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MAKAH FISHING AND THE PROMISES OF THE U. S. :
A SUPPLEMENTARY REPORT

By: Barbara Lane, Ph. D.
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CAUSE 9213
DEFENDANT
EXHIBIT
NO. MK-M-25

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This report provides amplification of issues discussed in my initial report (Makah Fishing and the Promises of the U. S. : A Brief Report, dated July 24, 1972, filed as an Attachment to Motion for Partial Summary Judgment). Further, the supplementary report contains documentation and analyses of issues not covered in the first report. Specifically, the present report demonstrates:

1. That although the Makah depended primarily on their fisheries, they had successfully raised large quantities of potatoes in pre-treaty years and this fact was known to the treaty commission,
2. that the Makah did not require nor did they request at the treaty instruction in agriculture, and they resisted it later when it was forced upon them,
3. that prior to the first requisition of annuity goods for the Makah, the Commissioner of Indian Affairs was advised that the most useful items which could be supplied to these Indians consisted in fishing equipment,
4. that quite apart from the unsuitability of the annuity goods which were eventually provided, large portions of annuity payments never reached the Indians for whom they were intended,
5. that failure to provide assistance for their fisheries has resulted in financial loss to the Indians.

Our concern in this report is to analyze and assess from an anthropological point of view the relative roles of fishing and farming in Makah culture before

and after the January 1855 treaty. An attempt is made to indicate some of the effects of U. S. administration on aspects of Makah culture.

1. Farming and fishing in pre-treaty Makah culture.

The Makah have been primarily dependent upon the resources of the sea for over two thousand years. This is attested by the rich cultural remains currently being excavated at Cape Alava and analyzed at Neah Bay. Marine hunting and fishing equipment in the form of whaling gear, fishing hooks, nets, sinkers, spears, and harpoons occupy a predominant position in the artifact inventory. Radiocarbon dates from older sections of the excavation show an antiquity of over two thousand years; the whaler's house is over 500 years old. The relative importance of fishing equipment does not appear to undergo significant change in different time levels of the site.

Historical accounts document the continued importance of Makah fisheries in more recent times. Logs from Spanish and English exploring ships in 1790-1792 refer to the extensive Indian fisheries at Tatoosh Island and at Neah Bay and frequently mention purchase of halibut and salmon from the Indians at these locales. For example, Hoskins, a clerk on board the "Columbia" noted on June 30, 1791 near Tatoosh Island

"The canoes which went a fishing this morning caught an incredible number of fish, principally hallibut; [sic] of which we partook a part; these people go a great distance, as much as ten or twelve leagues to sea a fishing:" (Howay 1941: 197)

The interest of the early exploring ships was not just in procuring fish for food, but also in purchasing oil obtained from blubber, or from seals, or codfish, etcetera. Boit's log from the "Columbia", September 30, 1792

just after leaving Neah Bay notes

"The Indians brought a few skins and plenty of fish
and some train oil which last article we much wanted."
(Howay 1941:417)

Makah commerce in fish and oil to other Indians as well as to white traders continued to be important right up to treaty times and for some time afterward. Two years before the signing of the Makah treaty, the Columbian, a newspaper printed in Olympia, noted in the January 15, 1853 issue

"...what little has been done in the business of securing the salmon, has been done solely by the Indians.... their ... habits prevent a sufficient bestowal of time and attention, in furnishing any considerable quantity for export, beyond their own necessities, and what is required for present home consumption. The schooners "Mary Taylor," "Franklin," "Demaris Cove," "Cynosure," and others, have been engaged in the traffic of what oil and salmon the Indians of Queen Charlotte, Vancouver's and those of Cape Flattery, may have had to dispose of The whale fishery of our coast is also, at present, carried on exclusively by Indians"

Despite the complaint that the Indians were only producing enough fish for their own use, for domestic consumption by the white population, and little for export, the same article later mentioned export of smoked salmon to China. Of interest to our present concerns is the fact that Makah trade in fish and oil was sought after avidly by white traders and that the Makah exclusively controlled the whale fishery of the Washington coast. The lucrative commerce in marine resources explains the Makah concern with protecting their fisheries as evidenced in the official record of the treaty proceedings.

While there is no question that the Makah were first and foremost fishermen, it is important to realize that they were not ignorant of agriculture in pre-treaty times. At least five years prior to the treaty, they were known to have raised large quantities of potatoes. Furthermore, this information was known by the men who negotiated the treaty at Neah Bay. It is necessary to be aware of the role of potato raising in Makah culture prior to 1855 in order to assess the intentions and understandings of the parties to the treaty when they discussed farms and farming.

