

Oklahoma Indian Education Tribal Guide: The Modoc Nation

Tribal Seal/Flag/Website

Tribal Seal:



Tribal Flag:



Tribal Website: modocnation.com
info@modocnation.com



OKLAHOMA
Education

Oklahoma State Department of Education
The Modoc Nation Tribal Guide

Migration/Movement/Forced Removal

The Modoc Nation (Formerly the Modoc Tribe of Oklahoma) is a federally recognized Indian Tribe; organized under the Oklahoma Indian Welfare Act of 1936. The Modoc Nation has a constitution and bylaws, approved by the United States Secretary of the Interior.

The original Modoc homelands are in the Pacific Northwest, located between the Pacific Ocean and the Cascade mountains along the present-day California and Oregon borders. As a result of the Modoc War in the 1870's, the Modoc people who fought for their homelands were forcibly removed, as prisoners of war, to the Quapaw Agency located in the northeast region of Indian Territory, present-day Oklahoma. The Modoc Nation has the smallest number of tribal members in the state of Oklahoma and is the only tribe from the western part of the United States.

The Modoc people inhabited an area in northern California and southern Oregon that spanned over 5,000 square miles of territory for thousands of years. The Modoc people were semi-nomadic and traveled during the summers from the foothills of Mount Shasta in California to the shores of Goose Lake on the Oregon-California border. The Modoc people were self-sufficient.

The name "Modoc" is believed to be a Klamath word for "people to the south." There were different villages of Modoc people, and villages were separated by regions. The Gumbatwas Modoc were the "people of the west," the Kokiwas Modoc were the "people of the east," and the Paskanwas Modoc were the "river people" who lived in the Lost River Valley.





Mount Shasta, California
Peak - 14,159ft
Located in the Southwest corner
of the Modoc Homelands



Lava Beds - California



Creation:
Kemush, The Creator

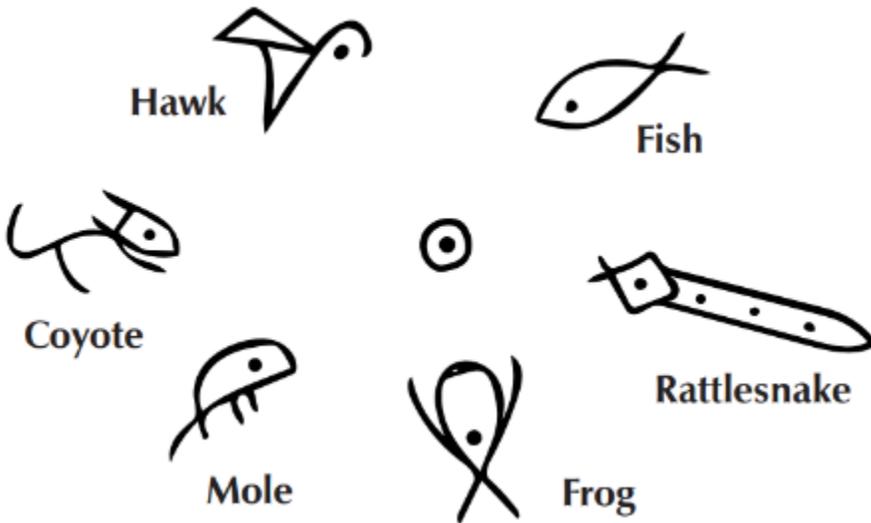
According to the Modoc legend, it was Kemush that created the first beings. They lived in this world before the creation of humans. Kemush traveled to the underground world, where he selected by hand, the spirits that would make up each of the tribes.



The Spirit Guides:

These spirit guides included that of the Frog, Rattlesnake, Mole, Fish, Hawk and Coyote. When Kemush went away, the spirit guides held a counsel that lasted for five years. They made the night and decided that it should be followed by morning. They put the moon and the sun in the sky and they decided the length of the seasons.





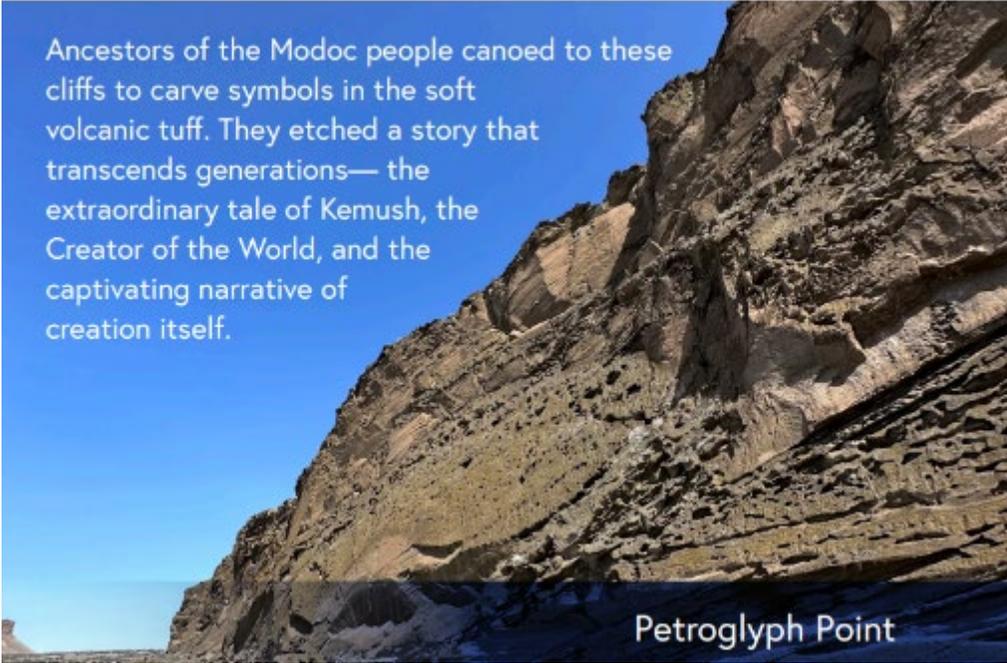
The Tribes:

Kemush returned from the underground world to make something very special. He took spirits and placed them in a basket on his back. He returned to the land above. These spirits took the form of bones, and he scattered the bones in different directions. He named them in the kind of people they would be: the Shasta Tribe, the Warm Springs Tribe, and the Klamath. But the bones of the Modocs were last and as he scattered them, he said: "You will eat what I eat. You will keep my place when I'm gone. You will be the bravest of all. Though you may be few, even if many people come against you, you will defeat them. Be well my people and prosper. This is your home. This is where you were created."





