

1855, 1863, and 1865 Columbia River Treaties

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Prepared by Tami Wilkerson and Ben Maceda, Columbia Basin Fish & Wildlife Library. Please contact librarystaff@critfc.org to request journal articles or print materials in this bibliography.

Walla Walla Treaty Council/1855 treaties

Beckham, S. D. 2024. "Utmost Good Faith": Walla Walla Treaty Council, 1855. Pages 141-150 in *Oregon Indians: voices from two centuries*. Oregon State University Press, Corvallis, Oregon.
<https://dx.doi.org/10.1353/book.132376>

Chapter on the Walla Walla Treaty Council, the organization of the council and the process of negotiating the treaties, includes excerpts and minutes from the event.

Bernholz, C. D., and R. J. Weiner. 2008. The Palmer and Stevens "usual and accustomed places" treaties in the opinions of the courts. *Government Information Quarterly* 25(4):778–795.
<https://doi.org/10.1016/j.giq.2007.10.004>

Reviews the creation of the Palmer and Stevens Treaties and the subsequent citations and legal opinions of these treaties through territorial and federal courts.

Coan, C. F. 1914. *The Federal Indian Policy in the Oregon Country, 1849-1855*. Master's Thesis. University of California Berkeley, Berkeley, California.
<https://babel.hathitrust.org/cgi/pt?id=uc1.b3672169&seq=7>

Thesis on the Federal Government's policies towards tribes in the years leading to the Stevens Treaties and the government's aim in creating these treaties.

Coan, C. F. 1922. The adoption of the reservation policy in Pacific Northwest, 1853-1855. *The Quarterly of the Oregon Historical Society* 23(1):1-38. <https://www.jstor.org/stable/20610197>

Article on Joel Palmer's role in the creation of treaties with Northwest tribes and the establishment of reservations.

Elliot, T. C. 1907. The Indian council at Walla Walla. *The Washington Historical Quarterly* 1(4):252-255.
<https://www.jstor.org/stable/40734420>

Article on Isaac Stevens' role in the Walla Walla Treaty Council and the experience of U.S. Government officials during the council.

Fisher, A. H. 1999. 'This I know from the old people': Yakama Indian Treaty Rights as oral tradition. *Montana The Magazine of Western History* 49(1):2-17. <https://www.jstor.org/stable/4520112>

Article examining the place of the Stevens Treaties in the oral traditions and history of the Yakama Nation.

Fisher, A. H. 2010. Making treaties, making tribes. Pages 36-61 in *Shadow tribe: the making of Columbia*

River Indian identity. University of Washington Press, Seattle, Washington.
<http://www.jstor.org/stable/j.ctvcwns3h.6>

Chapter on the treaty creation process and the impact of the treaties on tribal identities and organization.

Hansen, C. 2005. Oregon voices: Indian views of the Stevens-Palmer treaties today. *Oregon Historical Quarterly* 106(3):475-489. <http://www.jstor.org/stable/20615563>

Reviews contemporary oral histories to understand perspectives of tribal members on the Stevens Treaties.

Harmon, A. 2005. Indian treaty history: a subject for agile minds. *Oregon Historical Quarterly*, 106(3): 358-373. <http://www.jstor.org/stable/20615556>

Examines the developments and complexities of the history of treaties in the Pacific Northwest, from the 1850s formation of these treaties through their reappraisals and the place of treaties in paradoxical U.S. approaches to Indigenous issues.

Harmon, A., editor. 2008. *The power of promises: rethinking Indian Treaties in the Pacific Northwest*. University of Washington Press, Seattle, Washington. <http://www.jstor.org/stable/j.ctvcwnrvp.12>

Collection of essays from various disciplines on the legacy of treaties between Canada, the United States and indigenous peoples in the Pacific Northwest.

Hoopes, A. W. 1932. Indian affairs in Oregon and Washington, 1849-1860. Pages 69-130 *in* *Indian Affairs and Their Administration: With Special Reference to the Far West, 1849-1860*. University of Pennsylvania Press, Philadelphia, Pennsylvania. <http://www.jstor.org/stable/j.ctv51335b.7>

Chapter on the Stevens Treaties, the formation of reservations and U.S. government policies and colonial aims in creating these treaties and reservations.

Kip, L. 1897. *The Indian council at Walla Walla, May and June, 1855 : a journal*. Star Job Office, Eugene, Oregon. <https://lccn.loc.gov/06006761>

Scan of the journal of Lawrence Kip, a U.S. Soldier, from his entries during the Walla Walla Treaty Council.

Lamm, C. P. 1970. An analysis of the arguments presented at the Walla Walla Indian Treaty Council of 1855. Doctoral dissertation. Washington State University, Pullman.
<https://search.worldcat.org/title/29726972?oclcNum=29726972>

Dissertation examining the bargaining process and verbal communications of the Stevens Treaties as recorded in the record of the official proceedings at the council in the Walla Walla Valley.

Nez Perce Tribe. 2003. *Treaties: Nez Perce perspectives*. Confluence Press, Lewiston, Idaho.
<https://catalog.cbfiw.org/cgi-bin/koha/opac-detail.pl?biblionumber=4051>

Book sharing Nez Perce perspectives on the treaties, from first contact through to the contemporary role of treaties in tribal governance.

