



LIBRARIES

UNIVERSITY OF WISCONSIN-MADISON

Ratified treaty no. 286, Documents relating to the negotiation of the treaty of January 31, 1855, with the Makah Indians. January 31, 1855

Washington, D.C.: National Archives, January 31, 1855

<https://digital.library.wisc.edu/1711.dl/YMR7QILRVKDPD9A>

As a work of the United States government, this material is in the public domain.

For information on re-use see:

<http://digital.library.wisc.edu/1711.dl/Copyright>

The libraries provide public access to a wide range of material, including online exhibits, digitized collections, archival finding aids, our catalog, online articles, and a growing range of materials in many media.

When possible, we provide rights information in catalog records, finding aids, and other metadata that accompanies collections or items. However, it is always the user's obligation to evaluate copyright and rights issues in light of their own use.

RATIFIED TREATY NO. 286
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF JANUARY 31, 1855, WITH THE MAKAH INDIANS

Treaty of Neah Bay.

1835. Monday, January 29th The Schooner reached Neah Bay on the evening of the 28th, and to day the tents, goods and men were landed, and the Camp established. Gov. Stevens, the Agent and Interpreter immediately put themselves in communication with the Indians of the Bay through the medium of Capt. E. S. Fowler, a Klallam sub chief called Captani Jack, who spoke the Makah language, and two Makahs, Swell or Jefferson Davis and Peter who spoke Chinook. Expresses were immediately sent off to bring in the other Makah Villages, ^{also,} and if possible, the tribes adjoining them on the Coast.

Tuesday Jan. 30th Gov. Stevens and the Secretary (George Gibbs) crossed the peninsula of Cape Flattery to the Coast for the purpose of making a general examination of the Country and selecting a spot suitable for the separate reserve of this Tribe, and such others as might be included with them. The Indians of the other Makah Villages arrived to day but stated that the other Tribe could not be called in under several days. It was accordingly determined to send for them to meet at Gray's Harbor. In the evening Governor Stevens called a meeting of the Makah Chiefs on board the Schooner to hear the details of the proposed Treaty more particularly. Being interrogated as to their relations with the tribes below them, they said that with the Kwa-sch-tut or Kwillek-yut they were on terms of amity, as also with the Kwaak-sat or Hooch, but that with the next band or tribe the Kwiter or Ksh-t-a-huat, they were not, that tribe having killed one of their people some years ago. They did not however desire to cherish any animosity, but did not know the feelings of that tribe towards them. They were directed to make a full return of each of their own villages the next day.

Governor Stevens then informally mentioned the principal features of the proposed Treaty as follows. The Great Father had sent him here to watch over the Indians. He had talked with the other Tribes of the Sound, and they had promised to be good friends with their neighbors.

and he had now come to talk with the Makahs - When he had done here he was going to the Indians down the Coast and would make them friends to the Makahs. He had treated with the Sound Tribes for their lands, setting aside reserves for them, and had stipulated to give them a school, farms to do, and a Physician. When he had finished.

Kalchote of Deeah Bay - spoke before the Big Chiefs (Kleh-sit the White Chief, Yall-a-coom or Flattery Jack and Hek-iks) died, he was not the head chief himself, he was only a small chief, but though there were many Indians then, he was not not the least of them. He knew the Country all round and therefore he had a right to speak. He thought he ought to have the right to fish, and take whales and get food where he liked. He was afraid that if he could not take halibut where he wanted, he would become poor.

Hih-tchook of the Stone House followed. What Kalchote had said was his wish. His Country extended up to Hoke-ho. He did not want to leave the salt water.

Gov. Stevens informed them that so far from wishing to stop their fisheries, he wished to send them oil Kettles, and fishing apparatus.

Klah-je at Loos of Deeah Bay - "Since his brother died, he had been sick at heart. (his brother was the late 35 Chief.) He was willing to sell his land: all he wanted was the right of fishing."

+ Joe-Kaw-wooth "He wanted the sea. That was his Country. If whales were killed and floated ashore, he wanted for his people the exclusive right of taking them and if their slaves ran away, they wanted to get them back."

Governor Stevens replied that "he wanted them to fish but that the Whites should fish also. Whoever killed the Whales was to have them if they came ashore. He added as a reason for buying their land that many Whites were coming into the Country, and that he did not want the Indians to be crowded out."

Kalchote resumed: "He wanted always to live on his old ground, and to die on it. He only wanted a small piece for a house and would live as a friend to the Whites and they should fish together -

Klah-pe-at-hu; He and Kalchote lived together. They did not want to leave their old house.

Tse-kaw-wooth - said the same thing - He too only wanted his house.

