(4) Proposed Finding Documents

- August 11, 1997

United States Department of the Interior, Office of Federal Acknowledgment

Summary under the Criteria and Evidence for

Proposed Finding

Against Federal Acknowledgment of the

Chinook Indian Tribe, Inc.

Prepared in response to a petition submitted to the Secretary of the Interior for Federal Acknowledgment that this group exists as an Indian tribe.

Approved: 8-11-97
(date)

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INTRODUCTION

This report has been prepared in response to the petition received by the Assistant Secretary - Indian Affairs from the Chinook Indian Tribe, Inc., (CIT) seeking Federal acknowledgment as an Indian tribe under Part 83 of Title 25 of the Code of Federal Regulations (25 CFR 83).

Part 83 establishes procedures by which unrecognized Indian groups may seek Federal acknowledgment of a government-to-government relationship with the United States. To be entitled to such a political relationship with the United States, the petitioner must submit documentary evidence that the group meets the seven criteria set forth in Section 83.7 of 25 CFR. Failure to meet any one of the seven criteria will result in a determination that the group does not exist as an Indian tribe within the meaning of Federal law.

The CIT petition was on active consideration at the time that revised regulations became effective on March 28, 1994. The CIT was therefore given the choice under Section 83.5(f) of the revised regulations of being evaluated under the revised regulations or the previously effective regulations. The CIT, in a letter dated April 21, 1994, requested BIA to continue their evaluation under the previous regulations. The time-frames outlined in this introduction are based on the 1978 regulations.

Publication of the Assistant Secretary's proposed finding in the Federal Register initiates a 120-day response period during which factual and/or legal arguments and evidence in response to the proposed finding may be submitted by the petitioner and any other party. Such comments should be submitted in writing to the Office of the Assistant Secretary - Indian Affairs, 1849 C Street N.W., Washington, D.C. 20240, Attention: Branch of Acknowledgment and Research, Mail Stop 4603-MIB.

After consideration of all written arguments and evidence received during the 120-day response period, and the petitioner's comments on the responses by interested parties, the Assistant Secretary will make a final determination regarding the petitioner's status, a summary of which will be published in the Federal Register within 60 days of the expiration of the 120-day response period. The Secretary of the Interior may request the Assistant Secretary to reconsider under section 83.10 within 60 days of the publication of the final determination. Alternatively, although the CIT petition is being evaluated under the previous regulations, pursuant to 25 CFR 83.11(a)(1) of the revised regulations, the CIT may file a request for reconsideration with the Interior Board of Indian Appeals (IBIA) under the procedures set forth in section 83.11 of the revised regulations. This request must be made within 90 days of publication of the final determination.

If this proposed finding is confirmed, section 83.10(j) of the previous regulations requires that the Assistant Secretary analyze and forward to the petitioner other options, if any,

under which the petitioner might make application for services or other benefits as Indians.

Administrative History

The Bureau of Indian Affairs (BIA) received a documented petition for Federal acknowledgment from the Chinook Indian Tribe, Inc. (CIT) on June 12, 1981. The Branch of Acknowledgment and Research (BAR) conducted an "obvious deficiency" (OD) review of the petition and sent a letter dated March 18, 1982, outlining deficiencies in the petition. The group submitted a revised petition in July 1987. The second OD review letter was dated November 1, 1988. The CIT petition was placed on active consideration on January 28, 1994.

The revised Federal acknowledgment regulations became effective March 28, 1994; however, by a letter dated April 21, 1994, the CIT chose to continue acknowledgment under the previous regulations. Pursuant to 25 CFR §83.9(f), the Assistant Secretary - Indian Affairs (AS - IA) was to publish a proposed finding in the Federal Register within one year of a petitioner being placed on active consideration. This same regulation allowed the AS - IA to extend the period for up to 180 days upon a showing of due cause to the petitioner. A letter from the AS - IA dated February 24, 1995, extended the time for publishing a proposed finding to June 27, 1995. On March 21, 1996, the AS - IA exercised the authority delegated to her by the Secretary of the Interior under 25 CFR §1.2 in 290 DM 8, and waived the requirement to publish a proposed finding within the time-frame of the regulations by showing good cause. This waiver was issued under the regulations effective March 28, 1994, in 83.10(g) which state that the AS - IA can suspend consideration of a finding for good cause, specifically naming administrative problems as being good cause. The AS - IA extended active consideration of the CIT to July 31, 1996.

ABBREVIATIONS AND/OR ACRONYMS USED IN REPORT

ANA	Administration for Native Americans
AS - IA	Assistant Secretary - Indian Affairs
BAR	Branch of Acknowledgment and Research, Bureau of Indian Affairs (Evaluator of the Petition)
BIA	Bureau of Indian Affairs
CIT	Chinook Indian Tribe, Inc. (The Petitioner)
CN	Chinook Nation, Inc.
CT	Chinook Tribes, Inc.
Ex.	Documentary Exhibit submitted by the Petitioner
FD	Field data (research conducted by BAR staff for the purpose of verifying and adding to the information submitted in the petition)
ICC	Indian Claims Commission
RG	Record Group (a unit of control for records in the National Archives based on their administrative origin; e.g., all records originating with the BIA are in RG 75.)
STOWW	Small Tribes Organization of Western Washington

STANDARDIZED SPELLINGS

When discussing Indian Tribes and bands in the body of the narrative, the technical reports use the current standardized spellings, for example, "Chinook." Where specific historical documents are quoted within the technical reports, these names are spelled as found in the original. Many of the family surnames common to the history of the Chinook Indians are found in official records under a variety of spellings. Where specific documents are discussed within the attached reports, individual names will be spelled as they appear in the original. However, in general discussions not dealing with specific documents, the Branch of Acknowledgment and Research (BAR) has attempted to standardize the spelling of names to conform with spellings found in the group today.

SUMMARY UNDER THE CRITERIA
§§ 83.7(a-g)

In accordance with the regulations, failure to meet any one of the seven mandatory criteria set forth in 25 CFR 83 requires a determination that the group does not exist as an Indian tribe within the meaning of the Federal law. Evidence submitted by the Chinook Indian Tribe (hereinafter the petitioner or the CIT), submitted by interested parties, and obtained through independent research by BIA researchers demonstrates that the petitioner does not meet all seven criteria required for Federal acknowledgment. It has been determined that the petitioner meets criteria 83.7 (d-g) and that it does not meet criteria 83.7(a-c).

This is a proposed finding based on available evidence, and, as such, does not preclude the submission of other evidence to rebut or support the proposed finding during the 120-day comment period which follows publication of this proposed finding. Such new evidence may result in a change in the conclusions reached in the proposed finding. The final determination, which will be published separately after the receipt of the comments, will be based on both the new evidence submitted by the petitioner and interested parties during the response periods to the proposed finding and the original evidence used in formulating the proposed finding.

In the summary of evidence which follows, each criterion has been reproduced in part in boldface type as it appears in the regulations. Summary statements of the evidence relied on in making the proposed finding appear following the respective criteria.

83.7(a) A statement of facts establishing that the petitioner has been identified from historical times until the present on a substantially continuous basis, as "American Indian" or "aboriginal."

Identification of the Chinook by non-Indians began in 1792 when the log of the first ship to enter the Columbia River, that of American trader Robert Gray, referred to a "village Chinook." In 1795, the journal of a British trading ship on the Columbia recorded that the ship had been visited by the chief of the "Chinook Tribe." American explorers Lewis and Clark, who reached the Pacific Ocean in late 1805, noted in their journal that they had met some Indians who "call themselves Chinooks." They estimated the population of the "Chinook Nation," described its territory, and listed its headmen. In the decade after 1811, several fur traders at a post located at modern Astoria, Oregon, referred to a Chinook tribe and noted the Chinook villages across the river from their fort. The Hudson's Bay Company acknowledged the tribe's existence by taking a census of the Chinook in the mid-1820's. Traders, explorers, and missionaries continued to write about a Chinook tribe in the 1840's. The first American superintendents of Indian affairs for the

Oregon Territory prepared estimates of the population of the Chinook in 1849 and 1851. Although some early-19th century visitors grouped all of the Indians of the lower Columbia River together as Chinook, most observers before 1850 described the Chinook as a tribe or band which was separate from the Clatsop, Wahkiakum, and Kathlamet bands along that part of the Columbia.

The United States Government recognized the Lower Band of Chinook Indians by negotiating a treaty with it, and with several other bands of Chinookans, in 1851. The Senate, however, refused to ratify these treaties. In 1855, the Government made another attempt to negotiate a treaty with the Chinook and other tribes, and to remove them to the coast well to the north of aboriginal Chinook territory. The Chinook, however, refused to sign this proposed treaty. Indian agents in the late 1850's reported that the population of the tribe had been greatly diminished, but that a few Chinook remained along the Columbia River and Shoalwater Bay. In the 1850's and 1860's, agents considered at least some of the remaining Chinook to be part of a group of Chehalis and Chinook Indians, which, one agent said, resided on Shoalwater Bay. When the Government created the Shoalwater Bay Reservation by executive order in 1866, it did so for the "Indians on Shoalwater Bay," but without mentioning the Chinook. In 1869, the Indian superintendent referred to the Shoalwater Bay Indians and the Chinook Indians as if they were separate groups. The Indians of the Shoalwater Bay Reservation were never explicitly referred to as Chinook in the annual reports of Indian agents throughout the late-19th century. By 1879, the local Indian agent was not listing the Chinook as a tribe under his jurisdiction. This position continued until the end of the century, for the Chinook were not listed in 1898 as a tribe of the local Indian agency.

During the 1850's, the Chinook tribe was described by James Swan, a settler on Shoalwater Bay, and George Gibbs, a member of the Government's treaty negotiating team. Swan described the Chinook as located on the Columbia River. He gave the tribe on Shoalwater Bay a different name, but noted that it was usually considered as part of the Chinook. Gibbs considered the Chinook to be a tribe which lived on both the Columbia and Shoalwater Bay. Swan observed that the Chinook had suffered "an immense mortality" and Gibbs reported that only "a few remnants" of the tribe survived. Both Swan and Gibbs feared that the tribe was headed for extinction. The notion that the American Indian was a vanishing race was prevalent in the late-19th century, and local newspapers printed articles which described the Chinook as having been reduced to "remnants" of a tribe, as having only lone descendants, or as being "extinct." Prominent scholars such as historian Hubert Howe Bancroft and anthropologist Franz Boas concluded that only a "few" Chinook or the "last survivors" of the Chinook were still living by the 1880's and 1890's. At the start of the 20th century, the editor of the journals of Lewis and Clark commented that the Chinook Indians were "almost extinct." The Smithsonian Institution's 1907 *Handbook of American Indians* claimed that the Chinook had "completely fused" with the Chehalis.

When the Government was confronted initially with claims for compensation made by Chinook descendants, the Secretary of the Interior's response in 1900 was that the claims lacked merit in part because the Chinook bands were "practically extinct." While advocating a payment to Chinook descendants, Oregon's Senator Fulton stated in 1905 that those descendants had "no tribal relations." In its report on these claims in 1906, the Court of Claims concluded that the Lower Band of Chinook had "long ceased to exist" as a band. Such comments were based on the prevailing assumption during the early-20th century that tribal relations were maintained only by residence with a tribe, usually on a Federal reservation. In 1919, special agent Charles Roblin noted that the majority of off-reservation Indian descendants, not only Chinook descendants, had "become a part of the white community life." He contended that these descendants had not voluntarily severed tribal relations, but had involuntarily found "tribal conditions impossible" because they had been overwhelmed by white settlers. In the 1920's, when some Chinook descendants brought suit to win allotments of land on the Quinault Reservation for their children or grandchildren, the Government argued that these descendants had separated from tribal life and were without tribal relations. The Federal district court in 1928 agreed that the Chinook had lost their tribal organization.

Although the Federal Government did not recognize a Chinook tribe during the 20th century, it produced lists of descendants and provided some descendants with allotments or services. The lists produced by Charles McChesney in 1906 and 1914 were lists of descendants entitled to compensation, while the lists produced by Charles Roblin in 1919 included separate lists of unenrolled Chinook and Shoalwater Bay Indians. These were not rolls of an existing tribe. A Federal district court in 1928 held that Chinook descendants were entitled to allotments of land on the Quinault Reservation. Before this decision, the allotting agents of the Office of Indian Affairs had allotted Chinook descendants residing on Shoalwater Bay, but not those on the Columbia River. The court referred to the Chinook and Shoalwater Bay as separate bands in its interpretation of the 1873 expansion of the reservation. After Chinook descendants were allotted at Quinault, the Indian Office often referred to them as Quinault Indians. Some Chinook descendants attended the Government's Indian schools, but they did so because of their degree of Indian ancestry, not because the Indian Office recognized a Chinook tribe. Some descendants received "blue cards" from the BIA, but they did so because, as allottees, they were listed on the Quinault roll. Thus, these actions did not constitute Federal recognition of a Chinook tribe.

During the early-20th century, some non-Indians identified Bay Center on Shoalwater Bay as the location of an Indian settlement, but without calling it a Chinook community. A local history of Bay Center, written in 1954, noted that a "native settlement at Goose Point" existed as of 1910. The town's postmaster, in 1926, observed that Bay Center always had been "an Indian village." In 1938, anthropologist Verne Ray published a scholarly ethnography of the Chinook. His interest was in describing the historical tribe, not the conditions of the 1930's, and he claimed that only two elderly "survivors" were useful as informants for this purpose. Later, Ray said that he had concluded at that time

that the Chinook "were extinct as a tribe" by the 1930's. He realized that descendants of the aboriginal ethnic group were alive, and that some had gathered in Bay Center, but argued that the Chinook tribe had lost its culture and tribal organization. In a 1952 Smithsonian Institution publication, anthropologist John Swanton concluded that the Chinook were "nearly extinct." Anthropologist Herbert Taylor, in a 1953 report for the Indian Claims Commission, said that while there were several hundred living descendants of Lower Chinook bands, their tribal organizations had been destroyed long ago.

After the formation of a Chinook Tribal Council in 1951, the BIA said that it had had no prior knowledge of any Chinook group and had not formed an organized relationship with the new group. Although the Chinook organization claimed to have reorganized in 1951, the local BIA superintendent concluded that a previous Chinook organization had "disappeared," thus denying that claim of continuity. After this organization split into two groups in 1953, the BIA noted that there were two organizations claiming to be the legitimate representative of Chinook descendants. It dealt with one group for purposes of bringing a case before the Indian Claims Commission, but denied that it recognized either group as a tribe. Although the Chinook Tribal Council had been superseded by the two competing organizations, a United States Senate committee in 1957 referred to it as a "tribal entity," but added that the entity was not one recognized by the BIA. The Indian Claims Commission in 1958 concluded that the "newly organized" Chinook group did not have a tribal organization recognized by the Government, but accepted its petition on behalf of Chinook descendants because it allowed any "identifiable group of Indians" to enter a claim. After another Chinook organization formed in 1970, the BIA again stated that it recognized no Chinook tribal entity and denied that the Chinook had ever been recognized to receive Federal services.

A 1966 book by local reporter and historian Lucile McDonald contended that the early marriage of Chinooks and non-Indians had resulted in a "loose identity" for the tribe. Only recently, she claimed, had young descendants become aware of a need to preserve knowledge of their traditions and genealogies in order to prevent the loss of their heritage. The activities of the Chinook Indian Tribe, which formed in 1970, were covered by local newspapers during the 1970's. The new organization was accepted as a member of the Small Tribes Organization of Western Washington (STOWW) and the National Congress of American Indians (NCAI). In 1976, Congress' American Indian Policy Review Commission suggested that the Chinook met almost all of the considerations which previously had been used to recognize tribes. When the Chinook Indian Tribe decided in 1976 to petition for Federal acknowledgment, it acquired statements of support for its recognition effort from the town council of Ilwaco, the board of commissioners of Pacific County, and the governor's Indian Advisory Council. The historian Clifford Trafzer has been the only scholar to publish a study including a description of the contemporary Chinook. In his 1990 book, Trafzer concluded that "the Chinook no longer are a unified tribe." He identified three contemporary groups of Chinook in the 1980's: the Chinook Indian Tribe organization, the Wahkiakum Chinook, and the Chinook on Shoalwater Bay.

The historical evidence shows that a historical Chinook tribe or band at the mouth of the Columbia River was identified by explorers, traders, missionaries, and Government agents from the 1790's through the 1850's. The Government expressed some responsibility for Chinook Indians until the Quinault Reservation was expanded in 1873. From the 1870's until the 1950's, however, local newspapers and outside scholars referred only to the "last survivors" or "remnants" of an "almost extinct" group which had lost its tribal organization soon after the treaty years. From the 1910's to the 1950's, the Congress and courts ruled that individual descendants of the historical Chinook band or bands had rights to compensation for aboriginal lands and to allotments of land on the Quinault Reservation, but these decisions and the identification of individual beneficiaries of these decisions were not based on the identification of an existing tribe or collective entity. A few items of the available evidence reveal that some non-Indians were aware of the presence of a community of Indian descendants at Bay Center, Washington, from the late-19th century to the 1920's, but this evidence does not identify this settlement as a continuing historical tribe. Since 1951, when Chinook descendants organized to pursue a claims case against the Government, the Bureau of Indian Affairs, local governments, and local newspapers have noted the existence of three different organizations of Chinook descendants, but have not credited them with continuity with each other.

This evidence shows outside identification of a historical Chinook tribe or band up until 1855, or perhaps 1873, and identification of several organizations of Chinook descendants since 1951. Because the evidence does not show external identification of the petitioner from 1855 to the present, on a substantially continuous basis, the Chinook Indian Tribe petitioner does not meet criterion (a).

83.7(b) Evidence that a substantial portion of the petitioning group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations in the area, and that its members are descendants of an Indian tribe which historically inhabited a specific area.

The petitioner attempted to make its case for the maintenance of social community by presenting geographical evidence that they believed would be sufficient to meet this criteria without any other supporting evidence. The regulations do not require petitioners to demonstrate that its members live in an exclusive (or nearly exclusive) Indian settlement in order to meet criterion 83.7(b). Petitioners are also not required to have continuously lived in their aboriginal area. If a petitioner demonstrates that its members continue to live in an exclusive Indian village or other geographical community viewed as American Indian, this would be sufficient, in the absence of conflicting data, to meet the criterion without the need for further supporting evidence.

If a petitioner is not able to demonstrate that its members live in a geographical community, it is possible to demonstrate that its members have continued to exist as a community through other evidence that demonstrates social interaction that involves a substantial portion of the group's members on a regular and frequent basis. Such social interaction should not only be within family lines, but across family lines. The "Guidelines for Preparing a Petition for Federal Acknowledgment as an Indian Tribe," which were published by the Branch of Acknowledgment and Research in December 1978, and were provided to every petitioner at that time, state the following regarding criterion 83.7(b):

> In this section the petitioning group should demonstrate that a sizeable number of its members live close enough to each other to meet, associate, and conduct tribal business on a regular basis, and that they do so. One way the petitioner can establish this is to show that there are social and religious activities and meetings of organizations which are attended entirely or predominantly by members of the group.

The emphasis in this criterion is on demonstrating that social interaction, as defined above, did in fact occur on a continuous basis, whether through geographical evidence or alternative evidence. The geographical evidence presented in the petition was sufficient to meet the criterion from 1811 to 1854, since the majority of the Lower Band Chinook Indians continued to live in Indian villages with named leaders. After 1854, however, the evidence is less clear in this regard. The obvious deficiencies letter that was written to the petitioner after the submission of their revised petition in 1987 suggested that this could be a problem:

> The descriptions in the criterion b section focus solely on geographical patterns of residence, citing only the portion of criterion b referring to residence with a "specific area." While the data presented is detailed and significant, it is necessary to demonstrate that the Chinook constitute a socially distinct community within which significant interaction is maintained among the membership. Geographical concentration is not in itself a requirement for acknowledgment, although it is often an important indicator for, or supporting evidence that, a community exists (BAR, letter to the CIT, dated November 1, 1988).

The obvious deficiencies letter restated this deficiency and indicated that additional information was essential for the petitioner to meet the requirements of criterion 83.7(b):

> The revised petition contains almost no description of the modern community of the Chinook from the point of view of demonstrating that the Chinook meet criterion B, other than

> patterns of geographic residence. The description of the modern community also must include a systematic discussion of how, and to what extent, the Chinook members maintain relationships and interact with each other, and in what social contexts (BAR, letter to the CIT, dated November 1, 1988).

Regarding evidence required for demonstrating that a community existed in the past, the obvious deficiencies letter stated:

> It is important to improve the description of the historical community to reflect the full criterion (see above), by supplementing the residence data and analysis presented with information indicating that a distinct community existed. It is especially important to improve the description of the post-1900 period (BAR, letter to the CIT, dated November 1, 1988).

The essential and important data requested by the Bureau of Indian Affairs in the obvious deficiencies letter was never provided by the petitioner. The following is a summary and evaluation of the evidence regarding the maintenance of social community. It is based on evidence presented by the petitioner as well as evidence found by Bureau of Indian Affairs researchers.

The members of the Chinook Indian Tribe (CIT; also known as "the petitioner") are mostly descendants of the Lower Band of Chinook Indians, who inhabited the southwestern portion of what is today Washington State (Pacific County). Petitioners are required to demonstrate that they have maintained a community from the time of first sustained contact with non-Indians to the present. In the present case, first sustained contact between the Lower Band of Chinook Indians and non-Indians begins in 1811, with the establishment of Fort Astoria by John Jacob Astor's fur-trading company on the southern shore of the Columbia River, at the site of the modern-day town of Astoria, Oregon. Thus, the petitioner must demonstrate that it has maintained its community from 1811 to the present.

There is very clear evidence from journals, diaries, maps, correspondence, and books written by non-Indian explorers, traders, and missionaries which confirms that the above-mentioned bands of Chinookan Indians were living in separate villages along the Columbia River from the time of first sustained contact to 1851. The following are just a few of the examples that have been provided by the petitioner or found by the BIA's researchers. In 1805, Lewis and Clark noted the presence of several Chinookan Indian villages along the Columbia River. In 1810, Gabriel Franchere concluded that the Indian villages along the Columbia River were politically autonomous. Fur trader Ross Cox also substantiated the presence of Chinook Indian villages. A map by William Slacum, dated 1836, marked the location of several Chinookan villages. On the north shore of the Columbia River, the five villages noted by Slacum were Chenamus' Village, Chinook Village, Gray's Village (modern site of Altoona, or Harrington Point), Pillar Rock Village

(modern site of Dahlia, or Elliott's Point), and Scummaque's Village (modern site of Brookfield). On the south shore of the Columbia River, there was a site labeled Oak Point Village, where some Kathlamet Indians lived. Closer to the mouth of the Columbia River, on the south shore, was the village of the Clatsop Indians. In 1841, Captain Wilkes estimated that there were 209 Chinook Indians. The villages at Pillar Rock and Oak Point, along with the villages further upriver, included approximately 300 Indians, according to Wilkes.

From 1811 to 1854, the Chinook Indian population was greatly reduced because of diseases brought into the area by non-Indian settlers. In 1805, Lewis and Clark estimated that there were 400 Indians in the Chinook Nation, by which they meant the Indians living on Baker's Bay and along the two tributaries that fed into it. In January 1851, George Gibbs took a census of Chinook Indians. He counted 135 Chinook Indians and 36 slaves for a total population of 171. These Indians were living in six villages: Wahkiakum (one headman), Pillar Rock (one headman), Tenas Ilahee Island (one headman), Oak Point (two headmen), Yellow Bluff (two headmen), and Chinook (six headmen). The village of Chinook (usually called "Chinookville") was the largest Chinook village at that time. In 1854, George Gibbs noted that Shoalwater Bay was both a permanent, year-round residence for some Chinook Indians, as well as a winter home for some of the Chinook Indians who lived along the Columbia River during the milder seasons.

In addition to the Chinook Indians who were still living in Indian villages, there were 11 Chinook Indian women who had married non-Indian pioneer men. Especially significant among these Indian women, for the purposes of the petitioner's history and present membership, were Marianne Chinook Aubichon, Emilie Chinook Ero-Durival, Marie Rondeau Ducheney, and Ketalutsin or Elizabeth Ann Scarborough. The first was living with her family in French Prairie, in Oregon's Willamet Valley, and the last three were living in Vancouver, Washington, during the 1840's. But they eventually returned to the Chinook aboriginal territory. By 1848, Mrs. Scarborough was living with her family on Scarborough Hill (near the modern town of Chinook) within the limits of the Chinook Indian's aboriginal territory. Between 1852 and 1860, Marie Rondeau Ducheney moved with her husband, Rocque Ducheney, and family to Chinookville, to run the Hudson's Bay Company Store there.

In August 1851, twenty headmen signed a treaty with the Federal Government for the Lower Chinook Band of Indians. According to the treaty, the Lower Chinook band's eastern territorial limit was a river at the west end of Gray's Bay. The western boundary was the Pacific Ocean. The Columbia River formed the southern boundary of the Lower Chinook Band. The northern boundary was imprecisely defined in the treaty as the southern boundary of the Wheelappa Band, who were the Lower Chinook Indians' neighbors to the north. The Wahkiakum Band of Chinook Indians' territory was to the east of the Lower Chinook Band. The treaty stated that the Kathlamet Indians' territory

was on the south shore of the Columbia River, in spite of the fact that many Kathlamet Indians had moved across the Columbia and joined the Wahkiakum Band before 1851.

Some of the headmen who signed the treaty in August 1851 were counted in the January 1851 census, but some were not. In January 1854, the population at Chinookville was 66 (32 men, 34 women), according to census taker George Dawson. Dawson stated that there were four men who claimed to be chiefs in 1854: Skemaque, at Wahkiakum village; Totillicum, at Woody Island; Elawah, at Chinookville; and Toke, at Shoalwater Bay. A note on the census added that the Indian population at Chinookville ordinarily tripled during the fishing season; that is, to approximately 200 Indian inhabitants. This pattern of seasonal migration could account for why some of the Lower Chinook headmen who signed the August 1851 treaty were not counted in the January 1851 census. During the winter months, many of the Chinook Indians left their Columbia River villages to exploit resources available further inland, especially on Shoalwater (Willapa) Bay. The estimation that there were approximately 200 Indians living in Lower Chinook Band territory was confirmed by the September 1854 census, taken by Indian Agent William H. Tappan, which noted there were 128 Indians in Chinookville and 71 Shoalwater Bay Indians. Tappan also counted 41 Kathlamet Indians as part of the 1854 census.

The January 1851 Indian census counted 72 Indians living in the Clatsop Indian village, near Astoria, Oregon. In addition to those living in the village, the census taker noted four Clatsop women who had married non-Indian pioneer men. Particularly important to the petitioner are Celiast Coboway Smith and Tonwah "Emeline" Pickernell. Mrs. Smith was living on Clatsop Plain and Mrs. Pickernell (who had both Lower Chinook and Clatsop ancestry) was living on Baker's Bay, on the Columbia River's north shore.

By the time of the 1851 treaty negotiations, some Chehalis Indians had moved into the Lower Chinook Band's territory. Some social scientists think this may have happened as a result of a vacuum that was created by the decimation of the Lower Chinook Band. The Chehalis intermarried with the Chinook Indians and lived among them. James Swan, who was resident at Bruceport (at the north end of Shoalwater Bay) from 1852 to 1854, stated that the Chinook and Chehalis were living together at Chinookville and that the Chinook had adopted the Chehalis language for ordinary conversation. Anthropologist Franz Boas confirmed the language shift from Lower Chinook to Chehalis 40 years later, when he visited the remnant of Chinook Indians at Bay Center in 1890, 1891, and 1894, to conduct linguistic research. The Federal census for 1910 also confirmed that most of the older Indian residents in Bay Center were speaking Chehalis rather than Chinook, even those known to have Chinook Indian ancestry.

There were a number of non-Indian settlers in the Lower Chinook Indians' territory by the 1850's. One such settler was Captain James Johnson, who had a 640-acre ranch on Bakers Bay. Captain Johnson married Coolowish, a Lower Chinook Indian woman, and had two sons, George and James Johnson. Both of their sons were baptized at

Vancouver, Washington, in 1845 and 1848, respectively. After Captain Johnson's death in 1857, his ranch was sold to the family of Isaac Whealdon. When the Whealdons moved onto the ranch in 1859, there were only two permanent structures on the property, those of the Johnson family and Ilwaco Jim; however, there were several other Indians who lived there frequently in temporary shelters: two Cultee families, Yammens, Tom Hawks, and Chief Toke.

The Indian population was significantly undercounted in the 1860 Federal census of Pacific and Wahkiakum Counties. Only those Indian women who had married non-Indian pioneers were included in it. It is, therefore, a very incomplete record of the Chinook Indians and their descendants who were living that year. There was no separate Indian census for that year. The next relatively complete listing of Chinookan Indians in Pacific and Wahkiakum Counties was in 1870. There is one separate listing of Indians for the Oysterville Post Office and another for the Cathlamet Post Office. The 1870 census itself does not provide specifics as to where the Indians were living within the domain of each Post Office. The Indians living within the Oysterville Post Office are known to have lived along the north shore of the Columbia River and at the north end of Shoalwater Bay from the 1850's to 1880. But, given that there were separate listings for the general population in 1870 for people living at Oysterville, Unity, and Chinookville, it seems that the separate listing of Indians at Oysterville Post Office in 1870 indicates that they were living somewhere at the north end of Shoalwater Bay at the time of the census.

It is impossible to match many of the names in the 1870 census to known Chinookan ancestors or their descendants. Among the 60 Indians living in the realm of Oysterville Post Office, however, were some who stand out as being important to the history of the petitioner. Indian families that lived at the north end of Shoalwater Bay and in Chinookville at various times from the 1850's to 1880 include: John Clipp, Charley Cultee and family, Matell (a Chehalis Indian who married a Lower Chinook woman) and family, Indian Charley and family, and Tom Hawks (a.k.a. Huckswelt) and family. The Cathlamet Post Office Indian census, which listed 47 Indians, included Sam Millet, and family and Scum [a.k.a. Scumaquea] and family. The descendants of all of these Indians' families continued to be associated with the Indian community at Bay Center from 1880 to at least 1910. Some of them have descendants who continue to live in Bay Center to the present.

Listed among the general non-Indian population of Oysterville in the 1870 census were several families that included Lower Chinook descendants. Some of the families which are important to the history and/or membership of the petitioner include those of: James Johnson, Jr. and his wife; Isabel Aubichon Bertrand; Julia Aubichon Luscier-Roberts-Price; Emilie "Mary" Chinook Ero-Durival; Henry Peers and Judith Ducheney Peers; and Emilie "Mary" Petit. Living at Unity Post Office (later known as "Ilwaco") were Catherine McCarty Brown, Harriet Pickernell Sweeney and family, Tonwah "Emeline" Pickernell, Julia Ann Pickernell Green-Russell, and John Pickernell and Margaret Ero Pickernell-Wilson, his wife, and their family. Living at Chinook Post Office was Mary

Rondeau Ducheney-Preble-Kelly and family, and Ellen Peers-Pellard. Living at Cathlamet were Julia Robinson Hallet and family, Melissa Robinson Birney and family, and Edward Scarborough.

There were some pioneer-Chinook families living permanently in Chinookville at the time of the 1880 Federal census. Before the 1900 census, and probably soon after the 1880 census was recorded, the village of Chinookville ceased to exist. Some of the descendants of the pioneer-Indian families that had lived in Chinookville in 1880 moved to other locations in Pacific and Wahkiakum Counties by 1900, as well as to other parts of Washington state. In Pacific County, for example, Ilwaco became a place where several descendants of the Petit and Pickernell families resided. One important destination for these families between 1880 and 1900 was the coast where Dahlia, Altoona, and Brookfield (in this summary, the three locations are collectively labeled "Dahlia") are located, along the north bank of the Columbia River in Wahkiakum County. Many of the descendants of the Ero and Ducheney families who are on the petitioner's membership list have ancestors who lived at Dahlia from 1900 until at least 1932.

Also in the 1880 census at Chinookville were some Indians who were assigned lots on Shoalwater Bay Indian Reservation in 1881. Some of these Indians were listed as living at Oysterville Post Office and Cathlamet Post Office in the 1870 Federal census. The list of Indians who were assigned 28 lots in 1881 at Shoalwater Reservation provides the first identification of individuals who had become known as "Shoalwater Bay Indians." It is clear from the information available that the individuals assigned these lots had ancestry from a number of southwest Washington Indian tribes, including Lower Chinook Band, Chehalis, Kathlamet, Wahkiakum, and Clatsop. They may have been living on Shoalwater Bay much earlier than 1881. There is a possibility that the Indian community existed at Bay Center, or was starting to form, as early as the 1854, since William H. Tappan referred to Shoalwater Bay Indians and Chinook Indians as separate groups in his census. In an 1866 letter (the year Shoalwater Reservation was established by executive order), W.H. Waterman (an Indian agent) explained to the Department of the Interior (DOI) Secretary that there were 30 to 40 families of Indians living on the beach on Willapa Bay. He noted that the Indians had always exploited the fish, clams, oysters, and sea animals in the bay, and that they refused to give up their old way of life and take up agriculture. The 1870 census, with its separate list of Indians living within the domain of Oysterville Post Office also provides evidence that the Indians who were assigned lots in 1881 may have been living at the north end of Shoalwater Bay before 1881.

There is evidence that some of the Chinook descendants may have been living in an exclusive (or nearly exclusive) settlement at Dahlia (sometimes labeled as the "Brookfield Precinct"). The 1900 census and tax records for Dahlia demonstrate there were approximately 81 families in the precinct, and only ten of them were Chinook descendants. Within one cluster of nine households at Brookfield, five were Lower Band Chinook descendants, mostly nuclear families descending from Agnes Ducheney Elliott, and Henry Peers and Judith Ducheney. There were also some Ero descendants living at

Dahlia in 1900, but they were listed on the separate Indian census, and it is impossible to determine, from the census data alone, where they lived in relation to the cluster of five Chinook households. The cluster of five households at Dahlia is not sufficient to demonstrate that the petitioner's ancestors were living in a geographical community. It is possible that the petitioner could provide supplemental evidence regarding where the Ero/Durival, Ducheney, and Peers descendants in the historical record were living in relation to the five household cluster. Even more importantly, sufficient evidence regarding a social community that incorporated Chinookan residents of Dahlia and Bay Center and Ilwaco is lacking.

The school records from 1918 to 1932, suggest that the vast majority of the children living along the coast of the Columbia River at Dahlia during those years were Chinook descendants. There are several alternative explanations for this apparent contradiction with the data for 1900, where the area was not exclusively inhabited by Chinook descendants. First, it is possible that many non-Indians lived in the area in 1900, but moved away before the school records begin in 1918. It is also possible that the non-Indian population was still present after 1918, but did not have many school age children. More information is needed before this could be considered an exclusive (or nearly exclusive) settlement of Chinook descendants from 1918 to 1932. However, even if the petitioner were to show an exclusive settlement there, it would still be insufficient for the petitioner to meet criterion (b) because the adult population of Chinook descendants living at Dahlia from 1906 to 1910 represents only about 6 percent of the total number of Chinookan adults alive in 1906. This is not a substantial portion of the Chinookan descendants at that time. Again the petitioner needs to demonstrate that a substantial portion of its members were a social community.

The maintenance of separate cemeteries by petitioners can be used as evidence demonstrating the continuing existence of social community. The Chinook families that lived in Dahlia maintained separate family burial grounds through the 1930's. There was one maintained by the Peers/Alden/Jones family and one by the Elliott family. Separate family burial grounds is not the same as maintaining a burial ground for the group as a whole, and is not evidence that the petitioner meets the criterion.

There was another concentration of Chinook descendants living in Ilwaco by 1906. In contrast to the residents of Dahlia, there is no evidence that the Chinook descendants living in Ilwaco formed a distinct geographical or social community. For example, there is no evidence that they formed a separate enclave from the non-Indian population of Ilwaco. Also, there is no evidence that they continued to be a part of any larger Indian community, and there is no evidence that they tended to interact with other Indian descendants on a regular and frequent basis, at any point in time.

The BAR's analysis of the McChesney rolls (1906, 1913, and 1914) showed that there were 418 Chinookan adults alive in 1906 ("Chinookan" includes descendants of the Lower Band of Chinook Indians, as well as the Wahkiakum, Kathlamet, and Clatsop

bands). In analyzing their residential patterns for 1906 and/or 1910 (based on the 1906 McChesney Roll, supplemented by the 1910 Federal census), 62 of them lived in Bay Center (15%) and 24 lived in Dahlia (6%). In addition to that, there were another 60 adults living in other Washington State towns, including Ilwaco. It was also determined that altogether, 139 of the 418 (33%) Chinookan adults living in 1906 either lived in Bay Center or Dahlia in 1906 and/or 1910, or had primary kinship ties to someone who did. Of the 418 adult Chinook descendants in 1906, there were 196 who either lived in another state or their residence is unknown for 1906 to 1910. Since most of the 418 people had moved away from the aboriginal area by 1906, residential patterns were also examined for adults alive in 1906 who had at least one descendant on the 1995 CIT membership list. Only 94 of the 418 adults alive in 1906 fit this criterion. Of the 94 adult ancestors who were alive 1906 and have descendants on the current CIT member list, 24 lived in Bay Center (26%) and 16 lived at Dahlia (18%) in 1906 and/or 1910.

There is some evidence that the Indians at Bay Center maintained a separate geographical community until about 1920. According to a map provided by Anna Mae Rhoades Strong (a CIT member and resident of Bay Center), based on information provided by her mother Annie Clark Rhoades, about 11 of the Indian families at Bay Center lived in a segregated district known as Goose Point, on the marshy peninsula tip, apart from Bay Center proper. About 13 Indian families lived in the town of Bay Center proper, in a cluster near Johnson's Beach. The town of Bay Center proper also had some non-Indian residents, though their residences were not indicated on the annotated map. The map is intended to represent Bay Center about the year 1915. The Federal censuses for 1900 and 1910, and the 1906 McChesney roll provide confirmation that the families noted on the map actually resided there. According to evidence in the 1920 census, there were fewer Chinookan Indian families living in Bay Center than in 1900 and 1910. Current evidence suggests that the separate Indian settlement at Goose Point ceased to exist about 1920.

The Indians living in Bay Center continued to maintain several elements of their culture until about 1920. For example, one of anthropologist Verne Ray's informants stated that the Indians at Bay Center held their last potlatch about 1890 (evidence which supports both the maintenance of social community and political leadership). Most of the Chinookan Indian descendants at Bay Center continued to marry other Indians in accordance with their cultural pattern. According to the 1910 census, many of the older people in the Bay Center community still spoke Chehalis. The continuing use of an Indian language until 1910 supports the continuing existence of a separate social community by the Chinookan Indians living at Bay Center. The Indians at Bay Center maintained an Indian Shaker Church from the 1880's until about 1920. There is no evidence that indicates precisely when the Shaker Church ceased to exist. In photographs from about 1900 to 1913, the Indians at Bay Center are seen wearing some items of traditional clothing, and carrying on activities such as basket making.