Madsen, J.A. 1983. An analysis of the Nez Perce communication strategies in the Council of Walla Walla, 1855. Doctoral dissertation. University of Kansas, Lawrence, Kansas. <https://hdl.handle.net/1808/27446>

Dissertation exploring the Nez Perce Tribe's bargaining process and spoken communication as recorded in the record of the official proceedings at the council in the Walla Walla Valley.

Pond, R. J., D. W. Hester, and A. M. Josephy. 2006. Through change and transition: treaty commitments made and broken. Pages 93-150 in J. Karson, editor. *Wiyaxayxt / Wiyakaaw'awn / As days go by: our history, our land, our people -- the Cayuse, Umatilla, and Walla Walla*. University of Washington Press, Seattle, Washington. <http://www.jstor.org/stable/j.ctvcwnggs.12>

Examines the origins and implementation of the Stevens Treaties with a focus on the Treaty between the United States and the Walla-Walla, Cayuses, and Umatilla tribes and bands of Indians in Washington and Oregon territories.

Relander, C., D. E. LeCrone, F. A. Davidson, and R. Delaney, contributors. 1955. Treaty centennial, 1855-1955, the Yakimas: dedicated to the treaty chiefs and Yakimas yet unborn. Republic Press, Yakima, Washington. <https://search.worldcat.org/title/228697255>

Reflects on the legacy of the Stevens Treaties for the Yakama Nation on the 100-year anniversary of the treaty signing.

Richards, K. 2005. The Stevens Treaties of 1854-1855. *Oregon Historical Quarterly* 106(3):342-350. <http://www.jstor.org/stable/20615553>

Article on the creation of the Stevens Treaties primarily focused on the colonial perspective and the aims of the U.S. government in creating these treaties with tribes.

Stevens, I. I. and D. Scott, editor. 1985. A true copy of the record of the official proceedings at the council in the Walla Walla Valley, 1855. Ye Galleon Press, Fairfield, Washington. <https://search.worldcat.org/title/12342588>

Transcription of the official proceedings of the Walla Walla Treaty Council of 1855.

Stevens, I. I., and H. Stevens. 1961. Documents relating to the negotiation of the Indian treaties, 1854-55, by Isaac I. Stevens, Governor of Washington Territory and Superintendent of Indian Affairs, copied from the original documents in the records of the Bureau of Indian Affairs for the use of Hazard Stevens : also three manuscripts by Hazard Stevens on the Walla Walla Council and Nez Perces. Microfilm. Washington State Library, Olympia. <https://search.worldcat.org/title/54018773>

Archival collection from Isaac and Hazard Stevens of records and documents relating to ratified and unratified treaties with tribes in the Northwest ranging from 1801-1869.

Trafzer, C. E. 2005. The legacy of the Walla Walla Council, 1855. *Oregon Historical Quarterly* 106(3):398-

411. <https://doi.org/10.1353/ohq.2005.0006>

Discusses the legacy of the Walla Walla Treaty Council, both from a legal and indigenous perspective, attempts to better understand indigenous perspectives of the time on the council and the treaty process.

Tweedy, A. E. 2022. Off-reservation treaty hunting rights, the restatement, and the Stevens Treaties. *Washington Law Review* 97(3):75-110. <http://digitalcommons.law.uw.edu/wlr/vol97/iss3/10>

Explores the potential usefulness of historical law in interpreting off-reservation treaty rights, particularly the need to tie treaty interpretations to the language of the treaty when specific rights are at issue.

United States. 1859. Treaty between the United States of America and the Nez Percé Indians: June 11, 1855. Washington, D.C. https://archive.org/details/bp_1373086

Scan of the Treaty between the United States of America and the Nez Percé Indians, signed in 1855, ratified in 1859.

United States. 1859. Treaty between the United States and the Walla-Walla, Cayuses, and Umatilla tribes and bands of Indians in Washington and Oregon territories: June 9, 1855. Washington, D.C. <https://digitalcollections.library.oregon.gov/nodes/view/275414>

Digitization of the Treaty between the United States and the Walla-Walla, Cayuses, and Umatilla tribes and bands of Indians in Washington and Oregon territories, signed in 1855, ratified in 1859.

United States. 1859. Treaty between the United States and the Yakama Nation of Indians: June 9, 1855. Washington, D.C. <https://cdm16786.contentdm.oclc.org/digital/collection/lctext/id/1575>

Scan of the Treaty between the United States and the Yakama Nation of Indians, signed in 1855, ratified in 1859.

United States. 1859. Treaty between the United States of America and the Confederated Tribes and Bands of Indians in Middle Oregon: June 25, 1855. Washington, D.C. <https://www.govinfo.gov/link/statute/12/963>

Scan of the Treaty between the United States of America and the Confederated Tribes and Bands of Indians in Middle Oregon, signed in 1855, ratified in 1859.

