

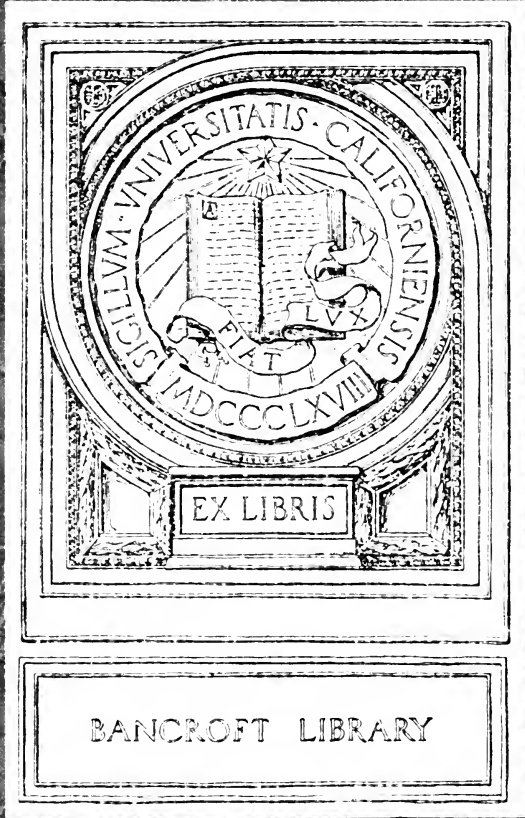
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# THE DISCARDS



BY

**He-mene Ka-wan: "Old Wolf"**

(LUCULLUS VIRGIL McWHORTER)

PRICE, 25 CENTS





Supplement to *The Discards*

Copyright

## WE YALLUP WA YA CIKA

**Chief of the Ahtanum Clan of the Yakimas, Deceased Dec. 17, 1915**

See the Chief's Memorial to the "higher officials," April 13, 1913, in which he prayed for simple justice relative to his stolen water rights. The venerable Chieftain passed over the Last Trail, still hoping for the relief that never came. See Lyman's *Hist. Yakima Valley*, Vol 1, pp 916-920. Continued *Crime Against the Yakimas*, 1913.

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# THE DISCARDS

By HE-MENE KA-WAN: "Old Wolf"

Author of

"The Crime Against the Yakimas"

"Border Settlers of Northwestern Virginia"

"Rebellion (?) of the Yakimas"

"The Continued Crime Against the Yakimas"

By the rivers of Babylon, there we sat down, yea, we wept when we remembered Zion.

We hanged our harps upon the willows in the midst thereof.

For there they that carried us away captive required of us a song; and they that wasted us required of us mirth, saying, Sing us one of the songs of Zion.—Psalms 137:1-2-3.

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The first part of the document  
 discusses the general principles  
 of the proposed system. It  
 outlines the objectives and  
 the scope of the project.

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The second part of the document  
 describes the detailed design  
 of the system. It includes  
 a description of the hardware  
 and software components.

The third part of the document  
 discusses the implementation  
 of the system. It includes  
 a description of the testing  
 procedures and the results.

The fourth part of the document  
 discusses the conclusions  
 of the project. It includes  
 a summary of the findings  
 and recommendations for  
 future work.



# Foreword

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An explanation is the only excuse for this little publication. **The Discards** were primarily to appear in the Second or Summer Season Number of **The American Indian Tepee**, a quarterly launched for the avowed purpose of combating the manifest evils of the Indian Bureau; the fraud and graft imposed with impunity on the child-minded tribesmen by the robber speculator, land thief and all round crooks who swarm the reservations; as well as creating a deeper sentiment of respect for the Red race by giving first hand the Indian side of life; his poetry, music, philosophy and tribal history.

As an adopted Yakima, the chief editorship was tendered me and was accepted with no thought of compensation other than the satisfaction of attempting to do something for a greatly malined and hampered people. The first editorial in the initiative number of the **Tepee**, reveals the faith that was placed in the declared purpose of the management, which would now appear as mere ostentation. This became more apparent as work on the second number progressed. Reproductions foreign to the vital Indian cause were given precedence over "fighting" originality; and when the **Wolf howled**, he was summarily bounced by the **Fox**, who then assumed full control as both manager and editor.

The contribution by **Hal-ish Ho-sat: Klickitat** for "Old Wolf"; was the first of a series of hitherto unpublished legends of the Yakimas and kindred tribes contemplated for the **Tepee**. This, with some editorials, one or two incomplete, were retained and made use of, while the **Discards**, a few in gally proof, were returned to me. The editorial explanation of my severance with the **Tepee** was in bad taste and my own card was censored to suit the drawing.

Perhaps the **Wolf** was too strenuous and the **Discards** had no place in **The Tepee's** pages. Doubtless the **Manager** will receive laudation from certain elements for his action; but believing it good at times that the public be made acquainted with disagreeable facts, such as contained in some of these rejects, they are here offered as mere samples of far reaching conditions. If "Elasticity of Indian Bureau Promises" appear unworthy of credence, there are the abandoned allotments, parched and dry, still in evidence, as well as voluminous correspondence on file in the Indian Department. The pie from the Indian Bureau bakery may look appetizing and palatable on the printed menu. Lift the crust! then—shield your nose as you watch 'em crawl. The "consideration" from the honest business man for Poor Lo's heritage oftimes shows glitteringly munificent. Insert the probe! gilded illusion—"mess of potage"—vermin infested and stenchful.

And all this under a Government of the people (\$), by the people (\$\$) and for the people (\$\$\$).

He-mene Ka-wan: "Old Wolf".  
(L. V. McWhorter).

July 23, 1920



## That "Same Old Howl"

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Many of the Yakimas are wondering how long it takes the Indian Department to make good a promise. Tribesmen have waited vainly the years for a consumation of pledges made, while others, sore at heart and foot weary have passed over the Last Trail with thoughts imbittered by the memory of wonton indifference, if not actual connivence of the Department officials in the brazen robberies which they have suffered. Ugly, sombre facts have been unearthed in the no distant past, while others are incubating for an unsavory hatching.

