 7-8.

<sup>13</sup>Ibid., p. 22.

<sup>14</sup>Ibid.

<sup>15</sup>Ibid., p. 25. According to Stern, Fremont was probably attacked by members of the Klamath Falls triblet, while he directed his reprisal against the Lower Williamson triblet.

<sup>16</sup>Stern, The Klamath Tribe, pp. 28-29. Fairfax Downey, Indian-Fighting Army (Fort Collins, Colorado, 1941), p. 141, states that 38 Modocs were treacherously killed by a group of Oregonians rather than by Californians as Stern says.

<sup>17</sup>Investigation of Bureau of Indian Affairs, H. Rept. 2503, pp. 421-22. For a more complete account of the Modoc War, see: Downey, Indian-Fighting Army, Chapt. VIII, pp. 139-152.

<sup>18</sup>Ibid.

<sup>19</sup>U. S. Congress, Senate and House, Subcommittees on Indian Affairs of the Committees on Interior and Insular Affairs, Termination of Federal Supervision Over Certain Tribes of Indians, Joint Hearings, on S. 2745 and H. R. 7320, 83d Congress, 2d session, (Washington, D.C.), 1947), pp. 206-7.

<sup>20</sup>Stern, The Klamath Tribe, p. 42.

<sup>21</sup>Termination of Federal Supervision Over Certain Tribes of Indians, Joint Hearings, p. 36.

<sup>22</sup>Ibid., see also: Stern, The Klamath Tribe, pp. 111-121, for a good treatment of various religious movements on the reservation.

<sup>23</sup>Harold Fey and D'Arcy McNickle, Indians and Other Americans, (New York: Harper and Brothers, 1959), p. 68.

<sup>24</sup>Fey and McNickle, Indians, p. 84.

<sup>25</sup>Stern, The Klamath Tribe, p. 132.

<sup>26</sup>Ibid., pp. 132-33.

<sup>27</sup>Malcom Epley, "Great White Father Pays Klamath Tribe for Grab of Land Long Ago," Portland Oregonian (Portland, Oregon), October 29, 1939. This article contains a good short summary of the Klamath claims and their struggle for compensation through the courts.

<sup>28</sup>Ibid.

<sup>29</sup>Stern, The Klamath Tribe, p. 138-39.

<sup>30</sup>Epley, "Great White Father," Portland Oregonian (Portland, Oregon), October 29, 1939.

<sup>31</sup>Termination of Federal Supervision Over Certain Tribes of Indians, Joint Hearings, p. 207.

<sup>32</sup>Stern, The Klamath Tribe, p. 144.

<sup>33</sup>U. S. Congress, Senate, Subcommittee on Indian Affairs of the Committee on Public Lands, Klamath Indians, Oregon, Hearings, on S. 1222, 80th Congress, 1st session, (Washington, D. C., 1947), p. 184.

<sup>34</sup>Termination of Federal Supervision Over Certain Tribes of Indians, Joint Hearings, p. 207.

<sup>35</sup>In July of 1934, John Collier described the Klamath as the "richest community on earth" due to their vast wealth in timber. Collier estimated the Klamath per capita worth at more than \$28,000, and said that few if any communities could match such a figure. Collier's statements are covered very well in: H. C. Hunter, "Klamath Tribe Richest Group in America," Seattle Times, July 25, 1934, (Seattle, Washington).

## CHAPTER II

### EARLY ATTEMPTS AT TERMINATION

In the ninety years between establishment of the Klamath Reservation and the passage of the Klamath Termination Act, the Tribe faced many trying problems. The Bureau of Indian Affairs tried to make the Klamath into farmers, attempted to educate the children, and started the tribal forestry program. By 1929, however, the Klamath had advanced to a point where many Indians and non-Indians considered the tribe capable of self-management. Beginning in 1929, and continuing until the opening of World War II, tribal members and Oregon Congressional representatives attempted to incorporate or to dissolve the tribe completely. World War II ended these efforts, but the Klamath political struggles of the 1930's provided an impetus for the later termination act.