Ancestors of the Modoc people canoed to these cliffs to carve symbols in the soft volcanic tuff. They etched a story that transcends generations— the extraordinary tale of Kemush, the Creator of the World, and the captivating narrative of creation itself.



Petroglyph Point

The first documented interaction and contact between settlers and the Modoc occurred in 1820. The Applegate Trail opened in 1846. An increase of white settlers expanding into western United States Territory promoted clashes with area tribes.



(Left to Right) Lac-el-es, Sau-kaa-dush, Martha Mainstake, Me-hu-no-lush



The United States policies of Manifest Destiny and the transcontinental railroad, along with the discovery of gold in the mountains of California, better known as the California Gold Rush, led to the mass immigration of thousands of settlers and prospectors into the Modoc lands. As a result of this mass intrusion, tensions arose between Modoc people and those who entered their homelands. Stories, mostly of myth, were told among the intruding settlers and prospectors about the Modoc people being “ruthless” and “murderous” in killing innocent people who entered their lands. These false stories were often used as statistics and political tools for encouraging violence and the removal of the Modoc people from their homelands.

In 1852, on a November day, a man by the name of Ben Wright who was a self-proclaimed “Indian killer” from Indiana, went to Modoc country in search of gold. Mr. Wright decided that he had heard enough of these “murderous Modocs.” Wright gathered up a group of miners and negotiated a deal with the California government to be paid for every Modoc that his posse could kill. Wright and his posse set up camp near a Modoc village and rode in amongst the Modoc people there under a white flag of peace. Upon entering the village, Wright and his men opened fire on the unarmed Modoc people, shooting and killing all the men, women, and children that the posse could find. The total population of this Modoc village was estimated to be about forty people.

Less than five Modoc people from this Modoc village survived the unjustified slaughtering that became known as the Ben Wright Massacre. The settlers praised Ben Wright and called him a “hero” while the Modoc people mourned the loss of the innocent mothers, fathers, brothers and sisters, sons and daughters.



The region of the Lost River became a destination for settlers and non-Indian people who wanted to enter the region and become landowners. The Modoc people who had lived and occupied this region for thousands of years had now become an obstacle for the United States government. The federal policy for most of the United States history was the concept of a “Treaty” between the United States government and a tribe, where the tribes would agree to give up their expansive claims to all their aboriginal lands in exchange for a tract of land called a “reservation.” Tribes were assured that these reservations would remain as Indian lands “forever” and the United States would protect their boundaries from incursions by non-Indians.

The United States government considered the Modoc lands to be a prime area for settlers and thus decided in 1864 to get the Modoc leaders to enter into a Treaty and place the Modoc people on a reservation, along with two other tribes, the Klamath and the Yahooskin band of Snake Indians. The reservation would be known as the Klamath Reservation. The government also promised in this treaty to provide supplies and money for goods, and build shops and mills for logging, along with schools for Modoc children.

During this time, the Civil War was still being waged between the Union and the Confederacy. As a result, the Treaty of 1864 was not ratified or honored by the United States when entered, but the government still expected the Modoc people to honor their terms by giving up their lands and moving onto the Klamath Reservation. The Modoc people would honor the Treaty under the assumption that the United States would do the same, and the Modoc moved to the Klamath Reservation. Life on the reservation was difficult for the Modoc people as they were constantly harassed and taunted by settlers, soldiers, and other tribes. The promised food and supplies were often not brought to the Modoc, or if they were, they were later taken back or stolen by members of the other tribes. Within a year, these disparaging events led a Modoc leader named Kientpoos, or Captain Jack as the United States came to know him, to call a meeting amongst his people. Together the Modoc people decided that they would leave the Klamath Reservation and go back to their homelands in the Lost River and Tule Lake region. Upon learning that Modoc people had returned to their homelands, the settlers who had entered the lands began to complain to the government agents and the military that they feared the Modoc people, and that the Modoc should be removed for their safety.





The Treaty of 1864 was finally ratified by the United States in 1870. By this time, Captain Jack and his Modoc people had returned to their homelands and had been living there for some time. The settlers continued to protest them. Some of the Modoc people traveled back to the Klamath Reservation under new terms and on a new location. Captain Jack visited the location and found it unsuitable in comparison to his homelands. Captain Jack attempted to negotiate a new Treaty and reservation with government officials within his homeland region for the Modocs, but the government at the time decided that it would no longer enter Treaties with Indian tribes.

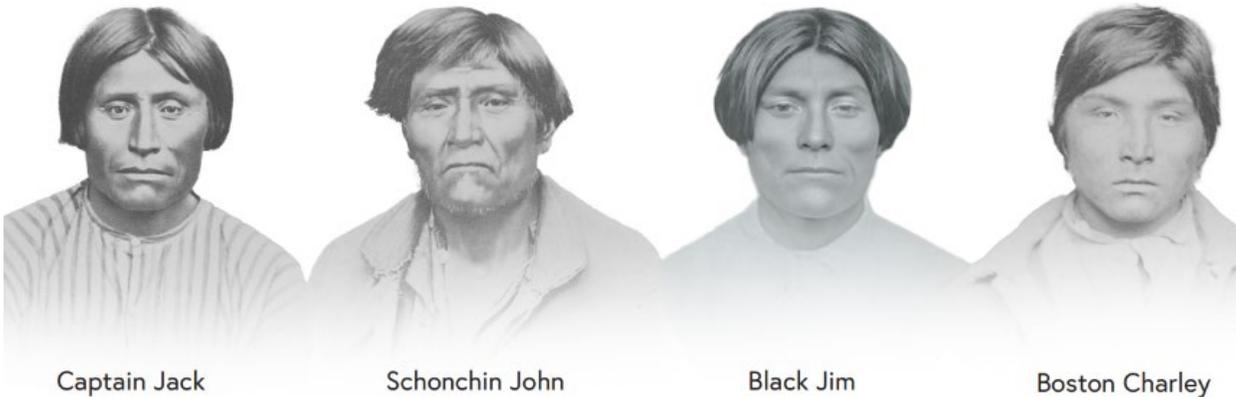
The Modoc people continuing to live in their homelands, in defiance of the Treaty of 1864, led the United States government to issue orders for their removal and placement back on the Klamath Reservation. Some Modoc people returned peacefully to the reservation. However, Captain Jack's band of 165 Modoc, made up of fifty-one men, fifty-four women, and sixty children decided to remain on their homelands. By July of 1872, orders came from the Commissioner on Indian Affairs, F.A. Walker, in Washington, D.C. to remove Captain Jack's band of Modocs "peacefully, if possible, but forcible if you must."