There is additional data on residence and primary kinship relationships that indicates that, even though they were separated by water, the Indians living at Shoalwater Reservation

and those at Bay Center functioned as a single community until 1920. In 1910, the Indian agent noted in a letter that there were about 150 "Georgetown Indians" [that is, "Shoalwater Bay Indians;" Georgetown was another name for the settlement at Shoalwater Bay Indian Reservation], and that most of them did not live on Shoalwater Reservation, but in Bay Center. In 1910, there were four families that lived on the reservation year round, and a few more families that lived there seasonally, according to the Indian agent. Census data indicate that many of the people living at Georgetown in one census are found living at Bay Center in the next, and vice versa, between 1888 and 1920. An analysis of primary kinship relations between Indians in Bay Center and on Shoalwater Bay Indian Reservation through 1920 also demonstrates that this was a single social community as late as 1920. There were no non-Indians living on Shoalwater Reservation between 1888 (the year of the first census taken at Georgetown) and 1920 (the last available manuscript census).

Petitioners are not required to have maintained their traditional culture (like their language, religion, etc.) in order to establish that they have continued to exist as a social community. However, evidence that a petitioner's members have maintained distinct cultural patterns, in this case traditional culture, is considered to be evidence which itself supports the conclusion that of continuing existence of a distinct social community. In this case, however, the maintenance of traditional culture only applies to no more than 15% of the total number of Chinook adults alive in 1906, since that is the portion of Chinookan adults living in Bay Center at that time (25%, if only those with descendants on the 1995 CIT membership list are considered). In contrast to the Indian residents of Bay Center, there is no evidence that the Indian descendants living in Dahlia, or in any other towns in Washington State, maintained any elements of their Indian culture.

The possible existence of two separate distinct settlements of Chinookan descendants (Bay Center and Dahlia) from about 1900 to 1920 presents a problem for the petitioner with regard to the maintenance of social community. This is not because of the existence of two settlements per se, but because there is insufficient evidence available at this time that the Chinookan descendants in those two settlements constituted a single social community. With regard to the issue of social community, the petitioner's ancestors must be evaluated as a whole. Given that the ancestors of the petitioner's members are from both Bay Center and Dahlia, it must be demonstrated that they existed continuously as a single social community from the time of first sustained contact with non-Indians to the present.

The available evidence indicates that there was significant social interaction among the Indian residents of Bay Center from at least 1880 until about 1920. There is insufficient evidence that, as a whole, the Chinook descendants represented in the CIT membership remained part of a distinct community since 1880. This contrasts with the Indians who are currently members of the Shoalwater Bay Indian Tribe. There is insufficient evidence to demonstrate that there was ever a separate geographical community at Dahlia. The existence of primary kinship relations between the residents of Dahlia from 1900 to 1910,

and school records from 1918 to 1932 provide some evidence that a few families of Chinook descendants may have lived in a separate social community there during those years. Again, this is not sufficient to meet the regulations, because the residents of Dahlia during those years do not, by themselves, constitute a substantial portion of the adult Chinook descendants at that time. More evidence needs to be presented and more analysis done before this can be established with certainty.

There is very little evidence that the residents of the two locations (Bay Center and Dahlia) knew each other and interacted with each other on a regular enough basis for the residents to be considered a single social community. There is some limited evidence that the Chinook Indians in Bay Center and Dahlia knew each other. First, there were some ties of primary kinship between the two settlements from 1900 to 1920. For example, Margaret Ero Pickernell-Johnson lived in both Dahlia and Bay Center. She had children who grew up and raised families in Bay Center, while her father and half-siblings continued to live in Dahlia. There were primary kinship ties between Adeline Pellard (a native of Dahlia who married Dixie James, a Bay Center Indian) and her siblings and half-siblings, who continued to live in Dahlia. Second, there was one case of intermarriage between the two communities: Joseph Elliott of Dahlia married Josephine Johnson Elliott (daughter of Adeline Pellard) of Bay Center about 1907. They were living together in Dahlia with their first two daughters at the time of the 1910 Federal census. Third, there is a newspaper notice regarding the death of Dixie James (a Bay Center Indian; died in 1909), which states that he continued to fish with his "relatives" at Altoona until the time of his death. Thus, there is limited evidence that demonstrates that from about 1880 to about 1920, the Chinookan residents of Bay Center and Dahlia knew each other. Nevertheless, there is very little evidence that residents of the two settlements, interacted on a regular basis, which would demonstrate that the petitioner meets 83.7(b) at this point in time. Rather, they seem to have cooperated only occasionally for land claims (in 1899, 1925, 1931, 1951, and so on) and perhaps on fishing rights (as early as the 1920's).

There is evidence that the Bureau of Indian Affairs tended to treat the two Chinookan Indian settlements differently from 1866 to at least 1920. When the Shoalwater Bay Indian Reservation was established by Presidential Order in 1866, there is no specific information on individuals who were to be allotted there. Judging by the 1881 list of lot assignments, it was apparently intended primarily for those Indians who were thought of as "Shoalwater Bay Indians;" that is, the full-blood Indians living in towns at the north end of Shoalwater Bay (primarily in Bay Center), and not those Lower Chinook descendants of pioneer-Indian marriages who were living in towns and settlements along the Columbia River such as Dahlia and Ilwaco. Some of the Indians who were residents in the Oysterville and Cathlamet Post Office Indian communities in 1870 were assigned lots on Shoalwater Reservation in 1881, while the 1870 Indian descendants living in Unity, Oysterville, and Chinookville were not.

The allotments of Chinookan Indians on Quinault Reservation followed the same pattern. When the first allotments were certified on Quinault Reservation in 1907, 19 of the 119 allotments (16%) were for people of Chinook ancestry, all of them from Bay Center (including some of the same Indians who had been assigned lots on Shoalwater Reservation). In 1908, 91 of 349 allotments at Quinault Reservation (26%) went to Indians with Chinookan ancestry. Again, all of them were from the Bay Center community. Finally, in 1910, 106 of 222 of the allotments (48%) went to Chinookan Indians. Almost all of these people were also related to the Bay Center community. Of the first 690 allotments on Quinault Reservation, 216 (or 31%) had known Chinookan ancestry. The vast majority of the allotments certified to Chinookan descendants through 1910 went to those residing in Bay Center. By contrast, some of the Chinook descendants in the Dahlia community (especially the descendants of Agnes Ducheney Elliott) received allotments on Quinault Reservation, but only after a long series of court battles in the 1920's.

The petitioner did not submit, and the BIA's researchers did not locate, sufficient data on the petitioner's ancestors, or their descendants, to demonstrate that the petitioner's members maintained a single social community at any time from 1880 to the present, and there is no evidence that the Chinook descendants living in the Indian community at Bay Center ever evolved into a single community with the Chinook descendants in Dahlia or Ilwaco.

In 1951, John "Grant" Elliott, a Chinook Indian descendant, filed a land claim with the Indian Claims Commission, and formed an organization called the General Council of the Chinook Tribe of Indians. His organization, which he sometimes referred to as the "Chinook Nation," collected genealogical charts and membership applications from some Chinookan Indians in order to compile a Chinook Indians membership list. The membership list would be used as a base list for paying out any monetary award stemming from the land claim.

Before the membership list was submitted, a leadership dispute arose among the Chinook council's leaders which led to a split into two organizations in May 1953. Mr. Elliott continued to lead one of the organizations, which from that time forward was usually referred to as the Chinook Nation. The other organization, led by former officers and participants in Mr. Elliott's group, incorporated as Chinook Tribes, Inc. (CT). Mrs. Woodcock, who left Mr. Elliott's organization to become Secretary-Treasurer of CT, took the membership records with her to the new organization. One month after the split occurred, Mrs. Woodcock resigned as secretary. Catherine Herrold Troeh, Mrs. Woodcock's successor, submitted a list of membership applicants to the Western Washington Agency on July 12, 1953. This list was obviously based on the information that was first gathered by Mr. Elliott's organization, and it provides the first complete picture of who was participating (at least nominally) in the Chinook organization(s).

The petitioner chose to make its case for the existence of a continuing Chinook Indian social community on the basis of residential patterns. They pointed out that 73.7% of the CT membership in 1953 continued to live in the Chinook aboriginal area (Pacific and Wahkiakum Counties in Washington, and in towns along the Columbia River's north shore in Oregon), implying that this was sufficient to meet the requirements of criterion 83.7(b). Even if this percentage were accurate, it would not be sufficient to meet criterion (b). The petitioner would also need to provide evidence that the residents stretched over such a vast area as southwest Washington and northwest Oregon were actually interacting with each other. There is no evidence that this was the case in 1953. The BIA's researchers conducted an analysis of the 1953 membership applicants list which showed that there were 555 adults on the list and 421 minors, for a total of 976 individuals. Considering the residence of the adults only, the evidence demonstrated that: 109 (20%) lived in Pacific County; 64 (11%) lived in Wahkiakum County. Only 91 adult members (16%) of the CT lived outside of Washington and Oregon in 1953. This geographical evidence alone is not sufficient by itself to meet the requirements of the criterion, as set forth below.

As noted above, the regulations governing Federal acknowledgment do not require that a substantial portion of the petitioner's members live in a separate, distinct Indian settlement or geographical community. The regulations do require that the petitioner constitute a socially distinct community within which significant interaction is maintained. If a substantial portion of the group does live in a relatively isolated, distinct geographical community, such as an Indian village, this is considered sufficient evidence for the continuing existence of a social community during that time period. The evidence which the petitioner presented is not sufficient to demonstrate that it meets the requirements of the regulations for several reasons.

The regulations state that evidence needs to be presented which demonstrates that "a substantial portion of petitioning group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations in the area . . . ." (25 CFR 83(b)). Evidence that a majority of the petitioner's membership lives in a two- or three-county area which has a higher percentage of non-Indians than Indians, and in which the Indian descendants are widely dispersed among the non-Indian population, does not fulfill the requirements of the criterion.

Second, when Bay Center and Dahlia are considered in 1953, it is shown that a much smaller percentage of the Chinookan descendants on the 1953 list were living in one of those locations than there were in 1900 or 1910. For example, Bay Center, which was demonstrated to exist as a separate Indian community until about 1920, had 56 (only 10%) of the adult Chinook Indians in 1953. Also, there is currently no evidence that the separate geographical community at Bay Center continued to exist in 1953. While there is some evidence that a separate social community may have existed at Dahlia until about 1932, they constituted a decreasing percentage of the total Chinook descendants over time. By 1953, only 23 of the Chinook adults on the CT list (4%) lived at Dahlia. Also,

there is no evidence that the Chinook descendants at Dahlia were a distinct community in 1953. Neither Bay Center nor Dahlia contained a substantial portion of the CT's membership applicants in 1953. Because of the geographical dispersal of the Chinookan descendants on the 1953 membership applicants list, it is not possible to assume, based upon the residential evidence alone, that the petitioner's members were a continuing social community in 1953. The petitioner needs to submit supplemental evidence demonstrating actual social interaction among a substantial percentage of the membership.

Third, there is an additional problem concerning continuity between the 1953 Chinook organization(s) and the petitioner, which formed its organization in 1970. The first membership list which was submitted by the petitioner in 1981 represented only a very small subset of the Chinook Indians on the 1953 membership applicants list and their descendants. This means that the 1953 membership applicants list does not help the petitioner demonstrate that it meets criterion (b) for two reasons. First, because the geographical evidence contained in the 1953 membership applicants list is not sufficient, in and of itself, to demonstrate that the people on the list were a community within the meaning of the regulations. Second, it does not demonstrate a continuously existing community because it is not clear that Chinook Tribes, Inc., which submitted the 1953 applicants list to the BIA is really a precursor group of the petitioner, which organized in 1970.

It is also possible to provide evidence that a social community exists even when there is no distinct geographical community. This can be done by providing a combination of evidence demonstrating that: the petitioner's members associate with each other on a regular basis; that the social interaction is across family lines; that the members interact with each other more commonly than they do with outsiders; that the social interaction is significant and involves most of the membership. For example, the petitioner might provide evidence of actual social interaction by demonstrating that it held annual meetings that were attended by most of the adults in the group, that the adults descended from a variety of families, and that they interacted on matters of significance to the group as a whole. The petitioner could also provide evidence that its members gather together for each others' funerals, weddings, anniversaries, or that they work together or pool other economic resources. Without this kind of supplementary evidence, the geographical evidence provided by the petitioner is not sufficient by itself to meet the requirements of criterion 83.7(b).

The petitioner did not provide acceptable evidence of actual social interaction among the petitioner's ancestors or members from 1880 to the present, and very little has been found by the BIA's researchers. What has been found is sketchy and incomplete. There is some evidence that the annual meeting held by Grant Elliott in June 1953 was attended by approximately one-third of the adult members, since there were 173 votes cast (of approximately 555 adult members/eligible voters) for the offices of President and Vice-President. However, there is no evidence indicating who the voters were or what families

they might represent. There is also no evidence that this level of participation persisted over time.

When the petitioner's organization, the Chinook Indian Tribe (CIT), was started in 1970, there were very few participants. The first membership list was submitted in 1981. While it is known that a few people who were participating in CIT council meetings and activities were not included on the 1981 list, the list probably provides an accurate picture of the main families and individuals who chose to associate with the group in 1981. According to that list, there were 323 members in 1981. Most of them were descendants of three Chinookan ancestors: Askalwilsh (40%; some of these were also descended from Tonwah "Emeline" Pickernell), Tom Hawks (16%), and Sam Millet (11%).

In 1987 and 1995, updated membership lists were submitted by the petitioner. These two lists are broader than the 1981 list in terms of the number of ancestral families that are included. The 1987 and 1995 lists also have more Chinook Indian descendants from Wahkiakum County than the 1981 list. This was a result of BAR's obvious deficiencies review which indicated some potential problems with the membership list that was submitted with the 1981 petition. As a result of that review, the CIT began a membership recruitment campaign which brought in more Chinook descendants from outside Pacific County.

The 1995 list included the names and places of residence for about 1,040 adult members. Of these 1,040 adults, 16% (169) lived in Pacific County and 6% (62) in Wahkiakum County. The former Indian communities of Bay Center and Dahlia were the residence of 3.2% (33) and 1.6% (17) of the CIT's adult members, respectively. These percentages are lower than the percentages of CT applicants living in those towns in 1953 (10% [56] living in Bay Center, and 4% [23] living in Dahlia).

There is some evidence that members of CIT are trying to improve communication between group members and the council officers. For example, the council started publishing a newsletter, Chinook Tillicums, in 1994 which is sent to each household. A similar newsletter was mailed to members from 1978 to 1986. The newsletter shares information about Chinook descendants and the activities of the CIT council. The annual meetings (held each June) have drawn over 100 voting adults since 1994. In 1996, 159 ballots were cast during a recall vote on the CIT chairman. The potlatch that was held on short notice during the field visit of the BAR anthropologist in 1995 was attended by 200 to 250 individuals, most of them were members of the petitioning group. There is evidence that most of the Chinook descendants in Bay Center do not continue to visit with each other on a frequent or regular basis across family lines. One exception to this is the socializing between the Frank and Lorton families. The children of these families of Chinookan descendants grew up together in Bay Center, and they continue to gather for an annual picnic and softball game every summer. There is no evidence of visiting between Chinook descendants from different families that still live in Dahlia.

There is some evidence that some of the families of Chinook descendants that still live in Wahkiakum County know each other. When asked about conflict within the group, several people mentioned the animosity between the Stephan and Tarabochia families. The Stephans and Tarabochias are all descendants of Emilie Chinook Ero-Durival. Conflict that involved more people, across family lines could be positive evidence that the CIT had maintained a social community.

There is some evidence of visiting with members of other tribes. The CIT chairman, for instance, mentioned that he used to visit acquaintances at Taholah (the main town on Quinault Reservation), including Nina Charley Bumgartner, Irene Charley Shale, and Mike Mail. Mr. Tarabochia used to live at Taholah with his mother for a short time during the 1970's. He attended meetings of the Shaker Church while he lived there. Anna Mae Strong (Chinook elder) also stated that she had visited with other Chinook Indians living on Quinault Reservation. Jean Shaffer (Chinook council member), reported visiting with some of her Chinook relatives who live on Quinault Reservation as a child with her mother. Ms. Shaffer also said that she currently visits other tribes in western Washington to participate in competitive gambling matches called slahal, which is also known as the 'bone game.' There is no evidence that these activities represent a wide-spread pattern among the CIT membership as a whole, therefore this is not supporting evidence which demonstrates that the petitioner meets criterion 83.7(b).

Based on the foregoing analysis, it is concluded that the petitioner meets criterion 83.7(b) from 1811 to 1854, based on the continuing existence of distinct Chinook Indian villages.

Based on a combination of evidence, including geographical residence and the maintenance of distinct cultural patterns, it is concluded that, from 1854 to about 1920, there is evidence that a social community of Chinookan Indians, mostly Lower Band Chinook who had intermarried with some Chehalis Indians, continued to exist at the north end of Shoalwater Bay, particularly among those living in Bay Center and on Shoalwater Bay Indian Reservation. In 1880, the census data demonstrates that many Chinookan descendants, including those who were permanent residents in Bay Center, were fishing side by side in Chinookville, a village which was almost exclusively inhabited by Chinookan Indians. The year 1880 is the last year for which there is any evidence which demonstrates that the petitioner, as a whole, meets the requirements of criterion 83.7(b).

By 1881, the BIA treated the Indians on Shoalwater Bay differently from the Indians living along the Columbia River. For example, the Shoalwater Bay Indians received assignments of land on the Shoalwater Bay Indian Reservation, and later received allotments on Quinault Reservation (from 1908 to 1916). The Chinook descendants living along the Columbia River only received allotments on Quinault after the 1920's. By 1890, most of the Shoalwater Bay Indians were living at Bay Center, rather than on the Shoalwater Bay Indian Reservation. According to the 1900 Federal census, some of the Shoalwater Bay Indians were still fishing seasonally on the Columbia River, in the

town of Ilwaco. By 1910, these Indians constituted such a small proportion of the overall number of Chinookan descendants that they did not represent a substantial portion of the Chinook Indians, as required by the regulations. There is very little evidence that supports continuous significant social interaction between the Indians living in Bay Center and the Chinook descendants concentrated in Dahlia or Ilwaco in 1910. The evidence which is available from 1880 to the present is not sufficient to show that the petitioner, as a whole, meets criterion 83.7(b).

83.7(c) A statement of facts which establishes that the petitioner has maintained tribal political influence or other authority over its members as an autonomous entity throughout history until the present.

Under criterion 83.7(c), a petitioner is required to provide evidence that its group has continuously maintained political influence or other authority over its members. This can be done in several different ways. When a petitioning group provides evidence that its members live in a distinct geographical settlement, like an Indian village, with named individuals who provide leadership on a variety of political issues, this is sufficient to meet the requirements of criterion 83.7(c).

When a petitioner cannot provide evidence that its members were living in such conditions, it is still possible for the petitioner to provide a combination of evidence that demonstrates that it meets criterion 83.7(c). This can be done by demonstrating that there were individuals, a council, or some other entity that provided leadership for the group as a whole on a variety of political issues that were important to its members. It is important for a petitioner to provide evidence that there was bilateral communication between its members and its leaders. Such evidence might demonstrate the power of leaders to compel members to act in a particular fashion, or the ability of members to communicate their opinions to the leaders of the group. Supporting evidence for the maintenance of political leadership may be found in the activities of political factions and the conflicts that usually result from them, or in the distribution of economic resources such as land, labor, or wealth within the group.

The BIA advised the Chinook Indian Tribe petitioner, in a 1988 letter, that its review of "obvious deficiencies" in the group's 1987 petition had identified several potential problems in the petition's treatment of criterion 83.7(c):

> The present petition section dealing with criterion c, although revised, does not provide an adequate description of the historical political processes since the turn of the century or the political processes of the modern community. It is essential that, as part of the description of the modern community, materials be presented to show that the Chinook meet criterion c in the modern era. It is

> critical that additional evidence be provided for tribal political authority during the historical period after 1900 (BIA letter to the CIT, dated November 1, 1988; emphasis in the original).

This general description of the deficiencies in the petition was followed by very specific suggestions about the kind of additional evidence required for the petitioner to meet this criterion. Very little additional information regarding political authority was supplied by the petitioner in response to this review of the 1987 petition, or found by the BIA's researchers. The following is a summary and evaluation of the evidence that is currently available.

During the first half of the 19th century, the Lower Band of Chinook Indians lived in villages along the north shore of the Columbia River and its tributaries, and on nearby Shoalwater or Willapa Bay and the rivers that empty into it, in what is now Pacific County in southwest Washington State. Most of the petitioner's members descend from the Lower Band of Chinook. Some of them also descend from the Wahkiakum and Kathlamet Bands, which lived together in modern day Wahkiakum County, Washington, and the Clatsop Band, which lived near the mouth of the Columbia River in what is now Oregon. The villages of these Chinookan Indians were described by non-Indian explorers, traders, and missionaries. For example, an 1836 map by William Slacum noted five villages on the north shore of the Columbia River and two on the south shore. In 1851, a census of Chinookan Indians identified six villages in which they lived. In 1854, however, Indian Agent William Tappan, Government surveyor and amateur ethnologist George Gibbs, and local resident George Dawson identified only one large settlement of Chinook, 66 individuals, at "Chinook Beach" on the Columbia. Tappan also referred to a village on Shoalwater Bay consisting of Chinook mixed with Chehalis, but Gibbs concluded that most of the other settlements of Chinook consisted of single families.

Anthropologist Verne Ray concluded, in 1938, that these villages had been politically autonomous, and that the village had been the largest political unit among the aboriginal Chinook. He reached this conclusion from interviews with his two informants, and from the observations of some early-19th century visitors to Chinook territory like Gabriel Franchere. A trader who had been at the fur traders' post at Astoria in the 1810's, Franchere concluded that the villages along the Columbia formed "little sovereignties" which were independent of each other. He claimed that each village had a chief, but that the chief did "not appear to exercise great authority over his fellow citizens." Franchere portrayed a native society in which the political structure had been "reduced to its simplest form." Fur trader Ross Cox agreed that "Each village is governed by its own chief." This view of village autonomy also was presented by Chinookan descendants in 1902 testimony for the Court of Claims, which was not known to Ray. The two most knowledgeable witnesses identified an extensive list of "chiefs," and the villages or territory under their influence, at the time of the 1851 treaty negotiations

Other individuals among the earliest explorers and traders to visit the Chinook in the first half of the 19th century, however, ascribed to them a system of political authority under the leadership of a principal chief. In 1795, the captain of a British trading ship described Taucum as "the Chief of the Chinook Tribe." Lewis and Clark described the Chinook as having several chiefs or headmen, but also referred to a "principal Chief of the Chinooks." The memoirs of fur traders who came to the Columbia River after the establishment of the post at Astoria in 1811 referred to Comcomly as the chief of the Chinook villages across the river from the fort. Such accounts tended to emphasize, and probably to exaggerate, Comcomly's preeminence and power. One of these traders described Comcomly in the 1810's as the "king of the Chinook nation" and the "most powerful chief" on the lower Columbia River. In the 1830's, after Comcomly's death, visitors to the lower Columbia referred to Chenamus as the "chief" or "principal chief" of the Chinook. During the years from 1792 to 1851, many outsiders expected the Chinook to be governed by a single leader, and identified a series of such principal chiefs.

The United States Government, through its treaty negotiations, also ascribed to the Chinook a system of political leadership, authority, and sovereignty at the middle of the 19th century. In 1851 negotiations, Superintendent Anson Dart sought to convince ten Indian bands (including four bands of Chinookan speakers) to negotiate together and agree to a single treaty. The Indians resisted this approach and informed the Government's negotiators that they would make treaties as separate entities. The Government accepted this position and signed separate treaties with five bands which it explicitly labeled "Chinook." Later, the Interior Department also referred to the Wheelappa as a band of the Chinook. The Government referred to the largest of these treaty bands as the Lower Band of Chinook Indians. By negotiating treaties with these entities, the United States recognized them as having sovereign political powers. For the Indians, these treaties were not signed by a single chief or leader, but by a series of headmen or individuals from each band. Three years later, as part of a Government survey of tribes, George Gibbs reported that four individuals claimed to be chiefs: Skemaqueup at Wahkiakum, Totilicum at Woody Island, Elawah (Ilwaco) at Chinook, and Toke at Shoalwater Bay.

Because the 1851 treaties were not ratified by the United States Senate, the Federal Government again engaged in treaty negotiations with representatives of the "Lower Chinook" in 1855. Agent Tappan had reported in 1854 that the Chinook had "no head or recognized chief." In the 1855 negotiations, two headmen, Nahkotti [Nahcotta] and Moosmoos [Ahmoosemoose], spoke on behalf of the Lower Chinook, but, in contrast to other tribes, were not designated as "chiefs" in the minutes of the treaty proceedings. These Chinook representatives were unwilling to agree to territorial Governor Isaac I. Stevens' proposal that the Chinook move to a reservation on the Pacific coast north of Gray's Harbor. The Commissioner of Indian Affairs had explained his instructions to Stevens as requiring reservations which were not adjacent to white settlement, and the Senate had demonstrated its unwillingness to ratify treaties which left the Chinook in place. Although these negotiations did not result in a signed treaty, Federal negotiators

once again had accepted that a sovereign Chinook political entity existed with which it could negotiate a treaty.

The evidence that the petitioner's Lower Band of Chinook ancestors continued to live in exclusive Indian villages until at least 1854, and had headmen who negotiated treaties with the Government in 1851 and 1855, is sufficient to demonstrate that the petitioner meets the requirements of criterion 83.7(c) until 1855.

The four decades following these unsuccessful treaty negotiations are almost barren of evidence of Chinook tribal political activity or leadership. As early as 1870, the local superintendent of Indian Affairs claimed that the Chinook had no chief. An Indian community at Chinookville appears not to have lasted beyond the 1880's. During the last half of the 19th-century, a number of Chinook descendants settled in three places – Ilwaco, Dahlia, and Bay Center. Other descendants moved to other locations in Washington and Oregon. Since the petitioner claims to represent all descendants, and not a single community or settlement of them, it needs to demonstrate that at this time a Chinook leadership maintained influence over descendants in these several settlements. The available evidence, however, does not demonstrate that there were leaders who exercised political authority over the group as a whole in the late-19th century, or from 1855 to the present. Nor does any available evidence demonstrate that one community of descendants has functioned as a core community to which the other communities, and most of the descendants, looked for leadership.

What evidence there is of political influence among Chinookan Indians during the late-19th century relates to the Shoalwater Bay Reservation (a.k.a., Georgetown). In 1876, an Indian agent visited the location of the reservation created on Shoalwater Bay a decade earlier by executive order. While there, he appointed a chief and council. This chief was presumably "Lighthouse" Charley Matote. The agent believed that 60 Indians living on the bay belonged to this reserve. His description of the Indians of the reservation did not include Chinook living along the Columbia, and other agents during the late-19th century referred to these Indians as the "Shoalwaters" and not as Chinook. The year after appointing a chief, this agent reported that the Indians of the reservation had had it surveyed into lots which were then assigned to about 30 individuals. This was clear evidence of group action and decision-making, but the available record contains no other examples of similar activity by the group during the late-19th century. There is no evidence that, before his death in 1889, Chief Matote provided leadership for, or exercised influence over, the petitioner's ancestors as a whole.

The available evidence from the late-19th century does not include any examples of political activity or leadership by Chinook descendants living along the Columbia River at Ilwaco or Dahlia, either on behalf of themselves or in cooperation with Chinook descendants on Shoalwater Bay. The petitioner has not provided any evidence that there were leaders for the Chinook descendants at Dahlia and Altoona between 1880, after some of the Indian community at Chinookville moved to Dahlia, and 1929. Very little

information regarding the maintenance of social community or exercise of political authority has been provided or found for the Chinook Indians living around Dahlia during these years. For example, there is no precise evidence regarding when or how the Chinook Indians moved to this area. That the settlement around Dahlia and Altoona came into being sometime between 1880 and 1900 is known only through inference from census and tax records. It might be possible for the petitioner to show through land records, church records, or records of wills that some of the people living in Chinookville made a group decision to move to Dahlia together.

In 1899, after the descendants of a band of Tillamook Indians of Oregon had been authorized by Congress to receive a payment for their claims based on an unratified treaty made in 1851, 37 individual Chinook descendants signed an agreement with attorneys who agreed to act for them to prosecute their claims against the Government for the unpaid amounts mentioned in the unratified treaty of 1851 with the Lower Band of Chinook. Although this revealed that some descendants in different geographical areas remained in contact with each other, the available evidence does not reveal that a group decision-making process was utilized to decide to bring this suit. The contract itself stated that the Lower Band no longer had chiefs or headmen. The United States argued before the United States Court of Claims that the Chinook no longer maintained "tribal relations." The Senate sponsor of legislation to pay compensation to Chinook descendants also claimed in 1905 that those descendants had "no tribal relations." The Court of Claims concluded, in 1906, that this band had "long ceased to exist." Individual descendants also brought a series of suits to win individual allotments of land on the Quinault reservation. Although a Federal District Court ruled in 1928 that Chinook descendants were entitled to such allotments, it also concluded that the Chinook had lost their tribal organization.

The petition has claimed vaguely that leadership among the Chinook Indians was provided by heads of families. There are few, if any, specific examples of this kind of leadership. According to the petitioner, Mary Rondeau Ducheney-Preble-Kelly was a leader for its ancestors because she signed the 1899 attorney contract that initiated the first Chinook claims case. Because Mary Rondeau was the first person to sign the contract, and because she was the oldest living descendant of Chief Comcomly I, she may have been considered important among the Chinook descendants who were living in 1899, but there is no evidence regarding the political process, if any, that called them together to take the action. Also, there are no other examples of leadership for the Chinook Indians as a whole by Mary Rondeau. She did provide information on herself and her descendants that helped get them temporarily adopted by the Quinault Indians in 1912. But this was an activity she performed on behalf of her own family, not for Chinook descendants as a whole. Evidence that an individual provided leadership for her own family is not sufficient to demonstrate that she was a leader for the petitioner's ancestors as a whole.

The petitioner claims that George Allen Charley was a leader for all of the Chinook Indians from 1889 until his death in 1935. In 1889, he was named by the local Indian agent to follow his father as the chief of the "Shoalwater Bay Indians," who at that time were primarily living in Bay Center, though some lived on Shoalwater Bay Indian Reservation. George Charley was a Chehalis Indian who married Caroline Matell, a Chinook / Chehalis Indian woman. Charley provided some leadership to the Indians on Shoalwater Bay by advocating for fishing rights on Peacock Spit in the Columbia River during the 1920's. There are no other specific examples of his leadership. There is no evidence that he provided leadership for the concentrations of Chinook descendants living in Dahlia or Ilwaco. It is possible that some of Charley's descendants who are members of the Shoalwater Bay Indian Tribe might be able to provide more evidence concerning his role as a leader, both for the Indians at Bay Center and for Chinook descendants more broadly. The evidence that is currently available does not show that George Charley offered leadership to the petitioner's ancestors as a whole, as required under criterion 83.7(c).

The petitioner contends that the Chinook formed a formal organization and a tribal council in June 1925. No contemporaneous evidence supports this claim. This assertion was made in 1952 by the secretary of a recently-formed Chinook organization. Several of the petitioner's members now maintain that the Office of Indian Affairs suggested that the Chinook Indians organize and draw up a constitution and by-laws in 1925. There is no contemporary evidence that the Indian Office suggested this to the Chinook at that time or any other time. The evidence does reveal that Chinook descendants met in April 1925 at a meeting called by the Indian agency superintendent to choose representatives to sign a contract with an attorney to bring a new suit in the Court of Claims, as authorized by Congress. The meeting fulfilled this purpose, electing three representatives who were from South Bend and Dahlia. The attendees chose William Garretson of Ocean Park as chairman of the meeting. Garretson did not play a leadership role on any other occasion. There is no evidence that such a council of Chinook descendants had met prior to 1925, or that it met again after 1925.

There is no available evidence of any activities of a formal Chinook tribal organization between 1925 and 1951, or even of the existence of such an entity. The only evidence of formal leadership during those years were claims made by Myrtle Johnson Woodcock of South Bend that she was the Chinook president, which she made in a 1931 letter to the Commissioner of Indian Affairs and in 1932 testimony in the claims case. Earlier, she had affirmed in a 1927 deposition that she was "recognized" as the president of the Chinook. There is no evidence that Woodcock was elected to any office by the Chinook Indian descendants between 1925 and 1951. Nor is there any contemporary evidence that meetings of Chinook descendants were being held in those years. A Chinook Newsletter article in 1979 stated that Oma Woodcock Singer, Myrtle Woodcock's daughter, had recently delivered to the Chinook council some minutes of meetings that her mother had held in the 1930's. These meeting minutes are not part of the petitioner's documentation, and Singer has stated that she does not know what has happened to them. Such meeting

minutes could be crucial to demonstrating the existence of a political process among Chinook descendants in the past.

There also is very little available evidence of informal Chinook leadership in the 1920's, 1930's, and 1940's, and that evidence mostly relates to a single individual, Myrtle Woodcock. In 1927, Woodcock gathered seven witnesses to give depositions in the claims case. Chinook descendants recalled, in affidavits made in the 1990's, that Woodcock and others helped to document the Chinook heritage of claimants for allotment on the Quinault Reservation during the early 1930's. Some of the petitioner's members have asserted that Woodcock "enrolled" Chinooks and, therefore, may have maintained a membership list for the Chinook from about 1925 to the end of the allotment process in 1933, or to the loss of the claims case in 1935, or to 1951, but there is no contemporary evidence supporting this contention. Affidavits made in the 1980's and 1990's, both by Chinook descendants and local non-Indians, offered vague claims of Woodcock's leadership roll from the 1920's to 1940's. The available evidence does not reveal that Myrtle Johnson Woodcock exercised political influence over the Chinook descendants between 1925 and 1951 in a manner that meets the requirements of 83.7(c).

In 1951, a formal Chinook organization was formed soon after J. Grant Elliott of Skamokawa had submitted a petition to the Indian Claims Commission. Although the minutes kept by Myrtle Woodcock referred to this as the first Chinook tribal meeting, and as being held to form an organization, she later described this action as a tribal council having "re-organized" itself. The Indian agency superintendent, however, concluded that any earlier organization had disappeared. Clearly, he did not accept the claim of continuity between an old and a new organization. J. Grant Elliott was elected as chairman and Myrtle Woodcock as secretary-treasurer. The focus of the Chinook Tribal Council was primarily the pursuit of the Chinook Indians' land claim. From 1951 to 1967, there is some evidence that Grant Elliott, and his son, Kent Elliott, provided some leadership for the Chinook descendants, primarily regarding the land claim petition that was filed in 1951. Some other issues that were dealt with by the Chinook Council, its leaders, or its area officers from 1951 to 1953 were fishing and hunting rights, the value of timber on allotments at Quinault Reservation of Chinook Indian descendants, the protection of an Indian burial site from desecration, and the disposition of an Indian skull believed to be that of Chief Comcomly I. There is evidence that area officers held meetings to communicate with descendants in their region, that they enlisted members, and that the secretary maintained a membership list.

Within two years of the formation of this Chinook council, however, it split into two organizations. The new group, which was formed in Bay Center in 1953, adopted the name of Chinook Tribes, Inc. It elected Roland Charley of Tokeland as chairman. He was the son of George Charley. The old group also met in 1953 at Skamakowa as the Chinook Nation, and authorized an election which resulted in the choice of J. Grant Elliott as chairman. In 1954, the Chinook Nation adopted a constitution which provided that another election of officers would not be held until the completion of the claims suit.

The Chinook Tribes, also in 1954, created a committee to pass judgment on applicants for membership. From 1953 to 1958, there were two Chinook organizations, with the Chinook Tribes based in Pacific County and the Chinook Nation based in Wahkiakum County. The Chinook Nation drew most of its council members from Skamokawa, Washington, especially the Elliott family. The Chinook Tribes's council members were mostly associated with Bay Center. From 1953 to 1957, the two organizations held separate annual meetings. There is no evidence of activity by the Chinook Tribes after early 1958.

There is conflicting evidence regarding the political support that each organization had from 1953 to 1957. The division was not a long-lasting one, and during these years the two groups made efforts to reconcile their differences and to seek unity. Some of the participants in Chinook Tribes affairs attended meetings held by the Chinook Nation. When it was necessary to renew the claims attorney's contract in 1958, representatives of the Chinook Tribes and Chinook Nation, as well as Portland and Seattle groups, cooperated to sign the renewal. Because the Bureau of Indian Affairs dealt with the Chinook Nation for purposes of the Indian Claims Commission case, one of the former area officers of the Chinook Tribes even contributed in the early 1960's to the Chinook Nation's land claims appraisal fund. The evidence is not clear whether these two organizations represented political factions. Political factions are groups of members that persist over time, cut across family lines, and divide members over several political issues which are important to the membership as a whole. The existence of political factions is often viewed as positive evidence supporting the presence of political authority within the petitioning group. Participation by members of one group in the meetings of the other indicates that the membership of the two groups may not have been discrete. Such members of the petitioner have stated recently that they followed Mr. Elliott's group for purposes of the land claim, and the Chinook Tribes's council for all other purposes.

Another Chinook organization, which called itself the Chinook Indian Tribe, Inc., was formed in Ilwaco in 1970. Adolph Sund of Ilwaco was elected as chairman. From its beginnings, it cooperated closely with the Small Tribes of Western Washington (STOWW), but the origins of this organization are not currently well-known. A newspaper article in 1968 stated that Sund, and "other members of the Chinook tribe," had been circulating a petition to have a foghorn placed on Jetty A at the mouth of the Columbia River. If more were known about who helped Sund obtain the signatures for the petition, it could provide evidence that the action was one that had a broad base of support among the Chinook descendants who formed the Chinook Indian Tribe in 1970. There is some evidence that some Chinook descendants in Ilwaco may have held some informal meetings as early as 1968 to discuss the construction of a traditional Chinook Indian plank house as a museum dedicated to the preservation of Chinook history and culture. This was partially in response to the activities of the STOWW, which was interested in helping the Chinook Indians organize. The available evidence does not demonstrate that the meetings that were supposedly held in 1968 were broadly supported by a substantial number of Chinook descendants. If such evidence were available, this

might be considered supporting evidence that there was political authority among the Chinook Indians at that time.

Although the Chinook Indian Tribe would come to claim that it was the successor to the Chinook Tribes, Inc., it was formed after more than a decade for which there is no evidence that the Chinook Tribes council continued to operate. The new organization had to write to the Bureau of Indian Affairs to obtain a copy of the previous organization's constitution and list of members. The membership list which was included with the 1981 petition for Federal recognition makes it unlikely that the 1970 group was really the same as the Chinook Tribes of 1953 to 1958. However, there are some points of affinity between the two groups. For example, the Chinook Indian Tribe membership list in 1981 was comprised mostly of people from Pacific County. It included families from Ilwaco / Chinook, some families that were still living in Bay Center, and did not include many Elliott descendants or others from Wahkiakum County. This would be consistent with what is generally known about the leadership dispute between the Chinook descendants from 1953 to 1957. Also, Betsy Trick, the last secretary of the Chinook Tribes, acted to form the new organization and participated in meetings held during the 1970's under Sund's leadership.

Because the membership over which the petitioner claimed responsibility in 1981 was relatively small, compared to both the overall number of Chinookan descendants who are potentially eligible for membership and the number of Chinook Indian descendants who belonged to the Chinook Tribes in 1953, the group of participants between 1970 and 1981 was probably small. This is supported by minutes of the Chinook Indian Tribe's monthly meetings which demonstrate that attendance and participation by members were very low during those years. It was not until the late 1970's, when Sund gave up the chairmanship, that the organization began to broaden the representation on its council to include members from South Bend, Bay Center, and Wahkiakum County.