The geography and climate of the Klamath Basin combined to doom all efforts to develop agriculture on the Klamath Reservation. Agency superintendents continuously attempted to mold the Klamath into yeoman farmers, but Mother Nature defeated these attempts with monotonous regularity. Superintendents wrote almost annually of "heavy frosts," "unprecedented heat," and "unusually dry and frosty" weather.<sup>1</sup> By the second decade of the twentieth century, the Klamath had largely abandoned agriculture. A few of the Indians continued dry land farming, dairying,

and ranching in a small way, but the Klamath turned increasingly to their tribal timber for their livelihood.<sup>2</sup>

When the Klamath saved the tribal forest from white encroachment following allotment, they preserved their most valuable asset. Forest experts estimated the original stand of Klamath timber at over seven billion board feet.<sup>3</sup> Once the Indian Bureau decided to open this massive untapped resource to lumbering, the Indians realized a continuous source of income.

In 1913 the Indian Bureau's Forest Service initiated lumbering activities on the Klamath Reservation.<sup>4</sup> From the beginning the Forest Service planned the annual cuts in a manner that assured sustained-yield management of the forest. Under sustained-yield management, each year's cut equaled the annual growth in the forest, thus insuring that the forest would remain productive indefinitely. Paucity of roads, railroads, and sawmills in the area limited the volume of timber the lumbermen cut during most of the first decade of lumbering at Klamath. By the decade of the 1920's, however, the annual cut averaged over 150 million board feet, and quite often the cut topped 200 million board feet a year.<sup>5</sup>

In 1922 the Bureau of Indian Affairs began the practice of paying the enrolled tribal members a per capita share of the forestry proceeds.<sup>6</sup> In 1922 each enrolled Klamath received \$230; and by the beginning of the Depression of the 1930's, the payments averaged \$600

annually.<sup>7</sup> With these payments alone, a Klamath family of five earned \$3,000 a year and lived quite comfortably. Many Klamath families did just that. In 1929 an investigator from the Indian Field Service noted:

While a few of them use this money to improve their homes and to increase their herds of stock, yet a very large percentage of them attempt to live on this income without working. This is an exceedingly bad condition as it removes the necessity for work which is essential for the progress and development of any people.<sup>8</sup>

While many criticized the per capita as unearned income, the Klamath grew financially independent and paid for most of the administration of their reservation.

In 1927 the Klamath children began attending the Oregon public schools, and the Bureau of Indian Affairs closed the Agency schools.<sup>9</sup> The superintendent of the Agency plunged wholeheartedly into sending the Klamath children to the public schools. In 1932 the superintendent's Annual Report noted that about two-thirds of the Klamath children attended the county schools.<sup>10</sup> The superintendent expressed disappointment that the full-bloods possessed poor attendance records, but added that the mixed-bloods attended more regularly, "varying about with the degree of Indian blood."<sup>11</sup> Attendance records aside, the performance of the Klamath students during the 1931-32 school year pleased the superintendent. He characterized public school attendance as "the greatest socializing factor we have," and concluded that in the schools "children of both races mingle and the Indian pupils, no doubt, learn nearly as

much through association as in the classroom."<sup>12</sup>

As the Klamath gained financial independence and increased their education, they became progressively more restive. In 1928 a Senate subcommittee held hearings in Klamath Falls, and several Klamath Indians attended. At the hearings, the Klamath voiced their dissatisfaction with Bureau of Indian Affairs administration.<sup>13</sup> The testifying Klamath complained of governmental mismanagement, unfair property restrictions, and bureaucratic suppression of Indian development.<sup>14</sup> The Klamath carried the attacks even farther, however, and offered alternatives to federal supervision.<sup>15</sup>

The Klamath presented two different alternatives to federal supervision. The first alternative called for a "final settlement." Under "final settlement" the federal government would sell the tribal lands and credit the proceeds of such sales on a per capita basis to Klamath tribal members. More significantly, however, certain of the Klamath advocated an end to federal supervision and the incorporation of tribal assets under Klamath supervision. The Institute for Government Research had suggested such tribal corporations in the famous Merriam Report, and the Klamath support of a corporation represented one of the earliest Indian-initiated advocacies of incorporation.<sup>17</sup>

Klamath Superintendent, Leroy D. Arnold, dismissed the incorporation plan as "entirely out of the question," and attributed Klamath complaints to selfish desires for shares of the great Klamath wealth.<sup>18</sup>

Mr. Arnold admitted that certain of the Klamath possessed the skill and knowledge to handle their own affairs, but doubted "if the time will ever come when the management of the affairs of these Indians should be turned over to them to handle as they see fit."<sup>19</sup> Arnold felt that the Klamath displayed a great "lack of appreciation" and concluded, "If the time ever comes when they are under the supervision of the state or that they are placed on their own responsibility, they may then appreciate the interest and assistance the Indian Service gave them."<sup>20</sup>