As noted above, the Makah were growing potatoes by 1850. It is unknown exactly when the potato was introduced in this area and from what source. Many of the Indians in western Washington were cultivating potato patches in the 1840's before white settlers entered the area. Evidently those groups who acquired it first passed the tuber itself and instructions for cultivation to other Indians who had not yet had direct contact with whites. The Makah might have gotten potatoes as early as 1791 or 1792. The Spaniards are reported to have planted potatoes in their gardens at Nootka in 1791 and at that time the Makah carried on trade with Nootka. In the following year the Spaniards began a settlement at Neah Bay and planted a garden there. Alternatively, the Makah could have acquired potatoes from one of the Hudson's Bay Company farms. The Company established farms at Fort Langley in 1827 and at Fort Nisqually in 1833. The Makah visited and traded at both locations at about those times.

Whatever the source and date of introduction, the Makah were successfully growing potatoes in their own territory by 1850. In 1851 Samuel Hancock briefly established himself at Neah Bay in an attempt to set up

a trading post. After an altercation, the Neah Bay Indians offered Hancock twenty baskets of potatoes as a peace offering. Hancock left Neah Bay for a time, returning in 1852 when he again established himself as a trader to buy furs, oil and salmon. He reports that he did a brisk business in the latter two items, salting and drying the salmon himself. Hancock's narrative is of interest not only for the documentation of commercial trade in oil and fish on the part of the Makah just prior to the treaty, but also because of the comments regarding the cultivation of the potato. During his second residence among the Makah, Hancock commented

"The Indians here at Neah Bay and north of this [sic] cultivate the potato and raise good crops of them."
(Hancock 1927:162)

The fact that the Makah raised potatoes was known to both George Gibbs, secretary of the treaty commission and Governor Isaac I. Stevens for about a year prior to the treaty. In a report dated March 4, 1854, which was submitted to Capt. George B. McClellan, but ultimately approved by Governor Stevens, Gibbs remarked of the Makah

"They also take a number of sea-otter--the skins of which are sold at Victoria--and raise a good many potatoes." (Gibbs 1967:35)

In his diary notes, undated but probably made at the time of the treaty visit, Gibbs has the following entry

"They used to raise a considerable quantity of potatoes, Since the plague, but few."
(Gibbs diary: pages unnumbered)

The plague referred to was the 1852 small pox epidemic which ravaged Neah Bay. Evidently, with the heavy toll of human life, potato cultivation was decreased markedly. Nevertheless, it is clear that the survivors were

anxious to retain their potato gardens. This concern was expressed on the first day of the treaty talks by It-an-da-ha, one of the headmen of Waatch village. He is reported to have said, in part

"I don't want to sell all the land. I want a part in common with the whites to plant potatoes on."

There was more discussion and then the official record continues

"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..."

On the second day, when the treaty was signed, Governor Stevens is reported to have told the Indians

"... 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."

The significant point in the treaty discussions of farming, at least insofar as the record goes, is that the Makah asked for and were assured that they would be able to continue their potato cultivation. The Indians did not ask for instruction in farming, nor was that discussed. The treaty commission knew, and the Makah knew that the treaty commission knew, that the Makah had been growing good crops of potatoes for at least five years prior to the treaty. In my opinion, it is reasonable to assume that the Indians understood the treaty promise of farms to be just that, a promise about land, not instruction.

Ironically, the boundaries of the reservation as described in the written treaty (although not as understood verbally by the Makah) cut off the better

agricultural land where the Makah potato gardens were located. The unsuitability of the reservation soil for cultivation was a subject for comment by almost every agent and farmer assigned to the Makah reservation. E. F. Kendall, Superintendent of Indian Affairs for Washington Territory in 1862 wrote to W. P. Dole, Commissioner of Indian Affairs regarding the Makah reservation

"The lands described within the boundaries laid down in the treaty are utterly worthless, and expenditure of public money thereon would, in my judgment, be thrown away. Three yoke of cattle, purchased for these Indians only a few days before the superintendency was turned over to me I was compelled to send to the Puyallup to be wintered, as they would have starved among the Makahs."

(Kendall 1862:307-8)

If the treaty commissioners had intended to convert the Makah into an agricultural people, it is very strange that the reservation boundaries were written so as to exclude the only good bottom land at Neah Bay and to exclude other localities where the Makah had already identified suitable land and put it into cultivation. There was at that time no white settlement in Makah country and the arable land could easily have been reserved for the Indians.