There is very little information available about the internal political processes of the petitioner from 1970 to the present. Most of the evidence offered by the petitioner in support of the presence of political authority within the group was in the form of correspondence between the council chairman and government representatives from county, state, and Federal agencies, recognized Indian tribes, unrecognized Indian groups, and inter-tribal organizations. Because this correspondence deals with the external relations of the organization, this documentation does not provide evidence that there is a broad-based political process within the organization, as required by criterion 83.7(c). There is very little information available regarding whether or not there is two-way communication between the council and the members, how broad the influence of the Chinook council is, and how effectively the council carries out the wishes of the members. There is very little information available indicating whether or not there are a number of political issues which are of concern to the group as a whole, about which members and leaders have deeply held opinions, and on which they take action. There is no information in the petition on the presence of political factions and very little

information about conflict within the group and how that conflict is resolved. A combination of these kinds of evidence are necessary to demonstrate that the petitioner has met criterion 83.7(c).

The petitioner might find some evidence demonstrating the existence of political process from the late 1970's to the early 1980's by researching the formation of several committees by the council of the Chinook Indian Tribe. The fisheries committee and the recognition committee were both formed in 1976. The petitioner has not provided evidence, nor has any been found, that the establishment of these committees was supported by the membership. The fisheries committee, in particular, kept minutes of some of its meetings, and selected samples were provided to the BIA through 1983. At this time, there is no evidence that the work of the fisheries committee was important to the petitioner's membership as a whole. The recognition committee was concerned with putting together a petition for Federal acknowledgment. There is some evidence that pursuing Federal acknowledgment may have been an issue that was important to the organization's membership as a whole. For example, several members told the BAR anthropologist that there was conflict among Chinook council members in the 1970's over whether to pursue acknowledgment or not. At the present time, there is not enough information to determine that the conflict was widespread. For the most part, the evidence that is available makes it appear that the work of the committees was the work of a few individuals without input from the membership as a whole, and that the conflict was among the council members only. Such a political process does not meet the requirements of criterion 83.7(c).

Another issue that could be researched for potential information on political authority was the departure of Carleton Rhoades from the office of chairman of the Chinook Indian Tribe. Rhoades was chairman in 1978 when he became embroiled in a controversy over an article he wrote in the newspaper regarding some of his views on Indian tribal sovereignty, the BIA, and reservation lands. Some council members were angered that Rhoades had written the article in a way that suggested his views were the official views of the Chinook Indian Tribe. From the available evidence, it is not clear whether Rhoades resigned or was forced out of office, but within two months Don Mechals was serving as the chairman. It is possible that researching such conflicts and the process by which they are resolved could provide valuable information regarding factionalism and the maintenance of political authority. For example, if the decision to get Rhoades out of office was one which had significant input from the membership as a whole, this could show that political authority was vested in the group, which had the political power to silence or remove officers who advocated unpopular points of view on matters of importance to members. The evidence presently available makes it appear that the issue of Rhoades' allegedly speaking for the group without prior authorization was a matter of concern to only a handful of council members.

In 1982, the petitioner's membership changed significantly. This was the result of several factors. One of the factors was a letter sent by the BIA to the petitioner after its review of

the 1981 petition. Among other issues, the letter noted some concerns about the nature of the petitioner's 1981 membership list and the continuing existence of two Chinook organizations, the Chinook Indian Tribe and the Chinook Nation. The petitioner responded to these concerns in two ways. First, the petitioner's chairman and the president of the Chinook Nation signed a joint resolution which formally reconciled the two organizations. The resolution stated that the Chinook Nation had existed only for the purpose of pursuing the Chinook land claim and that it was not the governing council of the Chinook Indians. The resolution named the Chinook Indian Tribe as the successor in interest to the historical Chinook tribe. Second, the petitioner recruited a large number of new members. As a result of the 1982 resolution and the 1982-1987 membership recruitment campaign, the petitioner's membership grew from 323 individuals in 1981 to 1,164 members in 1987. By 1995, the membership database for the Chinook Indian Tribe included 1,566 living members.

In addition to the Chinook Indian Tribe and the Chinook Nation, there was a third group in the 1970's which claimed to be a separate Chinook entity, the Wahkiakum Band of Chinook Indians. Very little is known about this organization's history, membership, activities, and leadership. It is very unlikely that the people who comprised this group were historically related to the Wahkiakum Band of Chinook Indians which signed the 1851 treaty at Tansey Point. Rather, this organization was apparently comprised of some Lower Band of Chinook Indian descendants who were living in Wahkiakum County in the late 1970's and early 1980's. There is no evidence that the group maintained its own membership list. The few individuals who are known to have been involved with the Wahkiakum Band still made their living as fishermen. They were, therefore, concerned about clarifying whether or not the state recognized their alleged fishing rights on the Columbia River and elsewhere. More information on this organization's history, membership, internal political process, and relationship, if any, to the petitioner or the Chinook Nation might be helpful in establishing the presence of political factions within the petitioning group.

In interviews with the BAR anthropologist, the current chairman of the Chinook Indian Tribe, Tim Tarabochia, claimed there had been political process while Don Mechals was chairman of the organization. For example, he stated that Mechals was almost solely focused on issues related to the valuing of timber on the Quinault Reservation, and was reluctant to pursue aboriginal fishing rights. The only reason Mechals did anything about fishing rights, claimed Tarabochia, was because the group forced him to do so. If supporting evidence for the contention that the petitioner's members forced the chairman to act against his will could be found, it might provide evidence that political authority is vested in the group and that there were political issues about which the group as a whole had strong opinions.

Issues which seem to have generated some interest, or created some controversy, among members of the council during the past two or three years might potentially be used by the petitioner to demonstrate its political authority and influence over its members. These

issues include: researching and preserving traditional culture; using funds generated by the Chinook Indian Tribe's bingo business; considering greater involvement in Indian gaming; protecting graves and other sacred sites; enforcing the organization's membership criteria when considering applications for membership; and electing leaders. At the present, insufficient evidence exists to demonstrate that such issues have been consistently important to the membership as a whole, or that there are political factions within the group supporting different points of view on these issues.

One political issue of concern to the councils of both the Chinook Nation and Chinook Indian Tribe during the 1970's was the Chinook Indians' claim before the Indian Claims Commission. In November 1970, the Commission awarded the Chinook and Clatsop Indian descendants $48,692. Later that month, the Chinook Indian Tribe council discussed the settlement amount. According to meeting minutes, most of the people present considered the amount to be too low. In December 1970, the Chinook Nation held a meeting in Cathlamet, Washington, under the leadership of Kent Elliott. The Chinook descendants present at the meeting voted to appeal the amount that had been awarded. About 100 Chinook descendants, including some of the Chinook Indian Tribe council officers, were present at the meeting. The Court of Claims dismissed that appeal in December 1971. The award money was appropriated by Congress in October 1972. During these years the BIA continued to deal with the Chinook Nation for purposes of pursuing this claim. Thus, when Chinook Indian Tribe chairman Adolph Sund inquired about the claims case, the acting superintendent of the Western Washington Agency advised him to contact Kent Elliott or Anna Elliott Koontz to find out about the status of the case. In April 1973, the Chinook Nation held a meeting in Skamokawa to discuss the possibility of getting Congress to give them a better settlement. About $175 was collected at the meeting for this purpose, but there is no evidence that the Chinook Nation council ever attempted to follow through on this strategy.

In May 1974, one of the Chinook councils, probably the Chinook Nation council, held a meeting to discuss how to distribute any money awarded by the Indian Claims Commission. The council suggested three ways in which it wanted the money spent. First, it wanted to pay off loans and other debts that had been incurred in prosecuting the land claim. Second, it wanted to set some money apart to lobby Congress to have the 1851 Chinook treaty ratified. Third, it wanted the remaining amount to be distributed on a per capita basis. In June 1974, the BIA held a public hearing in order to get the opinions of individual beneficiaries on how the judgment funds should be distributed. Those present at the meeting were mostly against the per capita distribution and favored putting the money into an account and using the interest for scholarships. While the BIA official wanted the Chinook descendants to speak as individuals at the public hearing, they tried to act collectively several times. After the public hearing, the BIA agency claimed that the Chinook Indians wanted the money to be put into a scholarship fund, and recommended that this proposal be adopted.

After its April 1973 meeting, there is no evidence that the Chinook Nation held any meetings again or carried out any other activities. In April 1976, after inquiring about the BIA's 1974 proposal for distribution of the judgment fund, the Chinook Indian Tribe's council held a meeting which rejected the idea of per capita payments and passed a resolution asking the Secretary of the Interior to delay the distribution of the money until the Chinook Indian Tribe could come up with its own distribution plan. Two new suggestions surfaced at this meeting. The group wanted the money to be paid in a lump sum to the Chinook Indian Tribe so that it could either strengthen its organization or purchase land where it could build a meeting place. In 1984, the BIA again proposed that the judgment funds be used to grant scholarships to Chinook and Clatsop descendants. Although the Chinook Indian Tribe scheduled a council meeting on the issue at that time, there are no minutes of that meeting and no other information about what happened at that meeting. The money from the Chinook land claim has never been distributed. In 1995, the Chinook treasurer stated that the account had grown to about two million dollars.

During the 1970's and 1980's, the Chinook Indian Tribe also pursued efforts to build an artifact museum and cultural center, to reclaim the alleged skull of Chief Comcomly, to involve itself in timber management plans on the Quinault Reservation, and to pursue Federal recognition. Although it has contacted local governments in an effort to protect Indian burial grounds, local officials also have pointed out that no Chinook protests were made at the time of the relevant construction in the area in dispute. Since at least 1978, the organization has communicated with its members through a newsletter.

There is some evidence that a few members of the Chinook Indian Tribe are also members of the Quinault Nation, and that they have participated in Quinault Nation meetings from 1970 to the present. Participation in the meetings was confirmed by documentary evidence provided by the petitioner, BAR interviews with the petitioner's members, and by members of the Quinault Nation who have no affiliation with the petitioner. There is no evidence that participation in Quinault Nation council or annual meetings is a widespread behavior among the Chinook Indian Tribe's members. If there were evidence that a substantial portion of the petitioning group belonged to and actively participated in the Quinault Nation's political process, it could raise the possibility that the petitioner was not its own sovereign entity, but a splinter group of a recognized Indian tribe. There is no evidence, however, that the petitioner is a splinter group of the Quinault Nation or any other Indian tribe.

Based on the foregoing weighing of evidence, the petitioner meets criterion 83.7(c) from 1811 to 1855, but does not meet criterion 83.7(c) from 1856 to the present.

83.7(d) **A copy of the group's present governing document, or in the absence of a written document, a statement describing in full the membership criteria and the procedures through which the group currently governs its affairs and its members.**

The petitioner submitted a certified copy of a constitution dated June 16, 1984, which described the territory of the CIT, the membership criteria, election of officers, the duties of the officers, and general membership meetings. The petitioner also submitted copies of a 1953 Chinook Indian Tribe, Inc. Articles of Incorporation, 1953 Chinook Tribes, Inc. constitution, a 1954 Chinook Nation constitution, and a 1980 constitution as evidence of previous governing documents.

Section 1 of the 1984 constitution states that the CIT membership shall consist of persons who submit satisfactory evidence that they descend from the Chinookan bands or Clatsop tribe that existed at the time of the 1851 treaties. Section 2 of the membership provision states that the CIT council will adopt an ordinance for establishing procedures and proof for enrollment.

The petitioner also submitted a membership ordinance dated June 20, 1987, which "replaces Section 2 of the 1984 constitution." The membership ordinance states that the membership shall consist of descendants of the Cathlamet, Wahkiakum, Willapa, and Lower Band of Chinook Indians and the Clatsop Tribe of Indians who were living at the time of the 1851 treaties who are on the August 1, 1987, membership list, and their descendants. "New members" applying after August 1, 1987, must document their descent from persons listed on the 1919 Roblin Schedule of Unenrolled Indians, the 1906 and 1913 McChesney rolls of the Indians living at the time of the 1851 treaties or their heirs, or the 1914 annuity payment roll and have 1/4 Indian blood from the specified Chinook bands. The term "new members" in the ordinance presumably applies to new family lines not previously represented on the 1987 list.

The 1984 constitution provides also for the adoption of individuals into the tribe under the categories of "verified tribal affiliation (by tribe and/or BIA)" or "unverified tribal affiliation." The provision states that the enrollment committee makes a recommendation for adoption to the tribal council which then brings the recommendation before the general assembly. The status and rights of adopted members are not stated.

Therefore, the petitioner meets criterion 83.7 (d).

83.7(e) **A list of all known current members of the group and a copy of each available former list of members based on the tribe's own defined criteria. The membership must consist of individuals who have established, using evidence acceptable to the Secretary, descendancy from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity.**

The petitioner provided lists dated 1953, 1981, 1983, 1987, 1994, and 1995, which it considered its membership lists. The July 8, 1995, membership list was certified by the CIT council as being accurate and complete. There were 1,622 names on the list, including 56 names of deceased members, for a total of 1,566 living members.

Approximately 15 percent of CIT members have not submitted evidence consistent with the CIT's own constitution or acceptable to the Secretary of the Interior to prove their Chinook descent. These members descend from Rose LaFramboise, a métis woman for whom there is conflicting information regarding her parentage. The CIT claim for Chinook ancestry for Rose LaFramboise shows her as the descendant of Amable Petit and Susanne Tawakon, of the Lower Band of Chinook. However, the petitioner also sent undocumented ancestry charts that show Rose as the daughter of non-Chinook parents: a French Canadian Hudson's Bay company employee and his Cayuse/Sioux métis wife, Francois LaFramboise and Denise Dorion. The petitioner did not provide primary documentation to support either claim.

In order to determine which was the correct line of descent, the BIA researched such primary documentation as published Catholic Church records, Federal censuses, and BIA records for the claims distributions in the Western Oregon Judgment Fund 1955-1959. None of these records confirmed that Rose was the descendant of Susanne Tawakon. Instead, BIA analysis of the available records concluded that Rose was most likely to be the daughter of Francois and Denise Dorion LaFramboise who were not Chinook.

If Rose LaFramboise was not of direct Chinook descent, she was certainly the sister-in-law to Sophie Durival LaFramboise and to Edwin Scarborough, who were members of well-known Chinook families. Rose had "connections" (brother's in-laws) with the Chinook at Dahlia. Rose LaFramboise, her children and grandchildren, resided at Cathlamet with other Chinook descendants from 1870 through the 1920's. Like other Chinook descendants in the area, Rose was identified as "Indian," "Indian-Mixed," and "½ Indian" on the census records. Rose LaFramboise's descendants, like their Chinook neighbors, married out of the Chinookan population. Her descendants are on the 1953 membership applicants list submitted by the Chinook Tribes, Inc., the 1987 CIT membership list, and later CIT lists. These connections and associations with other Chinook and identifications in the census records indicate that Rose LaFrambois was considered by others (family and neighbors) to be one of the Chinook. While Rose

LaFramboise may not have been Chinook by blood, she appears to have been accepted as a member of the Chinook community in which she lived. This comports with the long-standing definitions of "Indian" and "tribal member" (Solicitor's Memorandum January 16, 1958.)

However logical it may be to conclude that Rose LaFramboise was considered in her own life time to be Chinook, from the evidence currently available, Rose LaFramboise descendants do not meet the group's own membership criteria as defined in its enrollment ordinance. If the petitioner provides new evidence which proves Rose's descent from the historical tribe, this will not be a problem. However, if no such evidence is available, and the CIT is acknowledged as a tribe, there may be problems enrolling LaFramboise descendants for services. The CIT may wish to resolve the LaFramboise membership question during the comment period by providing documentation acceptable to the Secretary of the Interior which proves Chinook descent, by exercising the adoption policy, or by resolving the conflict between the enrollment ordinance and the group's actual practices.

At present, there is evidence that approximately 85 percent of the 1995 membership descends from either the Wahkiakum, Willapa, Kathlamet, or Lower Band of Chinook or the Clatsop tribe of Indians who were treated by the Federal Government in 1851. The other 15 percent of the membership descends from Rose LaFramboise, who by birth, adoption, or the customs of the day, appears to have been considered as part of the Chinook. Approximately 82 percent of the CIT membership descends from the Lower Band of Chinook. Some descendants of the other bands married into the Lower Band, creating multiple lines of Chinook and Clatsop descent for most of the CIT membership. Therefore, the group, as a whole, meets criterion 83.7 (e).

83.7(f) The membership of the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe.

The petitioner's constitution does not address the issue of dual enrollment in federally acknowledged tribes. However, the petitioner provided a list of 50 names of persons who were dually enrolled in 1981 and a list of 68 persons who were dually enrolled in 1987. The BIA compared the 1995 CIT membership list to a 1992 Olympic Peninsula Agency record which listed the names of persons enrolled with various Washington and Oregon tribes and found 82 CIT members were enrolled with Quinault Nation of the Quinault Reservation, Washington. Although 5 percent of the petitioner's members are also enrolled in the Quinault tribe, the petitioner is principally composed of persons who are not members of any federally acknowledged North American Indian tribe.

Therefore, the petitioner meets criterion 83.7 (f).

83.7(g) The petitioner is not, nor are its members, the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship.

Congress passed an act in 1954 to terminate the Federal trust relationship to the "tribes, bands, groups, or communities of Indians located west of the Cascade Mountains in Oregon," and specifically stated that the act applied to the "Chinook," "Clatsop," and "Kathlamet." Termination legislation to apply to the Indians of western Washington State, although considered, was not enacted by Congress. The western Oregon termination act clearly stated that it applied not only to tribes or bands of Indians, but also to their "individual members" (68 Stat. 724). Because the act listed the historical tribes of western Oregon, not just the tribes which were currently recognized by the Federal Government, the act not only terminated any existing Federal relationships, but also prohibited the establishment of a Federal relationship with any of those historical tribes.

The Lower Band of Chinook was always identified as a historical tribe or band north of the Columbia River in modern Washington State. As described by the unratified treaty of 1851, its territory lay exclusively in the state of Washington. Because the 1954 western Oregon termination act was applicable only to tribes, bands, or groups of Indians located in the state of Oregon, that act's reference to the "Chinook" did not refer to the historical Lower Band of Chinook of Washington State, or to its descendants. Therefore, the act did not prohibit a Federal relationship with the Lower Band of Chinook.

The Clatsop Tribe, however, was always identified as a historical tribe or band south of the Columbia River in the modern state of Oregon. The unratified treaty of 1851 placed its territory exclusively in the state of Oregon. Therefore, a Federal relationship with the Clatsop Tribe was prohibited by the western Oregon termination act of 1954. In addition, that act clearly stated that its intent was to prohibit Federal services to the individual members of such a tribe. Therefore, those members of the petitioning group whose Indian descent is exclusively from the historical Clatsop Tribe cannot receive Federal services because of their status as Indians. This prohibition does not apply to the members of the petitioning group who have mixed Chinook and Clatsop ancestry. It affects only about 3 percent of the petitioner's current members.

The historical Kathlamet Band of Chinook Indians had villages on the Oregon shore of the Columbia River. The 1851 unratified treaty considered Kathlamet territory to be completely within the modern state of Oregon. Some scholars believe, however, that about 1810 the Kathlamet moved north of the Columbia to live near, or among, the Waukiakum Band of Chinook Indians. As a result, members of the petitioner who have Kathlamet ancestry also have Waukiakum or Lower Band ancestry, although there is some limited evidence that 2 percent of the petitioner's members, some of the descendants of Elizabeth Klowsum Springer, may have only Kathlamet Band ancestry. The members of the petitioning group with Kathlamet ancestry, however, descend from Indians who have long been associated with individuals of Waukiakum and Chinook

ancestry north of the Columbia River in Washington State. Therefore, the western Oregon termination act of 1954 does not apply to the petitioner's members with Kathlamet ancestry.

Because the petitioner claims to be the successor to the Lower Band of Chinook of Washington State, and because a large majority of its members trace their Indian ancestry to that historical tribe or band, the petitioner, as an entity, is not the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship. Thus, with the reservation that, if acknowledged, a few of the petitioner's current members who trace their ancestry only to the historical Clatsop Tribe would be forbidden Federal services as Indians, the petitioner meets criterion (g).

HISTORICAL TECHNICAL REPORT

CHINOOK INDIAN TRIBE, INC.

Summary of the Evidence

A historical tribe of Chinook Indians existed along the northern shore of the Columbia River where it meets the Pacific Ocean. The existence of a Chinook tribe was noted between 1792 and 1851 by the explorers of the Columbia River, fur traders who operated from a post on the river, cartographers for the navies of the United States and Great Britain, missionaries, travelers, and Government agents. Modern scholars accept the existence of a historical Chinook tribe. Although some contemporary observers noted that a common Chinookan linguistic group existed from the ocean to east of modern Portland, Oregon, most non-Indians described three or four separate bands or groups of villages on the lower Columbia. East of Gray's Bay on the northern shore and Young's Bay on the southern shore were the Wahkiakum and Kathlamet, who many observers believed had consolidated early in the 19th century. At the mouth of the Columbia and south of the river were the Clatsop. North of the river at its mouth were the Lower Band of Chinook, or the "Chinook proper" as they often were called. Treaties were negotiated with these bands in 1851, but they were not ratified by the United States Senate. The agents of the United States Government in 1851 sought to negotiate a single treaty with Indian bands in the vicinity of the mouth of the Columbia River, but the Indians' resistance to being treated together led the Government to negotiate a series of treaties with them as separate bands.

Although most early visitors encountered the Chinook only along the Columbia River, more widely traveled observers like George Gibbs, amateur ethnologist and secretary to treaty negotiators in 1855, noted that Willapa Bay or Shoalwater Bay and its tributaries were the location of Chinook winter villages and seasonal use activities. During the half century after the failed treaty negotiations, however, some of the Government's Indian agents referred to the Shoalwater Bay Indians as if they were a group separate from the Chinook. Some agents understood that Chinook Indians on Shoalwater Bay had become intermixed with Chehalis Indians, and considered this group eligible for residence on both the Chehalis and Shoalwater Bay Reservations which were formed during the 1860's. Although both local newspapers and national scholars shared in the late-19th century assumption that the Chinook, like Indians in general, were becoming extinct, Federal census records and local tax records reveal that Chinook descendants continued to live along Shoalwater Bay and the Columbia River in 1900. These descendants tended to cluster geographically in three settlements: at Bay Center on Shoalwater Bay, at Ilwaco at the mouth of the Columbia, and along the shore of the Columbia east of Gray's Bay

around Dahlia. Bay Center, and perhaps Dahlia as well, remained largely settlements of Chinook descendants at least into the 1920's.

During the 20th century, Chinook descendants asserted claims against the Government in three separate cases. The first effort began in 1899 and resulted in an act of Congress in 1912 to pay to the lineal descendants of the Chinook bands the compensation for Chinook aboriginal lands specified in unratified treaties. A second case was authorized by Congress in 1925, but resulted in a decision of the Court of Claims in 1934 against the claims of the Chinook descendants. The third case was presented to the Indian Claims Commission in 1951 and resulted in a decision in 1958 in favor of the Chinook claimants and a judgment in 1970 on the value of Chinook aboriginal lands, but those funds have not yet been distributed to Chinook descendants. In the years between 1911 and 1931, efforts also were made to gain allotments of land on the Quinault Reservation for descendants of the Chinook. These claims and allotment efforts resulted in the creation of three lists of Chinook descendants by agents of the Office of Indian Affairs. The first list was produced in 1906 by Charles McChesney to comply with an investigation mandated by Congress. After passage of the Act of 1912, McChesney prepared an annuity payment roll in 1914 to govern the distribution of the congressional award. In 1919, Charles Roblin created a list of unenrolled Chinook descendants. The modern Chinook petitioner requires its members to trace their ancestry back to a Chinook on one of these lists.

Since 1951, there have been three Chinook organizations. Each of them was based originally in one of the three turn-of-the-century settlements of Chinook descendants. The council founded in 1951 professed to be the reorganization of a council formed in 1925. Although Myrtle Woodcock claimed between 1927 and 1932 to be the president of a Chinook organization, no other evidence reveals the existence of a Chinook council at that time. Woodcock gathered witnesses for the claims case in the late 1920's and may have helped gather evidence to assist descendants in winning allotments of land in the early 1930's. There is no available evidence of Chinook political activities between 1932 and 1951. The Chinook council formed in 1951, in conjunction with filing a claims petition, split into two groups in 1953. The Chinook Nation was associated with Chinook descendants from the Dahlia area, while the Chinook Tribes, Inc., was associated with Chinook descendants at Bay Center and vicinity. The available evidence indicates that the Chinook Tribes ceased functioning after 1958 and that the Chinook Nation ceased annual meetings after 1967. In 1970, the Chinook Indian Tribe was formed and drew its leadership from the Ilwaco area. Although it claimed to operate under articles of incorporation filed in 1953, it had no demonstrable continuity from the earlier organization. Since the late 1970's, however, the Chinook Indian Tribe has broadened its leadership and membership beyond the Ilwaco area.

Identification of the Chinook by non-Indians began in 1792 when the log of the first ship to enter the Columbia River, that of American trader Robert Gray, referred to a "village Chinook." In 1795, the journal of a British trading ship on the Columbia recorded that

the ship had been visited by the chief of the "Chinook Tribe." American explorers Lewis and Clark, who reached the Pacific Ocean in late 1805, noted in their journal that they had met some Indians who "call themselves Chinooks." They estimated the population of the "Chinook Nation," described its territory, and listed its headmen. In the decade after 1811, several fur traders at a post located at modern Astoria, Oregon, referred to a Chinook tribe and noted the Chinook villages across the river from their fort. The Hudson's Bay Company acknowledged the tribe's existence by taking a census of the Chinook in the mid-1820's. Traders, explorers, and missionaries continued to write about a Chinook tribe in the 1840's. The first American superintendents of Indian affairs for the Oregon Territory prepared estimates of the population of the Chinook in 1849 and 1851. Although some early-19th century visitors grouped all of the Indians of the lower Columbia River together as Chinook, most observers before 1850 described the Chinook as a tribe or band which was separate from the Clatsop, Wahkiakum, and Kathlamet bands along that part of the Columbia.

The United States Government recognized the Lower Band of Chinook Indians by negotiating a treaty with it, and with several other bands of Chinook, in 1851. The Senate, however, refused to ratify these treaties. In 1855, the Government made another attempt to negotiate a treaty with the Chinook and other tribes, and to remove them to the coast well to the north of aboriginal Chinook territory. The Chinook, however, refused to sign this proposed treaty. Indian agents in the late 1850's reported that the population of the tribe had been greatly diminished, but that a few Chinook remained along the Columbia River and Shoalwater Bay. In the 1850's and 1860's, agents considered at least some of the remaining Chinook to be part of a group of Chehalis and Chinook Indians, which, one agent said, resided on Shoalwater Bay. When the Government created the Shoalwater Bay Reservation by executive order in 1866, it did so for the "Indians on Shoalwater Bay," but without mentioning the Chinook. In 1869, the Indian superintendent referred to the Shoalwater Bay Indians and the Chinook Indians as if they were separate groups. The Indians of the Shoalwater Bay Reservation were never explicitly referred to as Chinook in the annual reports of Indian agents throughout the late-19th century. By 1879, the local Indian agent was not listing the Chinook as a tribe under his jurisdiction. This position continued until the end of the century, for the Chinook were not listed in 1898 as a tribe of the local Indian agency.

During the 1850's, the Chinook tribe was described by James Swan, a settler on Shoalwater Bay, and George Gibbs, a member of the Government's treaty negotiating team. Swan described the Chinook as located on the Columbia River. He gave the tribe on Shoalwater Bay a different name, but noted that it was usually considered as part of the Chinook. Gibbs considered the Chinook to be a tribe which lived on both the Columbia and Shoalwater Bay. Swan observed that the Chinook had suffered "an immense mortality" and Gibbs reported that only "a few remnants" of the tribe survived. Both Swan and Gibbs feared that the tribe was headed for extinction. The notion that the American Indian was a vanishing race was prevalent in the late-19th century, and local newspapers printed articles which described the Chinook as having been reduced to "remnants" of a tribe, as having only lone descendants, or as being "extinct." Prominent

scholars such as historian Hubert Howe Bancroft and anthropologist Franz Boas concluded that only a "few" Chinook or the "last survivors" of the Chinook were still living by the 1880's and 1890's. At the start of the 20th century, the editor of the journals of Lewis and Clark commented that the Chinook Indians were "almost extinct." The Smithsonian Institution's 1907 *Handbook of American Indians* claimed that the Chinook had "completely fused" with the Chehalis.

When the Government was confronted initially with claims for compensation made by Chinook descendants, the Secretary of the Interior's response in 1900 was that the claims lacked merit in part because the Chinook bands were "practically extinct." While advocating a payment to Chinook descendants, Oregon's Senator Fulton stated in 1905 that those descendants had "no tribal relations." In its report on these claims in 1906, the Court of Claims concluded that the Lower Band of Chinook had "long ceased to exist" as a band. Such comments were based on the prevailing assumption during the early-20th century that tribal relations were maintained only by residence with a tribe, usually on a Federal reservation. In 1919, special agent Charles Roblin noted that the majority of off-reservation Indian descendants, not only Chinook descendants, had "become a part of the white community life." He contended that these descendants had not voluntarily severed tribal relations, but had involuntarily found "tribal conditions impossible" because they had been overwhelmed by white settlers. In the 1920's, when some Chinook descendants brought suit to win allotments of land on the Quinault Reservation for their children or grandchildren, the Government argued that these descendants had separated from tribal life and were without tribal relations. The Federal district court in 1928 agreed that the Chinook had lost their tribal organization.

Although the Federal Government did not recognize a Chinook tribe during the 20th century, it produced lists of descendants and provided some descendants with allotments or services. The lists produced by Charles McChesney in 1906 and 1914 were lists of descendants entitled to compensation, while the lists produced by Charles Roblin in 1919 included separate lists of unenrolled Chinook and Shoalwater Bay Indians. These were not rolls of an existing tribe. A Federal district court in 1928 held that Chinook descendants were entitled to allotments of land on the Quinault Reservation. Before this decision, the allotting agents of the Office of Indian Affairs had allotted Chinook descendants residing on Shoalwater Bay, but not those on the Columbia River. The court referred to the Chinook and Shoalwater Bay as separate bands in its interpretation of the 1873 expansion of the reservation. After Chinook descendants were allotted at Quinault, the Indian Office often referred to them as Quinault Indians. Some Chinook descendants attended the Government's Indian schools, but they did so because of their degree of Indian ancestry, not because the Indian Office recognized a Chinook tribe. Some descendants received "blue cards" from the BIA, but they did so because, as allottees, they were listed on the Quinault roll. Thus, these actions did not constitute Federal recognition of a Chinook tribe.

During the early-20th century, some non-Indians identified Bay Center on Shoalwater Bay as the location of an Indian settlement, but without calling it a Chinook community.

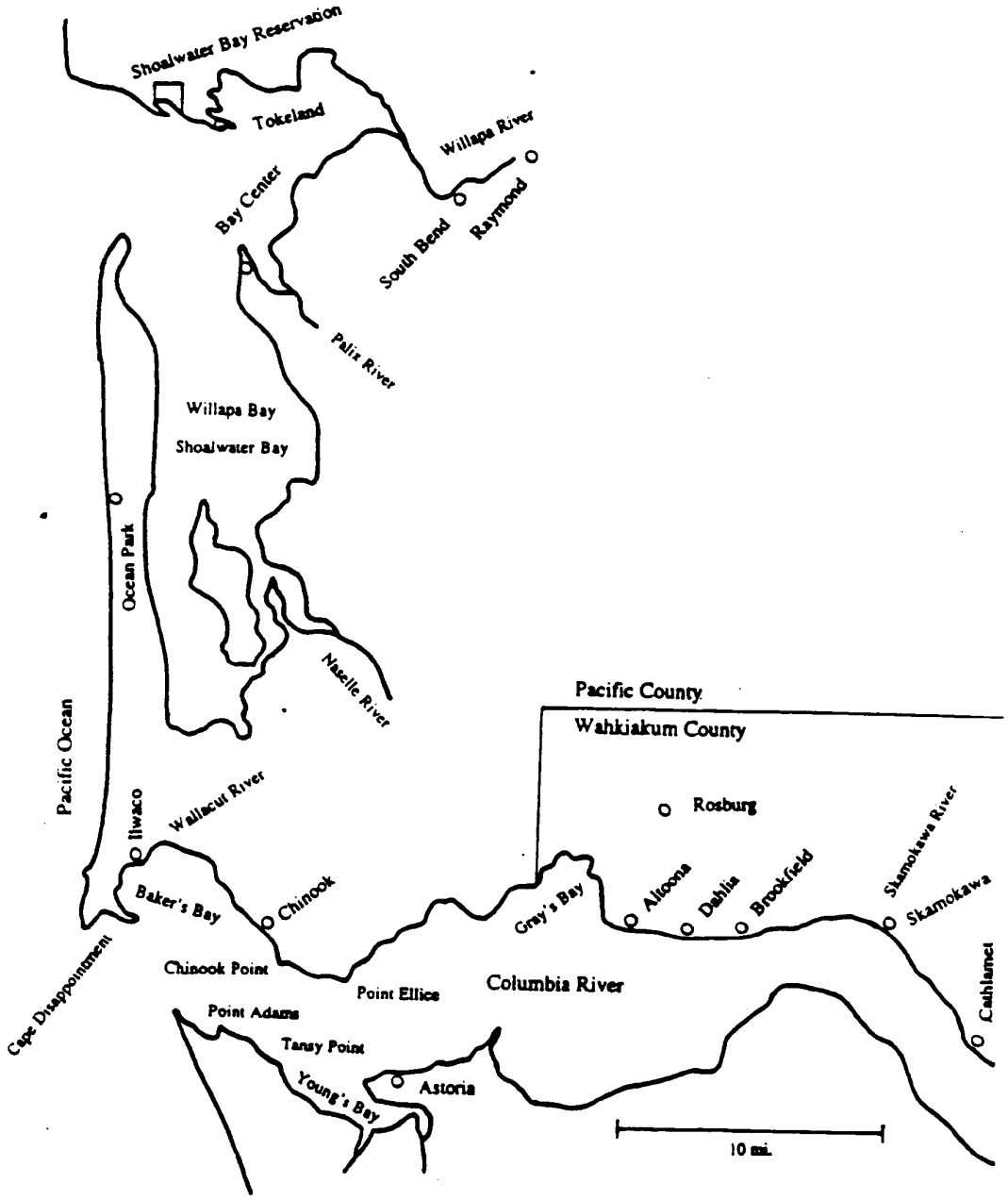

Figure 1. AREA MAP

Source: Branch of Acknowledgment and Research.

A local history of Bay Center, written in 1954, noted that a "native settlement at Goose Point" existed as of 1910. The town's postmaster, in 1926, observed that Bay Center always had been "an Indian village." In 1938, anthropologist Verne Ray published a scholarly ethnography of the Chinook. His interest was in describing the historical tribe, not the conditions of the 1930's, and he claimed that only two elderly "survivors" were useful as informants for this purpose. Later, Ray said that he had concluded at that time that the Chinook "were extinct as a tribe" by the 1930's. He realized that descendants of the aboriginal ethnic group were alive, and that some had gathered in Bay Center, but argued that the Chinook tribe had lost its culture and tribal organization. In a 1952 Smithsonian Institution publication, anthropologist John Swanton concluded that the Chinook were "nearly extinct." Anthropologist Herbert Taylor, in a 1953 report for the Indian Claims Commission, said that while there were several hundred living descendants of Lower Chinook bands, their tribal organizations had been destroyed long ago.

After the formation of a Chinook Tribal Council in 1951, the BIA said that it had had no prior knowledge of any Chinook group and had not formed an organized relationship with the new group. Although the Chinook organization claimed to have reorganized in 1951, the local BIA superintendent concluded that a previous Chinook organization had "disappeared," thus denying that claim of continuity. After this organization split into two groups in 1953, the BIA noted that there were two organizations claiming to be the legitimate representative of Chinook descendants. It dealt with one group for purposes of bringing a case before the Indian Claims Commission, but denied that it recognized either group as a tribe. Although the Chinook Tribal Council had been superseded by the two competing organizations, a United States Senate committee in 1957 referred to it as a "tribal entity," but added that the entity was not one recognized by the BIA. The Indian Claims Commission in 1958 concluded that the "newly organized" Chinook group did not have a tribal organization recognized by the Government, but accepted its petition on behalf of Chinook descendants because it allowed any "identifiable group of Indians" to enter a claim. After another Chinook organization formed in 1970, the BIA again stated that it recognized no Chinook tribal entity and denied that the Chinook had ever been recognized to receive Federal services.

A 1966 book by local reporter and historian Lucile McDonald contended that the early marriage of Chinooks and non-Indians had resulted in a "loose identity" for the tribe. Only recently, she claimed, had young descendants become aware of a need to preserve knowledge of their traditions and genealogies in order to prevent the loss of their heritage. The activities of the Chinook Indian Tribe, which formed in 1970, were covered by local newspapers during the 1970's. The new organization was accepted as a member of the Small Tribes Organization of Western Washington (STOWW) and the National Congress of American Indians (NCAI). In 1976, Congress' American Indian Policy Review Commission suggested that the Chinook met almost all of the considerations which previously had been used to recognize tribes. When the Chinook Indian Tribe decided in 1976 to petition for Federal acknowledgment, it acquired statements of support for its recognition effort from the town council of Ilwaco, the board of commissioners of Pacific County, and the governor's Indian Advisory Council. The historian Clifford Trafzer has

been the only scholar to publish a study including a description of the contemporary Chinook. In his 1990 book, Trafzer concluded that "the Chinook no longer are a unified tribe." He identified three contemporary groups of Chinook in the 1980's: the Chinook Indian Tribe organization, the Wahkiakum Chinook, and the Chinook on Shoalwater Bay.

Introduction: The Scholarly Literature

The view of scholars always has been that a Chinook tribe, a Chinook ethnic group, or a Chinookan linguistic group existed along the lower Columbia River at the time of first sustained contact with non-Indians in this region (see Figure 1). With one exception, these scholars have written only about the Chinook as a tribe of the 18th and 19th centuries, and thus as a tribe of the past.

Perhaps the first scholarly study of the Chinooks was that published by the amateur ethnologist George Gibbs in 1877. On the basis of his research during the 1850's, Gibbs made a distinction between upper and lower Chinooks and said that the lower Chinooks occupied both banks of the Columbia River from the Cowlitz River to the Pacific Ocean. Gibbs included within the territory of the Chinooks the southern end of Willapa or Shoalwater Bay, which, he wrote, "was formerly their principal winter quarters" (Gibbs 1877, 164, 166). The historian Hubert Howe Bancroft's 1883 book, *The Native Races*, noted that the name "Chinook" originally was used by non-Indians to refer to "a tribe on the north bank of the Columbia between Gray Bay and the ocean," but later came to be "applied to all the bands on both sides of the river, from its mouth to the Dalles" (Bancroft 1883, 222 and map). A study by Government ethnologist John Wesley Powell in 1891 listed the Chinook as one of "a number of tribes" included within a Chinookan linguistic family which had extended along the Columbia and to the northern end of Shoalwater Bay (Powell 1891, 65-66). This early research was reflected in the Smithsonian Institution's *Handbook* of 1907 which identified the Chinook as a historical tribe of the north shore of the Columbia and the seacoast north to Shoalwater Bay (Hodge 1907, 272).