Although the Klamath failed to impress Superintendent Arnold with their arguments, the Senators proved more responsive. In 1929, during the second session of the 70th Congress, tribal delegates in Washington, Wade and Ida Crawford, forwarded the corporation idea. Secretary of the Interior, Ray L. Wilbur, assisted the Crawfords and together they wrote a plan of incorporation for the Klamath Tribe that in many ways foreshadowed the Indian Reorganization Act of 1934.<sup>21</sup> Republican Senator Charles McNary of Oregon introduced the Klamath Incorporation Bill, S. 5753, on February 9, 1929.<sup>22</sup>

The Crawfords drafted S. 5753 and convinced Senator McNary to introduce it without authorization from the tribe.<sup>23</sup> The unauthorized move alienated the faction of the Klamath Tribe that favored "final settlement."<sup>24</sup> The final settlement faction succeeded in having Republican Senator Frederick Steiwer and Republic Representative

Butler, both of Oregon, introduce "final enrollment" legislation. On February 4, 1929, Senator Steiwer introduced a final enrollment bill, and Representative Butler introduced a similar bill in the House four days later.<sup>25</sup> While the incorporation plan and the final enrollment proposals all failed to advance beyond committee, the bills served to initiate the Klamath pursuit of termination legislation, and split the tribe into two fierce factions.

During the first session of the 71st Congress, Senator McNary again introduced legislation for the incorporation of the Klamath Tribe.<sup>26</sup> Once again, the bill died in committee. Also during the first session, Senator Steiwer placed another final enrollment bill before Congress. The Oregon Senator introduced the bill on January 16, 1930, reported it from committee with amendments on May 22; and on May 23, 1930, the final enrollment bill, as amended, passed the Senate.<sup>27</sup> The bill then proceeded to the House of Representatives where the Speaker referred it to the House Committee on Indian Affairs.<sup>28</sup> The Indian Affairs committee studied the bill, and on June 14, 1930, reported it with an amendment to the Committee of the Whole House. The House, however, took no further action on the bill during the second session.<sup>29</sup> During the third session of the 71st Congress, the House twice passed over S. 3156 without prejudice; but as the third session of the Congress closed, the final enrollment bill died, having never come to a vote in the House.<sup>30</sup>

In early 1932, Senator Steiwer again placed a bill for final enrollment in the Senate hopper.<sup>31</sup> The proposal moved smoothly through the Senate Committee on Indian Affairs. The Senate committee proposed amendments, reported the bill, and on April 11, 1932, the final enrollment legislation passed the Senate.<sup>32</sup> The House committee reported the bill with an amendment, but again, the House adjourned without further action on final enrollment.<sup>33</sup>

During the same session, Senator McNary introduced a Klamath incorporation bill as did Representative Butler.<sup>34</sup> Both of the incorporation plans suffered the fate of the earlier incorporation bills and died in committee. The failure of the 1932 incorporation proposals marked the end of the Klamath attempts at gaining incorporation rights from Congress. Beginning in 1933 and continuing until World War II, Klamath legislative efforts revolved around final enrollment.

The election of President Franklin Roosevelt in 1932 meant a change of administration in the Bureau of Indian Affairs. President Roosevelt appointed Harold Ickes as the new Secretary of the Interior and John Collier as Indian Commissioner. Secretary Ickes and Commissioner Collier brought with them new ideas on Indian administration. Commissioner Collier eagerly supported the idea of tribal incorporation and succeeded in gaining passage of the Indian Reorganization Act of 1934. This act encouraged incorporation for Indian tribes and sought to make the reservations profitable financial entities.

As a part of the new Indian administration, Commissioner Collier appointed several Indians to important administrative positions. On June 1, 1933, he appointed Wade Crawford Superintendent of the Klamath Reservation.<sup>35</sup> Crawford, a personal friend of the Commissioner, had long supported Klamath incorporation and consequently worked for Klamath acceptance of the Indian Reorganization Act.<sup>36</sup>