With orders in hand, the United States Army rode to the Lost River region where



Captain Jack and his people were living. The Army demanded that the Modoc people “give up their guns” and that they were under arrest for violating the Treaty. A Modoc man by the name of Scarfaced Charley refused to give up his gun. An Army lieutenant drew his gun on Scarfaced Charley, and demanded that he give up his gun, and then fired. The lieutenant missed, and Scarfaced Charley returned fire, as did many others on opposing sides. This was known as the Lost River battle that ignited the Modoc War.

The Modoc people retreated to an ancient lava bed field, a natural fortress that extended over 46,000 acres. It was there at the lava beds that the Modoc people of Captain Jack’s band fought over 1,000 United States soldiers from November of 1872 until June of 1873; and the Modoc who were outnumbered nearly 20 to 1, won many of the battles fought.

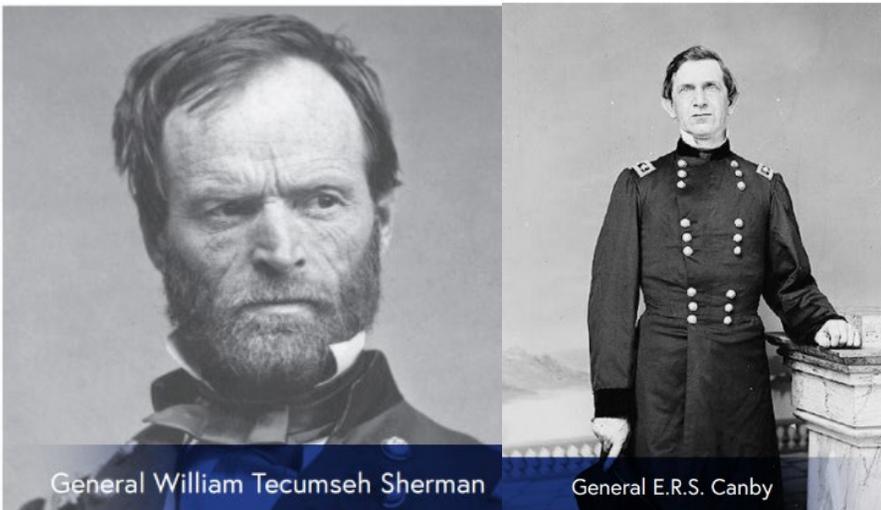


During the Modoc War, a party of government officials that included Army General E.R.S. Canby, Indian Agent Alfred Meachem, and a few others attempted to negotiate a truce between the military and the Modoc. Again, Captain Jack requested his own reservation within his homeland region, and again he was denied the request. Hearing that the government would not agree to provide the Modoc people with the requested reservation within their homelands, Captain Jack and the other Modoc men in attendance at the negotiations opened fire on the government officials. Army General E.R.S. Canby was shot and killed becoming the first and only United States Military General to be killed in an Indian War.

After the killing of General Canby, General William Tecumseh Sherman who was the commanding General of the Army and a veteran of the Civil War, called for the “Extermination of the Modoc people.” Soldiers and volunteers came far and wide to defeat the Modocs. A military surge to defeat the Modocs pushed them out of their



stronghold and the Army was able to cut off their water supply. It was only a matter of time before the Modoc people who fought for their homelands would surrender to the United States military. The Modoc War and the Modoc people who fought in it became world famous, bringing newspaper reporters from as far away as Paris, France. The estimated cost of the United States in fighting the Modoc War was at the lowest a half-million dollars; in comparison to the reservation that Captain Jack had attempted to negotiate that would have only cost, at most, \$20,000.



At Fort Klamath, Oregon, Captain Jack and five other Modoc men were tried in military court as war criminals. The Modoc men, who did not speak English, were tried without legal representation and in front of a jury made up of military officials. The judgments against the men were all guilty. Captain Jack, Schonchin John, Black Jim, Boston Charley, Brancho, and Slolux were all sentenced to be executed by hanging.

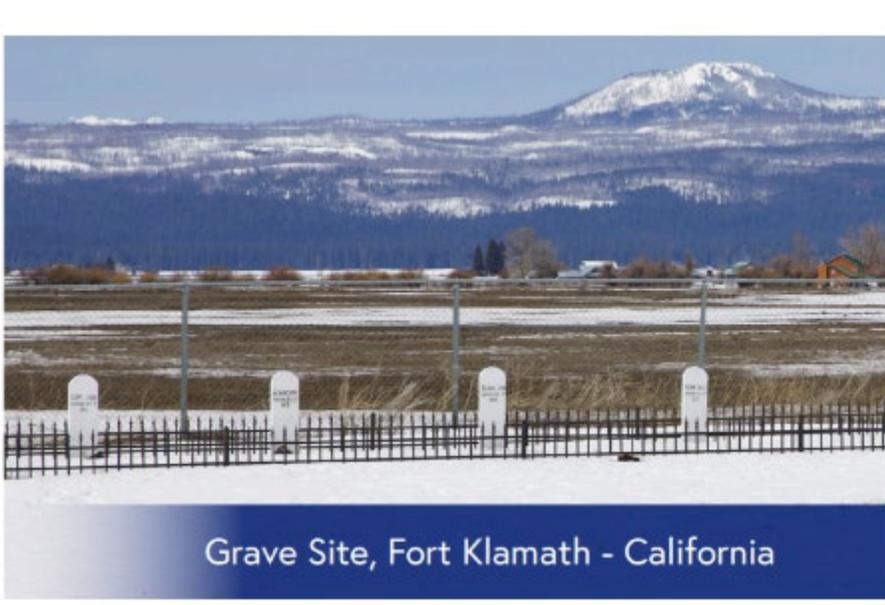
The sentences of death were carried out on October 3, 1873. Originally all six Modoc men who stood trial were to be executed, however United States President, Ulysses S. Grant ordered that Brancho and Slolux be sent to serve out life sentences on Alcatraz Island outside of San Francisco, California. Brancho and Slolux had assumed they would be hung with the other men until the morning of their executions. The remaining thirty-nine men, fifty-four women, and sixty children who were taken as prisoners of war would be exiled from the area to lands unknown for their involvement.