Fraudulent land deals and theft of irrigation waters are common complaints. The riparian right to water established by long usage, is a joke when applied to the Indian. During the vital irrigation period of May, present year, the editor personally looked into conditions of one Indian ditch on the Ahtanum. Three Indian allottees, Louis Mann, William Adams and Joe Yemowat, dependent in part upon this ditch, had not been able to obtain a drop of water, while white renters above them had been receiving a full flow for a month. Mr. Clyde Stevens, a heavy renter, had "soaked" a forty acre field the second time, while two other renters were getting water galore. In on instance a secret way was discovered taking a heavy flow. In marked contrast to the luxuriant crops on these lands, were those of the Indians, parched and withered. While the Indian Department has no jurisdiction over the distribution of the water in this particular ditch it does have jurisdiction over the leased lands and has the power to evict any undesirable tenant. Why does it allow a water-hog to fatten at the expense of those whom it holds in its iron grasp? If the Injun "hol-lers" he is branded as a troublesome complainer and peace disturber. Intimidated and helpless, he suffers deep wrongs in stolid silence. A husky, in an altercation with one of the looters in question, took unreasonable abuse rather than come to blows. When asked why he did this, he replied:

"I am not afraid of him—the shrimp. I could break him into. It is his law that I am afraid of. I know what an Injun would get in court. I have a family to live for. Our Agent is supposed to protect us in our rights He does nothing. He knows that the white man has no right to the water in this, our Injun ditch. He knows that it is being stolen from us. This white water thief is protected. He says that Mr. Carr is a fine man. Of course he should speak well of Mr. Carr. Look at this water thief's crop, this Mr. Stevens and others. They are fine while our crops are scorched for water. When only Injuns were on this ditch we had no trouble. All got water, dividing with each other. I was driven from the Medicine Valley country because Mr. Reece B. Brown stole all my water eleven years ago. The Indian Department knew of it, but the Department is afraid of Mr. Brown or stands in with him in that grab. I came over here on the Ahtanum to farm and now they steal my water here. The Shoyahpoo is a hog. He takes all and squeals for more."

It takes no careful observer to ride through the Ahtanum Reservation

lands and pick out the Indian tilled lands from those of white owners and lessors. The former invariably present a withered appearance, while those of the whites show fine crops, resultant from sufficient water. There may be exceptions to this rule, but the cases are few. One fair minded white man said, when questioned:

"The Indians get the dirty end of the water deal. The ditch tender has lands leased down near the lower end of the canal. He has, so he was



**LOUIS CHARLES MANN**

Recognized Head of the Ahtanum Clan of Yakimas. From "The Crime Against the Yakimas." (Copyrighted)

heard to say, now finished irrigating his crops for the present, and turned his water to the orchards owned by whites. It is not right to have an interested man distributing this water."

Mr. Lew Perkins is Ditch Tender for the Ahtanum section in controversy. His crops on Indian leased lands show that they have suffered no dearth of water this season. It is hard to conceive that the Indian officials are blind to conditions so openly apparent. In 1916 the Ahtanum situation, the gross injustice suffered by these Indians in stolen water rights, was exposed in an illustrated article in an eastern journal of 30,000 copies, under the caption: **The Continued Crime Against The Yakimas.** Promises from the powers that be was the only result. Louis Man was

referred to by Mr. Dorrington, Indian Inspector, as: "Howling the same old howl that he has put up for ten years." Does it redound to the credit of the Indian Department that one of its Wards should howl vainly for simple justice even for one year? Appropose to this question is the following letter. Mr. L. M. Holt is Chief Engineer, Indian Reclamation Service. Mr. Lee referred to is Supervisor of Ditches for the Yakima Agency.

L. M. Holt,

Yakima, Wash., July 6th, 1920

Dear Mr. Holt:

I have been deprived from my irrigation waters, my neighbors steal my water and I have been studying where to make my report to, as you have all grades of employees on this irrigation system. As there is earth without water no living man can farm his dry lands in the Spring, and the white man has no better system in his body or being he is no better than I am why I write you so because he dies just the same as poor Injuns die so therefore I see why you turn all the water for his side and leave us destitute helpless. Do you be satisfied if I go up to the head gate and burst up the head gate and get my share of this irrigation waters for my crops. Is the white man looking for war path about this irrigation system? I am all time wondering where all these white people came from. They must have come where people are starving and they grabbe everything they come to. Where did they come from any way, from above the couds or from hell? This puzzles me. Everything they want to themselves, and they are hogging all the time. Their hunger for more money is not filled; they all time want more, and as I hear them often say "Damn the Indians" now, but where them white devils go when they do die, and who is the man on this earth can tell me I lie. Oh, no, I have been studying these subject for many years, white man ways of living is no good to me, I hate it but I cannot help it, as every year I am fussing about this irrigation system. Now the earth and water is all time here, but me, I shall be gone where everybody go time they do die, and I want to live right while living, now I am losing 5 acres in wheat and 6 acres in alfalfa, now who can protect my rights about this irrigation system. You want cash down every time and from the start my irrigation waters been cut short all time. Now I have six seven rows, that is all for my \$60.00 and how do you expect any man to be a farmer that way. It seems to me the government is robbing me out of my money. I want to find out who is the man betrayed my rights on this irrigation system on this Ahtanum creek. Since all the Ahtanum creek is a reservation stream all the creek is ours in first place, and Secretary Garfield robbed us time he gave our water to the whites at the Ahtanum Academy. White ladies sang a song to him for more Hiyou Chuck. Was this fine scheme and now we are robbed today. Who will help us out. Mr. Lee has power to rob us out of our irrigation system, he is the man told the head gate man to shut off. I learn this from one of my white man friends. I remember one time of seeing Mr. Lee at old man Seluskin house time he told the old man Seluskin he was a man from Washington, D. C. to help the Indians on this reservation on the irrigation system, now this day this very same man is no help to us Injuns. I am not mad at him when I write you this. Now this irrigation system is too far beyond the law, dont you take me for a bunch of Coyotes. Look out, do what is right, I am a person just the same as whites are; we all live by eating same food, and I want to be in a right living while living on this earth. I was there in your office twice but you was gone, I want to see you but I do not know when. I shall see what can be done toward protecting our irrigation system on this Ahtanum valley, and you know this earth and water was here and thereon it was the Injuns, and this will be all.