While Crawford sought to get Klamath acceptance of the Indian Reorganization Act, final enrollment remained more prominent in Congress. In the first session of the 73rd Congress, a final enrollment bill, S. 1508, remained in the Senate Committee on Indian Affairs.<sup>37</sup> The second session, however, brought the action the final enrollment supporters desired. In early June, Secretary Ickes transmitted a favorable report on S. 1508 to the Senate committee.<sup>38</sup> The Senate committee again amended the bill and reported it favorably to the Senate floor.<sup>39</sup> The Senate quickly approved the bill and sent it to the House for consideration. The House Committee on Indian Affairs immediately gave the bill unanimous support, and on June 15, 1934, S. 1508 passed the House of Representatives.<sup>40</sup>

The triumph of final enrollment in Congress proved to be short-lived. Upon leaving Congress, the bill ran into opposition. On June 18, 1934, the Senate received notice that President Roosevelt had vetoed final enrollment for the Klamath.<sup>41</sup> In returning the bill to Congress, the President attached a short veto message pointing out that "this

bill improperly excludes certain Indians from existing rights."<sup>42</sup> The Presidential veto and the passage of the Indian Reorganization Act on June 18, 1934 effectively ended all realistic hopes of final enrollment for the Klamath before World War II. While Senator Steiwer and Representative Pierce continued to introduce final enrollment legislation periodically through 1938, all these bills expired in committee.<sup>43</sup> As World War II neared, Congress turned its attention from domestic affairs to international relations and temporarily forgot Klamath legislation.

The appointment of Wade Crawford, leader of the Klamath incorporation faction, failed to quiet proponents of final enrollment among the Klamath. On the contrary, the appointment deepened the already serious tribal factionalism. In 1935 Superintendent Crawford attempted to attain Klamath support for the Indian Reorganization Act.<sup>44</sup> The final enrollment faction defeated the Indian Reorganization Act on the Klamath Reservation by a vote of 408 to 56.<sup>45</sup> Due to the battle over the acceptance of the Indian Reorganization Act, the tribal split opened even wider; and soon thereafter, 260 Klamath signed a petition that called for Crawford's removal.<sup>46</sup> By May 1, 1937, Commissioner Collier felt that Wade Crawford could no longer handle the affairs at Klamath and dismissed the Superintendent.<sup>47</sup> The harsh dismissal alienated Crawford, and he withdrew all support of the New Deal Indian administration. Beginning in 1936, Wade Crawford inaugurated an

offensive against the Bureau of Indian Affairs that lasted over twenty years and culminated in the Klamath Termination Act of 1954.

## CHAPTER II FOOTNOTES

<sup>1</sup>Theodore Stern, The Klamath Tribe, Seattle, 1965, pp. 57-60. For an idea of the extremes of climatic conditions see Annual Narrative Report, 1930, Annual Statistical Reports, pp. 54-58, Klamath Agency Records, Records of the Bureau of Indian Affairs, Record Group 75, Federal Records Center, Seattle. Hereafter Agency Records will be cited as RG 75, FRC, Seattle. Also see U. S. Congress, Senate, Subcommittee on Indian Affairs of the Committee on Public Lands, Klamath Indians, Oregon, Hearings, on S. 1222, 80th Congress, 1st session, August 1947, p. 450.

<sup>2</sup>Inspection Investigation and Report, File 150, p. B-4, RG 75, FRC, Seattle.

<sup>3</sup>Ibid., p. B-3.

<sup>4</sup>U. S. Congress, Senate, Subcommittee on Indian Affairs of the Committee on Indian Affairs, Klamath Indians, Removal of Restrictions, Hearings, on S. 1313, 79th Congress, 2d session, 1946, p. 5.

<sup>5</sup>For volumes of timber cut from 1913-1947, see Klamath Indians, Oregon, Hearings, p. 114. Also, see Operating Income and Expense Report, 1924-1934, 55-A134, RG 75, FRC, Seattle.

<sup>6</sup>Klamath Indians, Oregon, Hearings, p. 114.

<sup>7</sup>Ibid.

<sup>8</sup>Inspection and Investigation Reports, File 150, p. B-4, RG 75, FRC, Seattle.

<sup>9</sup>Ibid., p. B-7. While Stern gives the date of initial public school attendance by the Klamath as 1926, The Klamath Tribe, p. 210, the 1927 date is the one used more often.

<sup>10</sup>Narrative Section--Annual Statistical Report, 1932, Annual Statistical Reports, p. 2, RG 75, FRC, Seattle.

<sup>11</sup>Ibid.

<sup>12</sup>Ibid., p. 16-17.

<sup>13</sup>Since the Senate subcommittee hearings were not printed, the best source readily available is Superintendent Leroy D. Arnold to Senate Subcommittee on Indian Affairs, Report on Testimony Taken by Subcommittee, November 16, 1928, RG 75, FRC, Seattle.