The anthropological literature of the 20th century consists of several studies. J. Neilson Barry's linguistic research, published in 1927, not only identified a historical Chinookan group along the Columbia and on Willapa Bay, but also attempted to identify historical Chinook sites (Barry 1927, 149-150). The first professional ethnographic study, published in 1938 by anthropologist Verne Ray, also located historical Chinook village sites (see Figure 2). Ray departed somewhat from earlier work by concluding that a "single ethnic unit," which he called "Lower Chinook," had existed on the lower Columbia and Shoalwater Bay (Ray 1938, 37-38). John Swanton of the Smithsonian Institution, however, in his survey of Indian tribes published in 1952, identified the Chinook, or Tsinuk; the Cathlamet, or Kathlamet; and the Clatsop as separate Chinookan-speaking tribes (Swanton 1952, 414, 417-419, 458). Herbert Taylor, in a 1953 anthropological report for the Indian Claims Commission, used "Chinook" to mean the Lower Chinook as defined by Ray -- Clatsop, Kathlamet, and Chinook proper (Taylor

Figure 2. CHINOOK VILLAGES, ca. 1800-1850

Source: Ray 1938, 37, with emphasis added by circling village sites.

1953, 124). A synthesis in the 1990 *Handbook of North American Indians*, by anthropologist Michael Silverstein sought to integrate these views. He referred to Lower "Chinookans" as the people who had lived on the Pacific shore from Willapa Bay to Tillamook Head and along both banks of the Columbia River to about the Willamette River. He defined "Chinook" by its historical use to refer to "the Chinookans on the north side of the mouth of the Columbia only" (Silverstein 1990, 533).

The historical literature of the 20th century consists of only two comprehensive studies. In 1976, Robert Ruby and John Brown published *The Chinook Indians*, a survey of Chinook history ending in 1851. Following Ray, Ruby and Brown treated four culturally similar native groups -- "Chinooks proper," Clatsop, Wahkiakum, and Kathlamet -- together as Lower Chinook. These groups, they wrote, lived in villages mostly at stream mouths along the Columbia River (Ruby and Brown 1976, ix, 4-6). The historian Clifford Trafzer provided another survey of Chinook history with the publication in 1990 of *The Chinook*. Trafzer agreed that the name of the village of "Chinook" became a term for "four distinct groups," but his groups were the "Columbia Chinook," "Shoalwater Chinook," Clatsop, and Kathlamet. Differing from Ray by emphasizing sovereignty rather than culture, Trafzer contended that the "members of each group viewed themselves as an independent people. . . ." (Trafzer 1990, 14). Although his study focused largely on the historical bands of the 19th century, Trafzer was the first published scholar to attempt to bring the history of the Chinook into the 20th century.

Historical Tribe, 1792-1851

In May 1792, the American fur trader Robert Gray sailed his ship into the Columbia River and inaugurated contact between non-Indians and the Chinook tribe. It is possible that other traders had visited the Chinook at an earlier date, but Gray's voyage was the first to document outside contact with the tribe. In the ship's log, mate John Boit noted that, while proceeding upriver, the "beach was lined with natives" and that many canoes came alongside the ship to trade. The ship remained for several days "opposite a large village, on the north side of the river," and then returned downstream a ways to berth "abreast the village Chinook, commanded by a chief named Polack." This log also recorded the Indians' claim that there were 50 villages on the banks of the Columbia (Boit 1960, 55-56; 1921, 309-311). Gray spent nine days trading with the natives before leaving the river (Ruby and Brown 1976, 49-51).

News of Gray's discovery of this great river, which long had been sought, brought British naval vessels to the river later in 1792. A brig commanded by Lieutenant William R. Broughton arrived in October. A journal, written presumably by the ship's clerk Edward Bell, indicated that a party from the ship landed on the north shore to visit a village "call'd in Mr. Grey's sketch Chenooke," but found it deserted (Barry 1932, 37). Not understanding that the Indians varied their residences seasonally, the British visitors assumed that the village had been abandoned. After his exploration of the Columbia, Broughton prepared a sketch of the river. Broughton's map showed a "village Chenoke"

on the north shore of the Columbia just on the east side of the point now known as Chinook Point (Broughton 1792). It represented this village with 12 dots, probably to show its relative size and possibly as an indication of the number of lodges in the village. This map showed only two other villages on the north shore of the river, one of three lodges west of Point Pillar and one of five lodges just west of "Orchard's River" [Skamokawa River]. It also showed a single village on the south shore, just east of Point Adams, with six lodges. Broughton's information about Indian villages appeared on a map of the Columbia published in London in 1798 (Arrowsmith 1798).

In 1795, Charles Bishop, captain of a British trading ship, noted in his journal that he had been "visited by Taucum the Chief of the Chinook Tribe" (T.C. Elliott 1927, 267). Next in importance to Taucum, Bishop wrote, were chiefs "Shelathwell and Comcomally," but they appeared to regard Taucum as a rival, for Bishop noted that they never visited the British when Taucum was there (T.C. Elliott 1927, 269). Bishop said that Taucum had previously "resided up Chinnook River," but now had gone with his tribe "a good way" to the north up "Woolquet [Wallacut] River" (T.C. Elliott 1927, 265). Thus, it is possible that Shelathwell and Comcomly were headmen of villages on the Columbia, while Taucum represented people residing north of the river. Bishop appeared to believe that the Chinook were divided into several separate tribes or bands, for he said that they had once united in order to make war against a distant tribe (T.C. Elliott 1927, 277-278).

The American exploring expedition led by Meriwether Lewis and William Clark arrived at the mouth of the Columbia River in November 1805. The party made a camp near an uninhabited village of 36 houses, which, on his map of the area, Clark labeled the "Chinnook old village" (see Figure 3). The party remained there, east of the mountainous point at the eastern edge of Baker's Bay, for ten days (Lewis and Clark 1983, 1:82, 81-84, 6:48-52, 59; 1904, 3:225-226, 8:32-III). Here Clark met some Indians who "call themselves Chinnooks." He said that they "reside to the north of this place." Clark also observed that a "Grat [sic] many Indians" were living on Baker's Bay and two small rivers which flowed into it (Lewis and Clark 1983, 6:50, 53; 1904, 3:226-227). His map showed two other village sites on the north edge of Baker's Bay at the mouth of streams (Lewis and Clark 1983, 6:52). From this camp, Clark made an expedition to the coast north of Cape Disappointment. On the 17th of November, the explorers' camp was visited by the unnamed "principal Chief of the Chinnooks" and his family. Three days later, two chiefs, "Com-com-mo-ly" and "Chil-lar-la-wil" [Shelathwell], came to the camp (Lewis and Clark 1983, 6:61, 72; 1904, 3:230, 238). Lewis and Clark then moved their party across the Columbia River and spent the winter in a camp in Clatsop territory south of Young's Bay. There they were visited, in February 1806, by "a principal chief of the Chinnooks" named "Tah-cum" [perhaps their earlier "Stock-home"] (Lewis and Clark 1983, 6:332; 1904, 4:89).

Soon after arriving in Chinook territory, Clark wrote in the expedition's journal that the "Chinnook Nation" consisted of about 400 people who lived on the small rivers which ran into Baker's Bay and "the ponds" adjacent to the bay (Lewis and Clark 1983, 6:61; 1904, 3:230). During his expedition to the coast, Clark wrote that he was "informed that

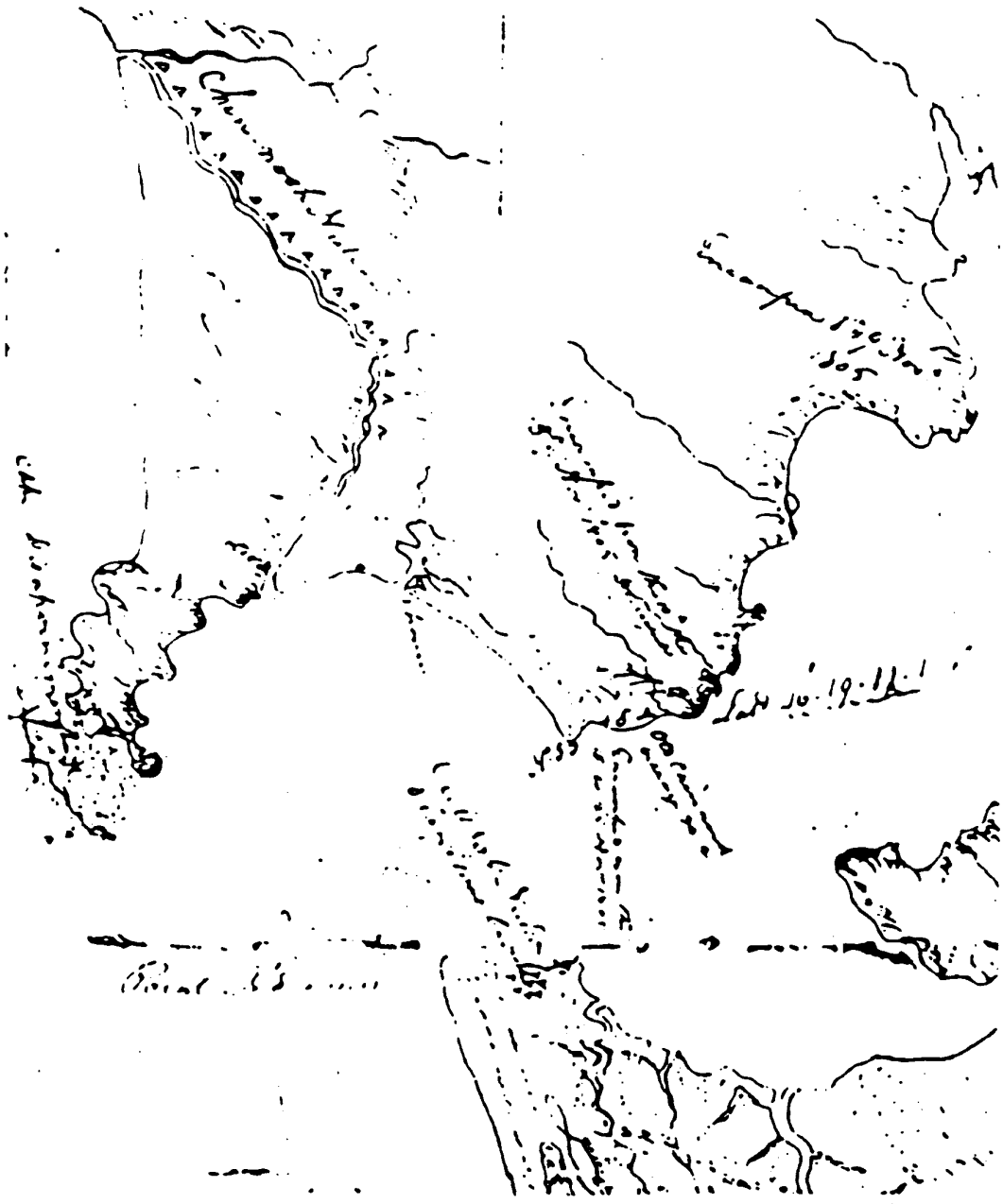

Figure 3. LEWIS AND CLARK'S MAP, ca. 1805/1806

Source: Lewis and Clark 1983, 1:pl.81-84.

the Chinnook Nation inhabit this low countrey [sic]" inland from the coast. They lived "in large wood houses on a river" which ran, parallel to the coast, "through this bottom" and "into the Bay" (Lewis and Clark 1983, 6:70; 1904, 3:236). Clark's map also indicated that Chinook Indians resided north of the Columbia River along a tributary which ran into Baker's Bay (Lewis and Clark 1983, 1:82, 83, 81-84; 1904, 8:32-III). While at Fort Clatsop, Clark compiled a list, "as given by the Indians," of the tribes near the mouth of the Columbia. "The Chin-nook Tribe," he recorded, resided on the north side of the Columbia, on a creek off of Baker's Bay, and on small "lakes or ponds" off the bay. They lived in "small villages & single houses" of split boards (Lewis and Clark 1983, 6:154; 1904, 3:294). The explorers noted that the Indian population already had been reduced by a smallpox epidemic (Lewis and Clark 1983, 6:286; 1904, 4:51). After leaving the Columbia, Clark prepared a table of its Indian population. His estimate was that the Chinook lived in 28 lodges with a total population of 400 (Lewis and Clark 1983, 6:485; 1904, 6:117).

From 1811 to 1824, a fur trading post on the southern shore of the Columbia, at modern Astoria, was operated at first by Americans as Fort Astoria and, after 1813, by the British as Fort George. This trading post brought the Chinook into regular and sustained contact with traders. In April 1811, John Jacob Astor's initial ship was met on the Columbia by two large canoes, clerk Gabriel Franchere recalled, manned by "natives of the Chinook tribe. . . ." (Franchere 1967, 45). Alexander Ross, who also arrived at Astoria in 1811, listed the "Chinooks" as one of the tribes at the mouth of the Columbia and identified "Comecomly" as "the principal chief of the place" in 1812 (Ross 1849, 71-72, 87). Alfred Seton, who arrived in 1812, wrote that there were "two villages of Indians" who called themselves "Chinooks" across the river from the fort (Seton 1993, 90). Alexander Henry, who arrived in 1813, identified "Comcomly" as "chief of the Chinooks" and noted the existence of "three Chinook villages" across from the fort in 1814 (Henry 1897, 750, 789, 826, 837). Peter Corney, who lived on the Columbia from 1814 to 1817, described "Com Comley, king of the Chinook nation," as the "most powerful chief on the river. . . ." Comcomly's village, he said, consisted of about 30 houses, with each house containing from 5 to 15 families. There was another Chinook village of about 30 houses, he added, a little upriver from Comcomly's (Corney 1896, 145, 151-152; see also 110, 113).

Several visitors to the Columbia River during the first two decades after the founding of Astoria had brief contacts with the Chinook Indians. Captain James Biddle of the United States Navy appeared on the Columbia in August 1818 in order to establish a formal claim to possession of the region by the United States. After conducting a brief ceremony on the north bank of the river, Biddle wrote in his log, "I proceeded up to Chinoake village and visited its chief. . . ." (Biddle 1902, 311). George Simpson, a governor of the Hudson's Bay Company, visited the Columbia during the winter of 1824-1825. He observed that the "Chinook tribe is the most powerful" tribe in the vicinity and that "Concomelly is the principal man" of the Chinook (Simpson 1968, 96-97). An expedition sent north from the Columbia by Simpson made camp on the west side of Shoalwater Bay in November 1824. Hudson's Bay clerk John Work recorded in his

journal that, "Here there is a small village of Chenooks consisting of 5 inhabited and 1 uninhabited house" (Work 1912, 202). Naturalists David Douglas and John Scouler arrived on the Columbia in 1825. Both identified Comcomly as the Chinook chief, and Scouler referred to visiting "the Cheenook village" (Scouler 1905, 165, 167, 177; Douglas 1904, 253). Scouler also claimed that the Chinook had recently abandoned their favorite residence on the beach between Point Ellice and Chinook Point because so many of Comcomly's family had died in that location (Scouler 1905, 277).

A census of the Hudson's Bay Company, at the time of Simpson's visit in 1824-1825, found the population of the Chinook on the north side of the river to be 550, plus 170 slaves, for a total of 720 people. On the south side of the river, this census found another 100 Chinooks and 90 slaves. Thus, the company put the population of free Chinooks as 650, and the total of Chinooks and their slaves as 910 (Simpson 1968, 170). Published population figures in these years were less reliable. A report on the Indian tribes of the United States prepared for the Secretary of War in 1822 by Jedidiah Morse, who had not been to the Columbia River, gave the location of the Chinook as 12 miles from the mouth of the Columbia, on the north side of the river, and their population as 1,700 (Morse 1822, 368). Samuel G. Drake's *The Book of the Indians*, published in annual editions after 1832, gave the population of the Chinook in 1820 as 400 people in 28 lodges (Drake 1841, vii; Smithsonian 1886, 894). This, of course, was merely a restatement of Lewis and Clark's population estimate. The estimate of those explorers was also recycled in a report to Congress by Secretary of War Lewis Cass in 1834 (Schoolcraft 1851, 3:609).

The aboriginal population of the lower Columbia River was devastated by an epidemic which began about 1830. John McLoughlin, who was in charge of the Hudson's Bay post at Fort Vancouver, reported in October 1830 that the "intermittent fever" had appeared at the fort "and carried off three fourths of the Indian population in our vicinity. . . ." (Barker 1948, 139-140). "The depopulation here has been truly fearful," observed orinthologist John Townsend, who arrived on the Columbia in 1834. He speculated that only one out of every one hundred Indians had survived the epidemic. The once numerous Chinooks, he concluded, were now "gone" and their villages were in "ruins" (Townsend 1839, 197, 222-223). In 1839, Catholic missionary Modeste Demers reported from Fort Vancouver that about 1830 "the disastrous malady known by the name of fever and ague" had killed many of the Indians between that fort and the ocean, all of whom he called Chinook Indians. The death rate was so high, he said, that it was "necessary to burn a whole village . . . for the survivors were not capable of burying their dead" (Demers 1839, 68). Artist Paul Kane, who had visited Fort Vancouver during 1846-1847, judged that the population of the Chinooks' "principal settlement" at Chinook Point "was nearly reduced to one-half its numbers" by that epidemic (Kane 1855, 21).

Visitors in the 1830's, however, still found a Chinook presence. John Townsend, despite his conclusions about the effects of the epidemic on Chinook population, identified "Chinamus" as "the Chinook chief" in 1835. The next year, Townsend was a guest of Chenamus at his lodge "at Chinook." He observed three other lodges attached to that of the chief and said that about 30 people lived there (Townsend 1839, 208, 253-254). In

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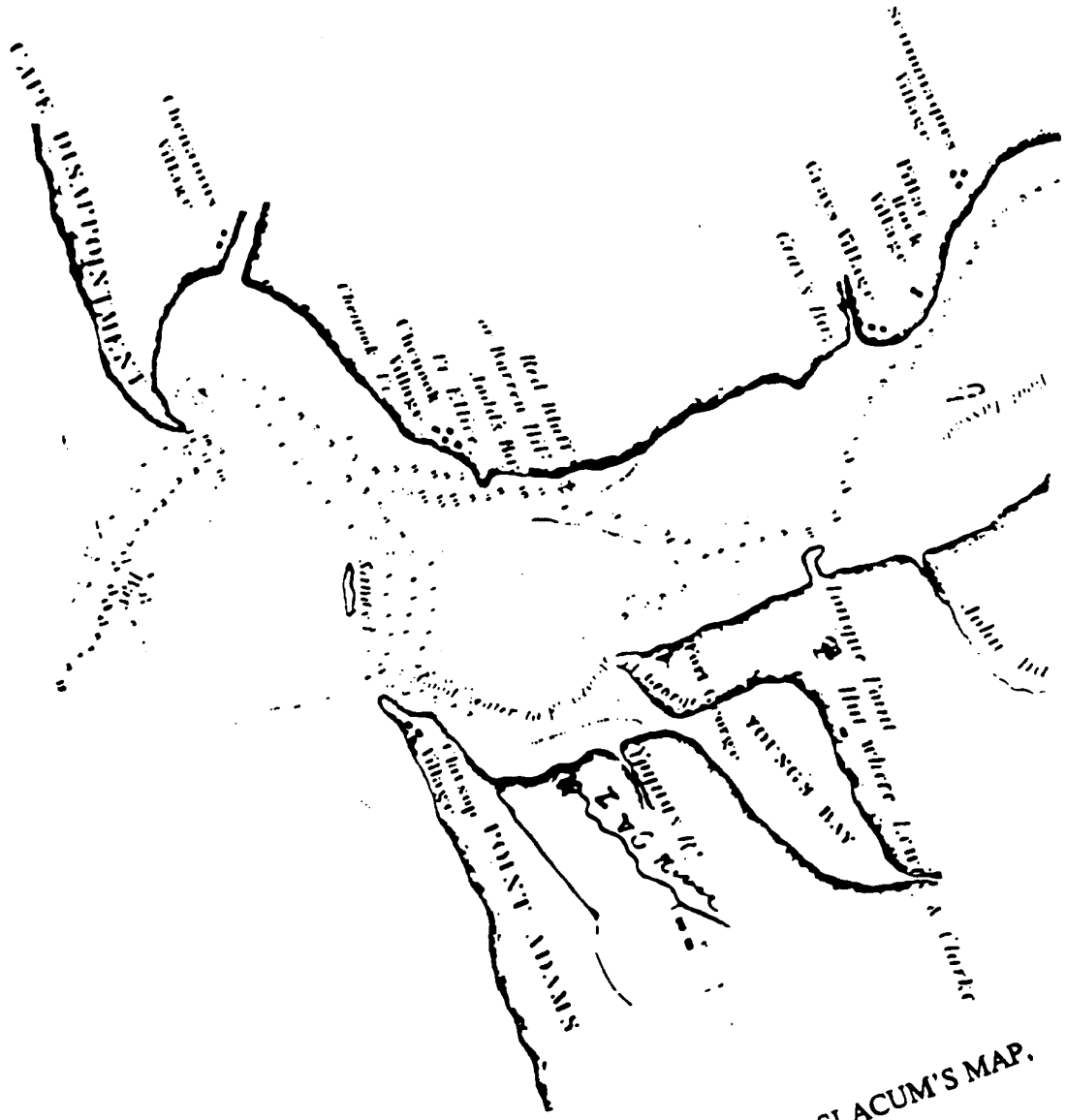
CAPE DISAPPOINTMENT
Chinook Village
Chinook Village
Chinook Village

1836, W. A. Slacum of the United States Navy said that he had met with "Chenamus," the "principal chief" of the "Chenook tribe," at Baker's Bay. His estimate was that the combined population of the Chinook and Clatsop did not exceed 800 people (Slacum 1837, 4, 15). Hall Kelley, a propagandist of American expansion who had visited the Columbia in 1834, stated in 1839 that only "remnants" of the tribes of the lower Columbia still existed. He put the total Indian population of the lower Columbia at less than 400 and claimed that the "Chenooks" had been "reduced to less than one fourth of their former numbers" (Kelley 1839, 61).

The location of Chinook villages during the 1830's were recorded by both the American and British navy. In 1836, W. A. Slacum charted the Columbia River for the United States. His chart showed five Indian villages on the north shore of the Columbia (see Figure 4). At the mouth of a river on Baker's Bay was "Chenamus village" with 2 lodges. Between Point Ellice and Chinook Point was "Chenook village" with 4 lodges. East of Gray's Bay were three villages, including 3 lodges at "Scummaques village." On the south shore at Point Adams, his chart showed a "Clatsop village" with 3 lodges (Slacum 1836). Sir Edward Belcher explored the river for Great Britain in 1839. His map of the "Entrance of Columbia River," published in 1844, showed four Indian villages on the north shore west of Point Ellice. Located on Baker's Bay were "Chenaimus village" of four lodges and "Klatzap village" of nine lodges. At the base of the mountain at Chinook Point was "Chehalis village" of four lodges. East of the mountain, at "Chenoke Point," was "Chenoke village" of seven or eight lodges (Belcher 1844). Another map of the Columbia was published about 1844 by the French traveler Eugene Duflot de Mofras (Mofras 1844), but it clearly was just a copy of Slacum's map of 1836.

A number of visitors to the Columbia mentioned meeting with or observing Chinook Indians in the 1840's. Missionary Gustavus Hines recalled that when his ship arrived on the Columbia in 1840 it had been visited by "a number of Indians of the Chenook tribe," including chief Chenamus (Hines 1851, 88). American naval explorer Charles Wilkes met a canoe "manned by a crew of Chinook Indians" in 1841 (Wilkes 1845, 4:492). James Meredith Gairdner, an infamous visitor because he robbed a grave of a Chinook skull in 1835, published notes on the tribes of the Columbia in 1841 which identified the "Chenook" as a tribe "on Baker's Bay" (Gairdner 1841, 255). Missionary Daniel Lee, who visited the Chinooks in 1840 and then resided across the river from them, recalled that the "Chenooks" lived on the north side of the Columbia with "their summer residence being immediately on the banks of the river during salmon season. . . ." (Lee and Frost 1844, 99, 194-195). In 1844, missionary Peter De Smet wrote that the "Tchinouks inhabit three villages beyond the forest" of the northern shore of the Columbia (De Smet 1844, 160). "There are still some large Indian villages in our vicinity," Theodore Talbot wrote from Astoria in 1850, "but they are the mere remnants of the great nations which dwelt upon this River" before the arrival of whites. Talbot concluded that "only a few straggling representatives" of Comcomly's "Chenook" tribe remained (Talbot 1972, 141-142).

Hudson's Bay trader James Birnie of Fort George observed in 1840 that the number of

Indians in the vicinity of the post had "been on the decrease for the last twenty years." Birnie reported that the Chinooks numbered 287: 75 men, 85 women, 69 children, and 58 slaves (Birnie 1840, 139-140). Methodist missionary John Frost noted in his journal in 1840 that Birnie had been given these figures by the Chinook chief "Chanamess." Frost reported the number of Chinooks as 288: 58 in Chenamus' village, 114 in a second village, and 116 in the "upper village" (Frost 1934, 58). This was a reduction from the 720 Chinooks counted by the Hudson's Bay Company in the mid-1820's. Captain Wilkes, who was on the Columbia in 1841, put the population of the Chinooks at 209 (Schoolcraft 1851, 5:705). The ethnographer in Wilkes' party, Horatio Hale, judged that the "remnant" of the Chinookan-speaking tribes of the lower Columbia had been "reduced to a tenth of their former numbers. . . ." (Hale 1846, 215).

At the end of the 1840's, after this area had become a part of the United States, Joseph Lane, the governor and superintendent of Indian affairs for the new Oregon Territory, said that the "Chenooks" at Baker's Bay numbered about 100 (BIA 10/13/1849, 132). Two Indian censuses prepared about 1849 gave the population of the Chinooks as 100 or 120 (Schoolcraft 1851, 1:521, 6:701). If the American censuses did not include the "upper village" population counted by the Hudson's Bay Company, these figures would be similar to the British census at the start of the decade. In 1851, Superintendent of Indian Affairs Anson Dart gave the population of the "Chinooks" as 142 (Schoolcraft 1851, 3:632). A census prepared by local officials in 1851 found 15 families of Chinooks, with a population of 90; 13 families in which a Chinook woman was married to a white man, with a population of 47; and 11 scattered Chinook individuals, for an apparent total of 148 Chinooks. In addition, these Chinooks had 36 slaves (BIA 1851). In general, population estimates appeared to reveal that the population of Chinooks had been continually decreasing for several decades prior to 1851.

Five Chinook individuals gave depositions in 1902, for litigation in the United States Court of Claims, in which they testified about the territory, places of residence, and population of the Chinooks at the time of the treaty negotiations of 1851. At the time of the treaty, witnesses Catherine George would have been about 24 years old, Mary Rondeau Kelly about 23, Samuel Mallett about 21 or 28, John Pickernell about 12, and Julia Pickernell Russell about 7. Kelly may never have lived with the Chinooks prior to 1851. The witnesses all described a village known as "old Chinook" or "main Chinook" which was apparently in the vicinity of Point Ellice on "Chinook beach," opposite modern Astoria. Most also indicated that a separate village was just down the river at Scarborough Head, about where McGowan and Fort Columbia were later built. Most of the witnesses also agreed that Chinooks lived in or near the town of Unity, in the area of modern Ilwaco. They also placed another village on the Chinook River where it entered Baker's Bay. John Pickernell suggested that there had been a string of villages where Chinook City came to be located, and one where Fort Canby was built at Cape Disappointment. Catherine George said that headman Selawish had a village on Gray's Bay. None of the witnesses claimed that Chinook territory extended up the river beyond Gray's Bay (Court of Claims 1902, 46, 50, 64-65, 100, 118, 121, 159, 169, 175, 191-193, 205). This testimony was, in general, consistent with the observations of non-Indians.

The Chinook witnesses, however, provided information about locations on Shoalwater Bay and its tributaries which almost no non-Indians had identified before 1851. Catherine George testified that about 100 Chinooks lived at Bay Center on Shoalwater Bay at the time of the treaty. Mary Kelly agreed with George that there was a village at Bay Center. George also indicated that headman Narcotta and almost 100 people lived seasonally on the peninsula along the western edge of that bay. John Pickernell agreed that there were villages on the peninsula and Samuel Mallett noted that Chinooks harvested cranberry marshes there. Julia Russell said generally that there were Indian houses on Shoalwater Bay. George said that there was a village on the Naselle River about 5 miles from where it entered Shoalwater Bay. Both Pickernell and Mallett agreed that there were villages or seasonal lodges on the Naselle. George also said that there were Chinooks on the Palix River, another tributary of Shoalwater Bay, and Mallett seemed to say that Chinooks had winter residences on the Palix. The Chinook witnesses in 1902 gave the Chinook population at the time of the treaty as at least 400 or 500 people (Court of Claims 1902, 67, 97, 101, 103, 121, 127, 140-141, 159-160, 169, 176-177, 192-195, 205, 209). This estimate was significantly higher than that made by contemporary non-Indian observers. Some of that difference could be accounted for by the witnesses' inclusion of Shoalwater Bay Chinooks in their estimates, while the non-Indian observers had counted only Chinooks on the Columbia.

Anthropologists, following the lead of Frederick Hodge in 1907 and Verne Ray in 1938, have concluded that aboriginal Chinook villages were politically autonomous and that the village was the largest political unit among the aboriginal Chinook (Hodge 1907, 273; Ray 1938, 35, 55). Ray reached this conclusion from interviews with his informant, and from the observations of some early-19th century visitors to Chinook territory like Gabriel Franchere. A trader who had been at the fur traders' post at Astoria in the 1810's, Franchere concluded that the villages along the Columbia formed "little sovereignties" which were independent of each other. He claimed that each village had a chief, but that the chief did "not appear to exercise great authority over his fellow citizens." Franchere portrayed a native society in which the political structure had been "reduced to its simplest form" (Franchere 1967, 115). Fur trader Ross Cox agreed that "Each village is governed by its own chief" (Cox 1957, 173). This view of village autonomy also was presented by Chinookan descendants in 1902 testimony for the Court of Claims, which was not known to Ray. The two most knowledgeable witnesses identified an extensive list of "chiefs," and the villages or territory under their influence, at the time of the 1851 treaty negotiations (Court of Claims 1902, 123-124, 175-177, 190-193).

Other individuals among the earliest explorers and traders to visit the Chinook, however, ascribed to them a system of political authority under the leadership of a principal chief, or of influential chiefs whose influence extended beyond their own village. In 1795, the captain of a British trading ship described Taucum as "the Chief of the Chinook Tribe" (Elliott 1927, 267). Lewis and Clark described the Chinook as having several chiefs or headmen, but also referred to a "principal Chief of the Chinooks" (Lewis and Clark 1983, 6:61; 1904, 3:230). The memoirs of fur traders who came to the Columbia River after the establishment of the post at Astoria in 1811 referred to Comcomly as the chief of the

Chinook villages across the river from the fort (Ross 1849, 71-72; Henry 1897, 750; Simpson 1968, 97; Scouler 1905, 165). Such accounts tended to emphasize, and probably to exaggerate, Comcomly's preeminence and power, as when one trader described Comcomly as the "king of the Chinook nation" (Corney 1965, 151). In the 1830's and 1840's, after Comcomly's death, visitors to the lower Columbia referred to Chenamus as the "chief" or "principal chief" of the Chinook (Slacum 1837, 4; Townsend 1839, 208; Lee and Frost 1844, 194; Hines 1851, 88). During the years from 1792 to 1851, many outsiders expected the Chinook to be governed by a single leader, and identified a series of such principal chiefs.

Some early-19th century visitors grouped all of the Indians of the lower Columbia River as Chinooks. In 1838, when Samuel Parker published a journal of his travels West of the Rocky Mountains, he referred to the "Chenook nation" as the Indians residing along the Columbia from the Cascades to the ocean (Parker 1838, 258). Missionary Modeste Demers also said that the "Chinook Indians are scattered along the Columbia River from this fort [Vancouver] down to the Pacific Ocean" (Demers 1839, 68). Samuel Parker, John Townsend, and Paul Kane all identified a headman near Fort Vancouver, named "Cazenove" or "Casanov" or "Ke-ez-a-no," as a Chinook chief (Parker 1838, 251; Townsend 1839, 229; Kane 1859, 118). The map of ethnographer Horatio Hale displayed the "Tshinuk" occupying both sides of the Columbia River from the ocean to the "Falls," and the northern end of the Willamette River. Since Hale's intent was to show the "affinities by language" of the tribes, his map presented a linguistic region rather than a tribal territory (Hale 1846, 196/197).

Most observers during the first half of the 19th century, however, described the Chinook as a tribe or band which was separate from the Clatsop, Wahkiakum, and Kathlamet of the lower Columbia. For example, when Lewis and Clark constructed lists of tribes, they included the Wack-ki-a-cum, Cath-lah-mah, and Clat-sop as tribes separate from the Chinook (Lewis and Clark 1983, 6:154-155; 1904, 6:117). Fur trader Alexander Ross listed the Clatsop, Cathlamux, Wakicum, and Chinook as separate tribes (Ross 1849, 87). Ross Cox, clerk at Fort Astor, listed the Cathlamah and the Clatsop as tribes distinct from the Chinook (Cox 1957, 164). The Hudson's Bay census of 1824-1825 enumerated the Clatsop, Cathlamet, and Wakycome as tribes separate from the Chinook (Simpson 1968, 170). Naval surveyor W. A. Slacum, Hudson's Bay trader James Birnie, and missionaries Gustavus Hines and Daniel Lee all considered the Chinook and Clatsop to be separate tribes (Slacum 1837, 15; Birnie 1840, 140; Hines 1851, 88; Lee and Frost 1844, 99). Even ethnographer Horatio Hale wrote that the tribes who spoke nearly the same language were the Wakaikam, Katlamat, Tlatsap, and Tshinuk (Hale 1846, 215). The first report and census by Governor Lane listed the Clatsop, Catelamet, and Kathlamit as separate from the Chinook and from each other (BIA 10/13/1849, 130-132; Schoolcraft 1851, 1:521, 6:701). In the treaty negotiations of 1851, the Indians negotiated as members of these separate bands.

Treaty Negotiations, 1851-1856

In 1850, Congress authorized treaty negotiations with the tribes of the Territory of Oregon, which at that time included modern Washington State, in order to extinguish their title to the land and to remove them east of the Cascade Mountains (*Statutes* 1850, 437). Although special commissioners originally were appointed by the President to negotiate these treaties, a provision of the Indian appropriation act passed in 1851 directed that all Indian treaties be negotiated by Federal officials of the Indian bureau (*Statutes* 1851, 586). Thus, Superintendent of Indian Affairs Anson Dart and two Indian agents assumed this responsibility. They were supplied with the same instructions that had been given to the previous negotiators (BIA 4/12/1851; Court of Claims 1906, 3). These instructions informed the negotiators that the Government's objective was "to extinguish the title of the Indians to all the lands lying west of the Cascade Mountains" and, if possible, to remove them all east of the mountains. The Government "presumed" that, due to limited white settlement, "the lands to be ceded will not be found to be of any very great value. . . ." It instructed the negotiators to pay for the ceded lands in annual annuities of goods, not money. Because its information was "so limited," however, the Indian Office told the negotiators that "nearly everything must be left to your discretion. . . ." (BIA 10/25/1850, 115-116).

The Government's negotiating party of Superintendent Anson Dart, Agent H. H. Spalding, and sub-agent J. L. Parrish, plus a secretary and cook, arrived at the treaty grounds on August 1, 1851. Local resident W. W. Raymond provided them with an office and acted as their interpreter (United States 1851a, 1). The site of the treaty negotiations was Tansy Point, located on the south shore of the Columbia east of Point Adams, west of Young's Bay, and across the river from Baker's Bay. Negotiations with the Clatsop, two bands of Tillamook, and the Nuc-que-clah-we-nuck preceded negotiations with the Wheelappa and five bands of Chinook (United States 1851a, 1-38). In a meeting with the Chinook on August 7, the superintendent asked: "As you are all one people, speaking the same language . . . can you not all agree to all come together and unite in one treaty?" According to the negotiators' minutes, however, the Chinook appeared to be divided. Therefore, the council was adjourned in order to give them time to deliberate among themselves. The next day the negotiators were informed that the "Chinooks had concluded to seperate [sic] into their several bands and treat accordingly" (United States 1851a, 17).

When Superintendent Dart forwarded the treaties he had negotiated to the Commissioner of Indian Affairs in November, he said that they ceded to the Government a tract of land which extended for 100 miles along the Pacific coast and inland for 60 miles along the shores of the Columbia. "The country," Dart wrote, "was owned by ten small tribes of Chinook Indians. . . ." (BIA 11/7/1851). At Tansy Point on August 8 and 9, 1851, the Government negotiated and signed separate treaties with five bands which it explicitly labeled "Chinook": the "Lower band of Chinook Indians," the "Waukikum Band of Chinook Indians," the "Konnaack Band of the Chinook Tribe of Indians," the "Kathlamet Band of the Chinook Tribe of Indians," and the "Klatskania Band of the Chinook tribe of

Indians" (United States 1851a, 17-32). When the treaties were presented to the president, the Wheelappa were also identified as a band of the Chinook (Interior 1852). Because the Lower Band was "much more numerous than any of the others" and ceded a tract of lands larger and more valuable than the others, it was promised the largest payment: $20,000 in goods and money to be paid in ten annual installments. The lands to be ceded by the Lower Band were bounded on the west by the ocean, on the east by Gray's Bay, on the south by the Columbia, and on the north by Shoalwater Bay and the watershed between the Columbia and Chehalis Rivers (United States 1851a, 18, 27; 1851c).

Superintendent Dart claimed that during the negotiation of every one of these treaties the entire band was present, and that in several cases the treaty was signed by every man alive at the time (BIA 11/7/1851). The treaty with the "Lower band of Chinook Indians" was signed by 20 men. This was consistent with contemporary estimates of their total population as in the range of 100-150 people. The treaty with the "Waukikum Band" was signed by 8 men, the treaty with the "Kathlamet Band" was signed by 7 men, the treaty with the "Konnaack Band" was signed by 7 men, the treaty with the "Wheeluppas" was signed by 4 men, and the treaty with the "Klatskania band" was signed by 2 men. Thus, a total of 48 men signed the six treaties made at Tansy Point with bands which the Government labeled "Chinook" (United States 1851a, 20-32). This was somewhat consistent with Dart's estimate that the ten small treaty tribes had a population of about 320 people (BIA 11/7/1851). When, in the 20th century, the Congress authorized payment for the lands covered by the Chinook treaties, the Government's researcher found living descendants of 6 of the 20 treaty signers of the Lower Band, but no descendants of the 19 signers on behalf of the Waukiakum, Kathlamet, or Wheelappa bands (McChesney 1906 and 1913; BIA 1914).