I am your truly poor friend,

LOUIS MANN.

As a substance of fact no white man has a right to any of the water from this Indian ditch, yet year after year the thefts go on unpunished. Is it any wonder that the Indian has learned to look upon the Agent as a conniver with the white man to loot and despoil him of his own? The

lame excuse that such things go on unknown to the Indian officials is to be taken with a mountain of allowance. These Ahtanum Indians have for years clamored for justice, and have in turn been branded by the inspectors as "howlers." Such treatment makes Bolshevik and I. W. W. of white people.

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## *Elasticity of Indian Bureau Promises*

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NOTE: This article was added to after discardure by the Tepec.

There is an unmistakable national wide agitation looking to the complete abolition of the Indian Bureau. The insistent outcry of the Indian against flagrant injustice suffered at the hands of this political incubus with its army of 7,000 employees, is reaching the rank and file of the people and already the Czars are visioning the handwriting on the wall. But as yet the masses know practically nothing about reservation conditions, know nothing about the inner workings of the Agencies, know nothing about the blundering incompetency if not down-right dishonesty of many of the acting officials. Methods employed in letting grazing permits to outside stockmen, leasing of agricultural lands and the distribution of irrigation water, too often appear shady and questionable. On the Yakima Reservation, Wash.; water rights of long standing have been ignored, the entire flow of Indian constructed canals seized upon, confiscated by the Department or openly stolen by unprincipled scoundrels who apparently have a stand in with the "higher ups." Why foster a Bureau which will tolerate and countenance such brazen and uncovered thievery of the only means by which an Indian can make use of his lands? A Bureau under which apparently a rich and powerful "System" has sprung up and is operating. A single case:

Near White Swan, nine Indian eighty acre allotments were receiving water from a ditch of their own construction, tapping Medicine Valley. Indian homes were established on all these tracts, each irrigating from ten to sixty acres. Some had planted small orchards, others were gardening and raising grain. About eleven years ago, one Reece B. Brown bought at a low figure the Umtouch allotment on the west, the first receiving water from the ditch. Mr. Brown, who has been connected with divers litigations connected with Reservation deals, boldly appropriated (?) all the water from the lower eight allotments, diverting it to his own land which was planted to orchard. The Agent knew of the "appropriation." He did nothing—for the Indians. I personally called the attention of the Acting Engineer of the Indian Reclamation Service to the robbery. An "investigator" looked the situation over. Looked, and nothing more. The Commissioner of Indian Affairs was appealed to. An investigation and promises—nothing more. The aid of the Secretary of the Interior was invoked. An "investigation" and more promises—nothing more. In 1913 I was told by Superintendent Carr that suit had been instituted in the Federal Court for the recovery of this water, and a subsequent letter from the Assistant Indian Commissioner in reply to an inquiry, stated that such suit was

"pending." The case has never progressed beyond this "pending" stage. Evidently the "pending" cord was most carefully selected for its stretching and wearing qualities. Is the Indian Bureau a party to the crime? Or is it only afraid of the reputed millionaire water "appropriator"? So far the "investigations" have all been conducted by the Indian Bureau officials only. Will a higher tribunal be invoked before another Planting Moon shall have arrived?

In 1916 a very full account of this most disgusting affair was given by me in an eastern journal of 30,000 copies, under the caption: **The Continued Crime Against The Yakimas**. This brought out a feeble renewal of never-to-be-kept-promises from the Department. Water by the Wapato Canal would cover these lands "next year" in any event. Several "next years" have passed and these lands are still powder-dry, while the orchards planted on the Umtouch allotment have flourished and brought returns, nourished by stolen water. The other eight allotments are also producing—fine second growth desert sage. The houses are tumbling to decay, the fencing in some instances disappearing beneath the drifting sand dunes—fitting monument to the cowardly, vacillating policy of an obsolete Bureau.

Of late the Department has ignored all local letters touching Brown's seizure of the Indian water and the "pending" suit, but goaded and cornered by a Boston philanthropist, the Hon. Cato Sells while not conceding a crime, has agreed that the water "diminished" in that particular ditch; but points proudly to Departmental activity in bringing water to the lands "this season" by the Wapato Canal; or by the storage system of Medicine Valley or Toppenish Creek "next year." Nay more! another "investigation" by Supt. Carr and Federal District Attorney, Francis H. Garrecht, actually took place in a Yakima hotel lobby last spring, where it was found that: "Differences of opinion between white settlers and Indians regarding water rights along Medicine Creek have arisen;" and that "it is probable that cases which have already been in court will again have to come up for adjudication." Later in response to an inquiry, Mr. Garrecht intimates that some time and some where some body may be summoned to give testimony in a possible suit against the Reservation Water Hog.

During all these weary years, the Indians, who have not died, have been buoyed up by these worthless and hollow promises of "water next year;" inducing some of them, especially Luke Wappet, to repeatedly plant fields only to meet with disappointment and loss of both seed and labor. Wappet had sixty acres under cultivation until Brown stole the Indian ditch dry. Last spring I saw him toiling on a ditch hoping to bring water from another source, but met with failure. His wheat crop withered and blasted as on former occasions.

Forty acres of Simon Goudy's allotment lies just east of the Wappet tract, and on the extreme tail of the looted Medicine Valley ditch. Goudy had this north forty under cultivation, now returned to desert sage and weeds. Instead of this land being covered by the Wapato Canal as repeatedly promised, the waterway has been constructed along the east line of his ranch, which irrigates from the west. Goudy cannot irrigate the fraction of an acre from this "bring-water-to-you-next-year" canal. Not only this, but the canal embankment completely closes all avenue of escape for waste water from his south forty acres, heretofore utilized by his neighbor, Simon George, Indian, whose land adjoins him on the east. Simon George received his water through Goudy's lateral, which was severed by the canal. The flimsy, half-sized flume constructed over the canal by the

Indian Service for the purpose of a waterway, broke down within a few hours after water had been turned into it. Mr. George was compelled to rebuild the flume, enlarging it to capacity at his own expense. His loss in damaged crops because of this delay was not inconsiderable.