<sup>14</sup>Ibid., pp. 6, 36, 45, 46, 59, 60.

<sup>15</sup>Ibid., pp. 6, 59, 60, 62, 63.

<sup>16</sup>Ibid., pp. 62-63.

<sup>17</sup>Ibid., pp. 6, 59, 60, 62, 63.

<sup>18</sup>Ibid., pp. 6, 62-63.

<sup>19</sup>Ibid., p. 62.

<sup>20</sup>Ibid., p. 41.

<sup>21</sup>Stern, The Klamath Tribe, p. 249. See also, Klamath Indians, Oregon, Hearings, pp. 133-34.

<sup>22</sup>Congressional Record, 70th Congress, 2d session, February 9, 1929, p. 3119.

<sup>23</sup>Klamath Indians, Oregon, Hearings, p. 134. Also, Stern, The Klamath Tribe, p. 134.

<sup>24</sup>Stern, The Klamath Tribe, p. 249.

<sup>25</sup>Congressional Record, 70th Congress, 2d session, February 4, 1929, p. 2737; and February 8, 1929, p. 3109. S. 5675, 70th Congress, 2d session, 1929.

<sup>26</sup>Congressional Record, 71st Congress, 1st session, November 18, 1929, p. 5686. S. 2142, 71st Congress, 1st session, 1929.

<sup>27</sup>Congressional Record, 71st Congress, 2d session, January 16, 1930, p. 1682; and May 22, 1930, p. 9330; and May 13, 1930, p. 9421. S. 3156, 71st Congress, 1st session, 1929.

<sup>28</sup>Congressional Record, 71st Congress, 2d session, May 26, 1930, p. 9621.

<sup>29</sup>Congressional Record, 71st Congress, 2d session, June 14, 1930, p. \_\_\_\_.

<sup>30</sup>Congressional Record, 71st Congress, 3d session, January 5, 1931, p. 1417; January 19, 1931, p. 2582.

<sup>31</sup>Congressional Record, 72d Congress, 1st session, January 5, 1932, p. 1287.

<sup>32</sup>Congressional Record, 72d Congress, 1st session, March 24, 1932, p. 6783; and April 11, 1932, p. 7902. Also, U. S. Congress, Senate, Final Enrollment of Indians of the Klamath Indian Reservation, S. Rept. 461 to accompany S. 2671, 72d Congress, 1st session, 1932, pp. 1-2.

<sup>33</sup>Congressional Record, 72d Congress, 1st session, June 8, 1932, p. 12396. Also see, U. S. Congress, House, Final Enrollment of Indians of the Klamath Indian Reservation, H. Rept. 1562, To Accompany S. 2671, 72d Congress, 1st session, 1932, pp. 1-2.

<sup>34</sup>Congressional Record, 72d Congress, 1st session, February 9, 1932, p. 3571; and March 21, 1932, p. 6609.

<sup>35</sup>Stern, The Klamath Tribe, p. 249.

<sup>36</sup>Ibid.

<sup>37</sup>Congressional Record, 73d Congress, 1st session, April 22, 1933, p. 2138.

<sup>38</sup>U. S. Congress, Senate, Final Enrollment of the Klamath Indian Reservation, S. Rept. 1341 To Accompany S. 1508, 73d Congress, 2d session, 1934, pp. 1-2.

<sup>39</sup>Ibid., see also, Congressional Record, 73d Congress, 2d session, June 8, 1934, p. 10773.

<sup>40</sup>Congressional Record, 73d Congress, 2d session, June 15, 1934, pp. 11298-99.

<sup>41</sup>Congressional Record, 73d Congress, 2d session, June 18, 1934, p. 12457. Although the author found no mention of the fact in any material, John Collier was probably instrumental in this veto, since the Indian Reorganization was signed by the President on the same day he vetoed the Klamath Final Enrollment Bill.

<sup>42</sup>Congressional Record, 73d Congress, 2d session, June 18, 1934, p. 12457.

<sup>43</sup>Congressional Record, 74th Congress, 1st session, March 4, 1935, p. 2821; March 7, 1935, p. 3173; and June 21, 1935, p. 9898; 74th Congress, 2d session, March 31, 1936, p. 4643; and April 8, 1936, p. 5219; 75th Congress, 1st session, February 19, 1937, p. 1398; 75th Congress, 1st session, February 19, 1937, p. 1398; 75th Congress, 3d session, May 11, 1938, p. 6714.