Wheeler-Voegelin, E. W. 1955. The northern Paiute of central Oregon: a chapter in treaty-making, Part 1. *Ethnohistory* 2(2):95-132. <https://doi.org/10.2307/480624>

Part one of three of an ethnohistory and review of the Yahuskin and Walapi bands, and the assumption by the U.S. government that these bands were pre-existing and established bands. Part one examines the history of the peoples that were assigned to these bands.

Wheeler-Voegelin, E. 1955. The northern Paiute of central Oregon: a chapter in treaty-making, Part 2.

Ethnohistory 2(3):241:272. <https://doi.org/10.2307/480378>

Part two of three of an ethnohistory and review of the Yahuskin and Walapi bands, and the assumption by the U.S. government that these bands were pre-existing and established bands. Part two reviews the establishment of these bands by the U.S. government and the treaty process.

Wheeler-Voegelin, E. 1956. The northern Paiute of central Oregon: a chapter in treaty-making, Part 3: conclusions. Ethnohistory 3(1):1-10. <https://doi.org/10.2307/480497>

Part three of three of an ethnohistory and review of the Yahuskin and Walapi bands, and the assumption by the U.S. government that these bands were pre-existing and established bands. Part three reflects on the process of ethnographic work and the need for historical context rather than the assumption that an indigenous group existed in the same sense prior to colonial contact.

1863 Nez Perce Treaty

Baird, D., D. Mallickan, and W. R. Swagerty. 2002. The Nez Perce Nation divided: firsthand accounts of events leading to the 1863 treaty. University of Idaho Press, Moscow, Idaho. <https://catalog.cbfwl.org/cgi-bin/koha/opac-detail.pl?biblionumber=43714>

History of the events leading to the 1863 treaty based primarily on firsthand accounts, particularly focuses on the discovery of gold in North Central Idaho and the subsequent disregard of existing treaties by settlers.

Bohnee, G., J. P. Matthews, J. Pinkham, A. Smith, and J. Stanfill. 2011. Pages 149-184 *in* J. Burger, editor, Stakeholders and scientists: achieving implementable solutions to energy and environmental issues. Springer, New York, New York. https://doi.org/10.1007/978-1-4419-8813-3_7

Chapter utilizing the handling of radioactive waste at the Department of Energy's Hanford Site as a case study to examine Nez Perce perspective on treaty rights and the U.S. government's obligations to maintaining these rights.

Flanagan, J. K. 1999. The invalidity of the Nez Perce Treaty of 1863 and the taking of the Wallowa Valley. American Indian Law Review 24(1):75. <https://doi.org/10.2307/20070622>

Examines the changes to the Nez Perce Tribe's organizational structure brought about by colonial contact and the treaty making process and the U.S. government's requirements for tribal representatives and leaders to speak for the tribe.

Smith, D., editor. 2001. "The Treaty of 1855 has not been lived up to and we have no faith that this will be lived up to": the 1867 Nez Perce Treaty Council. University of Idaho Library, Moscow. <https://search.worldcat.org/title/46851234>

Selection of government reports from 1864-1867 outlining the breaking of treaty rights and the mistreatment of the Nez Perce Tribe by territorial and federal governments.

United States. 1867. Treaty between the United States of America and the Nez Percé tribe of Indians. Washington, D.C. <https://www.loc.gov/item/33015981/>

Scan of the ratification of the Treaty between the United States of America and the Nez Percé tribe of Indians, signed in 1863, ratified in 1867.

Wilkinson, C. F. 1998. Indian Tribal Rights and the National Forests: the case of the aboriginal lands of the Nez Perce Tribe. Idaho Law Review 435: 436-461. <https://scholar.law.colorado.edu/faculty-articles/650/>

Describes the relationship between the Nez Perce Tribe and the United States Forest Service as it relates to the treaty rights of the Tribe and the management of national forests, includes context on the 1855 treaty and the 1863 treaty.

1865 Warm Springs treaty

McConnell, L. 2006. The treaty rights of the Confederated Tribes of Warm Springs. The Pacific Northwest Quarterly 97(4): 190-201. <https://www.jstor.org/stable/40491973>

Reviews the history of treaties between the Confederated Tribes of Warm Springs and the U.S. government, primarily focusing on the Walla Walla Council Treaty and the reactionary Supplemental Treaty Between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon.

United States. 1867. Supplemental treaty between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon. Washington, D.C. <https://plateauportal.libraries.wsu.edu/digital-heritage/supplemental-treaty-between-united-states-america-and-confederated-tribes-and-bands>

Scan of the ratification of the Supplemental Treaty Between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon, which removed treaty rights and imposed greater restrictions on Warm Springs tribal members.

U.S. House of Representatives. 2020. To nullify the supplemental treaty between the United States of America and the Confederated Tribes and Bands of Indians of middle Oregon, concluded on November 15, 1865. House Report 116-441 (116th Congress, 2nd session). <https://www.congress.gov/congressional-report/116th-congress/house-report/441/1>

House of Representatives report on a 2019 bill to nullify the Supplemental Treaty Between the United States of America and the Confederated Tribes and Bands of Indians of Middle Oregon of 1865 which purportedly relinquished the 1855 treaty's off-reservation rights and prohibited Warm Springs members from leaving the reservation without permits.