In my opinion, Stevens and Gibbs had no intention that the Makah should turn to farming. I think it is more likely that the treaty commissioners' words should be taken at face value and should be understood in the way that the Makah evidently understood them. It seems to me that the intent was merely to provide the Indians with minimal land on which to live and raise potatoes and perhaps a few additional vegetables, while deriving their main

livelihood from the sea. Stevens and Gibbs, as shown in my initial report, understood the nature and value of the Makah commercial fisheries, as did every agent subsequently assigned to the Makah reservation. In my view, the understandings of the Indians and the commission at the treaty regarding agriculture were probably much the same. I think it was only those in the east with no knowledge of the local scene who persisted in directives to enlarge agricultural operations on the reservation.

My view of the treaty commission's intentions receive support from Stevens' son and biographer, Hazard Stevens, who wrote of the Makah treaty as follows

"The provisions of this treaty are the same as in the others. The annuities in goods, etc., amounted to \$30,000, and \$3000 were provided to improve the reservation, which embraced Neah Bay and Cape Flattery and their principal village. It was intended only for a place of residence, with enough cultivable land for potatoes and vegetables, and, what was more important, to prevent their being crowded off by fishing establishments. The locality is unfit for agriculture, being rocky and sterile, with an annual rainfall of 122 inches. And the reserve was all they needed, for the Makahs are bold and skillful fishermen and sailors, accustomed to venture thirty to fifty miles out to sea in their large canoes, and take the whale and halibut, while inshore they hunt seal and sea-otter, and catch the salmon. They are a more sturdy, brave, and enterprising race than the natives of the Sound, more resembling the northern Indians. In their remote, rocky stronghold, protected by the strong arm of the government extended over them by this treaty, but depending upon the sea and their own efforts for a livelihood, they have prospered greatly, putting up vast quantities of fish, furs, and oil for market; and there are few white communities that have so much wealth per capita, or wealth so evenly distributed, as these industrious and manly Indians."

(Stevens 1900:477)

If his son's account is correct, it is clear that Stevens intended the Makah reservation primarily as a base for Makah fishing operations and not as a land base for agricultural development.

That the above account is correct would seem to be confirmed by the following recommendations made by Michael Simmons in 1860 as Indian Agent. Simmons had been a member of the treaty commission at Neah Bay and therefore was in a position to know what the government's intentions were relative to the Makah reservation. In the following excerpt, I have added the underlining for emphasis.

The annuities that are to be paid to the different tribes they would prefer receiving in cash; next to cash they would like goods; but I am convinced that it would not be best for most of them so to get them in that way. Money is always an evil to them, and even goods are soon squandered and gambled off. I would, therefore, recommend that, except in the case of the Makahs, the Quillehutes, and Qui-nai-elts, and the Clallams at Clallam bay, the amounts be expended in opening land for farming and in purchase of stock and tools. (Simmons 1860:197)

Simmons went on to point out that in the case of the tribes excepted above, "the amount secured to them by treaty for clearing land is as much as can be profitably expended in that way for some time to come." At the time that he wrote, it was still contemplated to eventually remove the various coastal peoples from their individual reservations to a centralized one on which major improvements would be made. I believe that his comment about "some time to come", if it implies future expenditures in support of agricultural development for the Makah should be considered in the context of possible removal from their territory.

A diligent search of unpublished as well as published writings of both George Gibbs and Governor Stevens has failed to turn up any suggestion that either of these men contemplated other than minimal farming operations on the Makah reservation. These minimal lands were necessitated by the Makah's own concern to raise potatoes. That concern must be understood in the context of the Makah diet. Apparently there were no native camas prairies in Makah territory. The Makah imported camas as well as other native vegetables from their neighbors to supply a lack in the native diet. When potatoes were introduced, they were evidently much prized by the Makah because they filled a need. It is clear from Swan's comments in 1861 that potatoes were a valued part of Makah cuisine at that time.

For example, in describing a meal taken at Tsoo-ess village, Swan wrote

"I proceeded to the lodge of Cobetsi, the chief where I remained all night, and was most hospitably entertained. A succession of feasts were served up, consisting of roast and steamed mussels, dried halibut and whale oil, roast and broiled potatoes, dried blubber, and a desert of cranberries, with hard bread and sugar." (Swan 1971:111)

It is my opinion that there never was any intention on the part of either the Stevens party or the Makah at the treaty of Neah Bay to ask for or to negotiate anything but minimal farming arrangements. I believe that subsequent efforts directed from Washington, D. C. were contrary to the original intentions and understandings of the parties to the treaty.