**SIMON GEORGE REBUILDING WORTHLESS FLUME PLACED BY INDIAN SERVICE ACROSS WAPATO CANAL**

Showing the Embankments of the Canal Which Completely Bars the Escape of Simon Goudy's Waste Water

Approximately four acres of Goudy's land was taken by the canal right of way, soil being appropriated even beyond the fenced limits, leaving the surface so lowered as to swamp and become worthless. For this right of way, Goudy received not one dollar for either ground or damages sustained.

Running midway from west to east through Goudy's allotment is the dry bed of a small creek, which carries water contingent only on the heaviest snows of winter. The Wapato Canal completely blocks this water way, but a gap has been left in the west, or near embankment for the purpose of permitting any possible flow of the creek to enter the canal. This of course allows the canal to empty into the dry bed, filling it to within a few hundred feet of Goudy's west line. This former dry depression, which Goudy always kept free from waste water, is thus converted into a veritable lagoon, unfordable and which in time will develop into a mosquito-breeding, willow-grown swamp.

Mr. Goudy irrigates his south forty acres from the Paiute Ditch, which was constructed by Indians under the supervision of James H. Wilbur, Agent, for the Paiute prisoners of war brought to the Yakima Reservation at the close of the Bannock uprising in 1878. The Paiutes running away, the ditch was turned over to the Yakimas by Agent Wilbur, and has been



used by them unmolested during the intervening forty one years. Mr. Goudy built his own lateral more than a quarter of a century ago. This year, during the vital irrigating season of May, three several "ditch tenders" called upon him, ordering him not to use such a volume of water, although water was running waste down the main creek bed. The Indian refused to obey the injunction. It appeared to him that it was not enough that he had been despoiled of water for half of his ranch by a seemingly



**SIMON GOUDY, Allottee**

Robbed of His Medicine Valley Ditch Eleven Years Ago, 40 Acres of His Ranch, Where Once He Harvested 892 Sacks of Fine Wheat, Is Now, Thanks to Indian Bureau Efficiency, a Desert Waste of Drifting Sands and Useless Sage.

upheld thief, but the Government was now bent on ruining, or confiscating his remaining water supply. The danger point had been reached and the "ditch tenders" were afterwards conspicuous by their absence on the Goudy lateral. Perhaps the "tenders" had a vision of an outraged Indian with a Winchester near that same spot on a former occasion, when the foreman of the railroad construction gang suddenly realized that his health was in jeopardy should he insist too strenuously on entering Goudy's field before settlement of right of way damages.

As stated, Mr. Goudy has no outlet for his waste drainage, and about four acres of growing wheat and alfalfa became flooded in consequence.

This he saved by cutting the canal bank, the overflow escaping through the vent. Earlier in the season and before irrigation, I had, at the instance of Mr. Goudy, called the attention of the Indian Service Engineer, Mr. L. M. Holt, to the fact that Mr. Goudy had not been provided with an outlet for his waste flow; and the reply was: "We do not expect him to have any waste water." It was not known at that time that an attempt would be made to curtail his Paiute source of water.

Thus we see how Simon Goudy, allottee, has been damaged thousands of dollars, as land values are computed in that section, how he has suffered not only at the hands of an unrestrained water-thief, but also from the very Bureau officials sworn to protect him in his vested rights as a Ward of the Government. He recalls bitterly how he was refused patent for his south forty acres when the White Swan branch of the N. P. Railroad was under construction, when he thought by realizing on it as a town site. Soon after he was waited on by a committee of "business men" who assured him that they could easily obtain the coveted patent for him, **provided** he first contract the land to them. Now, that there is no longer an opportunity to realize on it as a town site, he is importuned by the Bureau to accept a patent and become a full fledged citizen of—his own native land.

Can the most prejudiced of "Indian haters" find excuse for the treatment accorded Simon Goudy by the Indian Department? And yet there are other potential facts which would lend color to Goudy's contention that he has incurred the divine displeasure of the Bureau officials and has been singled out as an object of dirt and spite. As incredulous as this may seem there are grounds for the conjecture. Petty annoyances and discriminations suffered by Goudy are many and manifold. The Agency thrasher has more than once refused to thrash his crop until all others were attended to. Last year it passed and repassed his stack yard, compelling him at additional cost of time and money to procure another machine lest his grain damage by possible rain as on a former occasion.

But Mr. Goudy is not the only allottee to suffer by this "past-all-understanding" methods of the Indian Service. There are other Yakimas on the Paiute Ditch. Louis Mann has two inherited eighties below the Goudy lateral and this year has experienced unlooked for trouble. The Wapato Canal carries water to the Paiute, and a charge has been levied against the water users. The Agency claims that not more than one fifth of the water used is now supplied by the Paiute source, but a fairer estimate would place it at one half. The Indians contend that they have always had sufficient water from the Paiute alone, that the Indian Service has seized upon their forty-one year-old ditch without their knowledge or consent, and are now charging them for water which they can not get in sufficient quantity for their crops. Personal observation discloses the astounding fact that the head gate of the Mann lateral is under lock and key, that the intake is at a very low pressure, affording a water supply inadequate for the crops planted, and not on par with the money demanded of him by the Departmental authorities; while lower down on the Paiute the lateral head gate in use by whites is without lock and is under an exceedingly high pressure, insuring to the users thereof the full and unlimited control of their own water supply. Can any fair minded citizen blame an Indian for putting up "the same old howl that he has howled for the last ten years?" Appropose to the foregoing facts are the

following communications which are self-explanatory. The Neekass Canal is the Paiute Ditch. The name used is that pertaining to the surrounding country: "where horses were left."

### INDIAN WATER USERS OF THE PIUTE DITCH IN COUNCIL

WHITE SWAN, WASH., May 28, 1920.