As the culmination of the negotiations at Tansy Point, the treaty with the "Wheeluppas & Quillequeoquas" provided that the lands ceded by them "shall be reserved for the exclusive use of the Chinook tribes or bands and the Chehalis tribe. . . ." (United States 1851a, 35; 1851b). In short, this proposed to create a reservation for the Chinook and Chehalis. This reserve would lie north of the lands ceded by the Chinook, south of the lands of the Chehalis, and west of the lands of the Cowlitz. Although it would consist of highlands removed from the Columbia River, it also would contain a frontage of 20 miles of coast along Shoalwater Bay and the Pacific Ocean. Superintendent Dart's letter to the commissioner explained that this cession "is set apart as an Indian country or reserve, provided that all the neighboring bands shall within one year consent to occupy it and give up their temporary rights of possession" at their current homes (BIA 11/7/1851). The Lower Band in its treaty had reserved "the privilege of occupying the grounds they now occupy," and the treaties with the other bands contained similar provisions (United States 1851c). In the superintendent's opinion, however, there was "not the least prospect that a single band will leave their present homes" for the proposed reserve (BIA 11/7/1851). Indeed, the Chinook did not obtain this reservation because they resisted moving to these lands and because the treaties were not ratified.

The Indian Office did not transmit the treaties to the Interior Department until July 1852.

The commissioner complained that all of the treaties contained "provisions of doubtful expediency," but did not recommend their rejection (BIA 7/21/1852). When the Secretary of the Interior transmitted the treaties to the president, he explained that the commissioner objected to the provisions which allowed the Indians to retain residences at their current locations. Arguing that this concession had been "indispensable" to the Indians' approval of the treaties, because they refused to consider their removal elsewhere, the secretary recommended that the treaties be ratified (Interior 1852). President Millard Fillmore sent the treaties to the Senate on July 31, 1852 (President 1852). Although the Committee on Indian Affairs reported them without amendments, the treaties were ordered to "lie on the table" (Senate 1969, 8:430, 432, 452). They suffered the same fate in 1854 (Senate 1969, 9:262, 333). The treaties were neither ratified nor rejected. In 1912, a Senate committee argued that the Senate had failed to ratify them because of "the objections to the provisions in the treaties that permitted the Indians to remain in the vicinity of their old homes. . . ." (Senate 1912a). A regional history text has concluded that the treaties failed of ratification because such provisions departed from Federal removal policy and created opposition from settlers (Johansen and Gates 1967, 251).

The population of the Chinook continued to be decimated by epidemics in the 1850's. According to P. J. McGowan, a non-Indian who bought 320 acres from a Catholic missionary and settled on the river somewhat more than a mile from the old village of Chinook, the missionary indicated that he was leaving because "the tribe had dwindled away. . . ." The missionary said, McGowan recalled, that the Indians "got diseased and disappeared very rapidly, and he did not have many parishioners left" (Court of Claims 1902, 17, 19). Although this may have described a long-term population decline, some of the witnesses in the claims case in 1902 suggested that an epidemic afflicted the Chinook in 1852 and 1853. Witness Julia Russell claimed that 6 of the 13 treaty signers known to her had died of smallpox after the treaty negotiations (Court of Claims 1902, [64-67], 211, 242). In January 1853, William Strong, a territorial judge at Cathlamet on the north bank of the Columbia, attempted a census of "the remnants of all the old river tribes . . . now living on this side of the river." Strong found 43 Indians from Cape Disappointment up to "Chenook" and another 46 Indians upriver from "Chenook" to the Cowlitz River (Strong 1853).

The Chinook in the years following the treaty negotiations were described by several Indian agents and by James Swan, a non-Indian resident on Shoalwater Bay. Swan settled in 1853 on the east side of the bay at a location just north of modern Bay Center (Swan 1857, 48, 74-77, 319). In June 1853, Swan visited the Columbia and found that the village of "Chenook" consisted of 12 or 14 houses occupied by whites "and nearly the same number of Indian lodges." The once numerous "Chenook Indians," he reported, "number but a little over a hundred persons. . . ." (Swan 1857, 102, 109-110). A similar estimate was made in January 1854 by George Dawson of the town of Chenook who listed 65 "Chenook Indians" in 24 families on "Chenook Beach" (Dawson 1854). When Swan published his memoirs in 1857, he noted that the Chinooks had suffered "an immense mortality," and he attributed their decline to measles and smallpox. He feared

that "the race of the Chenooks is nearly run" (Swan 1857, 108, 110, 212). In his book, Swan listed the Indian tribes of the coast. He described the "Chenooks" as being located "on the Columbia." The names of the Shoalwater Bay tribes he gave as the "Kar-wee'wee, or Arts'milsh," but noted that they "are usually considered as Chenooks" (Swan 1857, 210).

George Gibbs, who gathered ethnological data for the survey of a northern railroad route to the Pacific, reported in March 1854 that "a few remnants of the once numerous Chinooks" still lived on the Columbia River and at Shoalwater Bay. His pessimistic prediction was that the future would see the "speedy extinction" of the Chinook. Gibbs said that the Lower Chinook extended from the Cowlitz River to the ocean and had six or seven settlements, "most of which consist of single families." Although the largest Chinook settlement was on Chinook beach, Gibbs claimed that Shoalwater Bay "was really the principal seat of the Chinooks. . . ." The southern half of the bay belonged to the Chinook, Gibbs said, and the northern half to the Chehalis. The Chinook had a winter village on Shoalwater Bay, he reported, and resorted to the Columbia mostly for spring salmon (Gibbs 1854, 427-429). Gibb's population figures for the Chinook in January 1854 were repeated in the 1854 report of Isaac Stevens, the governor of the new Washington Territory. Gibbs found that the "Lower Chinooks" consisted of two groups with a total population of 116: the "Chinook band" on the Columbia below the Cowlitz River with a population of 66, and four bands on Shoalwater Bay with an estimated population of 50 (Gibbs 1854, 435; Schoolcraft 1851, 5:703).

A newly-appointed Indian sub-agent, William H. Tappan, visited the Columbia River and Shoalwater Bay and sent a report to Governor Stevens in September 1854. Tappan said that, while the Chinook still occupied lands at the mouth of the Columbia, the "ruins of their houses are still visible for miles along the shore." Within the last two years, he reported, disease had reduced the population of the Chinook by two-thirds. At the mouth of the Columbia, Tappan found only six or eight houses and 126 people. Another band of Chinook who were "somewhat mixed with the Chehalis tribe" made their homes at Shoalwater Bay, he reported, and numbered 71 (BIA 9/3/1854, 1, 5). In January 1855, Tappan said that there were nine or ten Chinook families at Shoalwater Bay. He put the entire Chinook population at 157 (BIA 1/18/1855).

Treaty negotiations with the tribes of the new Washington Territory were authorized by Congress in July 1854 (*Statutes* 1854, 330). The next month, the acting Comissioner of Indian Affairs provided negotiating instructions to Governor Stevens, who also served as superintendent of Indian affairs for the territory. The treaties, Stevens was told, would extinguish the Indians' "claim of title" to all lands in the territory, except for "limited districts" which would be assigned to them to occupy. Stevens was instructed "to unite the numerous bands and fragments of tribes into tribes" for the purposes of these treaty negotiations. The governor was given copies of several recent treaties as examples for his treaty provisions. He was advised to avoid payments to the tribes in money (BIA 8/30/1854). When the commissioner explained these instructions to the Secretary of the Interior, he said that the purpose of the treaties was to concentrate the tribes and bands

"on a few reservations," and to establish the proposed reservations "in locations not touching on the white settlements" and "so as not to interfere with the settlement" of the territory (BIA 11/26/1855, 11/22/1856). The map prepared by Governor Stevens of the "Indian tribes to be treated with" showed the Chinook as occupying lands along the northern shore of the Columbia River and both shores of Shoalwater Bay south of its opening to the ocean (Stevens 1854).

That the prospects for additional treaty negotiations with the Chinook would prove difficult was made clear by the reception sub-agent Tappan received in 1854. The agent spent two fruitless days trying to assemble the Chinook on the Columbia for a talk. "The reason they gave for not gathering," Tappan wrote, "was that many Indian agents had been among them, . . . but they had received nothing," especially not payment for their lands occupied by whites. Because the Chinook "felt they had been trifled with," Tappan concluded, "the words of an agent are as unavailing as the wind that blows" (BIA 9/3/1854, 4-5). Tappan warned that the unratified treaty had "given rise to a feeling of distrust" of the Government and its agents on the part of the Chinook, and that, as a result, "the making of treaties for the purchase of lands will be full of [delay], and, of difficulties" (BIA 12/15/1854).

Sub-agent Tappan suggested that the Chinook would "require no reserves other than their fisheries." It would be more satisfactory to the Chinook, he said, to permit them "to fish in common with the whites" than it would be "to confine them to lands remote from the shore." He appeared to favor a reserve for the Chinook at Shoalwater Bay (BIA 12/15/1854). Tappan visited the Chinook again in January 1855. Although he still found them to be "sullen," he said that they "were willing to dispose of their lands if they could get a reserve that suited them." However, he added, they "obstinately refused to go to the north." They would agree, he said, to remove no farther north than the Naselle River, which entered Shoalwater Bay on the southeast (BIA 1/18/1855). In February, under instructions from Governor Stevens to assemble the Chinook and Cowlitz for treaty negotiations, Tappan reported that he might not be able to bring any Indians to the conference (BIA 2/14/1855). A delegation of Cowlitz and Chinook did arrive at the council, however, with special agent and interpreter Frank Shaw (U.S. 1855, 50).

The site of the treaty negotiations was on the Chehalis River, about ten miles from its entrance into Gray's Harbor. An estimated 370 Indians attended the conference, and they claimed to represent 843 people. The Chinook negotiators represented 112 "Lower Chinooks" (U.S. 1855, 50, 64; Swan 1857, 327, 337-338). In Governor Stevens' opening speech to the council, he specifically referred to the previous treaties with the Chinook and attempted to explain that the "Great Father did not like them" (U.S. 1855, 51). The governor arrived for the negotiations with treaty provisions already prepared, and the draft treaty was read to the assembled Indians before discussions began (U.S. 1855, 51-52; Swan 1857, 341, 343). The proposed treaty ceded the lands of southwestern Washington, but reserved for the Indians a tract of land on the Pacific coast between Gray's Harbor and Cape Flattery, to be selected by the president. The draft treaty also provided that the president could have this reserve surveyed into lots which would be

assigned to individuals. The Government agreed to pay the treaty tribes an annuity of $40,000 over 20 years. The draft treaty also contained provisions granting the tribes the right to fish in common with whites and requiring them to free their slaves. It pledged the Government to establish a school and employ a physician at the reserve (U.S. 1855, 64-67).

Making replies on behalf of the Chinook to the governor about the proposed treaty were "Nah-kot-ti" [Nahcotta] and "Moosmoos" [Ahmoosemoose]. They expressed a desire to maintain a house on the Naselle River, to be able to dry salmon on Baker's Bay, to get cranberries, take oysters, and fish in Shoalwater Bay, and to have the same privileges to travel as whites (U.S. 1855, 54, 60). Although the Quinault chief signed the treaty, the Chinook, according to the treaty journal, "were willing to sign themselves as soon as the others did," but would not do so first (U.S. 1855, 58). James Swan, who attended the conference as an observer, said that the chiefs who spoke expressed a willingness to have the Government purchase their lands, but indicated that "they did not want to go on to the reservation" (Swan 1857, 345). Stevens, however, insisted on removal of the tribes to a coastal reserve removed from white settlement. He had been instructed to do so, and Congress had demonstrated its unwillingness to ratify treaties which left these tribes in place. The governor was either unable or unwilling to specify the location of the reserve, leaving it to the future discretion of the president. This uncertainty should not have been crucial to the Chinook, for they had resisted any location that far north. Having found it "impracticable to bring the Indians voluntarily upon one reservation," the Government's journal concluded, "Governor Stevens dismissed them" and returned to Olympia without a signed treaty (U.S. 1855, 64).

Neither the governor nor the Government would again attempt to negotiate a treaty with the Chinook. Since the Quinault had shown a willingness to conclude a treaty, however, the Government did conduct additional negotiations with delegates of the Quinault and Quillehute Indians. A treaty with them was signed by the tribes on July 1, 1855, on the Quinault River, and by the governor on January 25, 1856, in Olympia. This Treaty of Olympia was ratified by the Senate in 1859 (Kappler 1904, 2:719-721; Senate 1969, 10:131, 438-439; 11:83-84; Stevens 1900, II:8). The lands ceded by this treaty were north of Gray's Harbor and outside Chinook aboriginal territory (Royce 1900, 808-808, Area #371). Although the treaty authorized a reservation for the two treaty tribes, it also provided that the president could consolidate the treaty Indians "with other friendly tribes or bands. . . ." (Kappler 1904, 2:720).

The Post-Treaty Years, 1856-1899

During the decades after the failed treaty negotiations, Federal officials and other observers noted the continued presence of a small number of Chinooks in their traditional territory. In 1857, the Commissioner of Indian Affairs directed J. Ross Browne to investigate the condition of Indian affairs in the territories of Oregon and Washington. In his report, Browne wrote that there were "a few scattering Chenooks" along the shores of

the Columbia and a few families of them at Shoalwater Bay and Gray's Harbor. The number of Chinooks, he stated, "cannot exceed two hundred" (Browne 1857). At the end of 1858, Indian Agent A. J. Cain said that the country adjacent to Shoalwater Bay was occupied by the "Chenook tribe," but added that they "have been diminished . . . to a very small number (less than 120)" (BIA 12/9/1858). When the non-Indian Whealdon family moved to present-day Ilwaco at the end of the 1850's, they found three Indian families living there (Colbert 1946, 189-190; Whealdon 1957). Superintendent C. H. Hale said in 1862 that "a mere handful" of "Chenooks" had survived to the present (BIA 10/19/1862). When George Gibbs published a Chinook vocabulary, in 1863, he agreed that "the Indians speaking the Chinook language are . . . nearly extinct. . . ." (Gibbs 1863, iii). In 1870, however, Superintendent Samuel Ross gave the population of the Chinooks as 220. Ross also claimed that the Chinooks had "no chief" (BIA 9/1/1870).

Despite the failure of the treaty negotiations of 1855, the Government maintained some sense of responsibility for Chinook Indians or the "remnants" of a Chinook tribe until the 1873 expansion of the Quinault Reservation. In 1856, Agent Travers Daniel visited the Indians at Chinook and at Shoalwater Bay (BIA 4/12/1856, 5/24/1856). Special Agent J. Ross Browne indicated in 1857 that the "Chenooks" were among the tribes at least nominally under the jurisdiction of the local agency for the Chehalis district (Browne 1857). Superintendent Edward R. Geary proposed in 1859 that the Indians west of the Cascades be formed into a confederation in which the "Chinooks would find their affinities" with the Quinault (BIA 9/1/1859). In 1860, Agent M. T. Simmons argued that the non-treaty Chinook Indians were "entitled to the care of government" (BIA 7/1/1860). Agent W. B. Gosnell's annual report for 1861 listed the Chinooks on a "census of the Indian tribes with whom I have had official relations" during the past year. However, the agent referred to them as part of a group of "Lower Chehalis and Chinook Indians" (BIA 8/1/1861). When the Office of Indian Affairs prepared a special report for the Senate in 1867 on the Indian tribes of the United States, it did not include the Chinook on its list of tribes. The commissioner's narrative report, however, referred to the "remnants of tribes in southwest Washington Territory" as being under the charge of the Puyallup Agency (BIA 4/12/1867, 4, 25).

In 1859, Superintendent Geary selected a site for a reservation for the Upper Chehalis and Cowlitz on the Chehalis River at its junction with the Black River (BIA 8/1/1861). Superintendent Hale recommended in 1862 that the few surviving Chinooks, together with the Chehalis and Cowlitz, be treated with and then moved to a reserve at that location (BIA 10/19/1862). The next year Hale reported that "the Chehalis Indians were placed upon a reservation" at the mouth of the Black River, despite his lack of instructions to do so, because he believed that he could not delay such action any longer (BIA 9/1/1863). A Chehalis reservation was created at the confluence of the Chehalis and Black Rivers by an order of the Secretary of the Interior on July 8, 1864 (Kappler 1904, 1:903; Royce 1900, 832-833). Superintendent T. J. McKenney in 1869 described the "Chinooks" and "Shoal Water Bays" as among the Indians "belonging" to this "Chehalis reservation" (BIA 8/14/1869). The superintendent added, however, that the Chehalis were the only Indians who resided permanently on the reserve. This

characterization was repeated by the agency farmer in 1872 (BIA 9/27/1872). In that year the superintendent reported that the Chinooks had refused to reside on the Chehalis Reservation (BIA 10/1/1872).

A reservation of 335 acres on the north shore of Shoalwater Bay was created by presidential executive order in 1866. Although a settler had told the Indian Office in 1860 that whites had driven off all the Indians who had lived on that bay (Smith 1860), in May 1866 Giles Ford reported to Superintendent W. H. Waterman that he had "visited Shoalwater Bay and examined the spot that the Indians wish reserved for them. . . ." He urged that the tract "be immediately reserved from sale" and enclosed a plat of the proposed reservation (BIA 5/2/1866). Superintendent Waterman forwarded Ford's letter and map with the recommendation that the designated tract "be reserved for the use of the Indians." These "Indians on Shoalwater Bay," the superintendent said, consisted "of some 30 or 40 families" who had "always lived upon the Beach. . . ." (BIA 6/1/1866). The Commissioner of Indian Affairs asked that the president reserve the land "for certain Indians upon Shoalwater Bay. . . ." (BIA 8/29/1866). President Andrew Johnson created the reserve by signing the executive order which had been enscribed on a copy of Ford's plat (President 1866; Kappler 1904, 1:924). The correspondence leading to this executive order had not explicitly mentioned Chinook Indians. The Indian Claims Commission concluded, however, that both this Shoalwater Bay Reservation and the Chehalis Reservation had been set apart "for the remnants of the Chinook bands and the Lower Chehalis" (Indian Claims Commission 1958, 195).

The Quinault Reservation was enlarged by executive order in 1873. In his annual report of 1872, Superintendent R. H. Milroy indicated that only one of the four tribes for whom the reservation had been established, the Quinaults, lived on the reserve. He recommended that lands which had "no attractions for white settlers" be added to the reserve. Upon this enlarged reservation, the superintendent concluded, "should be collected not only the three tribes named, but also all the other tribes and bands of fish-eating Indians on the Pacific coast" from as far south as the mouth of the Columbia River. In the same report, Milroy stated that the "remnants" of the Chinook tribe were among those Indians who "are emphatically fish-eaters. . . ." (BIA 10/1/1872). The superintendent specifically requested an expansion of the reserve by executive order in March 1873 (BIA 3/21/1873). When the commissioner forwarded the request, he asked that additional lands be reserved for both the treaty Indians and "other Indians not contemplated" by the treaty with the Quinault (BIA 10/31/1873). The executive order of President U. S. Grant of November 4, 1873, justified the enlarged reservation as being in accordance with the Treaty of Olympia of 1855/1856. It also stated that the reserve was "for the use of the Quinaielt, Quillehute, Hoh, Quit, and other tribes of fish-eating Indians on the Pacific Coast. . . ." (Kappler 1904, 1:923).

It was not until 1874, former superintendent R. H. Milroy claimed, that he had learned of the creation by executive order of the Shoalwater Bay Reservation (BIA 9/20/1876). After visiting the reservation in 1874, Agent H. D. Gibson said that only a "small number of Indians" belonged to it (BIA 9/28/1874). In 1876, R. H. Milroy, now an agent after

superintendencies had been abolished, said that he found only two families on the reservation, but 60 Indians residing in the area. He reported that they asked him to be allowed to take claims on the reservation. While there, Milroy appointed a head chief and a council (BIA 9/20/1876). In his next annual report, Milroy said that the Indians of the reservation had had it surveyed into lots and had assigned lots to about 30 people (BIA 8/20/1877). In 1879, the agent said the Indians had built 20 houses on their lots and had created a town which they called "Tokes Town" (BIA 8/28/1879). Agent Edwin Eells described the reservation in 1893, however, as "nearly deserted" because most of the Indians had "moved across the bay and bought land and made homes at Bay Center. . . ." He concluded that they were "becoming absorbed into the body politic" (BIA 8/31/1893). Agent Frank Terry gave the population of the "Shoalwaters (Georgetowns)" as 103 in 1898 and 115 in 1902 (BIA 8/23/1898, 8/30/1902). In their annual reports, these agents never explicitly referred to the Indians of the Shoalwater Bay Reservation as Chinooks.

Agent Milroy described his jurisdiction in 1879 as including five reservations and eight bands not on reservations. The Chinook were not listed as one of these bands. The agent described the Indians "belonging" to the Chehalis Reservation, however, as those whose ancestors had been unsuccessfully treated with by Governor Stevens in 1855 (BIA 8/28/1879). In 1888, a Puyallup Consolidated Agency assumed jurisdiction for southwestern Washington. Its agent, Edwin Eells, observed that at least one-quarter of the Indians within this jurisdiction did not live on reservations, "but are scattered among the whites. . . ." Such individuals, he noted, "can not now be reached by any authority of the agent, and so are left to their own chosen way. . . ." (BIA 8/22/1888). Not only were there no laws by which an agent could enforce any authority over off-reservation Indians, Eells said, but many of these individuals also were citizens and thus beyond his control (BIA 8/26/1889). He concluded that the Government had "but little authority over most of the Indians" within his jurisdiction (BIA 9/7/1894). Agent Frank Terry's list of the tribes of this agency in 1898 did not include the Chinook (BIA 8/23/1898). In 1902, Terry explained that the off-reservation Indians of southwestern Washington were not enumerated on the agency census because they "exercise the rights of citizens and are no longer wards of the Government in the proper sense of that term" (BIA 8/30/1902).

It is difficult to assess the relationship, if any, that Chinook descendants may have had with the Office of Indian Affairs in the late-19th century because the records of that agency between 1881 and 1907 are so inconveniently organized and thus burdensome to research. The indexes to the correspondence of the Indian Office, however, reveal that after 1880 no incoming letters were specifically listed as relating to Chinook Indians until 1899 (NARA n.d.). In that year, the Indian Office was first contacted by attorneys seeking compensation for the land claims of Chinook descendants. It is possible that among the correspondence of the Indian Office relating to the Shoalwater Bay Reservation, or the agency with jurisdiction over that reserve, were letters which referred explicitly to Chinooks, but the indexes of the Indian Office were arranged by agencies rather than by tribes and are not easily used to identify letters mentioning Chinooks.

Local newspapers in the late-19th century subscribed to the prevailing notion that the

American Indian was a vanishing race. In 1893, a newspaper in Astoria, Oregon, characterized the Chinook tribe as having "wasted away to a few scattering remnants. . . ." (Astoria 1893). In 1895, a South Bend newspaper reprinted an article in which Captain W. P. Gray of Astoria concluded about the Chinook that "their tribe is extinct, their language dead, and their abiding place forgotten. . . ." (Gray 1895). The newspapers of the area occasionally printed articles on individual descendants. The Astoria paper in 1891 described 67-year-old Ranald McDonald, of the Fort Colville Reservation, as "the only lineal descendant" of Comcomly (Astoria 1891). The Portland paper in 1899 included a sketch of 73-year-old "princess" Mary Rondeau Ducheney-Preble-Kelly as part of a historical article on Comcomly's former "empire" (Portland 1899). Local non-Indians who described their late-19th century Indian contemporaries as a Chinook tribe did so in a later era. For example, it was in a 1952 affidavit that Alvin Maupin, who worked at McGowan and Shoalwater Bay for about 15 years beginning in 1887, claimed that the Indians with whom he had worked then were "known and recognized as the Chinook Tribe" (Maupin 1952).

The scholars who wrote about the Chinooks in the late-19th century emphasized their small numbers and their potential extinction. After describing the historical Chinook tribe, historian Hubert Howe Bancroft in 1883 commented that the Chinooks are "now few and weak" (Bancroft 1883, 1:223). Professor Otis Mason published a list of tribes as of 1886 that did not include the Chinook, but he had listed only tribes with reservations. Among the reservation tribes of "Chinuk" stock, he included the "Shoalwater" tribe of the Shoalwater Bay Reservation and the "Tsinuk" tribe of the Chehalis Reservation (Smithsonian 1886, 902, 906, 907). The young anthropologist Franz Boas arrived at Bay Center in July 1890 to conduct linguistic research. "After some searching," he wrote in his diary, "I found a man who told me where the Indians live. . . ." His informant Charles Cultee, Boas claimed, "is the only one left who really knows the [Chinook] language" (Rohner 1969, 121; see also Boas 1901, 5). Boas concluded that the Indians at Bay Center were "the last survivors of the Chinook. . . ." (Boas 1894, 5-6). When ethnologist John Wesley Powell published his linguistic research in 1891, he referred to the villages of the Chinookan-speakers in the past tense. He also noted, however, that the agent at Yakima had informed him that "there still remain three or four families of 'regular Chinook Indians' . . . about 6 miles above the mouth of the Columbia" (Powell 1891, 65-66).

Locations and Community, 1870's-1920's:

Bay Center was the location most commonly cited as a contemporary Indian community within the former aboriginal territory of the Chinook. This town is located on the east side of Willapa Bay on a peninsula at the mouth of the Palix River. The tip of this peninsula, known as Goose Pointe, was the location of an Indian settlement during the late-19th and early-20th centuries. Several aboriginal Chinook villages or seasonal use sites had existed in the vicinity of the mouth of the Palix, according to anthropologist Verne Ray's 1938 ethnographic study (Ray 1938, 37, 40). It is not clear whether

TABLE 1

DESCENDANTS OF THE 1851 CHINOOKAN BANDS ON THE FEDERAL CENSUS AND INDIAN CENSUS, 1900

State, County	E.D.	Precinct or Reservation	Total [a] Descendants	Lower Band Descendants	Other Descendants
WA, Pacific	141	Bay Center	86	37	49
WA, Pacific	141	Nahcotta	10	10	0
WA, Pacific	141	Nemah	11	9	2
WA, Pacific	141	Oysterville	6	6	0
WA, Pacific	142	Bruceport	6	6	0
WA, Pacific	143	Chinook	8	8	0
WA, Pacific	143	Chinook / seasonal [b]	3	3	0
WA, Pacific	143	Frankfort	6	6	0
WA, Pacific	143	Ilwaco	53	53	0
WA, Pacific	143	Ilwaco / seasonal [b]	40 [c]	13	27
WA, Wahkiakum	229	Brookfield	39	39	0
WA, Wahkiakum	230	Cathlamet	9	5	4
WA, Wahkiakum	230	Eureka	1	0	1
OR, Clatsop	129	Astoria	1	1	0
OR, Clatsop	134	John Day	4	4	0
OR, Clatsop	136	Clatsop	15	0	15
OR, Clatsop	136	Seaside	2	0	2
OR, Clatsop	139	Knappa	7	7	0
OR, Clatsop	184	Clifton	3	3	0
Reservation	BIA	Chehalis	5	3	2
Reservation	BIA	Grande Ronde	13	12	1
Reservation	BIA	Quinault	17	17	0
Reservation	BIA	Shoalwater Bay	58 [d]	26	32
		Total	333 [e]	246	87

Notes:

a. A Chinook descendant is an individual listed on McChesney's 1906 or 1913 lists, the 1914 annuity roll, or Roblin's 1919 list, or an ancestor or descendant of such an individual. Chinook descendants have ancestry from the Lower Band of Chinook, Kathlamet, Waukiakum, Wheelappa, or Clatsop tribes or bands.

b. These households were listed separately from the rest of Ilwaco and Chinook Precincts as household numbers 456-495; they included individuals who had duplicate entries elsewhere on the Federal census.

c. This total includes 23 individuals who had a duplicate entry on the Federal census: 22 in Bay Center and 1 in Clatsop Precinct. The 23 duplicate entries include 3 Lower Band descendants and 20 other descendants.

d. This total includes 47 individuals who also were listed on the Federal census: 42 in Bay Center, 4 in seasonal fishing camps, and 1 in Bruceport. The 47 duplicate entries include 19 Lower Band descendants and 28 other descendants.

e. These columns do not sum because the totals do not include the double counting of 70 individuals: 23 in both the seasonal fishing camps and another location, and 47 on both the Federal census and Indian census. The 70 duplicate entries include 22 Lower Band descendants and 48 other descendants.

E.D. = Enumeration district number of the Federal census.

BIA = Indian Census Rolls of the Office of Indian Affairs.

Sources: Census 1900a-d; BIA 1900, 1914, 1907-1933; McChesney 1906, 1913; Roblin 1919; Petition.

Chinooks continued to live at any of these locations during the late-19th century. A land ownership map of the vicinity of Bay Center made in 1863 showed only a single land claim, which covered the northern end of the peninsula (Washington State Library 1863). This claim had been filed in 1853 by a doctor who continued to live in nearby Bruceport. The next settler arrived in 1865. By the early 1870's, a small group of temporary homes existed along the shore. The original claim was bought in 1873 by individuals interested in developing a town on that location. In 1875, a plat was laid down for the town of Palix, which was soon renamed Bay Center. The local schoolteacher claimed that the settlement had a population of 100 in 1877 (Clark 1954, 2-7).

There is some evidence of the existence of an Indian settlement, although not necessarily a Chinook community, at Bay Center by the 1890's, and perhaps as early as the 1870's or 1880's. One Chinook descendant has asserted that his grandparents lived in Bay Center "all of their lives," or since 1871 (Wain 1991). The 1880 Federal census listed only 18 households in the entire township, with Indians living in 5 of them (Census 1880a). Emma Millett Luscier, who was anthropologist Verne Ray's principal Chinook informant in the 1930's, claimed to have moved to Bay Center when she was 12, which probably would have been about 1880 (Luscier 1953). Franz Boas found some Indians living at Bay Center in the early 1890's, but provided no description of an Indian settlement, or its tribal heritage, since his interest was in linguistic research (Boas 1894, 6; Rohner 1969, 121). An article in a local newspaper in 1895 implied the existence of an Indian community on the Bay Center peninsula by noting that Indian Shaker meetings "were held recently at Goosepoint. . . ." (Hazeltine 1895). By visiting with Indians at Bay Center in 1908 as part of the early allotment effort, Indian agent H. H. Johnson granted that Indians were living in the area of the town, without referring to a specific Indian settlement (BIA 6/15/1908; Johnson n.d.). Some Chinook descendants have stated that their parents grew up in the 1900's and 1910's "in a Chinook village" in Bay Center or an "Indian village" in Goose Pointe on the northern end of Bay Center (Wain 1991; Strong 1991).

The 1900 Federal census of Pacific and Wahkiakum Counties in Washington State and Clatsop County in Oregon, plus the 1900 Indian census rolls of the Office of Indian Affairs for the nearby reservations, contained the names of at least 333 descendants of the Chinookan treaty bands or tribes (Census 1900a-d; BIA 1900; see Table 1). This total includes 246 descendants of the Lower Band of Chinook Indians and 87 descendants of the Clatsop, Waukiakum, Kathlamet, and Wheelappa Bands. Forty-six of these descendants were found exclusively on the rolls of four reservations. The other 287 descendants were found on the census in these three counties in 92 households, although 12 of these households were apparently seasonal dwellings which contained individuals listed elsewhere on the census.[1] The available genealogical evidence suggests that fewer

[1] The Petition identified 59 of 70 of the non-seasonal households in Washington State in its tables of the 1900 census (Petition 1987, 177-194). Because the Petition did not include Clatsop (continued...)

than half of the adult descendants of all the Chinookan treaty bands, but slightly more than half of the descendants of the Lower Band of Chinook, were listed on the census for these three counties or the rolls of these four reservations. As many as 209 adult descendants of the Lower Band of Chinooks should have been alive in 1900, while 113 of them were listed on the census for these counties or reservations. Thus, it appears that 46 percent (96 of 209) of Lower Band descendants in 1900 had moved out of the three-county area, died, or avoided the census takers.

In 1900, the majority of local Chinookan descendants lived in three geographical clusters, each of which was located directly on water. These locations were Bay Center Precinct, in Pacific County, on Shoalwater Bay; Ilwaco Precinct, in Pacific County, on the Columbia River; and Brookfield Precinct, in Wahkiakum County, on the Columbia River. These three settlements were approximately 25-30 miles from each other, although traveling between them was not easily done at this time. The largest number of descendants of the Lower Band of Chinook lived in Ilwaco Precinct (see Table 1). The census of this precinct was done in two separate parts, which appear to correspond to its permanent residents and the temporary residents of seasonal fishing camps on the Columbia River. Ilwaco Precinct contained 53 descendants who were permanent residents and another 13 who were seasonal residents. The permanent residents of Ilwaco Precinct accounted for about 22 percent (53 of 246) of Lower Band descendants. Brookfield Precinct had 39 descendants. Bay Center Precinct had 37 descendants, some of whom also were listed in the seasonal fishing camps in Ilwaco Precinct. In 1900, slightly more than half of the descendants of the Lower Band of Chinook found on the Federal or Indian census rolls lived in one of these three areas.

The majority (49 of 87) of the descendants of the other Chinookan bands lived in Bay Center in 1900. The only other residential cluster of these descendants was a group of 15 Clatsop descendants in Clatsop Precinct, Oregon. Although descendants of the Clatsop, Waukiakum, Kathlamet, and Wheelappa Bands participated in the seasonal fishing camps on the Columbia River in Ilwaco Precinct, none of them were found among the permanent residents of Ilwaco or Brookfield Precincts. The pattern was that descendants of the Lower Band and descendants of the other Chinookan bands came together in the seasonal fishing camps, the Shoalwater Bay Reservation, and the town of Bay Center, but that descendants of different bands were unlikely to live in proximity to each other anywhere else. Because the descendants of these bands were so concentrated in Bay Center, more Chinookan descendants lived in Bay Center than in any other location. The residential distribution in 1900 of the descendants of all the Chinookan treaty bands was that 86 lived in Bay Center, 53 in Ilwaco, 47 in Pacific County, 46 on reservations, 39 in

[1](...continued)
County, Oregon, in its tables, it identified 62 of the 92 total households used in this analysis of Chinookan descendants. The Petition, however, also listed all the individuals on the "Indian" schedules of the 1900 census, whether or not they had any relationship to individuals on the McChesney or Roblin lists or any descendants of their own on the petitioner's membership roll. These individuals have not been included in this analysis of Chinookan descendants.

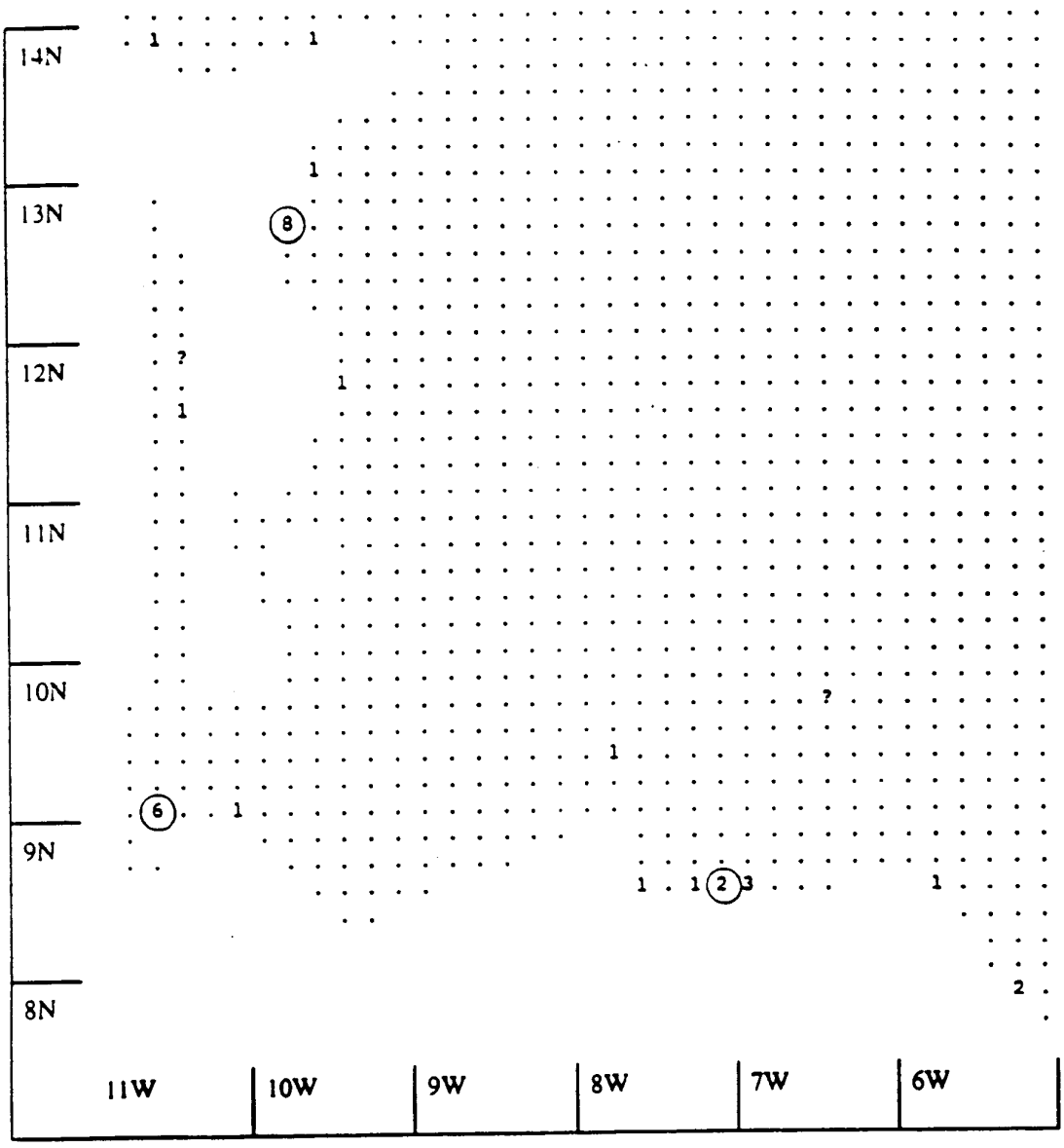

Figure 5. CHINOOK DESCENDANTS ON 1900 TAX LISTS

Note: 2 = number of descendants in a section.

Source: Washington State Archives 1900.

Brookfield, and 62 elsewhere. In 1900, about 26 percent (86 of 333) of the descendants of all the Chinookan bands lived in Bay Center Precinct (see Table 1).

This residential pattern also is revealed by an-analysis of the locations of the lands owned by the Chinookan descendants found on the 1900 tax assessment rolls of Pacific and Wahkiakum Counties (Washington State Archives 1900). These tax lists contained the names of at least 31 descendants or their spouses. Three of these descendant familes were assessed for over $1,000 of taxable property, a relatively large assessment. Although only a minority of the adult descendants of the Chinookan bands were included on tax assessment records, and although these relatively prosperous individuals are an unrepresentative sample of all descendants, tax records are valuable because, in contrast to the census lists, they give the actual location of an individual's property. A map of the lands of these individuals reveals definite geographical concentrations of Chinookan descendants (see Figure 5). The largest cluster of descendants was at Bay Center on Shoalwater Bay (T.13N, R.10W), where eight taxpayers were assessed in the town and another descendant owned land just across the Palix River from the town. A second cluster of descendants was at Whealdonsburg, or Ilwaco (T.10N, R.11W), on the north shore of Baker's Bay, where six descendants owned property in the town. The third residential cluster was along the north shore of the Columbia River east of Gray's Bay, the Brookfield Precinct area, where six descendants lived in the vicinity of the town of Dahlia (T.9N, R.8W). About two-thirds of propertied Chinookan descendants lived in one of these three locations in 1900.