The United States government ordered that all the Modoc people and all of the Klamath people be in attendance for the execution of these Modoc men.



The executions were to serve as an example of what would happen should any other Modoc people or Klamath people defy the United States government. As the men were led to the gallows, rancho and Slolux were pulled away and placed in front of the gallows to view the executions along with the other Modocs who were taken as prisoners for fighting in the Modoc War. There were an estimated 2,000 people on hand to watch the hanging of these four Modoc men who fought for their homelands.

After the Modoc men were executed, their heads were surgically severed from their bodies and sent to the Army Medical Museum in Washington, D.C. for research purposes and were later put on display at the Smithsonian Museum. At the present time, the whereabouts of these Modoc heads are unknown.



Twelve days after the hanging of the Modoc men, the remaining Modoc people who fought for their homelands would be shackled and loaded on wagons. The wagons were to head south to Redding, California where the Modoc would be loaded onto train cars typically used for cattle. Chained together and trained east, the Modoc people were being sent toward a new location that the government had selected away from their homelands. It was ordered that any man who was deemed old enough to fight was shackled to the floor while military guards stood post at the end of the cattle car. At every train station they stopped at, the sick and poorly fed Modoc men, women, and children were paraded out on the train station platform for crowds of spectators, that numbered in the thousands, to see. Threats and names were called out to the Modoc prisoners as they were put on display.



Originally the Commissioner on Indian Affairs ordered that the Modoc prisoners be sent to Cheyenne, Wyoming and placed on a reservation there, however the Commissioner later changed his mind and ordered that the Modoc be sent to Fort McPherson in Nebraska where a reservation would be selected on a later date. While at Fort McPherson, the Modoc people were placed on an island in the middle of the Platte River. Orders came later that the Modoc people would be sent to Indian Territory within the Quapaw Agency, present day northeastern Oklahoma.

After boarding the cattle cars again in Fort McPherson, the Modoc were transported by train to Kansas City at the Union Station and then sent south to Fort Scott, Kansas. From Fort Scott, the Modoc prisoners were trained to the last station on the line, Baxter Springs, Kansas. The arrival in Baxter Springs required any able-bodied man to load up on a wagon or walk down to the Quapaw Indian Agency office, some fifteen miles away to build shelter for the people until the government decided what to do with these Modoc people. The Modoc people had been removed roughly 2,150 miles away from their homelands that they had fought and died for, all for the sake of the United States policy of Manifest Destiny.



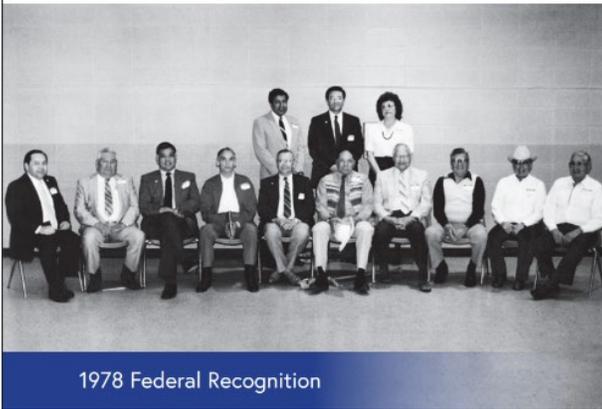
The Modoc people who were removed to Indian Territory were placed upon a 4,000-acre reservation. The passage of the Dawes Act in 1887 provided that the Modoc reservation be surveyed and allotted to individual Modoc. In 1891 there were sixty-eight land patents registered with the Quapaw Indian Agency for the members of the Modoc Tribe in Indian Territory. Modoc receiving allotments did so with mixed emotions but were mostly happy to be landowners during a period of assimilation.

During the Eisenhower presidency, there was a significant movement to minimize the recognition and power of Indian tribes, that included the Modoc Tribes, both in Oklahoma and in the California-Oregon regions, the Klamath, and the Yahooskin Band of Snake Indians. Upon passage of Public Law 587, the government took 862,662 acres from those tribes. The lands were either given or sold to private individuals and private corporations, primarily non-Indians. The government promised that Modoc members would receive payment for the value of their lands, in the amount of \$130,000 per member. However, when payments were final made to these Modoc people, the check was generally in the amount of \$41,000, far less than promised.

Several years later, the tribes in the northeastern corner of Oklahoma organized together to establish the Inter-Tribal Council, Inc. of Northeastern Oklahoma. At the time, the Modoc people in Oklahoma formed a formal tribal government. Bert Hayman, whose mother had been one of the youngest prisoners of war, became the first tribal chairman; followed by Vernon “Dutch” Walker, grandson of “Long Jim” also known as James Long, the “Youngest Modoc Warrior.”

Bill G. Gollis, great-grandson of James Long, became the chairman for the Modoc Tribe of Oklahoma in 1973. The Modoc Tribe of Oklahoma was formally re-recognized by the federal government in 1978, thus making Chief Follis the first federally recognized Chief of the Modoc people in Oklahoma since Bogus Charley in 1880. Follis remained Chief until the election of Robert Burkybile in 2022. The Modoc Tribe of Oklahoma formally changed their name to “Modoc Nation” in 2019. The members of the Modoc Nation are the direct descendants of the Modoc people who fought the Modoc War and were later exiled to Oklahoma.





