

Enrolled

Senate Concurrent Resolution 12

Sponsored by Senator GIROD

Whereas Kintpuash (“Strikes the Water Brashly”) was born in about 1837 along the Lost River in the ancestral territory of the Modoc tribe in southern Oregon; and

Whereas Kintpuash, also known as Captain Jack and Kientpoos, became a principal headman of the Modocs by the early 1860s; and

Whereas Kintpuash was among the Modoc signatories to the 1864 treaty between the United States and the Modoc, Klamath and Yahooskin tribes; and

Whereas the 1864 treaty terms required the Modocs to relocate from their ancestral lands to the Klamath Reservation; and

Whereas Kintpuash and the Modocs initially complied with the 1864 treaty but became disillusioned with conditions on the reservation and the unwillingness of the federal government to address their grievances, and by 1870 many Modocs had returned to their villages along the Lost River; and

Whereas longstanding tensions existed between the Modocs and the white settlers who neighbored their ancestral lands, but many individuals, including Kintpuash, strove to achieve a peaceful resolution; and

Whereas on November 29, 1872, the United States Army attempted to force the Modocs to return to the Klamath Reservation, resulting in the Battle of Lost River, with casualties on both sides; and

Whereas the ensuing conflict became known as the Modoc War and, although it is little known today, at the time it garnered national attention and thrust the border area between Oregon and California into the spotlight; and

Whereas Kintpuash led the Modocs on a retreat to a traditional stronghold in the lava beds south of Tule Lake, in northern California; and

Whereas a sizeable United States Army force attempted to dislodge the much-smaller Modoc group, but their failure led the federal government to attempt peace negotiations with the Modocs; and

Whereas during a truce period, on April 11, 1873, a group of Modocs led by Kintpuash killed peace commissioner Reverend Eleazer Thomas and General Edward Canby, the highest-ranking United States Army officer to be killed during the Indian Wars; and

Whereas hostilities resumed and the Modocs were decisively defeated in the Battle of Dry Lake on May 10, 1873, scattering the surviving Modocs into small groups; and

Whereas Kintpuash was captured with his family on June 4, 1873, effectively ending Modoc resistance; and

Whereas Kintpuash and five other Modoc warriors were tried by a federal military court, convicted and sentenced to death; and

Whereas two of the Modocs had their sentences reduced to life imprisonment, but Kintpuash, Schonchin John, Black Jim and Boston Charley were hanged at Fort Klamath on October 3, 1873, the first Indians to be tried and executed by the federal government for war crimes; and

Whereas the remaining members of the Modoc tribe, numbering approximately 150, were herded into rail cars and sent as prisoners of war to the Indian Territory (Oklahoma); and

Whereas in 1909, after Oklahoma became a state, members of the Modoc Tribe of Oklahoma were offered the opportunity to return to the Klamath Reservation; and

Whereas 29 Modocs returned to Oregon, and they and their descendants became part of the Klamath Tribes; and

Whereas the Modoc War was at the time the most expensive hostile engagement by the United States during the Indian Wars, both in terms of moneys spent and casualties suffered; and

Whereas Lava Beds National Monument preserves many of the battle sites of the Modoc War in addition to portions of the Modoc ancestral lands that are relatively unchanged, including natural features of the landscape, plants and animals; and

Whereas a memorial plaque in Gillems Cemetery in Lava Beds National Monument lists the names of all those who died in the Modoc War: United States Army personnel, Modocs and civilians; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

That we, the members of the Eightieth Legislative Assembly, commemorate the Modoc War of 1872-1873, and we recognize and honor all those who lost their lives in that costly conflict; and be it further

Resolved, That we express our regret for the expulsion of the Modoc tribe from their ancestral lands in Oregon.

Adopted by Senate April 2, 2019

Lori L. Brocker, Secretary of Senate

Peter Courtney, President of Senate

Adopted by House June 3, 2019

Tina Kotek, Speaker of House