<sup>44</sup>Stern, The Klamath Tribe, p. 249.

<sup>45</sup>Ballots--Beatty, Chiloquin, and Sprague River, June 15, 1935--Wheeler-Howard Bill, 60-A641, RG 75, FRC, Seattle.

<sup>46</sup>Klamath Indians, Oregon, Hearings, p. 135.

<sup>47</sup>For a complete discussion of Wade Crawford's dismissal, see U. S. Congress, Senate, Committee on Indian Affairs, Dismissal of Wade Crawford, Superintendent Klamath Indian Reservation, Oregon, Hearings, before the Committee on Indian Affairs, Senate, 75th Congress, 1st session, 1937.

## CHAPTER III

### THE POST WAR LIQUIDATION MOVEMENT

The beginning of World War II marked the end to early attempts at final settlement of the Klamath estate. Once the war neared an end, however, the proponents of final settlement initiated a new offensive against the Collier administration. From 1945 to 1947, the congressional proponents of terminal legislation introduced and held hearings on new liquidation bills. While these early postwar efforts failed to enact a terminal bill for the Klamath, the new attacks crippled and eventually killed the Collier administration.

The approach of World War II halted all efforts at final settlement for the Klamath. This temporary interruption granted the anti-final settlement forces in the Bureau of Indian Affairs a short breather, but, ironically, the lull proved destructive to the Collier regime. By 1941 the New Deal Indian Bureau began to falter, and as the war proceeded the once-promising and dynamic administration declined rapidly. In the turbulent war years, the congressional critics of the Indian Reorganization Act renewed their attacks on the Bureau of Indian Affairs. With the new attacks, antagonisms grew between Commissioner Collier and key members of Congress, principally Democratic Senator Burton K. Wheeler of Montana, and Republican Senator Arthur V. Watkins of Utah.

The Congressional antagonisms and the wartime priorities resulted in crippling budget cuts and a five-year exile in Chicago for the Indian Bureau. Finally, in early 1945, a frustrated John Collier resigned and William A. Brophy assumed the duties as the new Commissioner of Indian Affairs. Unfortunately, ill health plagued much of the new Commissioner's tenure. Mr. Brophy served just over three years as Commissioner, and in June of 1948, John R. Nichols succeeded Brophy.<sup>1</sup>

Both Brophy and Nichols served capably, but without distinction. Neither man possessed the forceful character and dynamism of John Collier, and they could not curb the continuing decline of Collier's program. While the Act continued to be the "foundation of policies formulated by the Bureau and the Department" until 1950, the critics of the Indian Reorganization Act made serious inroads in the late 1940's.<sup>2</sup> In 1945, the final settlement forces of the Klamath Tribe and Oregon citizens interested in liquidating the Klamath Indian Reservation persuaded Oregon's Republican Senators Wayne Morse and Guy Cordon to introduce liquidation legislation.<sup>3</sup> The introduction of this bill signified the declining strength of the Indian Reorganization Act, and initiated the movement that culminated in the termination acts of 1954.

Beginning in August of 1946, the Senate Committee on Indian Affairs conducted hearings on the Klamath liquidation bill. This bill, S. 1313, contained provisions that not only terminated federal supervision, but also liquidated all the tribal assets of the Klamath. It

removed all restrictions on Indian property and instructed the Secretary of the Interior to issue patents in fee to the Klamath who held their properties in trust. The bill also created a three-member Appraisal Board. The President appointed one of the appraisers with the advice and consent of the Senate, and selected another from a list the Governor of Oregon submitted. The Klamath tribe elected the third and final member of the Board by popular vote. These three men then determined the "fair market value of all tribal property," and reported this figure to the Secretary of the Interior within one year of the bill's enactment. The act then authorized and directed the Secretary of the Interior to purchase the Klamath property at this "fair market value," and to begin administering the former tribal property as national forest lands.<sup>4</sup>