The double counting of some individuals on the 1900 census suggests that some Chinookan descendants continued to follow seasonal occupational and residential patterns at the end of the 19th century. These duplicate entries all appeared in a separate part of the census of Ilwaco and Chinook Precincts which enumerated large boardinghouses whose employed residents all worked as fishermen. The combined Ilwaco and Chinook Precincts may be considered as the northern shore of Baker's Bay. This shoreline was the region of contemporary fishing camps and historical Chinook villages. The census enumerators listed 61 permanent and 43 seasonal Chinookan descendants in this area. In June 1900, when the census was taken, 31 percent (104 of 333) of the descendants of all the Chinookan treaty bands were living in this traditional area. This evidence suggests that 13 percent (43 of 333) of all Chinookan descendants may have changed their residence seasonally. Another residence is known for 23 of these 43 seasonal individuals, since they were also listed on the 1900 census in another location. A 1900 address for 10 of the remaining 20 temporary residents might be assumed from the address provided in 1906 by McChesney or in 1910 by the next census. These assumptions suggest that 27 Chinookan individuals may have had a second residence in Bay Center and that 1 may have resided on the Shoalwater Bay Reservation. Thus, it is possible that 8 percent (28 of 333) of Chinookan descendants moved seasonally between Shoalwater Bay and Baker's Bay at this time.

Some Chinookan descendants were included on the Indian census rolls of the Office of Indian Affairs in 1900. About 24 percent (58 of 246) of the descendants of the Lower

Band in the three-county area or the nearby Indian reservations were listed on an Indian agency roll (BIA 1900; see Table 1). Almost half of them, 26 individuals, were listed on the Georgetown, or Shoalwater Bay, Reservation roll, while 17 were listed on the Quinault roll, 12 on the Grand Ronde roll, and 3 on the Chehalis roll. Another 35 descendants of other Chinookan bands were listed on reservation rolls, almost all on the Georgetown Reservation. Thus, about 28 percent (93 of 333) of the descendants of all the Chinookan bands were listed on an Indian census roll in 1900. The majority of them were on the Georgetown roll, but 47 of the 58 individuals belonging on that reserve also were listed off-reservation by the Federal census enumerators. None of the 35 descendants on the rolls of the Quinault, Chehalis, or Grand Ronde reserves were also found on the Federal census of the three-county region. Thus, only 14 percent (46 of 333) of Chinookan descendants were exclusively reservation Indians in 1900. In general, the lineal descendants of those 1900 reservation Chinookans have not joined the petitioner's organization.

Most Chinookan descendants in 1900 do not have descendants of their own on the petitioner's current roll. About 27 percent (91 of 333) of the individuals on the 1900 Federal or Indian census who were a descendant of one of the Chinookan treaty bands also have become an ancestor of a member of the modern Chinook petitioner.[2] The Chinookan descendants in 1900 least likely to have become an ancestor of a member of the petitioner's organization were those who were listed on an Indian agency census, but not on the Federal census. Only 2 percent (1 of 46) of such probable reservation residents in 1900 have descendants on the petitioner's roll. Also, only 6 percent (1 of 16) of the descendants of only the Wheelappa Band produced descendants who have joined the petitioner's organization. Few residents of the seasonal fishing camps who were not also listed in a permanent location in 1900 (3 of 20) have become an ancestor of the petitioner. The individuals in 1900 who were more likely than other descendants to become an ancestor of the petitioner were the descendants of the Waukiakum or Kathlamet Bands. About 45 percent (13 of 29) of the Waukiakum or Kathlamet descendants in 1900 have descendants of their own on the petitioner's roll. The Chinookan descendants in 1900 most likely to have descendants in the modern organization were those who lived in Brookfield Precinct. About 54 percent (21 of 39) of the 1900 residents of the area around Dahlia have become an ancestor of a member of the petitioner.

If the analysis of the 1900 census is limited to ancestors of members of the petitioner's organization who were also Chinookan descendants, the same basic geographical pattern of residence in 1900 prevails, with more ancestors living in Bay Center Precinct, Brookfield Precinct, or Ilwaco Precinct than anywhere else. Ancestors of the petitioner differed from all Chinookan descendants by being almost exclusively off-reservation

[2] Chinookan descendants whose own descendants are members of the petitioner's organization have been identified from the ancestry charts and forms provided by the petitioner in copies of its "red files." For the purposes of the analysis in this report, then, an "ancestor of the petitioner" is an individual who has been claimed as an ancestor by a member of the petitioner's organization.

TABLE 2

ANCESTORS OF THE CHINOOK PETITIONER ON THE FEDERAL CENSUS AND INDIAN CENSUS, 1900

State, County	E.D.	Precinct or Reservation	Total [a] Ancestors	Lower Band Ancestors	Other Ancestors
WA, Pacific	141	Bay Center	25	11	14
WA, Pacific	141	Nahcotta	5	5	0
WA, Pacific	141	Nemah	4	3	1
WA, Pacific	141	Oysterville	1	1	0
WA, Pacific	142	Bruceport	2	2	0
WA, Pacific	143	Chinook	4	4	0
WA, Pacific	143	Chinook / seasonal [b]	0	0	0
WA, Pacific	143	Frankfort	0	0	0
WA, Pacific	143	Ilwaco	15	15	0
WA, Pacific	143	Ilwaco / seasonal [b]	10 [c]	4	6
WA, Wahkiakum	229	Brookfield	21	21	0
WA, Wahkiakum	230	Cathlamet	3	1	2
WA, Wahkiakum	230	Eureka	0	0	0
OR, Clatsop	129	Astoria	1	1	0
OR, Clatsop	134	John Day	0	0	0
OR, Clatsop	136	Clatsop	3	0	3
OR, Clatsop	136	Seaside	1	0	1
OR, Clatsop	139	Knappa	2	2	0
OR, Clatsop	184	Clifton	0	0	0
Reservation	BIA	Chehalis	0	0	0
Reservation	BIA	Grande Ronde	1	0	1
Reservation	BIA	Quinault	0	0	0
Reservation	BIA	Shoalwater Bay	13 [d]	6	7
		Total	91 [e]	69	22

Notes:

a. A Chinook ancestor is an individual listed on an ancestry chart of a member of the petitioner's organization who was also a descendant of an individual listed as a descendant of the Lower Band of Chinook, Kathlamet, Waukiakum, Wheelappa, or Clatsop tribes or bands on McChesney's 1906 or 1913 lists, the 1914 annuity roll, or Roblin's 1919 list.

b. These households were listed separately from the rest of Ilwaco and Chinook Precincts as household numbers 456-495; they included individuals who had duplicate entries elsewhere on the Federal census.

c. This total includes 7 individuals who had a duplicate entry on the Federal census in Bay Center. The 7 duplicate entries include 1 Lower Band descendant and 6 other descendants.

d. All 13 of these individuals also were listed on the Federal census in Bay Center.

e. These columns do not sum because the totals do not include the double counting of 20 individuals: 7 in both the seasonal fishing camps and another location, and 13 on both the Federal census and the Indian census. The 20 duplicate entries include 7 Lower Band descendants and 13 other descendants.

E.D. = Enumeration district number of the Federal census.

BIA = Indian Census Rolls of the Office of Indian Affairs.

Sources: Census 1900a-d; BIA 1900, 1914, 1907-1933; McChesney 1906, 1913, 1969; Roblin 1919; Petition.

residents in 1900. Thus, they were even more concentrated in the three primary geographical settlements than were all descendants. At least 67 percent (61 of 91) of the petitioner's ancestors lived in one of these three areas (see Table 2). Among descendants of all the Chinookan bands, more ancestors lived in Bay Center than in any other location. About 27 percent (25 of 91) of all ancestors were residents of Bay Center. More than half of these ancestors (13 of 25) also were listed on the Georgetown Reservation census roll, but lived in Bay Center rather than on the reserve. In Bay Center, descendants of the Lower Band of Chinook actually were outnumbered by descendants of the other Chinookan bands. Among descendants of the Lower Band, then, more ancestors lived in Brookfield Precinct than in any other location, and almost twice as many lived in Brookfield as in Bay Center. About 30 percent (21 of 69) of the petitioner's ancestors who descended from the Lower Band of Chinook were residents of the Dahlia - Brookfield area in 1900.

Although Chinookan descendants lived in three distinct geographical areas in 1900, in none of those three precincts were they more than a minority of the total population. In Bay Center Precinct, households containing a Chinookan descendant were 31 percent of all households (see Table 3). A number of non-Chinookan Indian families also lived in Bay Center, so the percentage of Indian households in Bay Center would have been somewhat greater than the percentage of Chinookan households. In Brookfield Precinct, Chinookan descendants lived in 10 households within a range of 81 households, and in Ilwaco Precinct they lived in 14 households within a range of 165 households. It is possible that the majority of Indian descendants in Bay Center in 1900 lived in an exclusively Indian area of town at Goose Pointe. The census taker, however, listed almost all of the households of descendants on a separate Indian schedule, not in household order among the general population, so it is not possible to measure how geographically concentrated descendants may have been. Half of the Chinookan households in Brookfield Precinct were clustered in a small area where they comprised a majority of the households, 5 of 9 consecutive households, perhaps at the location known as Elliott's Landing. Temporarily during the fishing season of 1900 there was an area within Ilwaco Precinct in which the majority of households, 10 of 16 consecutive households, contained Chinookan descendants.

To a large extent, the Chinook residents of both the Ilwaco - Chinook and Dahlia - Brookfield areas in 1900 descended from Chinook women who were away from Chinook territory during the devastating epidemics of the mid-19th century. Along the north shore of Baker's Bay in Ilwaco and Chinook Precincts, 60 of 61 descendants who were permanent residents traced their Chinook ancestry back through two women. An equal number of them were descended from Tonwah, who married John Pickernell, and Elmermach, or Marian, who married Alexis Aubichon. The Chinook individuals on the 1900 census in this area were descended from three Pickernell daughters and one Aubichon daughter, Amelia Aubichon Petit. Three of Petit's sons married Pickernell descendants, so that some of the Chinook descendants in Ilwaco and Chinook traced their ancestry back through both lines. Amelia Aubichon Petit was thus an ancestor of 32 of the 61 descendants on the census and 5 of the 6 taxpaying descendants in Whealdonsburg.

The parents of Amelia Aubichon Petit were a Chinook woman and a French-Canadian fur-buyer. Born in California about 1830 and raised at "French Prairie" in Marion County, Oregon, she had not moved to the Ilwaco area until 1866 (BIA 5/13/1932).

Although Dahlia was located in an area of aboriginal Waukiakum village sites, the Chinook descendants living there in 1900 traced their ancestry back to the Lower Band of Chinook. Until well into the 20th century, this rugged shoreline from Altoona to Brookfield was apparently accessible only by water transportation, and not by roads, and was a relatively isolated area of settlement. In Brookfield Precinct in 1900, 37 of 39 individuals with Chinook ancestry were descended from two women. Eight of them traced their Chinook ancestry through Amelia Ero-Durival. Most of the descendants along this shore, 29 of 39 of them, could trace their Chinook ancestry through Mary Rondeau Ducheney-Preble-Kelly. One of her daughters had married Canadian Jonathan Elliott, a fisherman who was assessed for more than $1,000 of taxable property. The location of their large family was sometimes referred to as Elliott's Landing or Elliott's Point. The parents of Mary Rondeau Ducheney-Preble-Kelly were a daughter of Comcomly and a French-Canadian fur-trapper. Born about 1828 in Utah or California and raised by a non-Indian family, she had returned to Chinook territory with her first husband, a Hudson's Bay Company clerk, about 1853 (Court of Claims 1902, 53, 65; Portland 1899).

The Indian settlement at Bay Center and the seasonal fishing camps on the Columbia River were quite different from the Indian settlements at Ilwaco and Brookfield in the extent to which they brought together descendants of a variety of Chinookan bands. All of the descendants who were permanent residents of Ilwaco Precinct or Brookfield Precinct traced their ancestry back to the Lower Band of Chinook. In Bay Center, by contrast, less than half (37 of 86) of the descendants in 1900 were descended from the Lower Band. Descendants of the Clatsop, Kathlamet, Wahkiakum, or Wheelappa Bands tended to be seasonal residents of the town, but even if limited to the non-seasonal residents of Bay Center, barely half of them were descendants of the Lower Band. The 86 descendants in Bay Center could trace their ancestry back to at least 20 different Chinookan ancestors. No individual family lines were predominant in Bay Center. In the seasonal fishing camps on the Columbia River, the temporary residents of Ilwaco Precinct were about one-third Lower Band descendants, one-third Clatsop descendants, and one-third descendants of other Chinookan bands. It was this diverse ancestry which made the seasonal fishing camps and Bay Center different from the other areas in which descendants lived. Because of its diversity, while Bay Center was the largest permanent settlement of Chinookan descendants, it actually had fewer descendants of the Lower Band of Chinook than did either of the Columbia River settlements at Ilwaco Precinct or Brookfield Precinct.

An attempt to map the residences of Indian families in Bay Center, as of the mid-1910's, was made after the passage of six decades by Chinook descendant Annie Clark Rhoades. In 1979, she indicated to her daughter, Anna May Rhoades Strong, the locations of various families as she remembered them. She divided these households into two groups:

TABLE 3

PERCENTAGE OF CHINOOKAN DESCENDANTS ON THE FEDERAL CENSUS AND INDIAN CENSUS, 1900

State, County	E.D.	Precinct	Chinook [a] Households	Total Households	% Chinook Households
WA, Pacific	141	Bay Center	29	93	31.2
WA, Pacific	143	seasonal fishing camps [b]	12 [c]	40	30.0
WA, Pacific	142	Bruceport	3	20	15.0
WA, Wahkiakum	229	Brookfield	12	108	11.1
WA, Pacific	141	Nemah	2	20	10.0
OR, Clatsop	136	Clatsop	4	52	7.7
WA, Pacific	143	Ilwaco	14	214	6.5
WA, Pacific	141	Oysterville	2	34	5.9
WA, Pacific	143	Frankfort	1	34	2.9
WA, Wahkiakum	230	Cathlamet	4	137	2.9
OR, Clatsop	134	John Day	1	39	2.6
WA, Pacific	141	Nahcotta	1	40	2.5
WA, Wahkiakum	230	Eureka	1	41	2.4
OR, Clatsop	139	Knappa	2	106	1.9
OR, Clatsop	136	Seaside	1	112	0.9
OR, Clatsop	184	Clifton	1	112	0.9
WA, Pacific	143	Chinook	1	135	0.7
OR, Clatsop	129-33	Astoria	1	1404	0.1

State	Roll	Reservation	Chinook [a] Descendants	Roll Total	% Chinook on Roll
Washington	BIA	Shoalwater Bay	58	112	51.8
Washington	BIA	Quinault	17	128	13.3
Oregon	BIA	Grande Ronde	13	404	3.2
Washington	BIA	Chehalis	5	162	3.0

Notes:

a. A Chinook household is one which contained at least one Chinook descendant. A Chinook descendant is an individual listed on McChesney's 1906 or 1913 lists, the 1914 annuity roll, or Roblin's 1919 list, or an ancestor or descendant of such an individual. Chinook descendants have ancestry from the Lower Band of Chinook, Kathlamet, Waukiakum, Wheelappa, or Clatsop tribes or bands.

b. These households were listed separately from the rest of Ilwaco and Chinook Precincts as household numbers 456-495; they included individuals who had duplicate entries elsewhere on the Federal census.

c. Individuals in 7 of 12 of these households had a duplicate entry on the Federal census in Bay Center or Clatsop Precinct.

E.D. = Enumeration district number of the Federal census.

BIA = Indian Census Rolls of the Office of Indian Affairs.

Sources: Census 1900a-d; BIA 1900, 1914, 1907-1933; McChesney 1906, 1913; Roblin 1919; Petition.

those who lived at Goose Pointe on the tip of the peninsula and those who lived in the town of Bay Center proper. Rhoades' reconstruction of Bay Center in the 1910's listed 12 households at Goose Pointe and 19 households in town. Her own household she listed twice, once in Goose Pointe and once in town, suggesting that her family had moved from one location to the other. The lists of children clearly were meant to be all children born to a couple rather than those actually present in 1915. John Bull Pickernell, for example, was listed both as a child in one and the head of another household. Rhoades' map showed that a corner of the cemetery in town was considered to be its Indian portion (see Figure 6). She placed a Shaker Church and a community well in the Goose Pointe settlement, and noted the presence of two non-Indian households at the farthest tip of the peninsula. In sum, Rhoades placed 30 Chinookan households in Bay Center about 1915. This total consisted of about a dozen households in the almost-exclusively Indian settlement at Goose Pointe, about a dozen households clustered within a few blocks on the western side of town, and about half a dozen households scattered throughout the town (Strong 1979).

Bay Center's local historian indirectly acknowledged the presence of an Indian community within the town by noting that about 1910 an "Indian wedding was held in the native settlement at Goose Point," which was on the northern tip of the peninsula. She also noted that "two Shaker churches for the Indians" were built in the town during the 1890's or 1900's (Clark 1954, 15, 9). In 1920, Chinook descendant Paul Petit claimed in an affidavit that Bay Center, where he lived, "is largely peopled by Indians. . . ." (Petit 1920). Two members of the petitioning Chinook organization have affirmed that they grew up in Bay Center in the 1920's in what they called "an Indian village" or "an Indian community" (Lorton 1981; Reed 1987). One remembered Goose Pointe as consisting of about six families at that time (Lorton 1981). The Federal census of 1920 also listed six households in the "Indian Town" section of Bay Center (Census 1920a). In 1926, BIA superintendent W. B. Sams reported that a U.S. district court recently had ruled that certain individuals were entitled to allotments because they had lived most of their lives in an Indian community at Bay Center (BIA 10/22/1926). Sams sought confirmation of this interpretation from the postmaster of Bay Center. The postmaster advised the superintendent that the "town of Bay Center has always been an Indian village" and that 95 of the town's 180 people were "considered as of Indian blood" (BIA 11/24/1926).

During the 1920's, four members of the Elliott family of Chinook descendants testified that the small community of Dahlia, on the north shore of the Columbia River east of Gray's Bay, was a predominantly Indian community. Two of these witnesses, however, no longer lived in Dahlia. William Elliott judged that the population of Dahlia was about 40 or 50 people and that, "Practically all of them are Indians" (W.A. Elliott n.d., 391). Charles Elliott said that Dahlia, which he also called "Ellis' [Elliott's] Point," had been an Indian settlement for as long as he could remember. He estimated that Indians made up 90 percent of the population of Dahlia (C.G. Elliott n.d., 366-367, 369). J. H. Elliott guessed that 18 of 20 children in the local school were Indians. By "Indian," he acknowledged, he meant any person "with any Indian blood. . . ." (J.H. Elliott n.d., 300, 303). Josephine Johnson Elliott first said that the "majority" of the residents were Indian,

but then agreed with her attorney's proposition that, "Virtually the whole population are part Indian?" (J.J. Elliott n.d., 292). Perhaps because the purpose of this litigation was to obtain allotments of land on the Quinault Reservation, the witnesses who identified the tribe of the Indians residing at Dahlia said that they were Quinault Indians (C.G. Elliott n.d., 367; W.A. Elliott n.d., 391-392). Future Chinook leader John Grant Elliott, who won allotment by this litigation, listed his tribe as Quinault in a 1932 application for allotments for his children. He also characterized his town of Dahlia as "an Indian village" (J.G. Elliott 1932).

Claims and the McChesney Lists, 1899-1914:

In 1899, attorneys for Chinook descendants began asserting claims against the United States before the Office of Indian Affairs, the Congress, and the Court of Claims. This campaign would appear to have arisen at this time because the Indian appropriation act passed in 1897 had authorized a payment to the descendants of a band of Tillamook Indians of Oregon for claims growing out of an unratified treaty made at Tansy Point in 1851 (*Statutes* 1897, 90). The Indian Office first heard from the law firm of Dewees and Dewees of Washington, D.C., in February 1899, when the firm requested copies of treaties made with Chinook bands. These attorneys informed the Office that it had "sent out to Washington for full authority to represent these Indians" who were "not under any agent, but living independently and as families" (Dewees & Dewees 1899). In May 1899, attorneys J. T. Dewees and C. C. Lancaster of Washington, D.C., plus attorneys Silas B. Smith, a Clatsop descendant, and Harrison Allen of Astoria, Oregon, entered into a contract with the "Lower Band of Chinooks" of the Chinook Tribe. The agreement was signed by 37 individual Chinooks. The attorneys agreed to act for them to prosecute and collect their claims against the Government for the unpaid amounts mentioned in the unratified treaty of 1851. According to the text of this agreement, the Lower Band now had "no Chief of Chiefs or Head-men," and "every member" of the band lived "separate and apart from the band and tribe as a whole. . . ." (Lower Band of Chinooks 1899).

The firm of Lancaster and Dewees wrote to the Commissioner of Indian Affairs in October 1899 to ask for payment to its clients of the receipts of Federal land sales within the territory which the Chinook bands had agreed to cede by the treaties of 1851 (Lancaster & Dewees 1899b and 1899a). After examining the claims made on behalf of the Waukikum Band, the Commissioner of the General Land Office noted that the attorneys had not provided a copy of their authority to act for the Indians and asked if they had a contract approved under Section 2103 of the Revised Statutes (GLO 1899). This section codified the Act of May 21, 1872, which required that contracts with Indian groups or non-citizen Indian individuals be in writing, be executed before a judge, and be approved in writing by the Commissioner of Indian Affairs and the Secretary of the Interior (*Statutes* 1872). There is no evidence that the attorneys submitted such a contract for approval.

The Commissioner of Indian Affairs, W. A. Jones, quickly informed this law firm that the

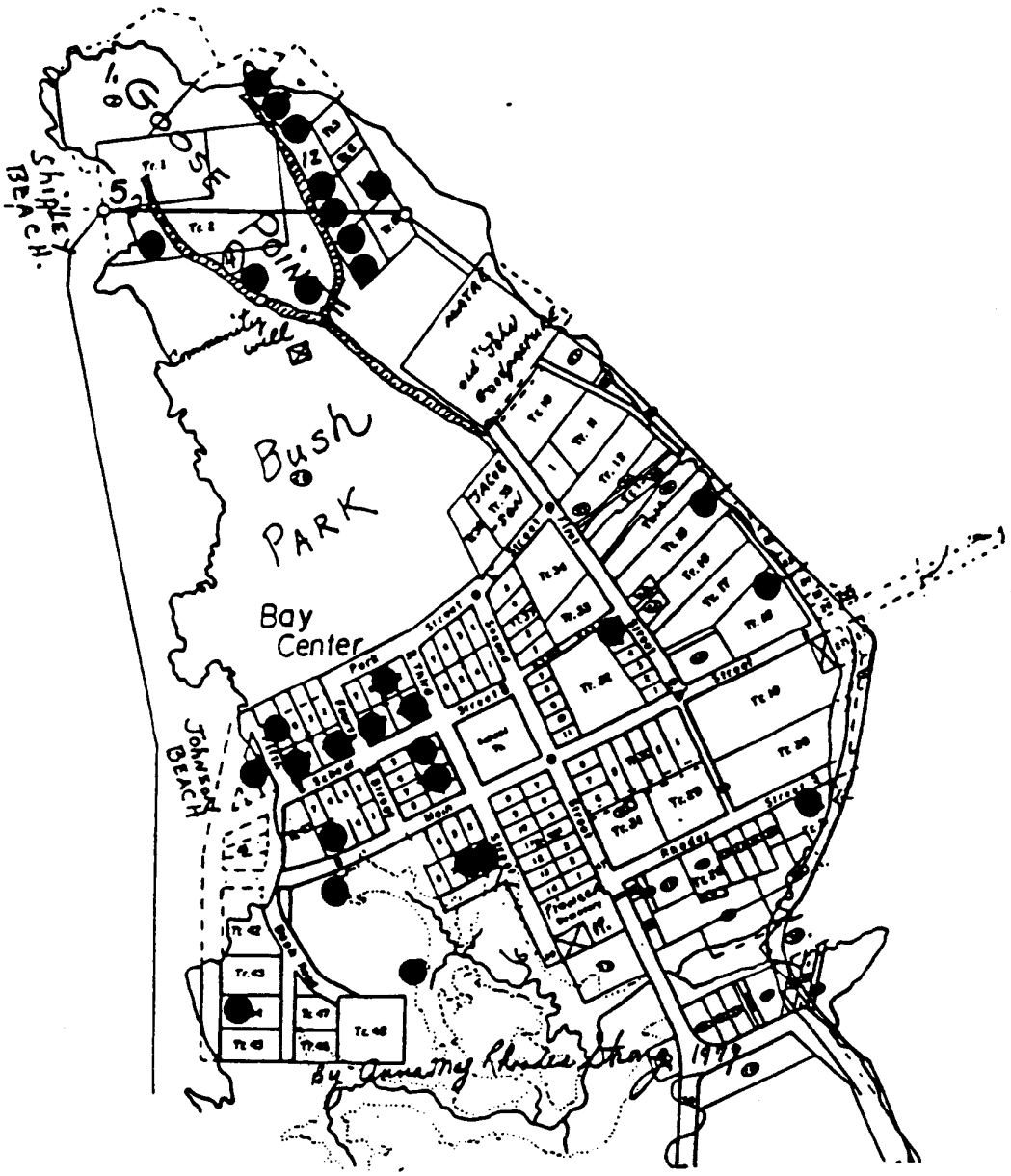

Figure 6. CHINOOK DESCENDANTS IN BAY CENTER, ca. 1915

Note: ● = household of a descendant.

Source: Strong 1979, with emphasis added by circling household location.

Indian Office would not investigate its claims because there was no law under which such claims could be adjudicated by the executive branch of the Government and there was no appropriation out of which such claims could be paid. He advised the attorneys that it was "within the power of Congress alone to afford relief to the claimants" (BIA 11/10/1899). The law firm appealed this decision to the Secretary of the Interior (Lancaster & Dewees 1899c). Commissioner Jones argued that the attorney's brief erred in citing the statutory provisions dealing with Indian depredation claims and the general duties of the commissioner as his authority to act on the claims. He also noted that the attorneys had not shown that they were accredited to act for the claimants (BIA 11/28/1899). Secretary of the Interior E. A. Hitchcock upheld the action of the commissioner and dismissed the appeal (Interior 1899; BIA 12/8/1899).

Within weeks, the first bill was introduced in the United States Congress for the relief of the Lower Band of Chinooks (Senate 1899). A bill for the relief of the Kathlamet band was introduced the following month (Senate 1900). These Senate bills provided that the claimants could bring suit against the United States and that the Court of Claims could determine the validity of their claims to the money collected by the Government from the sales of the lands which would have been ceded by the bands in their unratified treaties. When the bills were referred to the Office of Indian Affairs, Commissioner Jones indicated that he had no objection to these claims being judicially determined by the Court of Claims (BIA 3/3/1900).[3] Secretary Hitchcock, however, sent this report to the Senate with a vigorous dissent from the commissioner's position and a strong recommendation that the bills not become law. The secretary apparently believed that the claims lacked merit because of the Senate's refusal to ratify the treaties. He also added the comment that the Chinook "bands, as such, have become practically extinct" (Interior 1900).

In March 1901, the Senate referred these claims to the United States Court of Claims for its findings of fact (Senate 1901a, 1901b; Court of Claims 1906, 1). The firm of Lancaster and Dewees submitted the petition of the Lower Band of Chinook Indians to the Court in August 1901. Its brief contended that the ancestors of the claimants had lived together in 1851 as one band, which "existed independently of all other bands or tribes" of the Chinook Nation. Conceding that the "treaty contract" had not been executed, it claimed that by repudiating that "unconscionable contract" the Senate had left the rights and possession of the claimants in force. The brief argued that the lands described in the treaty had been taken from the claimants and their ancestors against their consent and without compensation. Thus, the claimants asked for "all the moneys received by the United States from sales of their lands" and compensation for fishing rights on the Columbia, plus interest (Court of Claims 1901). The Government contended that the "tribal relations of the Chinook Nation have long ceased to exist. . . ."

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[3] The Petition misrepresents the commissioner's lack of objection to the bill's passage as a positive endorsement of the bill, and ignores the secretary's refusal to support the commissioner's position (Petition 1987, 76).

Its brief argued that if the band's descendants based their claim on the unratified treaty, their rights and compensation were governed by that document. Its position was that the claimants had no right to any land sale revenues or interest and were entitled to recover only the $20,000 provided in the treaty (Court of Claims n.d.).

The attorneys for the claimants and the Government took depositions in Astoria from five Chinook descendants and several non-Indian residents of the area in 1902 (Court of Claims 1902). This testimony, for purposes of the claims being advanced, was focused on conditions at the time of the treaties in 1851, not conditions in 1902. A hearing in the case was held in November 1906. The Court filed its report in December 1906 and forwarded it to Congress in January 1907. According to the Court of Claims, the issue before the Court was that the claimants requested a fair settlement for the value of the lands which the Lower Band of Chinook Indians attempted to cede to the United States by the unratified treaty of 1851. The Court provided a factual recitation of the treaty negotiations and provisions, noted that the treaty had neither been ratified nor rejected, and stated that the claimants had received no compensation for these lands. It estimated that there were not more than 250 descendants of the Lower Band of Chinooks living at the time (Court of Claims 1906, 1-5). The Court concluded that the "claimant, as a band, has long ceased to exist" (Court of Claims 1906, 4).

While the issue of the claims of the Lower Band was before the Court of Claims, bills to pay compensation to the claimants continued to be considered by Congress. The Court of Claims had been asked only to make findings of fact, but a proposed amendment to the Indian appropriation act, offered at the request of the claimants' attorneys in 1905, would have referred the claims of the Lower Band to the Court for judgment (Senate 1905a, 102, 106). Another proposed amendment would have mandated a payment of $100 to each living individual who was a member of one of the Chinook bands in 1851. Senator Fulton of Oregon proposed that descendants should be paid as well (Senate 1905b). His amendment of the amendment increased the payment to $200 per person and specified that it would be made to Indians alive at the time of the 1851 treaties "or their heirs" (Senate 1905c). Fulton estimated that there were "not over a hundred" Chinook descendants and stated that "they have no tribal relations" (Senate 1905a, 103, 105). The House dropped its objection to this Senate amendment when it was amended, in conference, to delete the appropriation and to authorize an investigation (House 1905).

Thus, the Indian Appropriation Act of 1905 directed the Secretary of the Interior to report on the number of Indians, or their heirs, who belonged to the Lower Band and Kathlamet band of Chinook at the time of the treaty negotiations in 1851 (*Statutes* 1905, 1073). The act also called for such reports on the Clatsop and Tillamook Indians. Noting that the act did not provide an appropriation for the required investigation, the Secretary of the Interior directed the Indian Office to detail a special agent to conduct the research (Interior 1905). The Indian Office selected Charles E. McChesney and issued him instructions on December 8, 1905. McChesney was told "to locate all the Indians or their heirs" (BIA 12/1/1906). He was to take testimony, examine agency records, and exhaust every source of available information in this search. McChesney's request for additional

instructions indicated that he saw his task as to "locate and see all who claim heirship" from the 1851 Chinook bands (BIA 1/15/1906).

McChesney submitted his report to the Commissioner of Indian Affairs on November 15, 1906. He also provided the testimony he had taken and separate lists of Lower Chinook, Kathlamet, Clatsop, and Tillamook Indians. McChesney indicated that his list of the Lower Chinook Indians consisted of those alive on the day of the treaty of 1851 "and the heirs of those who have died since that time. . . ." (BIA 11/15/1906). It was, in short, a list of descendants. It was not, however, a complete list of descendants, for it did not include the children of living heirs. McChesney's list of 1906 contained the names of 116 descendants of the Lower Band of Chinook. In addition to these living descendants of the historical Chinook, the genealogical information McChesney included as part of the list contained the names of at least 70 deceased descendants of the Lower Band (McChesney 1906).

Because McChesney's task was to identify heirs, most of the individuals included on his 1906 list were adults. All 4 Kathlamet descendants, 75 of 80 Clatsop descendants, and 95 of 116 descendants of the Lower Band on his list were adults. It is possible to say that 35 of these 174 adults, or 20 percent of them, have a descendant who is a current member of the petitioning Chinook organization. The probability that an individual on McChesney's 1906 list has become an ancestor of a member of the Chinook petitioner varies by the descendant's historical band: 75 percent of the Kathlamet adults (3 of 4), 24 percent of the Lower Band adults (23 of 95), and 12 percent of the Clatsop adults (9 of 75) have a descendant who is a current member of the petitioner's organization. Thus, 76 percent of the descendants of the Lower Band on McChesney's 1906 list, and 80 percent of the descendants of the Chinookan bands, have not produced descendants of their own who have affiliated with the present Chinook petitioner.

The geographical distribution of the descendants of the Lower Band with a known post office address in 1906 (114 of 116) was that 31 were from Shoalwater Bay, 26 from the Columbia River, 21 from other locations in western Washington, 11 from eastern Washington, and 25 from out of state. Thus, it appears that 50 percent (31+26 = 57 of 114) were from southwestern Washington and 68 percent were from western Washington (31+26+21 = 78 of 114). In addition, some of the Oregon descendants, about 10 percent of the total list, lived along the shore of the Columbia (McChesney 1906). There were 23 adult descendants of the Lower Band on McChesney's list who definitely have descendants of their own on the membership roll of the petitioning Chinook organization. The geographical distribution in 1906 of these ancestors of the Chinook petitioner (22 of 23 with a known post office address) was that 10 were from the Columbia River, 8 from Shoalwater Bay, and 4 from other locations. The most common address was Bay Center, where 5 of these 23 ancestors lived. Almost none of the Chinookan descendants on McChesney's 1906 list who lived in a location removed from the shores of the Columbia River or Shoalwater Bay have become an ancestor of a member of the petitioner's organization.

The first bills to compensate claimants on behalf of the Waukiakum, Nucqueclahwemuck, and Wheelappa bands were introduced in 1906, after McChesney had been given his instructions (Senate 1906). The Indian Appropriation Act of 1906 directed the Secretary of the Interior to investigate the validity of these claims against the United States (*Statutes* 1906, 369). The acting Commissioner of Indian Affairs reported to the secretary on these claims in December 1907. It was probable, he suggested, that these bands had received supplies from the Government which were more valuable than the compensation specified in the unratified treaties. Believing that the Senate's refusal to ratify their treaties meant that their claims lacked merit, he concluded that the Government should give "no further recognition . . . to these pretended claims" (BIA 12/11/1907). The Secretary of the Interior informed Congress that he agreed that these bands had no claim against the Government (Interior 1908). Another adverse report on the reports of Chinook and Clatsop bands was made by the secretary the following month (Interior 1910, citing Interior 1908). Two years later, the Department reversed its position. It disparaged its earlier research and found no evidence that the bands had received benefits equal to the treaty amounts. It now was willing to consider Indian claims even if "stale" after a half-century (Interior 1910 and 1911).

In 1912, the Senate Committee on Indian Affairs recommended that "final settlement" bills be passed for the Lower Band and other bands of Chinook, Clatsop, and Tillamook Indians. This series of bills had been introduced by Senator Chamberlain of Oregon. The committee noted that the Government had taken possession of the lands of these bands and had not paid them any compensation. It recommended payments equal to the amounts mentioned in the treaties and amended the pending bills to authorize payments to "lineal descendants" rather than to "heirs" (Senate 1912a). Later in the session, the committee added the substance of these claims bills to the Indian appropriation bill by amendment (Senate 1912b). Thus, the Indian Appropriation Act of August 24, 1912, provided for payments of $20,000 to the Lower Band of Chinook Indians, $7,000 to both the Kathlamet and Waukikum bands, and $5,000 to the Wheelappa band. Payments to the Clatsop, Nucqueeclahwemuck, and Tillamook Indians also were authorized. The recipients, according to the act, accepted these payments in full satisfaction of all claims against the United States for the lands described in the treaties. The act provided that the Secretary of the Interior was to apportion the payment "among those now living and the lineal descendants of those who may be dead. . . ." (*Statutes* 1912, 535).

The Indian Office again turned to Charles McChesney to prepare a payment roll for the funds appropriated by the Act of 1912, and issued instructions to him in October 1912. McChesney submitted his report on December 12, 1913. He used the lists he had prepared in 1906 as the basis for his new lists. The earlier lists had sought to identify those who could claim heirship from the treaty tribes, but the new lists were defined as the lineal descendants of those tribes (BIA 3/7/1914). One effect of the act's reference to "lineal descendants" was to exclude from an award the non-Chinook spouses who had earlier been listed by McChesney as heirs. McChesney also identified some new descendants and added the living descendants of some deceased individuals. McChesney prepared lists for the Lower Band, Wheelappa band, Waukiakum band, and Kathlamet

band of Chinooks, and the Clatsop and Tillamook tribes. Because of the shift in focus from heirs to lineal descendants, many more individuals were included on McChesney's 1913 lists than his 1906 lists. Although complete 1913 lists have not been located, the extant lists appear to have included 680 lineal descendants of the Lower Band and a total of 1011 living descendants of the Lower Chinookan Indians -- Clatsop and Lower, Wheelappa, Kathlamet, and Waukiakum bands of Chinook.[4]

The result of McChesney's work was an annuity payment roll, to fulfill the Act of 1912, which was approved by the Commissioner of Indian Affairs on July 18, 1914, and by the First Assistant Secretary of the Interior on July 24, 1914 (BIA 1914). The annuity payment roll of 1914 was based on an identification of members of the Chinook bands who had been alive at the time of the unratified treaty of 1851. McChesney's 1914 roll attempted to include the living lineal descendants who stood to inherit the funds due those Chinook ancestors. His 1913 lists were transformed into payment rolls by deleting those lineal descendants with a living Indian parent who was able to receive payment. No one born after 1912 was listed, so it appears that the Indian Office intended to make payments to persons alive when the appropriation act was passed. The annuity payment roll for the lineal descendants of the Lower Band of the Chinook tribe included 268 numbered claimants and 117 numbered deceased ancestors. Many individuals had multiple entries, however, and could claim multiple shares of the payment because they could trace their descent back to more than one ancestor alive in 1851. Consolidating multiple claims into unique individuals reveals that this payment roll contained the names of 68 deceased ancestors and 149 living lineal descendants of the Lower Band of the historical Chinook tribe. More generally, the annuity payment roll of 1914 listed 260 living descendants of Chinookan bands from the lower Columbia River.