It is clear that the Makah resisted efforts to force attendance of their children at the agricultural and industrial school and that they resisted engaging in agriculture generally. Henry Webster, agent at Neah Bay, reported in 1867

"From the very first it has been a prime object to make the school that which both the treaty and the appropriations thus far made have distinctly in view, an agricultural and industrial school. . . . Very few of the parents are willing to allow their children to attend school for any length of time, for none of them appreciate the advantages to be gained." (Webster 1867:43)

2. Annuity goods and payments: recommendations re fishing and farming

In January 1858 before any annuity goods or payments were made to the Makah Indians, the Commissioner of Indian Affairs sought and received recommendations as to the nature and description of goods which would be most useful to these Indians. The Commissioner made inquiry of Governor Stevens who was in Washington City at the time. Stevens referred the query to James Swan, his secretary who had resided on the coast and had more intimate knowledge of the Indians. Swan stressed the importance of supplying items which would be useful to the Indians in their fisheries and provided detailed descriptions, drawings, and even samples of items which the Indians had already evidenced a desire for and which he had previously supplied to them. The following is an extract of his letter to Charles E. Mix, Acting Commissioner of Indian Affairs. That letter was written January 25, 1858 but the excerpt quoted is contained in a letter under date of January 31, 1860 in which the earlier letter is cited.

"Having already furnished the Indians with fish hooks and spears of the pattern I enclose I am certain that a supply would be most acceptable presents and would be highly prized.

The other articles which they require and value are Salmon and Seine twines for making nets. Floats leads and hauling lines for seines. Codlines of the size known as 24 pounds to the dozen. Hand lines of thirty fathoms each such as are used on board vessels for sounding. These lines usually are in two hanks connected and measure 60 fathoms long. They are used in the seal fishery. Fish hooks of various sizes. Suitable knives for splitting fish and cutting blubber."

Swan then went on to list luxury items like painted Chinese boxes from the

San Francisco market, hair oil and ostrich plumes such as the Indians were accustomed to procure from the Hudson's Bay Company and more utilitarian items like thread, needles, cloth, axes and hatchets, kettles and cooking ware and provisions such as flour, sugar, and molasses. "Farming utensils" were included in just those two words without elaboration. There can be no doubt that the detailed listing of fishing equipment and the simple inclusion of "farming utensils" indicated the relative importance of the two categories of goods in Swan's estimate.

Unfortunately for the Makah, Swan's recommendations were not acted upon by the Department of Indian Affairs. Briefly, three things happened. Moneys intended for annuity payments or purchase of annuity goods were fraudulently appropriated so that they never reached the Indians for whom they were intended. Second, with the Civil War crisis, currency was devalued to the point where neither annuity goods, reservation improvements, nor the employees promised could be provided. Third, inappropriate, useless, and inferior goods were supplied, presumably to line the pockets of those who contracted to supply the annuity goods. The state of annuity goods and the non-payment of funds to the Indians was a matter of scandal in the local Territorial press and was recorded in the annual reports of the Department of Indian Affairs. A few examples will serve to suggest the public airing of sentiment on the part of employees within the Department as well as by private citizens.

An article in the Washington Standard, March 30, 1861 raised the question

of missing annuity moneys and missing funds intended to pay for improvements on the reservations. The immediate issue which brought things to a head was the inability (through lack of funds) to arrest the Clallam murderers of a Makah chief, one of the signatories to the Makah Treaty.

" . . . Col. Simmons could do nothing about the matter. True, he told us how to place the claim for damages, and loss of the goods in the canoe, so that they should be paid from the Indian annuities; but, he said that now his hands are tied. Although the appropriations for the Indian service have been made, not one dollar has come to hand, or if the money has come, no one knows where it is. The annuity goods have come, but he has neither the funds nor goods, to pay the expense of distributing them, nor even enough to hire an Indian to go in a canoe, without paying him out of his own pocket.

If such things are true, and I have no reason to doubt Col. Simmons' word, it is disgraceful and disrespectful to all the officials connected with the service in this section, be they whom they may. Far better for us to have no Indian Agent or Superintendent, than to have the service conducted in the feeble and imbecile manner in which it is and has been conducted for the past two years.