Mr. DON M. CARR:

At this meeting today, We Protest and Oppose to Reclamation Service to enter their water into Our Neekass Ditch. Let Reclamation keep out from our Neekass Canal. Our Flood Water We have been using this water from the Simcoe Creek for 41 years, And our Prior Ripirian Rights was there Before Reclamation Service Came. Indians used this Simcoe Creek Water for 41 years now, We want you to Protect our Rights. We are shamed to see this Reclamation Let our crops go to hell, what kind of people are these Reclamation Service where do they come from, they are all to crush us down and what can we do to save our crops. we are trying our best to do what is right, Our Great Father of Washington D. C. want to see us be a farmers that is us Injuns but not to take away our water with which we been Irregating our lands for 41 years. and where ever the Reclamation Service constructed the Ditches at their own funds, and we do not kick about it we are willing to pay the assessments to the water charges but here we hate to bring an Injunction Suit to the Reclamation Service. I want you to see and to protect our rights, You do not want to see me and my neighbors be loosing our crops, Because the Reclamation Service are the only persons to live on this Earth they are hungry after the Dollars and their hunger is not filled. We do bitterly here Protest and Oppose to see our ditch be Grabbed away, and let us go to hell and of course where the reclamation service build their own ditches, and it is their own sole rights to collect the assesment from the Lands watered. but not on this Ditch which we have been using for 41 years can you do any Assistance? I am feeling very bad I hate to loose my hard labor and seed, I want you to stop Interferreing Our rights let the Reclamation Service leave us all alone.  
Sincerey your friend

LOUIS MANN,

Simon Goudy, George Simon, Shepherd Peter, and Guy Howard took this letter to Mr. Carr.

L. M. Holt,  
Reclamation Service, Yakima, Wash.

Yakima, Wash., July 16, 1920.

Dear Sir:

Beacroft Library

I have received a notice (bill for money due) No. 1762 W $\frac{1}{2}$  SW $\frac{1}{4}$  and SE  $\frac{1}{4}$  SW $\frac{1}{4}$  and SW $\frac{1}{4}$  SE $\frac{1}{4}$  35-11-17 and I was investigating the number of my allotments and I have found. Well my friend now my mistake (understanding) is this way. I am water user on this Piute Ditch for 41 solid years before you ennter your water into this ditch without my consent and your ditch tenders bother me from my own water, and I am wondering who must be too damn white on your office, and he do not understand what is on this earth Prior Ripirain Rights to water. I am a man want to do what is right, I am not waiting to beat some one in my ranching business. That Mr. Holt you consider my talking to you in this writing I am not crazy when I am writing this to you today. I want to know who did put this assessment to me and charging me \$80.00. That ditch was constructed before the first allotment was made to the Indians, and am I mistaken in my mind to be a man holder of that water as a man to have a Prior Ripirian Rights to my water on these two allotments, which your employees has a charge to me. Do you think you will make me to pay you for my own water? Do you think you have a right to grabble my Prior Ripirian Rights? Now here is the question, is your power right to crush me down as you see fit? I do not want to be too damn smart, I know where you build or constructed ditches with government funds, you have sole rights to put the assessment charges to lands and I am willing to pay, but where I am using this water for 41

years do not think you have founded the Indian ditch that is owned by the dead Indians. Look out man! The earth and water are all time here but me I am not all time here. Like my little son which you have seen time you was to my house. The little boy was buried yesterday at 1 o'clock P. M. and every one of us to die, and we of course every one of us want is money. But let us see where we are at, some times yet I will call to your office when I am in town. Well the earth and water before I was born, and next is me before your Reclamation Service came. Do not be too white and too Damn Smart. Recognize my being first water user along this Piute Ditch. When James H. Wilbur being Agent and when he left he was shaking my hands and he was talking to me good bye and he told me at that time "take care the Ditch it is yours my boy, he said to me this that Ditch was built for the Piutes, but the Piutes ran away, and now is yours, that water will give you money and support for your living," and so from that time we use that Ditch and water, and do you rather let us have the litigation of the Injunction Suit? I am no Renter of them two Allotments. I am the owner of the land and the water for 41 years. I am not writing a foolish talk. I mean business, I am of course a Red man and by being is Same and the Rest have and I will die same. No difference I am talking about my Rights.

Very truly your friend,

LOUIS MANN, R. 4, Box 233.

Yakima, Wash., July 22, 1920.

Dear McWhorter My white Brother: I am not feeling good yet. I cannot forget my Dearest Child in my poor Family, one that was loved by all in my family, and it will take some time to get over this Lamentations over the loss of the beloved Dearest Son. I know that I am to Die yet myself but I cannot help this my dearest white brother. We all of course have to Die on this Earth, and if honest on this earth we may meet our loved one gone before us. well brother I was over to see F. J. MAPES to my old ranch yesterday, and I have seen my Irrigation water none on my head gate, and I am wondering could any man on this face of the Earth Irrigate 80. acres with one inch by 18 inches of water, now they have Done me Dirtiest Trick them Reclamation Service outfit. I Dont give A Damn who ever is in this Service all of course they come from the old world where white people are Starving. this is my understanding from the papers I read. Now If I was Sleeping Indian I would Loose all my crops over there all of it, but as my Neighbors carry water through my Premises and if my hired man maybe to steal water this our own water, and this awful shame way of using Reclamation Service Tricks, To CIVILIZE me. Oh What A white mans Rulings. Very soon he will run uc Down, and what is the Right way to bringing me to Citizenship? learn me First To seal? which I never like it in my life, well brother No man con Civilize me this way, bad whites are combined to run Down Indians like a Wolf Runs Down deer when wolf is awful hungry, I have been Studying these things, and one of my Neighbor crops went to hell there adjoining my place, that is Mr GUY HOWARD he is an Injun man. I wish you would make a trip with me there and see that GUY HOWARDS Crops, and have it taken a Picture, what a Damn Nice piece of the work the Reclamation Service done with this Injun, Starve the mans crops because no money in advance, while the Reclamation Service Committed a crime enter their water into our Ditch without our Consent. Piute Ditch was build with Indian money for the Piute Indians who were brought here from Malhiuer from Oregon by the Agent JAMES H. WILBUR. and with help by some of our Yakima Indians with Teams and wagons. I have forgotten now, may be old man Peter Klickitat was in that trip. well brother may be to Damn white Rullers in this Reclamation Service, and to Dirty heart Tricks with this Service, this Government is Polished with Black when Such Water Lords are in this Service, now brother if you had time to go with me over this coming Sunday, you would come to my place in the first car that comes out in the morning, and we would start out from my place with a hack drive over there and back in the evening.

