Senate Concurrent Resolution 12
Sponsored by Senator GIROD

SUMMARY
The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Commemorates Modoc War of 1872-1873 and honors those who lost their lives.
Expresses regret over execution of Kintpuash and other Modoc warriors and for expulsion of Modoc tribe from Oregon.

CONCURRENT RESOLUTION
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

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.
New sections are in boldfaced type.

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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 re-
sistance; and
Whereas Kintpuash and five other Modoc warriors were tried by a federal military court, con-
victed 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 Gillem’s 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 over the execution of Kintpuash, Schonchin John, Black
Jim and Boston Charley in October 1873 and for the expulsion of the Modoc tribe from their an-
cestral lands in Oregon.