In this instance, an Indian peaceably passing on his way home in his canoe, laden with white men's goods, to the value of a thousand dollars or more, is foully murdered, and the white men's property destroyed, and yet the agents of our munificent government have not the means at their disposal to defray the expenses of going to arrest the murderer, or to attend to the matter in any way. It is right that the public should know something about this matter. Who is to blame? We know that the Congress has made the necessary appropriation for the Indian service, and for all the treaties. And yet, I know of several instances where bills against the Indian Department for goods furnished the agents in the vicinity have been left unpaid for the last two years. The published laws of Congress for the last session, show that the appropriation for the Duwamish, and allied tribes, the Clallams and the Mackah's were all made. And it is very generally believed that the money, or drafts for the money, have been received. Why it has not been applied as intended by Congress is a matter for others to answer." (Swan 1971:103-4)

In 1869 the Superintendent of Indian Affairs reported to the Commissioner of Indian Affairs relative to the Makah as follows

"Captain Hays (whose official report has not yet come to hand) represents that reservation as being in a neglected and dilapidated condition, deficient in buildings, fences, and farming implements. No annuity distribution has been made at his agency since 1861. The amount of annuity goods on hand does not exceed in value \$100.

The total amount of money turned over by Mr. Webster to Captain Hays is \$335.11. To what appropriation this money belongs was not stated by Mr. Webster, but Captain Hays has credited the amount to beneficial purposes. What has become of the large amounts of money appropriated for beneficial objects at this agency since 1861, I am totally unable to state." (Ross 1869:133-4)

Webster's own comments in 1862 may provide a partial answer to the foregoing. It is difficult to know how far to credit Webster's report inasmuch as he later was accused of fraud. Whoever it was that fraudulently appropriated the annuity moneys, it seems clear that they were not received by the Makahs, nor were the annuity goods which they did receive of benefit to them.

I respectfully call your attention to a deficiency which has occurred in the annuities which have been sent to the Indians under my charge. Two annuities have been distributed to the Makahs, and one to the S'Klallams and associated tribes by Agent Paige, as follows: one to the S'Klallams, at the Sko-ko-mish reservation, in September last; one to the Makahs, at Neah bay, in December last; and one during the month of May to the same tribe. In all these payments, as well as in the invoice turned over to me by Agent Paige, and the second instalment of annuities for the S'Klallams, which has not yet been distributed, there has been a large deficiency from the amounts promised by the treaties. The first payment to the Makahs was short of the invoice five hundred dollars and upwards,

(Webster 1862:55)

Even stronger comments regarding annuity funds and goods were made by G. A. Paige, Indian Agent, in his 1862 report to the Superintendent of Indian Affairs.

I would most urgently call the attention of the department to a few facts in reference to the annuities, in goods, which are forwarded our Indians from the Atlantic States. The high prices and inferior quality of the goods would seem to indicate that the main object of the persons engaged in furnishing them was simply to make as much money as possible, without regard to law or justice. An investigation into this matter is imperatively demanded for the benefit of the Indians, who have been wickedly wronged.

Such articles as sickles, iron scythes and pitchforks, &c., are entirely useless for the Indians who live on the ocean shore at Cape Flattery, as they live entirely on the products of the sea and their sale, berries, &c., having no horses, and farming none. To send these articles to fishermen, who live by catching whales and smaller fish for oil, is nonsense, if honest; if dishonest, the speculators should be attended to, as the matter is a serious evil and breeds disaffection among the tribes. The invoice price of some of the articles is greater than the retail price of the same things here.

Such as they are, the packages are short. The first instalment, paid to Makahs January, 1861, was found to be about six hundred dollars short in the packages;

* * *

. . . The annuity goods for the coast Indians should consist of blankets, comfortable clothing, fishing seines or materials for making them, iron and steel for hooks and spears; then, for the Indians living on Puget sound and Admiralty inlet, blankets, clothing, and farming implements.
(Paige 1862:561)

Paige's comments are of particular interest in that he makes it clear that the coast Indians should receive fishing equipment in contrast to the Sound Indians who should receive farming implements.

3. Failure to provide fisheries assistance: financial loss to Indians.

At the January 1855 treaty negotiations at Neah Bay, Governor Stevens promised the Makah assistance in developing their fisheries. Such assistance was also urged by almost every agent subsequently stationed among the Makah. (See Lane, B., Makah Fishing and the Promises of the U. S. : a Brief Report, pp. 6-10, Ex. No. 1)

As indicated at the outset of this report, the Makah have been fishermen for at least two thousand years. Archaeology, history, and ethnography attest to their expertise in marine hunting and fishing and in maritime trade.