I am yours very Truly Brother

LOUIS MANN.



HUM ISHUMA—"Morning Dove" of the Okanogans *Baker's Lane*

Author of COGEWEA, an Unpublished Manuscript Romance of the Great Montana Cattle Range

Photo and Copyright by J. W. Langdon, 1915

**Howlin' Wolf:** "What is this 'Lo Business' engaged in by Recbe- Brown of the Forked Tongue? he whose 'medicine' started with a sudden blaze; he who can rob the 'Nation's Wards' without hinderance; he who takes from the widow and orphan their last wampum bead, their last bite of grub; he who clouds the head of the Injun with fire water and then steals his only blanket and shirt, leaving him naked before his tribe.

"Who is this Miller of the Wampum Lodge? this Miller who grinds the ignorant Injun instead of grain for bread; he who once tallied at the Agency but now counts wampum for a Banker of his own kind.

"Who is this Ain't Worthy, the Oily? he who sells his chu-chu wagon, Double Price to the foolish Yakimas. Who are these men without shame or honor?"

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**Growlin' Bear:** "This Lo(est) Business engaged in by he of the Forked Tongue and he of the Wampum Lodge, is cheatin' the Injun, stealin' his land and water. They are the **Lal-a-wish:** the wolves tearin' and rendin', robbin' and thievin' despoilin' unhindered alike the ignorant, drunken brave and the toil-worn widow, takin' the last piece of jerk from the orphaned pappoose. Want and misery! hunger and nakedness stalks the trail of their making.

"Ain't-Worth-a-Dam, the Oily, is a coyote from the trap-pen sneakin' in the wake of Forked Tongue and Grindin' Miller, watchin' their signalin' to jump the last bone left their victim Lo.

"How this done? Growlin' Bear don't know; Injun don't know. Maybe Injun Bureau know, Maybe Agency know! Maybe Deacon Lawyer the Dirty of Yakima can tell. Blind talk-wire from Washington, D. C.—Yakima—Toppenish—everywhere. **Christian Shooyahpo** too crooked-smart for Pagan Injun. Ugh! the smelli is bad.

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A certain Deacon Attorney who is making it possible for an unscrupulous sales agent to collect from the ignorant, childish minded Yakimas the robber commission of \$500 above the regular set price of an automobile, should have been a chemist. He is such a good "mixer;" prayin' and thievin', thievin' and prayin'; stirrin' all in the same bowl. Thankful to Providence for providin' this easy channel of wealth wherein the shekels may be garnered, this forked tongued double talented Deacon, who like a buckwheat grain presents a face from whatever angle viewed, pays to the Lord a regular tithe. Doubtless this is perfectly legitimate and right, else it would not be tolerated by the Church, but it occurs to some of the worldly minded that it is not accordin' to the traditnol narrow and straight path. "Growlin' Bear" is of the opinion that if the white man's God is partner to such a deal, He had better keep His own books and be on the lookout in the final roundun, or the Deacon Lawyer will sure "slick ear" on Him. But then "Growlin' Bear," primitive and uneducated, still sticks to his breech clout and moccasins. He is not supposed to understand the higher civilization. What is an Injun for if not to be skinned by the "superior" race?

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Last winter three young girls deserted from the Yakima Agency school. Two of them reached home, the other one, whose parents resided

in a distant part of the Reservation, died near White Swan from cold and exposure. No adequate attempt, it is alleged, was made by the Agency to locate the runaways, and the parents of the missing child supposed her to be at the school. Two weeks later her body was found with eyes picked out by the magpies. Was there an investigation?—an inquest? If so who ever heard of it? The story leaked out through Indian channels alone. Indian Agency efficiency and care! Indian Bureauism! One dead Injun child and the carrion birds the fatter for their feast.

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If the "incompetent" Indian has it tough in this life where he is so well cared (?) for by the Bureau, can his condition be imagined in the Happy Beyond?—a land void of both Injun Agents and fleas.

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An interesting, though pathetic scene was enacted in the Superior Court in Yakima recently. Sahpamequick Twatentush, a young Indian was on trial for his life for killing Sheowit a "bad" medicine man who had cast a death spell over his infant boy. Advised by two medicine women, who had been summoned to treat the child, that they could render no aid unless the man remove his evil spell, the distressed father rode twenty miles horseback to entreat Sheowit to come to the rescue. The medicine man refused, and according to the testimony of an eye witness, and that of the accused himself, he mocked at the sorrow of the father, stating that he had sent an evil spirit into his child's body and that it would die. He angrily exclaimed: "I am a strong man! I want to kill somebody all the time! I have killed your child and I will kill you!" With this he drew a hatchet from beneath his blanket and made an attempt to strike the young man; who dodged and backed away. The enraged medicine man followed him, striking once or twice with the hatchet. It was then that the Indian drew his pistol and killed his assailant. The medicine man was of bad repute, having killed two or more men. For one of the crimes he had served a term in the penitentiary. During the trial, many interesting points concerning the philosophy of the Yakimas were brought to light. It is needless to say that the sympathy of the public was with the defendant, who sat stoical during the trial in full tribal costume. It took the jury but ten minutes to bring in a verdict of not guilty. Barring self defense, the young man in taking the life of Sheowit, had but followed an ancient law of his tribe. It was suggested, by one who attended the trial, that it might serve a good purpose could this unwritten Yakima tamanwit be enforced against some of the quack M. D.s among the whites.

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As a side light on the prevailing belief in the powers of the medicine man, the following communication is given.

Mr. L. V. McWhorter,

July 10, 1920.

My White Brother:

In God's will I was to live on this earth for a short time and I am about to lose my nice little son, Senator Leo. He is having awful time talking, repeating the words of the Indian Doctors and this matter nearly set me crazy, and if it was not for my religion I would take my gun and kill the bad Indian Doctors, but my Great God is on my side and he shall save my little boy's soul, but of course, the body will be buried to rot and decay and that my religion tell me this: Thou shall not kill, and I tried my best to save him, but white man doctor can not cure the boy because the boy had Indian doctor sick to which white man has no beief, but this is true as you

understand Indian ways. Old Man Tom is a bad one. He killed my mother-in-law and one little child for me. I can not do no further to reach a cure for my little dear son. I had Priest there yesterday giving the little boy blessing and extreme unctions so the boy will die holy. The Indian doctors are killing us right and left this day. This is no lie and I do not know how long the little son live and he will go. He get some times unconscious and this is all my brother.