Ke-back-sat of Too-yess - "My heart is not bad but I do not wish to leave all my land. I am willing you should have half, but I want the other half myself - You know my Country, I want part for my village. It is very good. I want the place where the stream comes in.

It-an-daha of Waatch - "My Father! My Father, I now give you my heart - When any ships come and the Whites injure me I will apply to my father and will tell him of my trouble and look to him for help, and if any Indians wish to kill me, I shall still call on my father, I shall submit all my difficulties to him. My wish is like the rest. I do not wish to leave the salt water. I want to fish in common with the Whites. I don't want to sell all the land. I want a part in common with the Whites to plant potatoes on. I want the place where my house is. We do not want to say much, we are all of one mind. I have no particular country myself. Mine and that of Tse-kaw-wooth are the same."

Keh-tchook, again, "I do not want you to leave me destitute. I want my house on the Island (Tatoche Island, commonly called the Stone House.)

Governor Stevens asked "whether if the right of drying fish wherever they pleased was left them, they could not agree to live at one place for a winter residence and potato ground, explaining the idea of sub division of lands and he desired them to think the matter over during the night. They were also directed to consult among themselves upon the choice of a head chief. As they declined doing this on the ground that they were all of equal rank, he selected Tse-kaw-wooth, the Oselt Chief as the Head, a choice in which they all acquiesced with satisfaction.

Temporary papers in lieu of Commissions were then issued to Kal-chote, and Klah-pe-at-hu of Neah Bay. Keh-tchook of the Stone House. (Tatoche, I.) It-an-daha of Waatch. Hwatee and Ke-back-sat of Too-yess as sub chiefs.

Col. Simmons then explained to them "that these papers were given them as evidences that they were chiefs, that as such they must take care of their people and that by and by the Great papers would be given them. On his former visit they had declined to receive papers but now they were evidently much valued."

The General Council was then adjourned to the next day.

January 31. Wednesday - The heads of the Treaty had been adjusted and in the morning the Indians were again assembled - Two additional sub-chiefs received papers. viz: Tak-a-Kowok of Osett and Kets-Kussum of the Stone Horse. The number of the whole tribe was found to be 600. Governor Stevens then addressed them:

"My Children - I have seen many other of my children before you. They have been glad to see me and to hear the words of the Great Father. I saw the Great Father a short time since and sent me here to see you and give you his mind. The Whites are crowding in upon you and the Great Father wishes to give you your homes. He wants to buy your land and give you a fair price but leaving you enough to live on and raise your potatoes. He knows what whales you are, how you go far to sea, to take whales. He will send you barrels in which to put your oil, kettles to try it out, lines and implements to fish with. The Great Father wants your children to go to school and learn trades and this will be done if we sign it. If it is good I shall send it to the Great Father, and if he likes it he will send it back with his name. If he wants it altered he will let you know. When it is agreed to it is a bargain."

The Treaty was then read to them, interpreted clause by clause and explained.

Governor Stevens then asked if they were satisfied. If they were to say so. If not to answer freely and state their objections.

Tse-kaw-wooth, brought up a white flag and presented it saying, "Look at this flag, see if there are any spots on it. There are none, and there are none on our hearts."

Kalchoie presented another flag: "What you have said"

was good and what you have written is good."

The Indians gave three cheers or shouts as each concluded. The Governor then signed the Treaty, and was followed by the Indian Chief and principal men.

The presents were afterwards distributed and in the evening the party re-embarked. Owing to the wind the vessel did not reach Port Townsend till the 3^d of February. The next day (February 4th) Gov. Stevens left with some of the party in the Steamer Major Joseph - King for Victoria in order to confer with Gov. Douglass on the subject of the Northern Indians and on the 5th returned to Port Townsend and reached Olympia on the night of the 6th.

A Copy -

Attest -

George Gibbs
Secretary I.C.

Said book to its place, there in a straight line
to the place of the first mentioned book & there
following the same ^{down} to the place of beginning,

Or should it be hereafter deemed expedient, to establish
a separate school for the same and employ other
persons for the like purpose, for the benefit of the said
tribe & of such others as may be ~~connected~~ associated with
them

Provided however that should it be deemed expedient a
separate school may be established for the education
of said tribe & such others as may be associated with
it & the like persons employed ^{for the same purposes} at some other
suitable place.

Richard Smith

Said book to its source, thence in a straight line
to the source of the first mentioned book & thence
following the same ^{down} to the place of beginning,

Washak Valley

Or should it be hereafter deemed expedient, to establish
a separate school for ~~the same~~ and employ other
persons for the like purpose, for the benefit of the said
tribe & such others as may be ~~connected~~ associated with
them

Provided however that should it be deemed expedient a
separate school may be established for the education
of said tribe & such others as may be associated with
it & the like persons employed ^{for the same purpose} at some other
suitable place.