The bill also outlined the procedures for the division of the tribal assets among the withdrawing members and the termination of their tribal ties. Within one year after the Interior Department purchased the land and conveyed the title to the United States, the Secretary paid each enrolled Klamath his "pro rata share of the purchase price of such tribal lands." In addition, each Klamath received a pro rata share of tribal funds in the U. S. Treasury and any monies that the Indian Bureau may have credited to the individual in the Bureau books. To protect the monies of minors and non compos mentis, the bill contained a provision whereby the Secretary paid the shares of such

individuals "to a legal guardian appointed for such purpose." Finally, Section 6 of the bill provided that, "Upon acceptance by a member of the Klamath Tribe of the amount payable to him under this act, such member shall have all the duties, rights, benefits, and immunities of other citizens of the United States."<sup>5</sup>

The liquidation bill attracted wide support in south-central Oregon. When Senator Morse introduced the bill in July, he submitted as a part of the Congressional Record several telegrams he had received from Klamath Falls in support of the bill. The supporters included the Judge of the County Court, the President of the Rotary Club, the Lions Clubs, the American Legion, Klamath Post No. 8, and several interested citizens of Klamath County. The telegrams stated that the petitioners believed in the "principle" of the bill, that they considered the bill beneficial to the Indians, Klamath County, and the State of Oregon, and urged Senator Morse to introduce the bill.<sup>6</sup>

Oscar L. Chapman, Acting Secretary of the Interior, held a different opinion on the bill. In a letter to the Chairman of the Senate Committee on Indian Affairs, Chapman enumerated several objections to S. 1313, and advised against enactment of the bill. The Secretary stated that the federal government had "no legal or moral obligation to buy the tribe's present assets," and that he saw no reason "from the standpoint of national policy, for this purchase by the United States." Chapman added that he found no logical reason for the Department of

convert the Klamath tribal assets into cash and to distribute the money "for the temporary advantage and financial gain of the living members of the tribe."<sup>7</sup> The Department regarded the Klamath assets as belonging to all the tribal members--past, present, and future, and considered it the Bureau's duty to conserve the assets for the benefit of all future Klamath generations.

Chapman conceded that certain Klamath tribal members possessed the competency to manage their own affairs, but also noted that the Secretary already had the power to grant patents in fee to such competent individuals. He explained, however, that he considered it a mistake to remove restrictions from all Klamath property as the liquidation bill directed. Instead, the Acting Secretary invited all competent Klamath to petition for patents in fee if they desired control over their own property.<sup>8</sup>

Chapman vehemently attacked Section 6 of the bill. He tersely stated that all Indians, including the Klamath, possessed United States citizenship under the provisions of the Act on June 2, 1924.<sup>9</sup> The Klamath, therefore, needed no special legislation granting them citizenship. Chapman concluded, "Obviously the real intent of Section 6, not adequately expressed, is to deprive the members of the tribe of such special immunities as exemption from local taxation, which they enjoy as a result of treaties or acts of Congress." Finally, the Acting Secretary asked the Congress not to enact a bill "so radical in character"

without the overwhelming approval of the Klamath tribe. Chapman added the Department records revealed that the tribe had twice rejected the bill in general council.<sup>10</sup>

As Chapman's letter noted, the Klamath tribe had officially rejected the liquidation bill. Nevertheless, the debate on the liquidation issue left the tribe severely divided. The anti-liquidation forces controlled the Klamath business committee; and in a special meeting of the committee on October 2, 1945, the members adopted a resolution opposing S. 1313. The resolution stated:

This bill is fantastic and this committee should go on record and advise the Senate and the House to withdraw anything that has been introduced until they have heard officially from the General Council and the Business Committee with regard to the liquidation of the Klamath Indian Reservation.<sup>11</sup>

Also, in the business committee meeting of December 14, 1945, the committee members again refused to support the liquidation bill before Congress.<sup>12</sup>

The anti-liquidation faction also managed to control the general council meetings on October 4 and 5, 1945. At those meetings, the tribal members voted on instructions for their delegates in Washington. That is, the Klamath members decided in general council which bills and matters their delegates supported and opposed while representing the tribe in Washington, D. C. Mrs. Wade Crawford read S. 1313 and suggested the council vote on the measure. The council then voted on the bill, rejected it by a total of 84-40, and therefore refused to

place S. 1313 on the delegates' instruction list. Furthermore, at the general council meeting of December 27, 1945, a Klamath tribal member again attempted to obtain council acceptance of the liquidation bill as a part of the instructions. The attempt also failed, this time for lack of a second.<sup>13</sup>

On August 1, 1946, the Senate Committee on Indian Affairs conducted a short hearing on S. 1313. Wade Crawford and Boyd Jackson, the two Klamath delegates, testified at this hearing. The two Klamath delegates personified the factionalism of the Klamath since Crawford led the liquidation faction and Boyd Jackson guided the anti-liquidation forces. Their testimonies revealed the issues that split the Klamath tribe.