McChesney's task had been to trace living individuals back to an Indian alive at the time of the 1851 treaties. The genealogical information provided by McChesney on his lists of 1906, 1913, and 1914 identified 111 Chinookan Indians who had been alive in 1851 and also did not have an ancestor living in 1851: 50 individuals from the Lower Band, 29 Clatsop, 13 Wheelappa, 11 Kathlamet, and 8 Waukiakum (McChesney 1906 and 1913; BIA 1914). These individuals were potential progenitors of Chinookan family lines surviving after the treaty. McChesney found descendants in the 20th century, however, for only 57 of these 111 individuals. Thus, the actual progenitors, as identified by McChesney, were 29 individuals from the Lower Band, 18 Clatsop, 7 Wheelappa, 3 Kathlamet, and no Waukiakum. All five of the Waukiakum claimants on the 1914 annuity payment roll could trace their ancestry back to Wheelappa and Kathlamet ancestors. Because of intermarriage between descendants of the various bands, the band

[4] The 1913 McChesney lists at the BIA Agency in Hoquiam do not contain lists of the descendants of the Kathlamet and Waukiakum bands, and do not include the first page of the list of the descendants of the Lower Band. For the purposes of this analysis, descendants listed on the 1914 annuity payment roll, but not found on the extant 1913 lists, were assumed to have been on the missing pages of the 1913 lists. Individuals found on the lists of both the Lower Band and other bands have been counted here as descendants of the Lower Band.

affiliation of the 1851 progenitors of 20th-century Chinookan descendants could be counted somewhat differently from the totals given here. This count has given priority first to Lower Band progenitors, and then to Wheelappa progenitors.

The funds appropriated by the Act of 1912 were paid not to a tribe or a group, but to individual claimants. Indeed, the Comptroller of the Department of the Treasury required a release form from each individual recipient, rather than from a council or head man, precisely because of an interpretation that the act provided for payment to "Indians in their individual capacity rather than any tribal or band capacity" (Treasury 1914). Following the recommendation of the Commissioner of Indian Affairs, the attorneys who had prepared the claims case received 20 percent of the award (BIA 3/7/1914). Living claimants did not receive equal shares, but shares in various amounts which were the result of dividing an inherited claim among the descendants in a family line (BIA 1914). Not all of the appropriated funds were paid, for the Interior Department found no living lineal descendants of the Nucqueeclahwemucks and made no payments to 5 Clatsop claimants and 56 claimants of the Lower Band (BIA 5/13/1940). It is not clear whether the claimants failed, or refused, to seek the award, or the Department was not able to locate them. The outcome was that about 21 percent (56 of 268) of the claims due Lower Band descendants were not paid. Because of attorneys' fees and missing claimants, the Indian Claims Commission concluded, the descendants of the Lower Band received $14,837 of the $20,000 appropriated for them (Indian Claims Commission 1970, 86).

Allotments and the Roblin List, 1905-1933:

The Indian Office issued instructions for alloting the Quinault Reservation in 1905 (BIA 1907-1933 at #119). Allotting agent Finch Archer testified in court, according to a later superintendent, that his instructions had been to enroll and allot the Indians at Georgetown, Bay Center, and as far south as the Columbia River (BIA 12/14/1926). Supplementary instructions to Archer, however, informed him that Chinooks should not "be classed as 'fish-eaters' in the sense that will entitle them to allotment" on the Quinault Reservation. Allotment of a Chinook would require evidence of his or her affiliation with, and acknowledgment by, the Indians residing on Quinault (BIA 5/10/1906). Superintendent H. H. Johnson reported in 1908 that he and Archer had visited the Indians at Bay Center because they were entitled to allotments at Quinault (BIA 6/15/1908). A later letter appears to indicate that the superintendent believed that the Indians at Bay Center were from the Shoalwater Bay, or Georgetown, reservation (BIA 10/19/1909). Between 1907 and 1910, 690 allotments were made on Quinault (BIA 1907-1933). About 1914, the allotment program was suspended on the grounds that the agricultural and grazing lands of the reservation had been allotted and only timber lands remained available, which could not be allotted (Kinney 1937, 267-268; Ray 1976, 29-30). No allotments were made on the Quinault Reservation between 1910 and 1924 (BIA 1907-1933).

In 1919, special agent Charles E. Roblin of the Office of Indian Affairs produced a series

of lists of the region's unenrolled Indian descendants which included a list of unenrolled Chinooks. Roblin's lists resulted from an effort by Thomas G. Bishop, president of the Northwestern Federation of American Indians, to open the Quinault Reservation to additional allotments of land. This effort followed the Act of March 4, 1911, which directed the Secretary of the Interior to provide allotments from the "surplus lands" on the Quinault Reservation to Indians from tribes affiliated with the Quinault in the treaty which authorized the reservation (*Statutes* 1911, 1346). Bishop presented the Indian Office, in May 1916, with 82 applications for enrollment and allotment on the Quinault Reservation. The Commissioner of Indian Affairs responded by instructing Roblin, in November 1916, to "carefully examine each application" to see if the applicant had maintained tribal relations with a tribe eligible for enrollment and allotment at Quinault. Thus, Roblin was to identify those individuals eligible for enrollment. However, recognizing that many of the applicants for enrollment at Quinault would be rejected, and that not all unattached Indians had applied, the commissioner indicated that he also desired a separate list of individuals who "can not be enrolled and allotted at Quinaielt" so that a full report may be made to Congress on the "unattached and homeless Indians" of Washington state (BIA 11/27/1916).

Roblin later recalled that he had been instructed to "report on the number of unattached and unallotted Indians in western Washington" who had "asserted rights to allotments" on the Quinault Reservation. "My duties," he said then, "were simply to interview Indians and list those who claimed allotments . . . or a money indemnity for failure to receive such allotments" (Roblin 1942, emphasis in the original). Roblin included a list of 261 unenrolled Chinooks as part of his report in January 1919. While all earlier lists had made distinctions between various bands of Chinookan-speaking Indians, Roblin did not do so. Roblin did, however, prepare lists of 26 Shoalwater Bay and 3 Clatsop Indians separate from the list of Chinooks (Roblin 1919). More than one-third of the unattached Chinooks identified by Roblin were included in a single family line, the descendants of Mary Rondeau. For this reason, almost one-third of Roblin's Chinooks used Dahlia, Washington, as their post office address. More than half of those whose address was known to Roblin lived on the Columbia River, while less than 5 percent lived on Shoalwater Bay. In short, Roblin's list of Chinooks was not a comprehensive or representative selection of descendants of the historical Chinook tribe. It was a very selective list of Chinook descendants who were not enrolled or allotted at Quinault.

Roblin's 1919 list of unenrolled Chinooks was almost totally different from the 1914 annuity payment roll of the Lower Band or other bands of Chinook. Indeed, only 28 of the 261 names on Roblin's list of Chinooks and none of the 26 names on his list of Shoalwater Bay Indians appeared on the 1914 annuity roll (Roblin 1919; BIA 1914). Many of Roblin's unattached Chinooks, however, were children of annuity claimants. McChesney's lists of 1906 and 1913 had included 66 percent (171 of 261) of Roblin's unattached Chinooks, and all 3 of his unattached Clatsops. Only 8 percent (2 of 26) of Roblin's unenrolled Shoalwater Bay Indians, however, had appeared on a McChesney list of Chinookan bands. Roblin's list of unattached Chinooks introduced eight family lines which McChesney had not noted, and 23 percent (61 of 261) of Roblin's unattached

Chinooks were included in these new lines. Roblin's list of unattached Shoalwater Bay Indians used three new family lines which had not appeared in McChesney's lists, and included 85 percent (22 of 26) of the unattached Shoalwater in these new lines. In general, Roblin's list of unenrolled Chinooks should be considered only as an addendum to the McChesney lists of Chinook descendants.

In his written report, Roblin observed that in southwestern Washington there were "a number of small Indian settlements, comprising the remnants of the tribes originally inhabiting" the region. Although they had "almost entirely lost their character as Indian settlements," he noted, "so far as it has been possible, the Indians can be said to have kept up their 'tribal relations' and communal life." Roblin's argument was that the Indians could not be said to have "severed tribal relations" voluntarily when white settlers had "surrounded them and overwhelmed them, thus making tribal conditions impossible." He went on to remark that "the majority of these people have taken their places in the communities side by side with the white people, and have become a part of the white community life." Roblin concluded, in general, that most claimants for allotment at Quinault were descendants of Indian women who had married the early non-Indian pioneers of the country (BIA 1/31/1919). The Indian Office's overall interpretation of Roblin's findings on numerous historical tribes was that many of the applicants had obtained the status of citizens and had "never . . . associated or affiliated with any Indian tribe or tribes. . . ." (BIA 11/17/1919).

The lists produced by McChesney and Roblin identified 1,159 Chinookan descendants. In 1906 McChesney listed 200 descendants, in 1913 he added another 845 descendants, and in 1919 Roblin identified another 114 descendants. The 1914 annuity payment roll was based on McChesney's 1913 list and identified no new lineal descendants of Chinook bands. McChesney's lists of 1906 and 1913, and the annuity roll he produced in 1914, grouped individuals by their descent from the Chinookan treaty bands. A substantial number of these descendants were listed as having descent from two bands, and some were listed inconsistently, so a simple summary must be inadequate. The count presented here attempts to maximize the identification of descendants of the Lower Band. From the information in McChesney's lists, 701 individuals can be identified as lineal descendants of the Lower Band of Chinook. McChesney's lists also identified 32 descendants of the Wheelappa band, 6 descendants of the Kathlamet band, and 3 descendants of the Waukiakum band of Chinooks. In addition, he identified 303 descendants of the Chinookan Clatsop Tribe. Roblin did not use the treaty band designations, and thus his 114 new descendants were classified as 90 Chinooks and 24 Shoalwater Bay Indians.[5]

[5] These data are a summary of several lists, and therefore differ somewhat from the band identification in any particular list. In assigning this summary identification, several rules were followed. If an individual was listed under two bands in the same list, priority was given to the listing of the individual as a descendant of the Lower Band. If an individual was listed under two bands in different lists, priority was given first, to the most frequent identification; second, to the identification on the 1914 annuity roll; and third, to identification as a descendant of the Lower

(continued...)

The cessation of allotment on the Quinault Reservation led to litigation to force the assignment of timber lands and to compel allotment to specific individuals. The issue of allotting timber lands was taken to court by a potential allottee, Tommy Payne. In 1924, the Supreme Court held, in *United States v. Payne*, that forested lands might be allotted (Supreme Court 1924; Ray 1976, 30). In addition, a series of cases on behalf of individuals was brought in the United States District Court and, as the Department of the Interior summarized the proceedings, "practically all the plaintiffs were granted allotments" by the Court (Interior 1933). The Department was unable to have these adverse decisions appealed. The most notable case, the Department believed, was that of *Elliott v. United States*, brought by Chinook descendants. The result of these decisions was that the number of allotments on the Quinault Reservation more than doubled. Between 1924 and 1928, the number of allotments increased from 690 to 1467 (BIA 1907-1933).

The successful court cases to gain allotments for individuals were followed by cases which asserted the rights of their descendants to allotments as well. These cases raised the issues of the allotment rights of descendants of the Chinook tribe and of Indian descendants who did not reside on reservations. In a consolidated case in United States District Court, known as *Halbert v. United States*, the plaintiffs argued that they were entitled to allotment because they were the children and grandchildren of allottees. The plaintiffs, many of whom were Chinook descendants, did not argue that they were Chinooks, but that they were Quinaults.[6] In addition, they contended that "the Indians about Shoalwater Bay . . . have always been considered a part of the Quinaielt tribe" (District Court n.d.a, passim, quote at 17). The Government contended, in several individual cases, that the plaintiffs were not Quinaults because they or their parents had been judged to qualify as Chinooks for payments under the Act of 1912. In general, the Government argued that the plaintiffs were descendants who were without tribal affiliation or tribal relations, and that the enrollment of an ancestor did not preserve tribal rights to descendants who had separated from tribal life (District Court n.d.b, passim, 44).

The District Court's decision in 1928 interpreted the Executive Order expansion of the Quinault Reservation in 1873 to be intended for the use of the Upper Chehalis, Lower Chehalis, Cowlitz, Chinook, and Shoalwater Bay bands, and therefore concluded that they were entitled to allotments on the reservation under the Act of March 4, 1911 (District Court 1928, 23). That act had directed the Secretary of the Interior to make allotments on Quinault to "other tribes of Indians in Washington who are affiliated with the Quinaielt and Quileute tribes in the treaty" of 1855/1856 (*Statutes* 1911, 1346). The

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[5](...continued)
Band.

[6] The Petition asserts that the "Chinook Indian Tribe played an active role" in this litigation, but offers no evidence to support this conclusion (Petition 1987, 268-269). It simply assumes a tribal role because of the involvement of individuals of Chinook descent. It ignores the plaintiffs' argument that they were Quinaults rather than Chinooks.

District Court found that, of the tribes affiliated with the Quinaults in the negotiations leading to that treaty, only the Cowlitz retained a tribal organization in 1928, while the Chinook and the other historical tribes had lost their tribal organization. This was not a problem, the Court concluded, because the Executive Order of 1873 was intended for "remnants" of tribes without tribal organization (District Court 1928, 25-27, 31). The superintendent of the Taholah Agency at Hoquiam interpreted this decision to mean that "the Indians of this locality, including the Chinooks . . . were entitled to receive allotments on the Quinaielt Reservation. . . ." (BIA 11/30/1928). In 1931, the Supreme Court affirmed the District Court decision by holding that Chinooks were entitled to allotment at Quinault and that the Act of 1911 did not require residence on that reservation for allotment (Supreme Court 1931, 760, 762).

It was in the context of the *Halbert* decision to provide allotments on the Quinault Reservation to Chinook descendants that, in the following year, the superintendent referred to the Chinook as one of the "new tribes" of that reservation (BIA 8/13/1932). The number of allotments on the Quinault Reservation increased by 40 after the District Court decision in *Halbert* in 1928. After the Supreme Court decision in 1931, an additional 833 allotments were made. Thus, the result of this litigation was to increase the number of allotments on the Quinault Reservation by 60 percent, from 1467 to 2340 (BIA 1907-1933). Charles Roblin was assigned to be the allotting agent who would determine which individuals were entitled to allotments of reservation land. Roblin recalled that he stopped his work in 1933 when the land available for allotment was exhausted (Roblin 1942). The Indian Reorganization Act of 1934 prohibited the making of any further allotments (*Statutes* 1934, 984). Because allottees were not required to reside on the reservation, the agency superintendent observed in 1940 that Chinook allottees lived "scattered throughout western Washington" (BIA 11/22/1940).

In general, 40 percent (468 of 1159) of the individuals who appeared on any of the Government's lists of Chinookan descendants -- those compiled in 1906, 1913, 1914, and 1919 -- were allotted land on the Quinault Reservation. The rate of allotment was lower than average for descendants on the list of 1906 or the annuity payment roll of 1914, probably because they were the oldest descendants and the least likely to live until the end of the allotment process in 1933. The rate of allotment was higher than average for descendants on the list of 1919, probably because they were the youngest descendants and most likely to be alive throughout the allotment period. However, those descendants who never appeared on a McChesney list and were first identified by Roblin in 1919 were only half as likely to be allotted (22 percent) as descendants identified by McChesney (42 percent). In general, also, more Chinookan descendants were allotted during the second phase of allotment at Quinault from 1924 to 1933 (25 percent) than were allotted during the first phase of allotment from 1907 to 1910 (15 percent). However, the first descendants to be identified by McChesney in 1906, and presumably the oldest descendants, were more likely to have been allotted before 1910 than after 1924. None of the Chinookan descendants on Roblin's 1919 lists, in contrast, were allotted prior to 1928. Clearly, Roblin did not consider Indian descendants who had been allotted at Quinault to be unattached Indians.

The probability of being allotted on the Quinault Reservation varied somewhat by the identification by the Government's special agents of a Chinookan descendant's band, or the band of his or her ancestor. Individuals who were identified by McChesney as descended from an ancestor in the Lower Band were allotted on Quinault at the rate of 53 percent (372 of 701). The rate of allotment for those identified by McChesney as Wheelappa descendants was 50 percent (16 of 32). The highest rate of allotment was obtained by Kathlamet descendants, 83 percent (5 of 6), and Waukiakum descendants, 67 percent (2 of 3), but they were few in number. A much lower rate of allotment was obtained by Clatsop descendants, 16 percent (48 of 303), and by individuals who had been identified only by Roblin as Chinook descendants, 23 percent (21 of 90), or as Shoalwater Bay Indians, 17 percent (4 of 24).

In general, 63 percent of the Chinookans listed by McChesney or Roblin who were allotted on Quinault were allotted after allotment resumed in 1924. However, all of the Kathlamet and Waukiakum descendants, 94 percent of the Wheelappa descendants, and 77 percent of the Clatsop descendants who received allotments did so before 1910. On the other hand, all of the Chinook and Shoalwater descendants identified only by Roblin were allotted after 1924. During the first phase of allotment at Quinault, from 1907 to 1910, 67 percent of allotments to Chinookan descendants on a McChesney or Roblin list were made to descendants of the Lower Band, while during the second phase of allotment, from 1924 to 1933, 88 percent of such allotments were made to Lower Band descendants. Although allotment of Chinookans before 1910 included some Clatsop, Wheelappa, Kathlamet, and Waukiakum descendants, allotment after 1924 was overwhelmingly made to descendants of the Lower Band.

The 1906 post office address is known for 41 of the 175 Chinookans listed on a McChesney or Roblin list who were allotted between 1907 and 1910. In general, 27 of these early allottees lived on Shoalwater Bay, 12 lived in western Washington, and 2 lived in Oregon. Bay Center was the address of 14 allottees and South Bend of 7, so the majority of these allottees (21 of 41) came from the area of just these two towns. It appears that the Waukiakum, Kathlamet, and Clatsop descendants allotted before 1910 were allotted because they lived in or near Bay Center. A reservation had been created for Indians on Shoalwater Bay, and it appears that this association led Government officials to consider the Indians residing along Shoalwater Bay to be eligible for allotment even before the Act of 1911 or the decisions of courts. A significant fact is that only 1 of these 41 allottees lived along the Columbia River, and that was on the Oregon shore. Before the *Halbert* case, clearly, BIA allotting agents treated Chinook descendants along the Columbia River differently from those along Shoalwater Bay.

The allottees before 1910 who were listed on McChesney or Roblin lists descended from 13 of the 29 progenitors of Lower Band family lines, 7 of 18 Clatsop progenitors, 6 of 7 Wheelappa progenitors, and 1 of 3 Kathlamet progenitors. Allotment after 1924 added allottees from 7 additional Lower Band progenitors and 1 Clatsop progenitor, plus 3 new family lines identified by Roblin in 1919. At the completion of the allotment process in 1933, 382 individuals who had been listed on a McChesney or Roblin list and who could

trace their ancestry back to one of 20 progenitors of the Lower Band had been allotted.[7] By far the largest of these family lines were those of Elmermach or Marian Aubichon, with 90 allottees on the McChesney or Roblin lists, and Mary Rondeau Ducheney-Preble-Kelly, with 68 allottees. These two lines together comprised 41 percent of allotments to descendants of the Lower Band. These descendants benefitted by court rulings on allotment, for 78 of the 90 Aubichon descendants and all 68 of the Rondeau descendants were allotted after 1924.

Organization and Claims, 1925-1950:

In February 1925, Congress passed an act which conferred jurisdiction upon the United States Court of Claims to hear suits brought on behalf of any of "the tribes and bands of Indians" from the State of Washington, and to render a final judgment in those cases. The act explicitly mentioned the Chinook as a tribe or band which could submit its claims against the Government to the Court (*Statutes* 1925, 886). The Chinook claims case authorized by the Act of 1925 eventually became a part of a consolidated case known as *Duwamish et al. v. United States*. In 1934, the United States Court of Claims concluded that it lacked the authority to decide a suit such as that brought by the Chinooks to recover the value of their aboriginal lands. The problem for the Court was that title to these Chinook lands was claimed merely by the Indian right of occupancy, and not by a treaty or an act of Congress which recognized Indian title. Whether or not to recognize and pay such a claim, the Court stated, was a political rather than a judicial issue. In denying the Chinook claim, the Court also noted that, under the Act of 1912, the Chinook descendants already had accepted payment "in full satisfaction of all demands or claims against the United States" for the lands described in the unratified treaties (Court of Claims 1934, 598-600, 609).

After the jurisdictional act was passed in 1925, the superintendent of the Taholah Agency at Hoquiam, W. B. Sams, observed that "the Chinooks are trying to get together" because they had been authorized to bring a suit. This language implied that the Chinooks had not previously formed a formal organization. Superintendent Sams said that as soon as the Chinooks, who consisted "of a large number of scattered Indians," could be called together, he would hold a meeting with them (BIA 4/4/1925). On April 8, 1925, the superintendent published a notice, addressed to "all members of the Chinook Tribe of Indians," informing them that a meeting would be held in South Bend to select an attorney to represent them before the Court of Claims (BIA 4/8/1925). Clearly, the superintendent was acting to obtain the approval of the Commissioner of Indian Affairs for a contract between an Indian group and an attorney as required by the Act of 1872,

[7] Some individuals who were not identified by McChesney as Lower Band descendants could trace their ancestry back to a Lower Band progenitor, such as some of the Chinooks and 2 of the Shoalwater Bay Indians on Roblin's lists. Therefore, the number of Lower Band descendants given here is different from the number of descendants listed on any of McChesney's lists of descendants of the Lower Band.

which had been codified as Section 2103 of the Revised Statutes (*Statutes* 1872).

The meeting, on April 18, 1925, was called to order by Superintendent Sams. The attendees chose William Garretson of Ocean Park as chairman of the meeting and Paul Petit of Bay Center as secretary. The name of only one attorney, Arthur E. Griffin of Seattle, was presented to the group, and he was chosen by unanimous vote. In order to sign a contract with the attorney, the meeting then elected three representatives: William Bailey of South Bend, Sam Oliver of South Bend, and James Jones of Dahlia (BIA 4/18/1925). A week later, the superintendent mailed the minutes to the chairman and requested that he sign and return them (BIA 4/27/1925). This request made it clear that the minutes were prepared by Superintendent Sams as part of agency business, and were not prepared by an existing Chinook council which kept records of its proceedings. In addition, that the superintendent addressed the chairman as "William Garrison," who then signed the minutes as "William Garretson," indicated that the superintendent had not established a familiar relationship with the Chinook chairman. Two of the five officers chosen at this meeting were not listed on either the McChesney or Roblin lists of Chinook descendants. Sampson Oliver was not on a McChesney list, but his wife and children were. Oliver was the Cowlitz husband of a Chinook woman (Oliver 1932). Neither chairman Garretson nor an ancestor of his had been included on the McChesney or Roblin lists.

A Chinook Tribal Council was organized on June 25, 1925, in Bay Center, according to claims made in 1952 by Myrtle Woodcock, who was the secretary of an organization by that name in the early 1950's (Woodcock 1952c, 1952b). No available contemporaneous evidence confirms the formation of such an organization in 1925. A 1953 report by the superintendent of the Western Washington Agency, however, accepted the claim advanced in 1952 that the Chinooks had had an "organization as far back as 1924. . . ." (BIA 5/13/1953). The Federal district court judge in *Halbert* concluded that the Chinook did not have a tribal organization in 1928 (District Court 1928, 25-26). In a 1927 deposition for a different case, Woodcock agreed with her attorney's statement that she was "recognized as the president" of the Chinook (Woodcock 1927). The first clear, public evidence of a formal Chinook organization and leadership was a 1931 letter written to the Commissioner of Indian Affairs by Myrtle Woodcock as President and Edna Olsen as Secretary of the "Chinook Tribe of Indians." Both Myrtle Johnson Woodcock and Edna Clark Olsen had been listed on one of McChesney's lists. Their letter claimed that the members of their organization had passed a resolution requesting the Federal Government to procure and produce evidence relevant to their claims suit (Woodcock 1931). In that claims litigation, Woodcock testified in 1932 that she was the "President of the council of the Chinook Indians" (Woodcock 1932).

For the years before 1951, no contemporaneous evidence has been found of the existence of a Chinook tribal council, and very little contemporaneous evidence has been found of Chinook meetings. Myrtle Woodcock's 1931 letter to the Commissioner of Indian Affairs claimed that a tribal meeting had been held in South Bend that year to consider the suit pending in the Court of Claims (Woodcock 1931). In a 1932 application for an allotment

of land on the Quinault Reservation, Lillian Larsen Bates answered that she had kept up tribal relations by "Attending tribal meetings" at Bay Center and South Bend (Bates 1932). Bates said that she had been born at Cathlamet and now lived across the river at Wauna, Oregon. In another application, Sampson Oliver said that he had maintained tribal relations by visiting at a "Tribal meeting yearly" (Oliver 1932). Oliver lived at South Bend and was married to Myrtle Woodcock's older sister. Since Oliver identified his tribe as the Cowlitz, however, this evidence is ambigous. He may have meant that he attended an annual Cowlitz meeting, or he may have meant that he visited with his wife's Chinook relatives and the neighboring Indians of Bay Center at Chinook annual meetings.

In the absence of contemporaneous evidence of Chinook political or organizational activity in the first half of the 20th century, affidavits made in 1990 and 1991 by Chinook descendants provided some recollections of the activities of their parents or siblings during the 1920's and 1930's. Since their recollections were of events more than half-a-century earlier, in which they had not been direct participants themselves, their memories were imprecise about dates and vague about details. William Garretson, whose father had served as chairman of the 1925 meeting called by the agency superintendent to organize for the Court of Claims case, remembered his father as having been the "hereditary" and "recognized overall chief" at the time. He claimed that his father had "collected assessments for the legal fund from about 1915 to 1926 or a little later when Harlan Herrold became the legal fund assessment officer" (Garretson 1991). Oma Singer, the daughter of Myrtle Woodcock, claimed that her mother had taken her "to Chinook Tribe meetings" before she began school, which would have been prior to 1925. She said that her mother, presumably in 1925, had been elected secretary. Both Garretson and Singer remembered the Chinook adopting a constitution in 1925, and of doing so at the request of the BIA (Singer 1991).

In the years after 1925, her daughter said, Myrtle Woodcock engaged in an "enormous correspondence . . . with the tribal families. . . ." (Singer 1991). Woodcock's daughter recalled that Woodcock had been active after 1925 in "enrolling" Chinooks and corresponding with the claims attorneys (Singer 1984). The specific activities of her mother she remembered were gathering seven witnesses about 1927 for the Court of Claims case and working "to document the Chinook" for the *Halbert* allotment case (Singer 1991). Attorney Griffin did write to Woodcock in 1927 about arranging testimony for the claims case, but he did not refer to a Chinook organization or address Woodcock as an officer in it (Griffin 1927).[8] When he deposed her, however, Griffin did refer to Woodcock as the Chinook president (Woodcock 1927). Charlotte Davis recalled that, after 1928, her brother, Harlan Herrold, had "collected assessment fees from tribal members to finance the lawsuits" for fishing rights and allotments (Davis 1990). According to the recollections of their relatives, Garretson, Woodcock, Herrold, and others worked to gather names and document the Chinook heritage of claimants to be

[8] The Petition asserts that this letter was addressed to Woodcock as "tribal secretary" (Petition 1987, 272, and Petition Ex.260). The document itself does not show this.

placed on Roblin's allotment roll in the early 1930's (Garretson 1991; Singer 1991; Davis 1990).

Oral history from the 1980's provides some support for Woodcock's individual leadership role on behalf of the Chinooks from the mid-1920's to the early 1950's. In a 1987 affidavit, a 91-year-old member of the petitioner's organization claimed that Woodcock had been "an active tribal leader" during the 1930's and 1940's when she "enrolled many Chinooks" (Glazier 1987). Another 1987 affidavit, by a 75-year-old member, recalled that Woodcock "worked for many years in the 1920's, 1930's, and the 1940's to enroll Chinooks, communicate to us about land claims and fishing issues, and to call meetings of the tribe in Bay Center and South Bend. . . ." (Stephan 1987).[9] The president of an association of fishermen claimed that Woodcock had been either chairman or secretary, or both, of the Chinooks from 1925 to 1952 (Bristow 1987). The only recollection of legal or political activity between the early 1930's and 1951 by someone other than Woodcock was the claim, by his sister, that Harlan Herrold had been "very active in traveling to conduct tribal business and maintain contact with every member from 1928 until approximately 1951 when he married" (Davis 1990).

Some local non-Indians made affidavits in 1987 which recalled Chinook annual meetings and referred to a Chinook council. An 81-year-old former resident of South Bend claimed that, by 1927, she "was cognizant of these Chinook Indians making a yearly pilgrimage to an 'Annual Meeting' of their tribe." The Chinooks, she recalled, were almost continuously involved in "legal actions" between 1925 and 1952. She also suggested that they had a council of local representatives during those years (Miller 1987). An 81-year-old man, who served as president of a fishermen's union from 1938 to 1962, recalled attending Chinook meetings in the early 1930's. Meeting minutes listed him as a committee member during the 1950's, however, so he may have misstated the decade (Bristow 1987; CN 5/2/1959).[10] An 82-year-old woman said that during her service with a county Tuberculosis League from 1935 to 1952, the "Chinook Tribal Council" requested a report for its "annual meetings" in June. She recalled that, in 1937, a "Chinook Tribal Council" had organized examinations of Chinooks for tuberculosis (Davis 1987). With the exception of the fisherman, these statements were made by people who had played no role in a Chinook council or Chinook annual meetings. These recollections were offered decades after annual meetings undeniably had begun in 1951, and may have been influenced by these more recent memories. None of these affidavits

[9] The Petition cites these two affidavits of Glazier and Stephan as providing evidence that a "tribal council" -- not merely Woodcock -- assisted members in enrolling their children, providing information to Roblin, and registering to vote (Petition 1987, 273). Neither affidavit makes such a statement or supports such a claim. They refer only to Woodcock's role, and refer to her role only as "enrolling" Chinooks.

[10] Russell Bristow's 1987 affidavit implied that he was a non-Indian. "Because the Chinook Indians fished among us and with us," he said, "I began attending their meetings. . . ." He was listed as an (absent) member of the "Lawyer Committee" of the Chinook Nation in 1959.

offered details of meetings before the 1950's.

In 1940, an attorney from Aberdeen, W. A. Ackerman, inquired about the payments to Chinook descendants which had been authorized by the Act of 1912, and the Office of Indian Affairs provided him with a discussion of the claims paid on behalf of seven bands and a list of the shares still due the claimants of the Lower Chinook band (BIA 5/13/1940). The available evidence does not suggest that this attorney was acting on behalf of a Chinook tribal council.[11] In 1948, Charles Larsen, who in the early 1950's would serve as an officer in a Chinook organization, was the secretary of the Northwestern Federation of American Indians and issued a notice announcing its annual meeting. The available evidence does not indicate that Larsen was serving in the Northwestern Federation as a delegate of a Chinook tribal council or as a representative of Chinooks (NWFAI 1948).[12]

After the claims case testimony of 1932, the next contemporaneous evidence for the existence of a Chinook organization was a 1948 letter by the Indian Claims Commission addressed to Myrtle Woodcock as president of the Chinook Tribal Council, presumably because she had used that title in her letter to the Commission.[13] The Commission, which had been created by Congress two years earlier, informed Woodcock that no claim on behalf of the Chinook tribe was pending before the Commission. If she desired to make a claim, the Commission advised her, she should obtain an attorney (Indian Claims Commission 1948). A petition on behalf of the Chinooks, filed not by Woodcock but by J. Grant Elliott, was presented to the Indian Claims Commission in 1951.

BIA Services and Jurisdiction, 1925-1950:

When the Office of Indian Affairs received a petition in 1931 requesting the Government to expedite the Chinook claims case, which was pending before the Court of Claims, the commissioner indicated that he had a problem considering the petitioners to be Chinook claimants since 21 of the 34 signers of the petition had been "allotted as members of the Quinaielt tribe" (BIA 4/10/1931). Individuals who inquired about funds due the

[11] The Petition states that "the Tribal Council secured the assistance" of this attorney (Petition 1987, 274). There is nothing in the Indian Office's reply to this attorney (Petition Ex.250) to support this assertion. It is possible that the attorney's letter might support this claim, but the petitioner did not submit the attorney's letter among its petition exhibits.

[12] The Petition states that Larsen was "the delegate" (Petition 1987, 274) or "the representative" (Petition Ex.330) of "the Chinook Indian Tribe" to the Northwestern Federation of American Indians. Nothing on the face of the document itself identifies Larsen as a Chinook or as a Chinook delegate.

[13] The Petition misidentifies the author of this letter as an employee of the Bureau of Indian Affairs (Petition Ex.259).

Chinooks also were reminded by the Indian Office that they were "enrolled and allotted as a Quinaielt Indian" (BIA 4/30/1931). When a bill was proposed in 1947 to authorize a claims suit against the United States over a disputed survey of the Quinault Reservation boundary, the Secretary of the Interior took the position that the Indians with an interest in the reservation, whatever their tribal ancestry, "may be regarded as one tribe." This litigation, he argued, was being conducted "for the benefit of all Indians having rights on the Quinaielt Reservation," and thus it was "proper to refer to the collective group regardless of tribal blood as the Quinaielt Indians" (Interior 1947).

Because of the Supreme Court's decision in *Halbert*, the superintendent of the Taholah Agency said, 62 claimaints in that suit were placed on the Quinaielt census roll for the year 1932. "They were listed on the Quinaielt roll," the superintendent said, "as 40 Indians of the Chinook Tribe . . . allottees of the Quinaielt Reservation." The superintendent asked if the Indian Office wanted those claimants deleted from the Quinaielt roll and listed on a separate census roll of the Chinook tribe. He noted that there had "never been . . . a census roll of the Chinook Tribe. . . . and this agency never reported them on any census roll up until the time they were granted allotments on the Quinaielt Reservation" (BIA 1/28/1933).[14] The Indian Office provided instructions that the rolls were to be made by reservation and not by tribe (BIA 11/28/1934, citing BIA 4/5/1933). The distinction which the commissioner made between a census roll and a tribal roll apparently did not result in keeping such separate lists (BIA 1/11/1935). The practice at the Taholah Agency, its superintendent said in 1940, was to "carry all Quinaielt allottees . . . on the Quinaielt census." As a consequence, he noted, there was no Chinook tribal roll (BIA 10/7/1940, citing BIA 4/5/1933).

After the Indian Reorganization Act (I.R.A.) of 1934 became law, the Indian Office defined individual voting rights under the act. Making a distinction between three sections of the act, it concluded that an individual's right to vote in the referendum on whether or not to accept the act did not give that individual a right to vote on ratification of a constitution or a right to vote on ratification of a charter (BIA 10/26/1934). The agency superintendent took the position that since no enrollment had ever been made of the Chinooks and they had not been "officially recognized," they would not vote in the referendum on acceptance of the act (BIA 12/7/1934).[15] On the other hand, individuals with allotments on the Quinault Reservation, including Chinook descendants, were registered to vote in the I.R.A. referendum at Quinault (Petition 1987, 43, 273). A

[14] The Petition claims that the superintendent's statement that no enrollment of the Chinook had ever been done was erroneous, because of the McChesney lists, annuity roll, and Roblin lists (Petition 1987, 39, and Petition Ex.327). The superintendent, of course, was referring to the agency's census rolls. His statement clearly indicates that the Office of Indian Affairs did not consider the McChesney and Roblin lists to be an "enrollment" of Indians at the agency. The superintendent understood the distinction between a list of descendants and an agency enrollment.

[15] The Petition insists, however, that Chinook descendants who voted in this election did so "as Chinooks" (Petition 1987, 14, 273).

reservation was required for purposes of voting on whether or not the act would apply to the reservation, and individuals with a "legal interest" in the reservation, defined in part as ownership of "restricted property" within the reservation, were entitled to vote in the referendum (Interior 1934).[16] In 1935, the superintendent sought authorization to hold a vote on whether or not to accept the act (BIA 2/14/1935). The election was held on April 13, 1935. The votes were counted and the results were reported by reservations, not by tribes. On the Quinault Reservation, the vote was 184-176 in favor of accepting the act. On the Shoalwater Bay Reservation, the vote was 3-5 against accepting it. There was a fundamental difference of opinion between resident and absentee voters on the Quinault referendum; absentee voters favored the act 148-69, while resident voters opposed it 36-107 (BIA 1935, 4/13/1935, and 4/23/1935).

Children of Chinook descent attended Bureau of Indian Affairs schools, such as the non-reservation Chemawa Indian School in Oregon. In 1932, for example, Oma Woodcock and Christine Bailey, both 15-year-olds from South Bend, completed that school's form for "application for admission" and "test of eligibility." Woodcock's form identified herself as Quinault, while Bailey's form claimed that she was Chinook, Chehalis, and Quinault (BIA 3/7/1932). When these application forms were submitted by the Chemawa school to the superintendent of the Taholah Agency at Hoquiam for review, he replied that neither applicant was enrolled with a tribe under his jurisdiction. He added that he knew the Woodcock family "to be of Quinaielt blood" and would recommend their daughter for acceptance. He claimed not to know Bailey, but had no reason to question the "degree of blood" she claimed on her application (BIA 3/14/1932).[17] These forms and this letter suggest that these students were accepted at the school because of their Indian ancestry and blood degree, not because of membership in a Chinook tribe or organization.

An exchange of correspondence in 1937 between the Indian agency and the State Department of Public Welfare also indicates that it was the students and their parents, not the agency, who prepared the application forms for the Chemawa school. When the welfare office in Cathlamet sought information from the agency to help some Indian students complete their application forms, it did not identify them as Chinooks (Washington State 1937). The Taholah Agency superintendent replied that three of the parents were Quinault allottees. He also provided their degree of Indian blood, stating that the parents were of Chinook-Chehalis or Quinault-Chinook ancestry (BIA

[16] Section 18 said that the I.R.A. "shall not apply to any reservation wherein a majority of the adult Indians . . . shall vote against its application" (*Statutes* 1934, 988).

[17] The Petition implies that the agency superintendent had solicited, approved, and "submitted" these applications on behalf of the students, and also implies that the students met the school's requirements by being "Chinook children" and "tribal members" (Petition 1987, 47). The documents do not support this interpretation.

7/22/1937).[18] When the Chemawa school requested information from the agency about another of the students of interest to the state welfare office, the superintendent reported that further investigation showed that she was "of 5/16 Indian blood," not the previously reported 5/32, and being more than one-quarter Indian was therefore qualified for admission to the school (BIA 11/30/1937 and 11/16/1937). Again, the emphasis for admission to the Indian school was not on any alleged Chinook tribal membership, but on the students' blood degree and their parents' reservation allotment.

In addition to the Chemawa Indian School, Chinook descendants attended state public schools, which sought financial aid from the Government because of their enrollment. The BIA superintendent at Hoquiam informed the public school district in Bay Center in 1932 that the Indian Office would pay tuition for all the school district's Indian children who were of one-fourth Indian blood or more (BIA 9/3/1932). In 1934, the superintendent explained to the South Bend school district that payment of tuition for Indian pupils in public schools required that the students have one-fourth degree of Indian blood and that their parents not own taxable property within the school district. He also indicated, however, that some students on the school district's list were eliminated from support because they were not on the agency census roll (BIA 7/9/1934). When the Indian Office provided the Bay Center school district with vouchers in 1935, it paid tuition not for Chinook students but for "16 Quinaielt Indian pupils" (BIA 6/13/1935). As was the case with eligibility for Indian school attendance, it was the degree of Indian blood and the reservation status of families which were considered for financial support of public schools. That some public school students were of Chinook descent did not mean that the public schools or the State of Washington had a relationship with an autonomous Chinook tribe.[19]

Observers and Scholars, 1900's-1950's:

Although early-20th century scholars wrote about a Chinook tribe, they described the tribe of the past rather than a tribal entity of their own time. When the journals of Lewis and Clark were published in 1904 and 1905, editor Reuben Thwaites commented that the

[18] The Petition implies that the State welfare office and the Federal Indian agency assisted these students because they were members of a Chinook tribe (Petition 1987, 50). The cited documents do not support such an interpretation.