1978 Federal Recognition

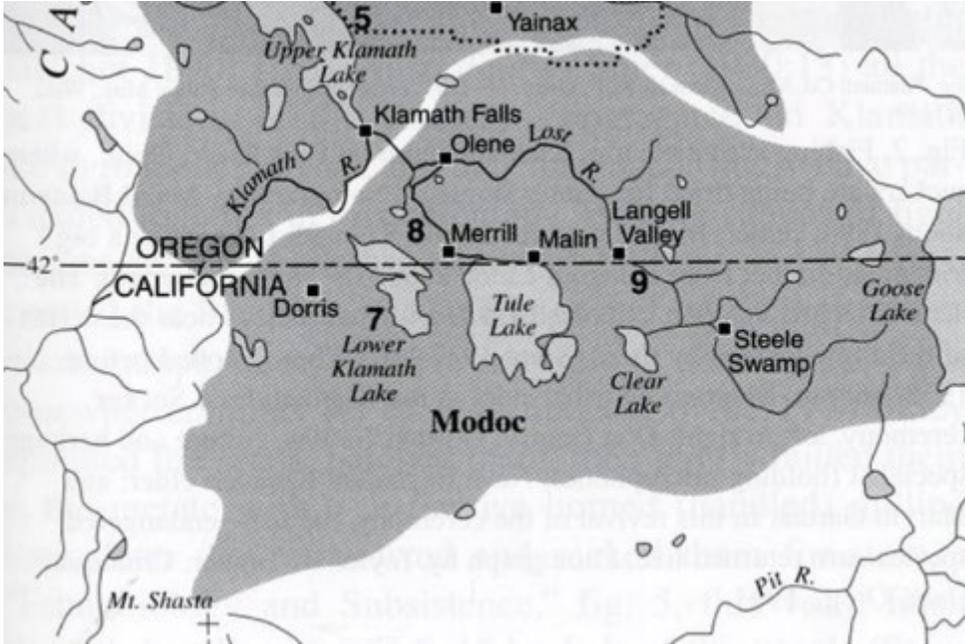


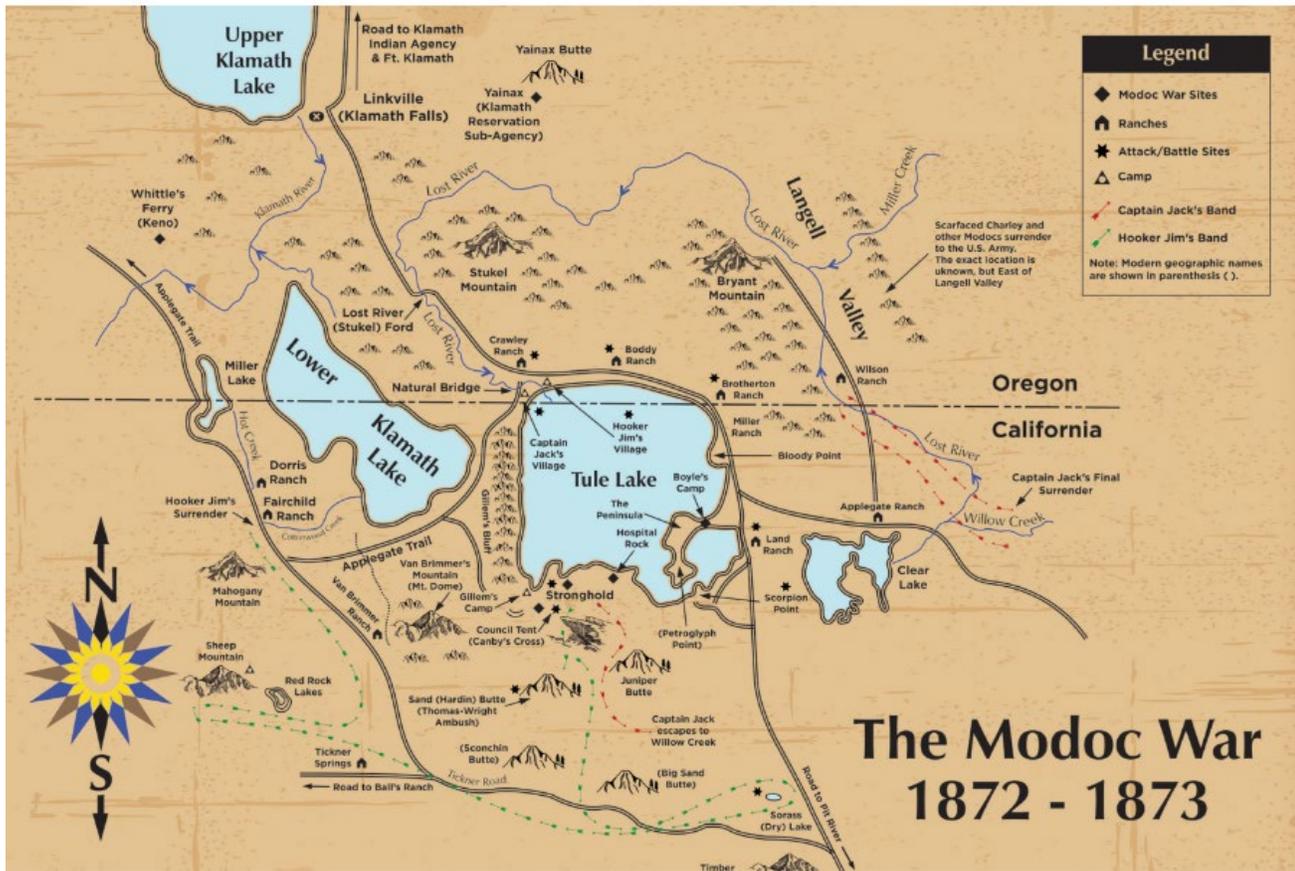
Chief Robert Burkybile

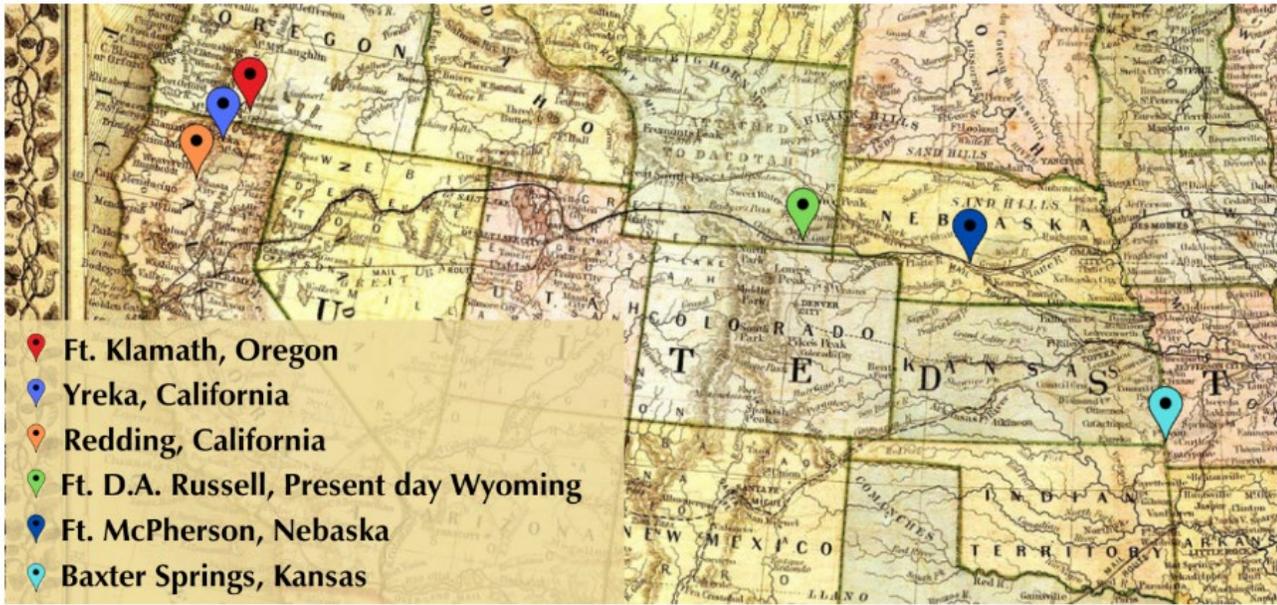
Maps



Modoc Native Homelands

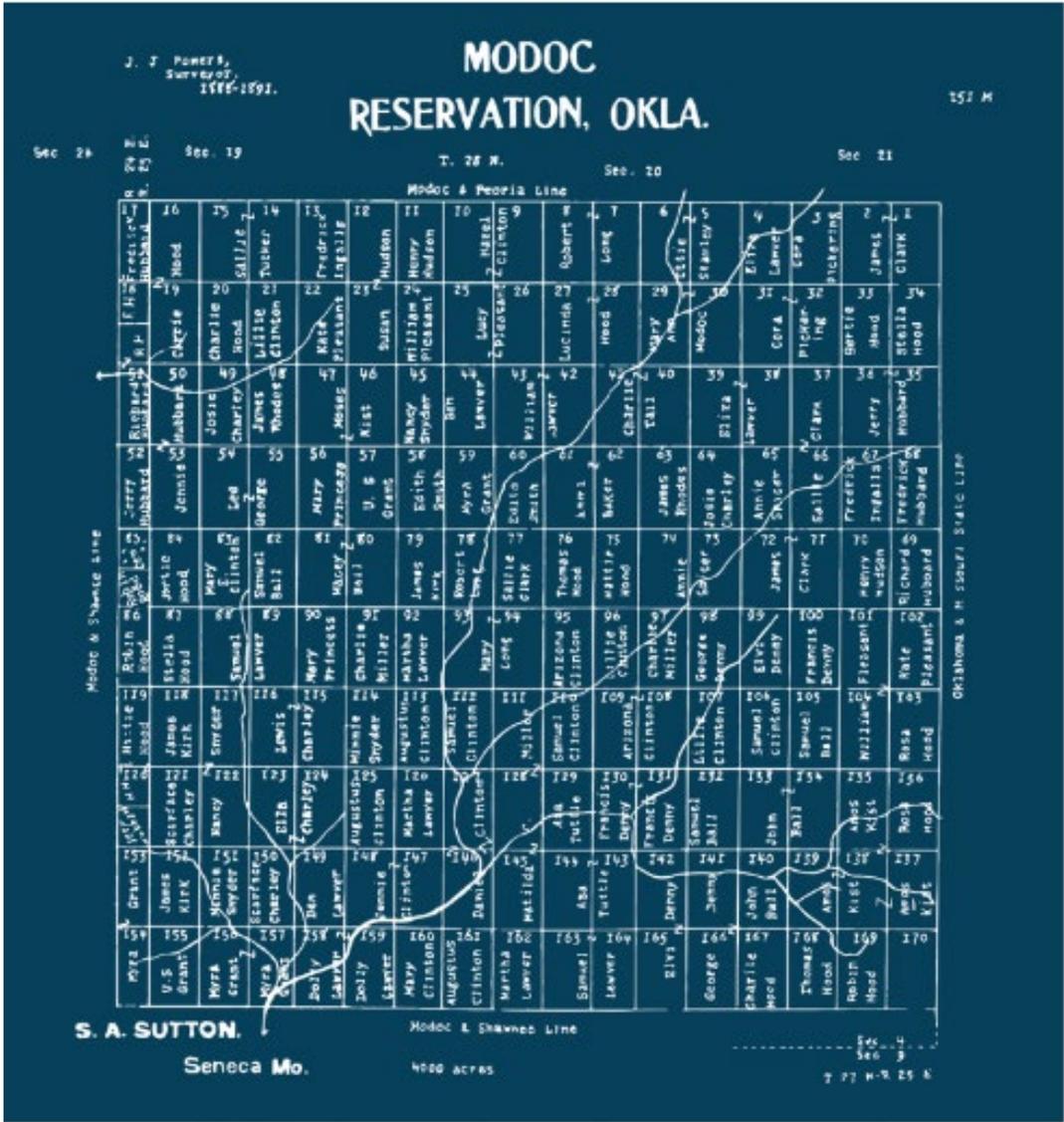






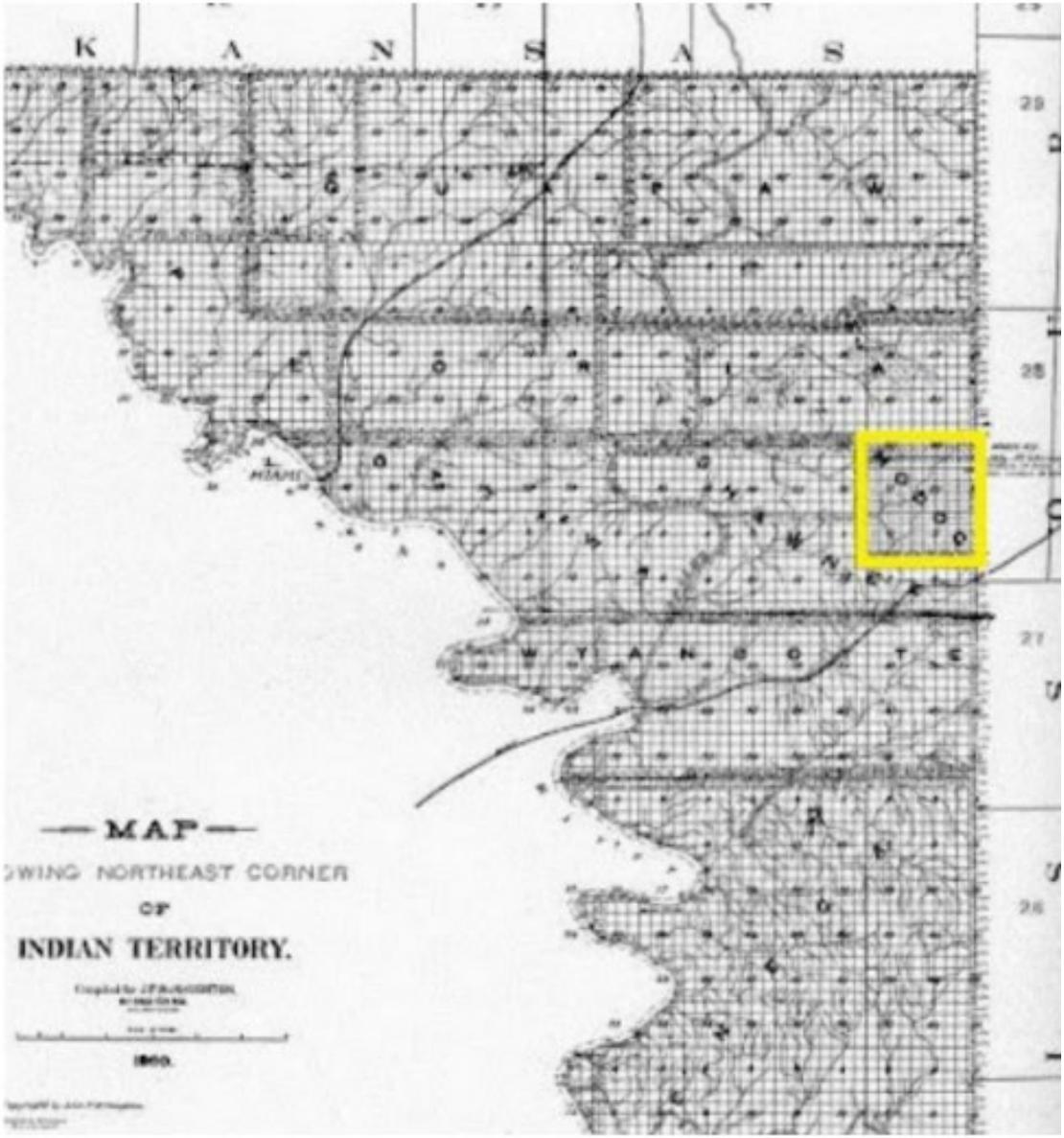
Modoc Exile Trail 1873





Modoc Allotment 1888-1891





Modoc Reservation in Oklahoma 1873- present



Population Past/Present

Past Population

Prior to the intrusion of settlers and prospectors, the population of the Modoc people was approximately 800. At the time of the Modoc War, the Modoc people who chose to fight for their homeland numbered fifty-one men, fifty-four women, and sixty children. At the end of the Modoc War, and after the military trials of the Modoc men, the women and children were exiled and sent with only thirty-nine men to Indian Territory as prisoners of war. Six years after arriving in Indian Territory, the population of the Modoc dropped to 99.

Present Population