In historic times, the Makah became wealthy by taking and selling halibut, salmon, seal, sea-otter, and whales. This source of wealth was diminished in post-treaty years by failure of the U. S. to provide the Makah with instruction in new techniques required for taking and for sale in competition with non-Indian fishermen and non-Indian processors.

In 1881, Charles Willoughby, agent at Neah Bay reported

One great existing demand among them is a knowledge of the latest improved methods of curing and packing fish for shipment, as a source of revenue, their present method not producing a desirable article of commerce, acceptable to the taste of an epicure. With a little assistance and proper teaching in this branch of industry, but few years would elapse before the Indians of this reservation would rival in wealth any equal number of any nationality in the most favored locality of the older States. (Willoughby 1881:161)

The Makah attempted to adjust their traditional fisheries to altered circumstances. Faced with non-Indian competition in the sealing business, and failure of the U. S. government to supply a schooner despite repeated requests on the part of the Makah and their agents over a number of years, the Makah purchased vessels out of their own earnings.

In 1885 Oliver Wood reported the purchase of the first sealing schooner by the Makah

At my suggestion one of them purchased a schooner for sealing and made a profit of nearly \$1,000 during the season. He paid coin for the vessel at the time of purchase, and is so much encouraged that he proposes to buy another and a larger vessel in time for sealing next year. I am encouraging the notion as much as possible, as it would be far better if the Indians had vessels enough to accommodate all the Indians that go sealing and save a greater profit for themselves, and also save the agent no end of trouble from the advent of white men who come here for sealing, and are never satisfied unless allowed their own way and a free run on the reservation at all times. (Wood 1885:188)

In 1893 the Makah were operating seven schooners for sealing and halibut fishing. They had managed on their own, and without government assistance, to compete successfully with non-Indian fishermen for almost fifty years from the time they ceded their lands in exchange for fisheries assistance.

Agent John McGlinn noted in 1893

The Makah Indians have caught during this season 1,752 seals, two whales, up to date, and are catching at the present time great quantities of halibut, cod, salmon, and other food fishes. They have sold their seal skins for \$11 per skin, making a total of \$19,272.

There were seven schooners engaged in seal hunting, owned and manned by Indians, the Deeahks, James G. Swan, Amature, Emmet Felix, Puritan, Mary Parker, and August. The Deeahks and Emmet Felix were purchased in the early part of the sealing season--the Deeahks for \$3,100, the Felix for \$2,000. The schooner C. C. Perkins being old and unseaworthy the Indians would not venture out in her. The schooner Lottie was wrecked in a furious storm and was almost a total loss.
(McGlimm 1893:326)

The Makah persisted in their traditional pursuits of marine hunting and fishing despite increasing competition from non-Indians and encroachment on their inherited fishing grounds which they had understood were preserved to them in their treaty. By the turn of the century, they were no longer able to compete successfully. It is clear that this failure was not due to lack of effort on the part of the Makah, but failure of the U. S. to supply the support promised at the treaty.

ADDITIONAL MATERIAL

Additional source material in support of the issues discussed in this report may be found in the following:

1. Farming and fishing in pre-treaty Makah culture

McKenny, T. J., Annual Report of Superintendent of Indian Affairs, Washington Territory, October 1, 1871 in Annual Report of Commissioner of Indian Affairs, 1871, page 176.

2. Annuity goods and payments: recommendations re fishing and farming

Webster, H. A., Annual Report of Indian Agent, Washington Territory, June 30, 1864 in Annual Report of Commissioner of Indian Affairs, 1864, page 65-66

Geary, E. R., Annual Report of Superintendent of Indian Affairs, 1860, in Annual Report of Commissioner of Indian Affairs, 1860, pages 185-186.

Milroy, R. H., Annual Report of Superintendent of Indian Affairs, October 1, 1872 in Annual Report of Commissioner of Indian Affairs, 1872, page 333.

3. Failure to provide fisheries assistance: financial loss to Indians.

Milroy, R. H., Annual Report of Superintendent, Washington Territory, 1872, in Annual Report of Commissioner of Indian Affairs, page 345.

BIBLIOGRAPHICAL NOTE

Source material for all references in this report may be found in the Exhibits described in Petitioner's Second Supplemental Index and Digest of Exhibits Offered for Purposes of Trial on Consideration.