The sick child died four days later.

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The curse of **Shakerism** on the Yakima Reservation is well illustrated in the following. A young married woman stricken in confinement, was, for three days and nights "doctored" by one of the "priests", or "preachers" by noisy incantations and ringing of bells, assisted by many "helpers". At the end of that period the poor sufferer was released by death. Think of this and lend your moral and financial aid to the Mission now being established at White Swan.

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The Tepee Association is a body of its own, entirely distinct and separate from the Mission being established on the Yakima Reservation. The Tepee will work in unison with the Mission and kindred organizations for the uplift of the Indian and for a more liberal recognition of his rights. Not only must the coming Indian be prepared by education for a higher plane in life, but the public must also be enlightened to his needs and to the fact that the Indian can never be a man until delivered from the unreasonable trammellings of the Indian Bureau. That body must be reformed or dethroned.

NOTE--Will the Tepee return to its original declared principal of battling for a better recognition of the rights of its people?; or is it to follow the less rugged trail of mediocre so recently determined on? The true warrior never shows his heels at the first sound of the enemy guns.

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The Tipi Order of America opened a new Council in Tacoma (Tahoma) during the Planting Moon. It started with 30 charter members, many of them identified with the I. O. R. M.

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"LET MY PEOPLE GO!" Wassaja.

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The Yakima Council of Tipi Order is planning for a big pow-wow and shoot. Buffalo Ben is Chief of the Council's Gun-warriors, and has scored some high marks in clay pigeon shooting. From a humane point of view, it is regrettable that the clay bird is not substituted for the living victim in all sports.

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What is the TIPI ORDER OF AMERICA?

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The American Commercial Bank of Wapato, Wash., is a red hot nail in the oft repeated assertion that the Indian is void of business qualities.



Humane work for the first time in history, has reached the Yakimas through the efforts of the Yakima County Humane Society. Recently two of its officers attended a round-up of wild range horses at the "Ten Cent Corral" near the Agency where they found some of the animals being "broke" by the usual method of keeping them tethered for three or four days without food or water. It was explained to the Indians that this could not be allowed, that under no circumstances must an animal be so confined for more than 24 hours. With but one or two exceptions the warning was received kindly, many of the Indians expressing their approbation. The brutality of the branding corral, where the young colts are trampled and maimed, oftentimes killed outright, was also supervised. This part of the work fell to Mr. Simon Goudy, a half-blood Volunteer Officer. Here there was some friction, and it is said, a delegation of Indians laid complaint before their Superintendent, with what result is not known further than that the Humane Society received no official notice of action by the Agency. Later, in reply to a communication from the society setting forth its desire to promote humane education among the Yakimas, Supt. Carr expressed his unqualified approval and pledged to lend his support to the movement within the resources at his command. Thus the way is paved and if properly handled, many of the ghastly features of the Yakima roundup will be eliminated.

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The Yakima Humane Society has in its ranks two Indian Volunteer Officers helping to enforce humane laws on the Yakima Reservation, and instructing their people in the ways of kindness to animals. The first of their race to enter this field in the northwest, their action is bound to have a salutary influence among their own tribesmen. Look elsewhere for the "savage" than the Yakima.

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Mrs. Jennie R. Nichols, of Tacoma, Wash., Field Worker of the American Humane Society, attended the National Parent-Teachers' Association at Madison, Wisconsin, during Rose Moon. The result of Mrs. Nichols' ten days effort with that body may be summerized thus: A speech before the Assembly which aroused intense interest. Getting through a resolution placing this great body of 100,000 educators solidly back of humane education. A Board of Managers in this Department of Education, Mrs. Nichols, chairman. The newly elected President of the Association pledged her support of this new Departure, realizing that such education means the elimination of much crime and all around better citizenship. Mrs. Nichols accreditation as the most active field humane worker in the United States is borne out by the success of her indefatigable efforts at the great Madison Convention, was loyally supported by Mrs. C. A. Varney, President of the Washington State Parent-Teachers' Association.

Since Indian children are more in attendance at our public schools each succeeding year, this new feature of humane education is bound to have telling effect on the minds of the youth of the First Americans.

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Out on a rock crowned desert mountain in the Okanogan country, far from water lies the shriveled form of a coyote with one foot clamped in the rusted jaws of a Government trap. The chain, with its triple flukes anchored to a sage brush, is taut and twisted, attesting the awful struggl-

ings of the animal before death came to its release. Trapped in mid-summer, the agony of that coyote can not be imagined, as day after day passed with the scorching rays of a hell-sizzling sun beating down upon it. Obviously a war of extermination against certain predatory animals is justifiable, but there is nothing more brutal than the modern methods of trapping. Notwithstanding, we have the amazing spectacle of Dr. William T. Hornaday, naturalist, advocating that this brutalizing pursuit be taken up by the Boy Scouts.; and the suggestion is sanctioned by the executive board of that fine organization. God created man and all kinds of animal life, but he did not create the steel trap.

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The catch of salmon at Top-tut, now known as Prosser, on the Yakima river this year was unusually heavy. Under the Treaty of 1855, it would appear that the right to take fish at this, their ancient fishing grounds, is assured the Indians, but a State law interferes and the authorities tacitly permitted the Yakimas a certain number of days in which to catch and cure a winter's supply of this, their favorite food. The fish is both dried and salted. It is hoped that the next legislature will restore to the Yakimas their right to fish at Top-tut, built especially for them in the beginning by Speelyi.

The State Federation of Women's Clubs, meeting in convention at Wenatchee, Wash., June 1920, unanimously passed resolutions requesting the coming legislature to enact some measure which will permit the Yakimas to take fish hereafter unmolested at Top-tut during the salmon season.