The current population of the Modoc Nation (formerly known as the Modoc Tribe of Oklahoma) stands at 354 members. Many of these Modoc currently reside throughout the mid-western states of Oklahoma, Kansas, and Missouri, while some have returned to Oregon and northern California. They are spread throughout the United States.

Government: Chiefs vs Chairman, Elected or Paternal

Historically

Historically the Modoc leadership was based on a societal role. There was a leader for warfare, a religious, and spiritual leader, and a domestic affairs leader. Each leader maintained their appropriate roles according to their position. Each leader was chosen by the people they would serve through a process that would resemble a present-day election, or a democracy. This was a form of government that defied many of the assumptions of the United States citizens and government, who often claimed that Indians were incapable of having a government.

Presently

There are very many similarities in the way the people of the Modoc Nation chose their leadership; however, the method and offices have been altered due to government intervention, to a more formalistic approach. Today the Modoc Nation has an Elected Chief, and a Council made up of four council members, and a judge. Thus the Modoc government encompasses an executive branch, a legislative branch, and a judicial branch that reflects the United States government.



The federal government has the responsibility to protect the Modoc Nation and its people against all domestic and foreign governments. The Federal government also recognizes that the Modoc Tribal Government has the right to self-government over its people. The state governments have the responsibility to recognize and respect the Sovereignty of the Modoc Nation.

Language Group

Linguistically the Modoc shared a similar language with the Klamath Tribe. The language spoken between these two tribes is part of the Plateau Penutian and Sahaptin language family. Originally there were two dialects of the language spoken by the Klamath and Modoc tribes of Oregon and Northern California. In the past, it was easy for the speakers of these two dialects to understand each other.