In his testimony, Wade Crawford endorsed S. 1313, objected to Indian Bureau management of the tribal forest, and complained about the "communistic" programs of the "Ickes-Collier regime." In addition, Crawford charged Klamath Superintendent B. G. Courtright with using his position to "coerce, influence, and intimidate the councils and elections of the Klamath Indians." Finally, Crawford called upon the Committee on Indian Affairs to investigate the Klamath Agency operations.<sup>14</sup>

Jackson, however, reported that the tribe had officially rejected S.1313 in the business committee and the general council. He also noted that the Crawfords had instigated the bill without tribal

consent, and asked the committee not to enact the bill. Finally, like Crawford, Jackson welcomed a committee investigation of the Klamath tribal affairs.<sup>15</sup>

This short hearing characterized the tragedy of the Klamath situation; the two factions vied for control of the Klamath tribal government, each refusing to compromise with the other. Throughout the turbulent hour-long session, the two delegates agreed only upon the desirability of a congressional investigation. On all other issues surrounding the liquidation question, the two factional leaders held opposing views.

In December of 1946, the Klamath general council again considered delegate instructions, and liquidation legislation again arose as a divisive issue. The business committee submitted a list of delegate instructions to the council for its consideration. This list contained no provision for the support of liquidation since the anti-liquidation forces still controlled the business committee. In the general council, however, Ida Crawford offered a substitute resolution that conspicuously included instructions for the delegates to support liquidation. The council voted Ida Crawford's substitute list down. Before the council concluded, Ida Crawford again offered an amendment to include the liquidation provision on the instruction list. The council again rejected the provision, this time by an even larger margin.<sup>16</sup>

In 1947, Acting Commissioner of Indian Affairs, William Zimmerman, appeared before the Senate Post Office and Civil Service Committee. He testified that approximately 40,000 American Indians had achieved a level of competency where they no longer required federal supervision.<sup>17</sup> Zimmerman's testimony gave new strength to the termination advocates in Congress. Since Zimmerman had included the Klamath among the Indians ready to cast off federal supervision, in 1947 the Oregon Congressional delegation again sponsored liquidation legislation for the Klamath. On May 2, Senator Morse introduced a Klamath liquidation bill for himself and Senator Cordon; and on May 13, Republican Representative Lowell Stockton of Oregon introduced a similar bill in the House.<sup>18</sup>

In his remarks in the Congressional Record, Senator Morse explained several things regarding the Klamath bill. He first commented that the Oregon Senators introduced the proposal not on their own volition, but on behalf of certain Klamath County officials, several civic bodies, and "a certain faction" of the Klamath tribe. Second, he noted that neither he nor Senator Cordon had taken any position on the bill's merits, and had introduced the bill only because such action initiated hearings that the Indians had desired. Finally, Senator Morse expressed his own dissatisfaction with Indian wardship, voicing the hope that Congressional action in the 80th Congress ended Indian wardship status.<sup>19</sup>

The Senate subcommittee on Indian Affairs shared Senator Morse's sentiments, and even before the Senator introduced S. 1222, the subcommittee held hearings in Washington, D. C. concerning the Klamath. These March hearings before the subcommittee in Washington proved indicative of the Klamath hearings throughout the next twelve years. Patterns emerged from these hearings that recurred throughout the numerous hearings on the Klamath situation between 1947 and 1959. While the characters occasionally changed and the relative power of the various factions often fluctuated, the arguments and attitudes of the participants remained fairly constant.

The 1947 hearings illustrated that the split between the liquidation and anti-liquidation forces went far deeper than the one issue, and carried with it many personal animosities. On nearly every issue concerning the Klamath, the Crawfords and Boyd Jackson assumed stances on opposite sides with Jesse Lee Kirk joining Jackson in his opposition to the Crawfords. Moreover, this feud had not developed in the 1940's, but had begun in the early 1930's when Jackson and Crawford first clashed.<sup>20</sup> The two factions continually vied for control of the Klamath governmental superstructure throughout the 1940's and 1950's. The struggle for power ceased only with termination in 1961.

The 1947 hearings also emphasized the internal debate over the competency of the Klamath to manage their own affairs. Ida Crawford liked to point to the Indian attendance in public schools since 1927.





























































































































































































































































