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Pursuant to a recent ordinance passed by the City Commission of Yakima, no dog is to bark, no cow to moo nor rooster to crow within the corporate limits after night fall, under penalty of a fine not to exceed \$100 with possible imprisonment. The next sane move is to enact a tamanawit against the cooing of babies and the early carol of robin red breast. The dulcet yodel of the tom cat, the musical purr of the open muffler and the rythmical chime of the flat car wheel is symphony plenty a-nuff for the city denizens.

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### ONE WAY OF LOOKING AT IT

Help on the Yakima Reservation has been extremely scarce during the harvest season this year. A rancher came to Wapato and entering a pool room saw two young Indians taking life easy. He accosted them, enquiring if they wanted work, offering them substantial wages if they would help him a few days. The Indians exchanged glances and one of them spoke: "No! you white people came here, we did not want you. You made all this work, all this trouble. You can do the work yourselves; it is your business."

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**"Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me."** (Matthew 25-40.)

But Matthew, like James was only writing the words of the Master long before Columbus discovered America, before the Injun was even thought of, maybe invented.

### THE SERPENT'S SLIMY TRAIL

A favorite method of swindling is to inveigle the Indian into encumbering an allotment with a mortgage which will seldom if ever be redeemed, thus obtaining the land by foreclosure. The following gives an inkling to this mode of "stalking" by the financial gun-man.

#### CENTRAL BANK OF TOPPENISH

Mrs. Lucy James  
Harrah, Wash.

Toppenish, Wash., July 2, 1920.

Dear Madam:

I note that you have received and recorded Patent in Fee to your allotment in section 27-11-18 near Harrah, and in this connection, wish to advise that if you desire to either borrow money on the property or sell the same, we would be pleased to talk with you at any time it is convenient.

We are in a position to place suitable farm loans for three or five years at favorable rates of interest with prompt service.

Awaiting the opportunity of serving you, I am

Sincerely yours,

H. B. MILLER, Cashier.

Mrs. James' deed was filed for record June 29, 1920. Her "friend" lost no time in his offer of financial assistance (?). Nasty intrigue. Mr. H. M. Gilbert is President of the Central Bank of Toppenish.

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"Let the white man get all the water he can in this life, for he is going where it is awfully hot and dry."—Louis Mann in **The Continued Crime Against The Yakimas.**

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"Water is Life. **Tahoma, the Big White Mountain!** the source of water. When I die, the Earth will take care of my body."

Chief Sluskin, the Yakima.

### WATCHMAN, WHAT OF THE NIGHT?

Hon. Cato Sells recently visited the Yakima Indian Reservation ostensibly in the interest of the Indian, but so far as can be learned no Indian was consulted, no tribesman invited to council, none permitted to air their many just grievances. None knew of his coming and but few learned of his going, and this, through a few friendly whites. Perhaps the Commissioner had not the time or devote to his Red Wards. Banquets with officials and speculators in Indian lands could not be foregone. In Toppenish a few of the Yakimas were informed of the stranger's personnel as he and his "escorts," or "body guard," as one observer commented, stepped into the Agency car and was whirled away. One of the tribesmen exclaimed:

"What does this mean? Why does our Commissioner do this thing? I thought he was our commissioner, to look after us. What is he here for? What is he doing? I know some of those men with him. I know who they are, what they are doing to the Injuns. We want to tell Mr. Sells something about how we are treated, how we are robbed, but Mr. Carr keeps him from us. Why is this? What is wrong with Mr. Sells?"

Let Mr. Cato Sells explain his course to this untutored Yakima.

There is "something rotten in Denmark" when an Indian who has a thousand dollars due him at the Agency is compelled to borrow fifty dollars with which to purchase grain sacks before he can thrash his wheat crop.

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"It is Hell to be an Injun!" was the rueful self diagnosis of a Yakima allottee as he dejectedly surveyed his torn hog fence and ruined garden, ground and demolished by one of the Government dredges. The crew, finding a bridge on the public road possibly unsafe, had, without consulting the Indian or asking his permission, opened his fence, entered his premises with the many toned machine, passed over a part of his garden, obliterating it, leaving the fence broken permitting his hogs to scatter at large. The Indian was not aware of this occurrence until hours afterwards when he found his hogs wandering on the highway. When the dredge crew was spoken to he was referred to the Indian Farmer. When this official was approached, he was referred to the Agency Superintendent. Appealing to this worthy, he was informed that he "knew nothing about it." And yet it is expected of the Indian that he be law abiding, show love and reverence for the Flag and the Government—to lick the hand that vivisects him. Surely it is "Hell to be an Injun."

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#### THAT SAWMILL

The Yakima Indian Reservation has timber valued at more than three million dollars, and yet the Yakimas have no way of making domestic or commercial use of this wealth. Building material must be obtained from local dealers at high cost. The saw mill built by the Government in compliance with treaty stipulations, burned more than a quarter century ago "under very suspicious circumstances," so the Indians declare, and has never been replaced. Under date of April 26, 1909, Mr. C. F. Hauke, Chief Clerk of the Indian Office, in answer to an inquiry, wrote Louis Mann: "The sawmill is to be put into shape for operation at an early date." No move has ever been made to redeem that "black and white" promise. It will be remembered that at that time the Department was over anxious to secure Yakima signatures which would permit the looting of the tribesmen to the tune of undetermined millions. The signatures were not forthcoming and the sawmill promise turned out to be another Indian Bureau fabrication.

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It should redound to the credit of the Yakima Indians who refused to accompany the Pack Train under the supervision of Head Packer Anderson, who served the Mountaineer Club on its outing in the Olympic Mountains this season. Anderson packed for the Club in its tour of Tahoma last year, with three or four Yakimas and their horses. The Indians, usually considered hard horse masters, got their fill of Anderson's mode of over-loading and driving the long stretches of steep and rugged trail, oftentimes occupying seventeen hours without food or rest. The horses, with raw and sore backs, staggered under stacks of dunnage, leaving the trail red with blood from their worn and unshod feet. The personal effects of preachers, professors and teachers were included in those packs. On a previous outing of the Club, Anderson's packers mutinied. The Mountaineers are winning an unenviable reputation for this brutal treatment of its yearly pack-train. What is the Washington State Humane Bureau for that it does not interfere with this lawless disregard of the humane laws?