Due mainly to federal policy and assimilation efforts throughout history, the native language of the Modoc people is facing extinction. After the removal of the Modoc to Indian Territory, Modoc children were taught to speak and write in English, rather than their native language. Recently, the Klamath-Modoc Tribes of Oregon have taken steps to preserve and revitalize the Klamath and Modoc languages by establishing a language program for their people. Modoc Nation in Oklahoma is also in the process of developing a language program, in collaboration with the Klamath Tribes.

Traditional Lifeways

Tule Lake –

In the old Modoc spiritual beliefs, Tule Lake is considered the point of origin for the Modoc people. In essence, for the Modoc people, this is where the world began. Tule Lake is also significant for the role that it played in the Modoc War. The lake was the

main source of water for the Modoc people as they fought the United States Army; it was only after the army cut off the Modoc water supply to Tule Lake that the Modoc people began to lose ground in the war.





Lava Beds National Park –

The Lava Beds were created from volcanic activity over the last half-million years from the Medicine Lake shield volcano. The Lava Beds with its jagged rocks and brutal terrain provided a natural fortress for the Modoc people during the Modoc War. The National Park, just to the south of Tule Lake, extends thirty-five miles, north to south, and twenty-five miles, east to west.





Lava Beds - California

Modoc Church –

The Modoc Church and Cemetery are located 11 miles east of Seneca, Missouri on the Modoc Reservation. Originally built by the Modoc in 1879 for \$462.00, the church-also a schoolhouse, was established by the U.S. Government in an effort to bring Christian religion to the Modoc people in an effort to further civilize and assimilate them culturally and spiritually. In 1891, the church was moved four miles north to its present location adjoining the Modoc cemetery, where many of those who fought in the Modoc War are buried.





Fine Arts

Modoc women were known for their extraordinary ability to create beautiful art through beadworks and weaving Tule reeds, from the Tule plants that grew around the lakes in the Modoc homelands, into various things such as baskets, hats, shoes, cradles, shelter, and mats for games and gambling. Modoc men would also use Tule reeds to make boats for fishing. Modoc weavings can be found today in museums located in northern California and Oregon. There are also a few baskets in Oklahoma. The tradition of weaving Tule reeds is no longer a common practice of Modoc people who were removed to Indian Territory.

The Dobson History Museum in Miami, Oklahoma currently hosts many Native American artifacts. Among their collection is a Modoc bow and arrow that was made by a Modoc man, Yellowhammer who was also known as Ben Lawyer, who was once recognized as a Modoc Chief by the Quapaw Agency. The bow was made in 1906 and

Gifted to a man by the name of F.D. Adams, who later gifted the bow to the Dobson History Museum.





Modoc Hat



Significant Events

See above:

- The Ben Wright Massacre in November 1852
- Treaty of 1864 (October 1864)
- The Modoc War (November 1872-June 1873)
- Post War Trials (1873)
- Modoc Exile to Indian Territory (1873)

Current Tribal Information

Two federally recognized tribes have enrolled Modoc. The Modoc Nation, formerly the Modoc Tribe of Oklahoma, based in Miami, Oklahoma has an enrollment of 354 members, all descendants from those who fought in the Modoc War. The Klamath Tribes in Chiloquin, Oregon are comprised of Klamath, Yahooskin Paiutes, and Modoc and have about 3,500 members. The Oregon Modoc represent only a small minority of the Klamath Tribes.

Guest Speakers

Cheewa James – Horizons Speaking Services, 3330 Union Springs, Sacramento, CA 95827 Phone (916) 361-2500 website: www.cheewa.com.

Famous Tribal Members

Kientpoos “Captain Jack”- Leader of Modoc people who fought for their homelands in the Modoc War (1872-1873).

Schonchin John, Black Jim, Boston Charley, Slolux, and Brancho - Modoc men who were tried in a military court, along with Keintpoos, for war crimes related to the Modoc War.

Kientpoos, Schonchin John, Black Jim, and Boston Charley were executed by hanging while Slolux and Brancho were sent to Alcatraz Island to serve out life sentences.



Frank Modoc, “Steamboat Frank” -

A Modoc man who fought in the Modoc War later became a Quaker Missionary and studied in Portland, Maine where he later died after contracting tuberculosis.

Toby “Winema” Riddle - Peacekeeper and translator during the Modoc War. One of the few Native American women to be awarded a military pension by the United States Congress for her heroic actions during peace negotiations in 1873.

Orville “Ram” Lawver, Jr. -Drafted and played professional football for the Green Bay Packers from 1959-1960.

Clyde S. “Sonny Jim” James - All-Around Indian Cowboy 1969 and 1970. World Champion Indian Bareback Rider, 1970. World Champion Indian Steer Wrestler, 1982.

Clyde L. James - American Indian Hall of Fame, inducted in 1977. Played basketball as a forward for the Southwest Missouri State University Bears. James was one of the first American Indians to play professional basketball, playing for the Tulsa Diamond Oilers in 1927.

Cheewa James - Author, award-winning television producer, and professional keynote speaker and corporate trainer.

Viola Colombe - Nationally published and award-winning artist, renowned for her intricately designed and sewn Lone Star Quilts.

Literature

Cheewa James - Modoc: The Tribe That Wouldn't Die (Naturegraph Publishers 2008)

Verne F. Ray - Primitive Pragmatists: The Modoc Indians of Northern California (Washington U. Press 1963).

Modoc Nation of Oklahoma -
History/Photos, <https://modocnation.com/history/> (accessed August 14, 2023).

Rebecca Bales - Winema and the Modoc War,
[archives.gov/publications/prologue/2005/spring/winema.html](https://www.archives.gov/publications/prologue/2005/spring/winema.html) (accessed August 11, 2023).

Modoc Nation Constitution -
Document, <https://modocnation.com/modocconstitution/> (accessed August 14, 2023)



Films & Documentaries

Oregon Experience: The Modoc War (Oregon Public Broadcasting 2011)

<https://watch.opb.org/video/oregon-experience-the-modoc-war/>

How the West was Lost: Death will come soon enough, TV Series (Discovery Channel 1993 - 1996)

<http://store.discoveryeducation.com/product/show/49395>

Modoc Nation An Untold Story of Survival (Oregon Public Broadcasting 2011)

<https://vimeo.com/769590781/96c6bd6996?share=copy>

