

BEFORE THE INDIAN CLAIMS COMMISSION

THE WASHOE TRIBE OF THE STATES)
 OF NEVADA AND CALIFORNIA,)

Plaintiff,)

v.)

THE UNITED STATES,)

Defendant.)

Docket No. 288

Decided: July 24, 1959

ADDITIONAL FINDING OF FACT

The Commission makes the following finding of fact which is supplemental to the findings numbered 1 through 17 heretofore made herein.

18. The Commission finds that the Nevada portion of the lands aboriginally possessed by the Washoe Indians (as described in Finding No. 16, as amended) was taken by the United States, without payment of compensation on December 31, 1862. In 1859 the Indian Agent in Carson Valley and the Commissioner of Indian Affairs (Pet. Ex. 3-72 and 3-73) began to plan the removal of Indians to reservations from about Carson Valley and the main east-west route of travel. Two tracts, one in the valley of the Truckee at Pyramid Lake and the second on Walker River and Walker Lake were selected by the Indian Agent in Carson Valley for reservations for the Indians nearby, including the Washoe Indians. The Commissioner of Indian Affairs recommended to the Secretary of the Interior that these tracts be set aside for Indian purposes. In June 1860 the Indian Agent at Pyramid Lake referred to that area as the

"Pah-Ute" and "Wa-Sho" Indian reservation. By December 31, 1862 these two tracts had come into operation as Indian reservations, but were occupied only by Northern Paiute Indians. No Washoe Indians ever settled upon either of these two reservations although they were established and intended to be for the Northern Paiute and Washoe Indians (Pet. Exhibits 3-97, 3-100, 3-127). Doctor Omer C. Stewart, witness for the plaintiff, testified that by the year 1863 the Washoe Indians had lost all their lands (Tr. pp. 147-149).

Edgar E. Witt
Chief Commissioner

Wm. M. Holt
Associate Commissioner