[19] The Petition suggests that two attempts to survey Indian children in the region's public schools are evidence of an identification of a Chinook tribe or of a relationship between the State of Washington and a Chinook tribe (Petition 1987, 101). Although they revealed a knowledge of the location of Indian students, neither document made any attempt to identify a tribal entity or to deal with a tribe. The 1944 report by the Taholah Agency merely observed that some of the Indian children in public schools were Chinooks (BIA 6/8/1944). The 1947 letter by a state supervisor of Indian education merely proposed an itinerary to consider applications for funds and did not specifically mention Chinooks (Washington State 1947).

Chinook Indians "are almost extinct now" (Lewis and Clark 1904, 3:226). The Smithsonian Institution's first *Handbook of American Indians*, published in 1907, claimed that the Chinook had "completely fused" with the Chehalis, "their language being now extinct" (Hodge 1907, 272). Photographer Edward S. Curtis included the Chinookan bands in a 1911 volume in his series which sought to recapture and to preserve the culture of a vanishing race with photographs and ethnographic descriptions of the historical tribe (Curtis 1911). Charles H. Carey's *History of Oregon*, published in 1922, recounted Lewis and Clark's description of the Chinooks (Carey 1922, 47-48). In 1927, when J. Neilson Barry identified a "Chin-ook-an linguistic family" along the Columbia River and Shoalwater Bay, he described it by using the past tense (Barry 1927, 149-151). J. F. Santee's 1932 article surveyed the life a century earlier of Chinook chief Comcomly (Santee 1932). An article in 1933 by Frederic Howay mentioned the Chinooks in the context of describing the discovery of the Columbia River by non-Indian explorers (Howay 1933). In 1936, when anthropologist Leslie Spier described tribal boundaries in Washington, he did so as of the early-19th century (Spier 1936, 24).

Some local non-Indians in the early 20th century referred to Indians of Shoalwater Bay, or the Shoalwater Bay Reservation, as Chinooks. Har Plumb, who in 1978 published his reminiscences of his childhood, said that he knew George Charley in 1920 as chief of "the Shoalwater Bay branch" of the Chinooks and leader of a seasonal fishing crew on the Columbia River (Plumb 1978). In 1925, an Ilwaco newspaper reported that the War Department was attempting to prevent fishing on the Columbia near Fort Canby "by members of the Chinook Tribe of Indians headed by Chief George Charley. . . ." (Ilwaco 1925). George Charley, however, testified in court proceedings about 1929 that he was a Quinault and a Chehalis. In his testimony, Charley referred to Chinooks and Chinook fishermen as "they" rather than as "we." He also expressed the opinion that "the Chinook people were mostly all dead" and that the surviving Chinooks "were old people," but he appeared in these remarks to consider only full-bloods to be Chinooks (District Court 1930, 384, 499, 508). When Charley died in a fishing accident, a local newspaper referred to him as the "heriditary [sic] chief of the Willapa Bay Indians. . . ." (Raymond 1936).

The first scholarly ethnography of the Chinook was not published until 1938. Anthropologist Verne Ray of the University of Washington began his field work on the Chinook in 1931. Ray acknowledged that it had "been assumed since the late nineteenth century that the Lower Chinook were an extinct people." He said that in 1930, however, he received reports "that one or two aged Lower Chinook were yet surviving." He investigated and found three "survivors," but concluded that "only two of them were usable as informants" (Ray 1938, 29). His principal informant, Emma Millet Luscier, was not a descendant of the Lower Band of Chinook -- her father was Kathlamet / Wahkiakum and her mother Cowlitz / Kathlamet -- but she had lived in Bay Center for the last half-century. Ray's interest clearly was in the historical Chinook tribe, not in the conditions of the 1930's. Because Luscier was not born until fifteen years after the treaty of 1851, however, his principal informant's personal knowledge of the Chinook applied to the late 19th century and not to the period prior to the arrival of Government agents and

American settlers. Thus, much of what Ray said about the aboriginal Chinook was based on his reading of accounts written by early non-Indian explorers, traders, and settlers.

Forty years after publishing this study, Ray was asked to testify about his work on the Chinook. Ray said that he had come to the conclusion in the 1930's that the Chinook "were extinct as a tribe" (Ray 1980, 56). He also insisted in 1980 that no new information had appeared since he had conducted his field work in the 1930's that would require him to change his previous interpretations (Ray 1980, 219). The Lower Chinook "tribal organization and the pattern of life was essentially lost," he contended, "within a relatively few years" after the treaty negotiations of the early 1850's and the epidemic which struck around 1853 (Ray 1980, 66-67). The last identifiable groups of Chinooks, he thought, had existed around the turn of the century (Ray 1979, 167). Ray's standard of judgment, in part, was that there was no existing tribe or organization that was comparable to the tribal entities of an earlier period (Ray 1979, 161). Ray also pointed out that he used the word "extinct" to relate only "to the culture of those people and to their tribal existence." He did not mean that Chinook people had experienced "physical extinction." He argued that, as in the Chinook case, a "political organization" and a "culture" could be extinct even though many descendants of the aboriginal ethnic group were still alive (Ray 1980, 62, 185-186).

Ray acknowledged that by the 1930's a Chinookan population had concentrated in Bay Center (Ray 1980, 184). Indeed, as part of his research, Ray produced genealogies "for practically all of the families yet living . . . with a marked Chinook component in the ancestry." With one exception, they all were living at Bay Center (Ray 1938, 63). When Ray did this work in the 1930's, however, he had never heard of the lists of Chinook descendants produced earlier by McChesney and Roblin (Ray 1980, 163, 61-62). Ray apparently visited some Chinook descendants in the Wahkiakum County area around Pillar Rock, but decided that they would not be good informants about the historical tribe and its historical culture. Thus, he did no field work in that area (Ray 1980, 54, 57, 128). The population at Bay Center, Ray argued, was not limited to the descendants of the native peoples of Shoalwater Bay or those who had moved there from the mouth of the Columbia River, but included descendants of people from the Kathlamet and Wahkiakum territory as well. Ray referred to Bay Center as having had "a very much mixed population" in the 1930's of "Chinook and whites and Chehalis and the remnants of the peoples who had lived in that area. . . ." (Ray 1980, 57, 68-69).

In 1950, a committee of the United States House of Representatives reported that "the remnants of a few tribes" of the "Chinookan linguistic stock" were living on the Warm Springs Reservation in Oregon and the Quinault and Chehalis Reservations in Washington and were "scattered through their former habitat along the lower Columbia River" (House 1950, 125, 282). In a 1953 report to Congress, the superintendent of the Western Washington Agency observed that Chinook allottees did not live on the Quinault Reservation, but were "scattered throughout the Pacific Northwest. . . ." Rather than identifying any Chinook communities, the superintendent claimed that the Chinooks "are completely assimilated into the communities where they live." He attributed this to what

he thought was the fact that "most of them are more white than Indian. . . ." (BIA 5/13/1953). A draft termination planning document prepared by the agency later in 1953 concluded that most Chinooks were "well integrated in the non-Indian population" of southwestern Washington and received "the same treatment as any other citizen of Washington" (BIA 9/23/1953).

Anthropologist John Swanton, in a 1952 publication of the Smithsonian Institution which presented information about the historical Chinookan tribes, concluded that the "Chinook or Tsinuk" were "now nearly extinct. . . ." Swanton also stated that the "Cathlamet, or Kathlamet" were "now extinct as a separate group" (Swanton 1952, 414, 419). The implication of the anthropological report for the Indian Claims Commission by Herbert Taylor in 1953 was that the "Lower Chinook tribal organizations were destroyed" and that all that remained were "several hundred" individuals who could only "prove themselves descendants of the Lower Chinook tribes" (Taylor 1953, 145). In the most recent scholarly study of the Chinook, historian Clifford Trafzer has concluded that, about 1950, "two distinct Chinook groups existed, one at Shoalwater Bay and one along the Columbia River." Thus, Trafzer linked the creation of two organizations of Chinooks in the early 1950's to the existence of two geographical groups of Chinooks. His interpretation was that the Chinooks along the Columbia organized as the Chinook Nation, while the Indians at Shoalwater Bay organized as the Chinook Tribes (Trafzer 1990, 97).

Organization and Claims, 1951-1958:

On August 5, 1951, John Grant Elliott of Skamokawa or Dahlia signed a petition to the Indian Claims Commission on behalf of the Chinook Tribe and its "subordinate Waukikum, Willopah and . . . Clatsop" bands. The petition claimed that Elliott, as Chairman of the General Council, was authorized by the "Chinook Tribe of Indians" to bring this action for the tribe (Indian Claims Commission 1951; Larsen 1953). However, it was not until two weeks later, on August 18, 1951, that a meeting was held at Skamokawa "for the purpose," according to the minutes of the meeting, "of forming an organization to represent the Chinook Tribe. . . ." The meeting minutes referred to this gathering as the "first Chinook Tribal meeting. . . ." (Woodcock 1951a). Elliott testified that he had known nothing about the claims case until August 1951. At that time, he said, "we called a meeting," which was attended by about one hundred people, and "we organized. . . ." (J.G. Elliott 1953). "Before we formed to file suit" against the Government in 1951, Elliott's son and successor recalled in 1971, "the Chinook weren't organized." He did not see this as a temporary condition, for he regretted that the "Chinook weren't organized for the hundred years between" 1851 and 1951 (Astoria 1971). The Indian Claims Commission concluded, in 1958, that "this so-called tribe" was "organized ostensibly for the sole purpose of presenting this claim. . . ." (Indian Claims Commission 1958, 212).

At the meeting on August 18, 1951, Elliott was unanimously chosen as chairman and

Myrtle Woodcock was elected as secretary-treasurer. Leaders for seven geographical areas were chosen by a committee (Woodcock 1951a). Elliott, Woodcock, and at least five of seven local officers had been listed on either a McChesney or Roblin list. Celeste Elliott Peterson recalled that since Elliott "was the man that signed for the whole group, we thought that it was only proper that he should be the chairman" (Peterson 1953). After a rival Chinook organization was formed in 1953, it pointed to Elliott's election as chairman after having submitted the claims petition to imply that he had acted without authorization and had simply asserted his leadership role (Larsen 1953). The general meeting at Skamokawa was followed a week later by a local meeting in Bay Center and, perhaps, in the other local areas. At the meeting of the Willapa Group in Bay Center, the minutes of the Skamokawa meeting were read and local officer Claude Wain "gave a short talk on the subject of our suit against the Government. . . ." (Woodcock 1951b). Although her minutes in 1951 had referred to "forming" an organization at the "first" tribal meeting, Secretary Myrtle Woodcock described this process to the Secretary of the Interior in 1952 as the tribal council having "re-organized" itself (Woodcock 1952c).

It was after a Chinook petition had been submitted to the Indian Claims Commission by J. Grant Elliott and attorney James Sareault of Chehalis, that the superintendent of the Western Washington Agency issued a notice "to all members and descendants of the Chinook tribe" that a meeting would be held in Skamokawa on September 22 to elect delegates to sign a contract with an attorney to represent them before the Commission (BIA 9/14/1951). The Indian Claims Commission Act of 1946 provided that contracts with attorneys made by Indian claimants who had not been organized under the Indian Reorganization Act would require the approval of the Commissioner of Indian Affairs as outlined in Section 2103 of the Revised Statutes and the Act of May 21, 1872 (*Statutes* 1946, 1053). The superintendent knew that the Chinook claimants would need such approval for the Commission to consider their case. The meeting was attended by 65 individuals who elected John Grant Elliott of Skamokawa, Myrtle Woodcock of South Bend, and Claude Wain of Raymond as the delegates to sign the contract with attorneys Frederick Post and Malcolm McLeod of Seattle and James Sareault of Chehalis. The meeting also passed a resolution to ratify, after the fact, Sareault's filing a petition with the Commission (CTC 9/22/1951, minutes and resolution; Cathlamet 1951). The contract was signed by the parties and approved by the Commissioner of Indian Affairs (BIA 12/27/1951; Indian Claims Commission 1975, 439-440).

At least as early as March 1952, J. Grant Elliott was referring to the new Chinook organization he led as the "Chinook Nation" (J.G. Elliott 1952a). Usually, however, officers referred to the organization as the "Chinook Tribal Council." In June 1952, Secretary Myrtle Woodcock wrote to inform the Secretary of the Interior of the organization. She said the Council had about 900 members. She identified the Council officers as a president, a secretary, and seven area officers. That the names of three of the seven area officers were handwritten additions to this typed letter suggests that the organization was still in its formative stages (Woodcock 1952c). There is evidence that annual meetings of the new organization led by Elliott were held from 1951 through 1967. The statement of expenses of one of the claims attorneys indicates that he attended

an "annual Chinook meeting" each June from 1951 to 1963. All of these meetings, except that in 1955, were in Skamokawa on the Columbia River (Indian Claims Commission 1974).

The meetings of the new Chinook Tribal Council were geared to prosecuting the Indian Claims Commission case. The purpose of the council meeting in March 1952, the minutes stated, "was to explain ways of getting evidence for our case" (Woodcock 1952a). At least as early as June 1952, Elliott and Woodcock gave testimony about their organization for the purposes of this case (J.G. Elliott 1952b; Woodcock 1952b). In January 1953, the only apparent item on the agenda was attorney Malcolm McLeod's request for evidence for the claims case (CTC 1/17/1953). Six Chinook descendants gave testimony for the Indian Claims Commission in August 1953 (Petition Ex.606-611). Exceptions to this focus on the claims case were that the Willapa local organization passed a resolution in 1952 objecting to the timber policies on the Quinault Reservation (CTC 5/17/1952) and that some of the officers of the council undertook a suit in county court in 1953 against an individual landowner who had uncovered graves on his property near Long Beach (Washington Superior Court 1953).

Chairman Elliott acknowledged that a "division" within the organization occurred in 1953 (Indian Claims Commission 1958, 212). This split happened, according to Charles Larsen, an officer in the new organization, because "we could get no reliable information from our chairman. . . ." (Larsen 1953). A meeting at Bay Center on May 3, 1953, called by Secretary Myrtle Woodcock, was attended by 68 persons (Larsen n.d., 2, and 1953). "After a recital of the lack of interest shown by the leaders of the tribe," Larsen recalled, "it was decided to elect a new set of officers . . . and to create more interest in the suit against the government" (Larsen n.d., 2). The new officers elected at this meeting were Roland Charley of Tokeland as chairman, Lewis Hawks of Bay Center as vice-chairman, and Myrtle Woodcock of South Bend as secretary. In addition, five councilmen were elected. All eight of these officers, or their parent, had been listed on a McChesney or Roblin list. Only two of them resided along the Columbia River, both at Ilwaco (Woodcock 1953; Larsen n.d., 2, and 1953). According to the Indian Claims Commission, the chairman of the new organization, Roland Charley, testified that he did not know the chairman of the original organization, J. Grant Elliott (Indian Claims Commission 1958, 212). This meeting also approved a constitution (Woodcock 1953).[20]

On June 13, 1953, both the Bay Center and Skamokawa groups held organizational meetings. The Skamokawa group, now clearly calling itself the "Chinook Nation," met with J. Grant Elliott presiding (CN 6/13/1953). Letters were read to the group about the meeting at Bay Center the previous month from Myrtle Woodcock and the attorney for

[20] The Petition incorrectly assumes that the Chinook Tribal Council or Chinook Tribes, Inc., adopted a constitution and by-laws in 1951 (Petition 1987, 277, 309). It also contends, however, that in 1953 the Chinook Tribes, Inc., formally adopted a constitution and by-laws under which it had operated since August 1951 (Petition 1987, 280-281).

the Bay Center group. The letter from Woodcock may have been her letter of May 8 to Elliott in which she said that she had called the meeting, "with what I thought was your approval," as an annual meeting "for the purpose of electing officers and adopting a Constitution and By-laws. . . ." Because of the misunderstanding which had arisen, she suggested that Elliott direct her to call another meeting to elect officers and adopt a constitution (Larsen n.d., 2-3). Thus, at the meeting in Skamokawa, officers were nominated for an election to be held by written ballot. A motion was passed to recognize the meetings held at Bay Center as local meetings only, and to notify the Indian agency of this position (CN 6/13/1953). Two weeks later, the 175 ballots cast were counted at Elliott's home. At least six of the eight members present at this meeting were Elliott family members. J. Grant Elliott was elected as chairman and his son Kent Elliott was elected as vice-chairman without opposition. Frank Quigley was elected as secretary-treasurer by a vote of 162-13 (CN 6/27/1953). Quigley had not been listed on a McChesney or Roblin list.

The Bay Center group, calling itself "Chinook Tribes, Inc.," met on the same day with Charles Larsen presiding as temporary chairman in the absence of Roland Charley. Officers of this organization already had been elected at the May 3 meeting in Bay Center. At this June 13 meeting, however, Myrtle Woodcock submitted her resignation as secretary and Catherine Troeh of Ilwaco was elected to replace her. Anna Elliott Koontz was elected to the new position of historian. The chairman stated that the new secretary would send to the Indian agency in Everett both the results of the election of May 3, 1953, and a list of applications for enrollment. Articles of Incorporation also were accepted at this meeting. The Articles were filed with the Secretary of State's office on June 15 (CT 6/13/1953, minutes and Articles; Larsen n.d., 4). Although the constitution used the name "Chinook Tribes, Inc." the Articles used the name "Chinook Indian Tribe, Inc." This organization used "Chinook Tribes" rather than "Chinook Tribe" as its constitutional name, presumably, because its constitution provided that its membership would consist of descendants of Indians of the Clatsop Tribe and the Kathlamet, Wahkiakum, Willapa, and Lower Bands of Chinook. The constitution provided for an annual meeting in Bay Center each June and quarterly meetings of the council. The by-laws set annual dues at $2 for most adult members (CT n.d.). This split between the Chinook Tribes, Inc., and the Chinook Nation was not formally reconciled until 1982.

By June 1953, the new organization formed at Bay Center in May 1953 claimed to have 291 recognized members and 979 applications. Because applications were still being received, the organization had not completed a roll. It also recognized that its constitution had not been approved by the Bureau of Indian Affairs (Troeh 1953a). The list of applicants of the Chinook Tribes, Inc., was sent to the local Indian agency in July 1953.[21] Since this organization had been in existence for only two months, it appears

[21] The Petition attributes significance to the fact that this list was "received" by the Bureau of Indian Affairs (Petition 1987, 40, 282). Since the list was titled "Applicants for Enrollment with

(continued...)

reasonable to assume that these applications had been inherited from Myrtle Woodcock and the predecessor Chinook Tribal Council formed in 1951. The request of the claims attorney, a year later, that the Chinook Tribes make its enrollment records available to the Chinook Nation, also suggests that the Bay Center group had inherited the original application records and that the Skamokawa group lacked such records (Post 1954).

The Chinook Tribes' list of applicants contained 974 names (CT 7/12/1953).[22] The list gave addresses for family groups, but it did not always make apparent how many names were covered by one address listing. As a result, the addresses of 90 individuals were unknown or unclear. Thus, any statistics of geographical residence from this list must be tentative. It appears that about 60 percent (528 of 884) of applicants were from Washington State, about 29 percent (256 of 884) from Oregon, and almost 10 percent (84 of 884) from California.[23] The most frequent city, or post office, addresses on this list were: Astoria, OR (85); Bay Center, WA (55); Taholah, WA (55); Aberdeen, WA (51); Altoona, WA (45); Seattle, WA (37); South Bend, WA (32); Skamokawa, WA (31); Portland, OR (30); and Warrenton, OR (30). If families or individuals without a given address are assumed to have had the same city address as the one previously given on the list, then about 63 percent (613 of 974) of applicants were from Washington State, 27 percent (261 of 974) from Oregon, and 9 percent (84 of 974) from California. This method significantly increases the number of applicants from Bay Center and makes it the most frequent address on the list, with 96 individuals, or almost 10 percent of all applicants.[24] By 1953, fewer than half of the Chinookan descendants on this list were living in towns on the Columbia River, or Shoalwater Bay, or the Pacific coast in traditional Chinook or Clatsop territory.

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[21](...continued)
the Chinook Tribe" (CT 7/12/1953), it was not actually a completed "enrollment" or "roll" of members.

[22] The list contained 981 names, but 7 appear to be duplicate entries. The Petition says that there were 978 names on this list, but its table sums to 980 (Petition 1987, 213 and Table 20).

[23] The Petition contends that 74 percent of applicants (whom it calls "members") lived within or closely adjacent to the "aboriginal homeland" of the Chinook (Petition 1987, 215). The concept of an "aboriginal homeland," however, is not mentioned in the acknowledgment regulations. The 1978 acknowledgment regulations require that "a substantial portion of the petitioning group inhabits a specific area. . . ." (BIA 1978a, 39363). According to the 1978 acknowledgment guidelines, this requires the petitioner to demonstrate that "a sizeable number of its members live close enough to each other to meet, associate, and conduct tribal business on a regular basis, and that they do so" (BIA 1978b, 8).

[24] The Petition reaches somewhat different totals (Petition 1987, 213-216). This is not surprising given the difficulty in interpreting the list. The Petition may be counting from a retyped version of this list rather than from the document mailed to the BIA. Since the Petition does not consider any addresses to be missing, it appears to have assigned all individuals to the previously listed address.

By the September 1953 council meeting of the Chinook Tribes, Inc., council member Charles Larsen was claiming a total enrollment of 1,173 (CT 9/5/1953, resolutions). Of this number, he said, 394 were minors and 779 were adults. Resolutions passed at this council meeting set the voting age in general meetings at 18, confirmed a scale of dues of $2 for adults and 50 cents for children, and established an order of business for council meetings (CT 9/5/1953, minutes). On September 13, the Chinook Tribes again sent enrollment information to the Indian agency (Larsen n.d., 5). Ten days later, however, the agency took the position that there was "no approved roll of the Chinook Indians at the Agency" (BIA 9/23/1953). In November, the area office in Portland acknowledged that it had received a carbon copy of a Chinook enrollment. Unlike the earlier list of applicants sent to the agency, this list apparently had assigned roll numbers to individuals (BIA 11/16/1953). The Chinook Nation also sent the Indian agency a "partial list of qualified members," which contained only 71 names, in January 1954 (Quigley 1954). The area office maintained at this time that there was no officially recognized enrollment of the Chinook tribe, and that any roll that it had received was simply one prepared by individuals for their claims case and anticipated distribution of judgment funds (BIA 1/22/1954, quoting BIA 12/16/1953).

The Chinook Nation adopted a constitution in April 1954. At a "council meeting" on April 3, council members drafted a constitution and by-laws. Later in the day, a "mass meeting" adopted the council's proposed constitution by a vote of 45-0 (CN 4/3/1954, minutes). The constitution defined the Chinook Nation as consisting of the "Willapa, Cathlamet, Clatsop, Wahkiakum and Chinook bands," and its members as the descendants of those bands. It provided for an annual "mass meeting" every June in Skamokawa. A unique feature of this constitution was that it stated that no election of new officers would be held until the conclusion of the suit against the Government. This provision, of course, perpetuated the control of the Elliott family. The by-laws provided that a tribal council, with representatives from ten local districts, would be elected by majority vote. The constitution assessed a one-time enrollment fee of $3 for adults and $1 for children (CN 4/3/1954, constitution). The meeting on April 3 passed a resolution setting the organization's annual dues at $1 for each person over 16. It also passed a motion to request the claims attorneys to attend the next annual meeting and provide "a complete report as to the status of our case. . . ." (CN 4/3/1954, minutes). At the 1954 annual meeting, a "lengthy discussion" was held about "how to dispense the money" if the Chinook Nation won its claims suit against the Government (CN 6/5/1954).

The Chinook Tribes, Inc., made a contract with attorney Charles Welsh of South Bend in March 1954, and sought to have it approved by the Government, as required by statute (CT 3/21/1954). When forwarding this contract for approval, the agency superintendent noted that the Chinook already had an approved claims contract. He added that the Chinook Tribes had not been recognized as the "official representative" of the Chinook, and he speculated that the new group "intends to take over the authorities held by Grant Elliott. . . ." (BIA 4/27/1954). The area office recommended that this attorney contract not be approved (BIA 5/3/1954). Welsh denied that his contract was made to prosecute the claims suit against the Government (Welsh 1954a). At this time, the approved claims

attorneys did provide information on the status of the suit to Charles Larsen of the Chinook Tribes (Post 1954). The Commissioner of Indian Affairs refused to approve this contract on the grounds that the Chinook Indians already were "represented by other attorneys in connection with their claims pending before the Indian Claims Commission," and because the Chinook Tribes, Inc., had no authority to act for them (BIA 6/25/1954).

The annual meeting of Chinook Tribes, Inc., in Bay Center in June 1954 consisted of a morning session of informational presentations, a group lunch, and an afternoon "business meeting." Talks were given on a proposed termination bill, a Quinault council meeting, and a summary of the events of the past year. The business meeting included controversy in the form of remarks by Anna Elliott Koontz, who, the minutes said, "evidently headed a delegation from the Chinook Nation. . . ." According to the minutes, Koontz was briefly allowed to "propound her arguments" about the division of the Chinook before a point of order was sustained that the agenda did not allow such discussions. The meeting then elected Jess A. Williams to be vice-chairman by a 23-14 vote, unanimously elected Charles Larsen to be secretary-treasurer, and elected Charlotte Davis to be historian. A list of attendees included 53 names, although the notes indicated that 4 were from Skamokawa and that 1 may have been a non-member (CT 6/20/1954).

The next month, Secretary Larsen informed Chairman Charley that the council wanted to submit a list of members to the Indian agency, and that a committee of three, which included the chairman, had been selected "to pass upon the names to be included in this list" (Larsen 1954a). This appeared to be the first attempt to apply a formal membership procedure to applicants for membership in the organization. A list prepared for the October 1954 council meeting showed that only 75 individuals had paid their dues (CT 10/16/1954). At this time, the attorney for the Chinook Tribes contacted the attorneys for the Chinook Nation to propose that an attempt be made "to mutually arrive at an authorized enrollment. . . ." (Welsh 1954b). Secretary Larsen also contacted the agency. "We realize that no official enrollment of the Chinooks have been made," Larsen wrote, "and that it will be a long and tedious job. . . ." He judged the number of applications on hand to be less than what the total enrollment should be. His group wanted to cooperate with the other Chinook group and to prepare a roll "so as to have it ready should the Chinooks win their suit now pending before the Indian Claims Commission" (Larsen 1954b).

The superintendent replied that it was the group's responsibility to prepare its membership roll, that the only need for a roll would be for the payment of judgment funds from a claims award, and that previous judgment rolls could serve as base rolls in determining eligibility for inclusion on a modern roll (BIA 11/22/1954). Perhaps to encourage the Chinook Tribes in its initial efforts to cooperate with the Chinook Nation in the preparation of a mutual roll, the superintendent commented three months later that it was "perplexing" that the Chinooks had "two governing bodies" and that it would be worthwhile to try to consolidate the opposing factions into one organization. He told the acting secretary of Chinook Tribes, however, that there was "no official need on the part of the Government at this time for any list of the members of the Chinook Tribe inasmuch

as the Chinooks, as a tribe, do not own tribal property" or have tribal assets to administer. If the Chinooks were to win their Indian Claims Commission suit, he now advised the group, legislation would probably require the Secretary of the Interior to prepare a schedule of persons entitled to receive the payment (BIA 2/28/1955).

Some issues in addition to the claims case were considered by the Chinook Tribes, Inc. At its monthly meeting in April 1956, the council passed a motion relating to the handling of a specific collection of human remains and artifacts (CT 4/7/1956). At the 1956 annual meeting, the members passed a resolution for the Chinooks to join an unspecified organization. A representative of the state attorney general appeared to discuss state determination of Indian status. Anthropologist Erna Gunther encouraged the group to "reconstruct" their past by compiling family trees. Claims attorney Malcolm McLeod gave an address about the case. This meeting, which an article in a local newspaper described as "a day-long picnic" of Chinook descendants, was held away from Bay Center at Fort Columbia State Park on the Columbia River opposite Astoria (CT 6/17/1956; McDonald 1956). The council later passed motions to send Dr. Gunther a letter of appreciation for her help, to ask the claims attorney about the fee for a different anthropologist, and to copy documents for the claims case (CT 11/10/1956). At the council meeting in February 1957, with four members present and chairman Roland Charley absent, members Claude Wain and Ed Scarborough discussed replacing Charley as chairman by making him an honorary chief. The rest of the council, however, objected to this discussion (CT 2/18/1957). A notice sent out for a special meeting to be held in March 1957 indicated that the agenda included fishing rights as well as the claims case (CT 2/28/1957).

The contending Chinook organizations came together to support the case before the Indian Claims Commission and to sign jointly the renewal of the attorney contract for that case (Indian Claims Commission 1958, 212; 1975, 439-440). The council of the Chinook Tribes appointed three members to a central, or executive, council "of the thereby unified groups of Chinook Indians." Its motion, passed in February 1957, indicated that it expected its Bay Center representatives to be joined by representatives from Skamokawa and Portland groups in a meeting at the office of a claims attorney (CT 2/18/1957). A unification plan was scheduled to be discussed at that special general meeting in Chehalis in March 1957 (CT 2/28/1957). The Portland group selected one representative to sign a contract renewal with the claims attorneys, with the proviso that she was authorized to sign "only if the signatures of representatives of the Bay Center Branch, the Seattle Branch and the Skamakawa [sic] Branch" also were obtained on the contract (Colbert 1958). It was not until June 1957 that the Chinook Nation chose seven delegates to sign the contract renewal (CN 6/15/1957). The council of the Chinook Tribes passed a resolution to renew the attorney contract in February 1958, and replaced one of its original delegates with chairman Roland Charley (CT 2/16/1958). A contract renewal was signed on February 21, 1958, by 12 Chinooks: the delegates chosen by the Skamokawa, Bay Center, and Portland groups, plus one other individual (CN 2/21/1958).

The BIA and Indian Claims Commission, 1950's:

When the superintendent of the Western Washington Agency was asked in 1951 for information about the tribes serviced by his agency, he provided the numbers of Indians residing on and allotted on the Quinault Reservation, but also noted that the allottees who resided off-reservation in Wahkiakum County "are of Chinook extraction. . . ." To emphasize how much work his agency did, the superintendent claimed that "we extend service to some 2,600 unenrolled, unallotted Indians," including Chinooks, who "call upon this office for a great deal of service and information" in the process of "attempting to establish their membership and enrollment. . . ." (BIA 10/31/1951).[25] The kind of information requested by these unenrolled Indians, the superintendent later explained, related to "Indian estates" in which they were interested and "Indian ancestry" which they attempted to trace "through the inheritance records and heirship findings" of the agency (BIA 5/22/1952). He also referred to the "services" his office had to extend to unenrolled Indians as providing records relating to family history to individuals who were bringing claims against the Government or who desired to join those claimants (BIA 9/10/1952).

When a local Chinook council passed a resolution in 1952 expressing concerns about the logging practices on the Quinault Reservation, the Commissioner of Indian Affairs' response was to dispute that "the Chinook Tribal Council is the duly constituted and authorized representative of any group of Indians having an interest in lands of the Quinault Reservation" and to affirm his policy to consult with "the Quinault Tribal Council, which is the recognized representative of the tribe in such matters" (BIA 6/20/1952). The commissioner also requested information as to "the official status of the Chinook Tribal Council" from the Portland Area Office. "Until about a year ago," the area office replied, "we had no knowledge of a Chinook Tribe as such. . . ." Such tribes which had come forward to file claims under the Indian Claims Commission Act, the area office added, "do not . . . operate in an organized relationship with this bureau" (BIA 6/27/1952). The area office understood that "a number of Indians residing along the Washington coast . . . commonly call themselves Chinook Indians," but concluded that the "Chinook Tribe is not an organized Tribe" and "has no official status" as a representative of the Indians of the Quinault Reservation. It also pointed out that Chinook council member Claude Wain had recently failed in an effort to be elected Quinault tribal chairman (BIA 7/1/1952).

In 1953, the Indian agency received a congressional request for information in the form of a "Questionnaire on Tribal Organization." Although the Chinook were "not listed" by the questionnaire, Superintendent Raymond Bitney noted, because it "listed only recognized Indian Tribal Organizations," he nonethless filled out a form for the Chinook in May

[25] The Petition argues that this letter was "unequivocal confirmation of 'recognition' of the Chinook Indian Tribe" (Petition 1987, 36). However, the superintendent's reference to "unenrolled" individuals was not recognition of a tribe with enrolled members, and providing information to individuals was not the same as dealing with a tribe on a government-to-government basis.

1953. He noted that Chinook individuals were allotted on the Quinault Reservation. Although these allottees held the majority of the land on the reservation, the superintendent observed, the "Quinault Tribe . . . control the affairs of the reservation. . . ." Earlier in the month of his report, Bitney said, the Chinooks had elected a council. When listing the officers of this "Newly Organized 'Chinook Tribal Council'," the superintendent provided the names of the officers elected at Bay Center in 1953 rather than those chosen at Skamokawa in 1951. He referred to Roland Charley as the chairman, although he was aware that J. Grant Elliott "still claims to be chairman." The "group became active" and organized, he maintained, after the passage of the Indian Claims Commission Act. Although the Chinooks claimed to have had an earlier organization, the superintendent concluded that it had "disappeared" (BIA 5/13/1953).[26]

When completing the congressional "Questionnaire," Superintendent Bitney listed the blood-quantum and affiliation of the eight officers of the Chinook Tribes, Inc. While all claimed to be Chinooks, he pointed out that all were allotted on the Quinault Reservation. The superintendent listed five of the eight as Quinaults, two as Quinault-Chinooks, and only one as a Chinook. The one Chinook he listed as 1/16 Chinook. The chairman of this Chinook council, the superintendent observed, was listed on the Quinault census as a full-blooded Quinault Indian, had an allotment on the Quinault Reservation, and had a home on the Shoalwater Bay Reservation (BIA 5/13/1953). In western Washington, the superintendent was observing, it was common to have multiple affiliations and difficult to consider someone simply a Chinook. When the Chinook Tribes unsuccessfully sought to have its attorney contract approved in 1954, Superintendent Bitney once again noted that, while the officers of the Chinook Tribes "allege to be Chinook Indians, the official census" at the agency showed them to be Quinaults (BIA 4/27/1954).

Neither the Bureau of Indian Affairs' central office, area office, or local agency were willing to establish an official relationship with either Chinook organization formed in 1953. The BIA refused to accept the rolls and constitutions of these groups, and refused to approve more than one contract with attorneys for the purpose of pursuing claims on behalf of all Chinook descendants. When the Bureau of Indian Affairs in Washington, D.C., received a copy of the constitution of the new Chinook Tribes, Inc., in 1953, it indicated that its opinion was that the actions of a group which had formed an organization under state law was not subject to its approval or disapproval (BIA 9/21/1953). In 1954, the area office argued against approval of an attorney contract for the Chinook Tribes, Inc., by asserting -- although its interpretation of the statutes relating to attorney contracts was questionable -- that the Chinook Tribes was not a recognized Indian Tribe, that a Chinook "roll has never been approved," and that the Government had "no responsibility to . . . Chinook Indians" (BIA 5/3/1954).

[26] The Petition misrepresents Bitney's position by stating that the superintendent noted "that a formal organization dated back to 1924" (Petition 1987, 68). It implies that Bitney was affirming the continuity of a formal organization despite his conclusion that a previous organization had "disappeared" and had not continued to exist.

On behalf of the Chinook Tribes, Inc., Charles Larsen, its acting secretary, wrote to the Commissioner of Indian Affairs in December 1953 to summarize the history by which the Chinooks had split into two organizations. After disparaging the Chinook Nation as one governed as "a one-man organization," Larsen requested that "the Chinook Tribe, Inc., be recognized as the official organization of the Chinook Tribe" (Larsen 1953). Superintendent Bitney transmitted this letter to the Commissioner of Indian Affairs with the comment that there was a "controversy as to who shall champion the rights of the people with Chinook blood in their veins. . . ." Bitney noted that J. Grant Elliott had taken the lead in placing a Chinook claim before the Indian Claims Commission. Another group of Chinook descendants, the superintendent said, was now "attempting to take over the funds and affairs of the Chinook organization organized by Mr. Elliott." Bitney did not think that the BIA could designate one faction as the "official body" of the Chinooks. Furthermore, the superintendent wondered whether or not their allotment on the Quinault Reservation would "bar their recognition as members of the Chinook Tribe" (BIA 1/8/1954).

In 1956, in response to additional congressional inquiries, the acting Commissioner of Indian Affairs noted that a controversy existed "between two groups of individuals who possess Chinook blood," with each claiming to be the legitimate representative of the Chinooks. The Bureau of Indian Affairs was not involved in the governance of these groups, he said, as it had withheld its approval of the constitution of Charles Larsen's group and did not have a copy of the constitution of J. Grant Elliott's group. The BIA, he stated, had "withheld recognition of either group as having authority to speak and act in behalf of the Chinook Tribe as a whole." Both groups of Chinooks were allotted on the Quinault Reservation, and the acting commissioner indicated that it was unclear whether Chinook descendants "allotted on the Quinaielt Reservation would still retain rights as Chinook Indians." If Chinook allottees were considered Quinaults, however, the practical problem they faced was identified by the acting commissioner's observation that a "great weakness" in the bylaws of the Quinault council was the lack of any provision "for the participation of absentee members in discussions on tribal matters and in tribal elections" (BIA 4/19/1956). In 1957, a United States Senate committee referred to the Chinook Tribal Council as a "tribal entity," but one which was "not recognized by the Bureau of Indian Affairs " (Senate 1957).

Two programs which brought Chinook descendants into contact with the Bureau of Indian Affairs during the 1950's were the issuance of identification cards, usually referred to as "blue cards," to individuals who used them to assert hunting and fishing rights in the state, and the discussion of proposed legislation to "terminate" the Federal trusteeship over Indian tribes and Indian trust property. It was the State of Washington's opinion that "treaty Indians should be exempt" from its fishermen's taxes, the state's Department of Fisheries informed a Chinook descendant in 1951 (Washington State 1951). Such generic letters to individual Chinook descendants, however, did not identify or extend formal State recognition to a Chinook tribal entity. The BIA agency superintendent indicated in 1952 that he was unable to issue such identification cards to Chinooks because he did not have a list of Chinook members (BIA 4/28/1952). This comment

revealed that the agency had not maintained a separate enrollment of Chinooks. The counsel at the area office agreed with the superintendent's apparent policy of not issuing identification cards to Indians whose names did not appear on any official tribal roll. Those "tribes whose existence has in effect been 'revived'" to prosecute claims against the United States, he assumed, "undoubtedly have not maintained tribal relations over the years. . . ." (BIA 5/5/1952).

In 1954, Superintendent Raymond Bitney explained that the "blue cards" issued by the agency were simply statements that an individual's name was on a roll of a certain tribe. He said that he could not issue cards unless an individual was on a roll (BIA 1/22/1954). Later in the year, a new superintendent, Melvin Robertson, explained the agency's position in similar terms, but perhaps with a new requirement. The "primary purpose of our issuing this card" was to identify an individual as belonging to "a formally recognized tribe," he wrote to Charles Larsen, noting that the first consideration was that the group be "a recognized group." He also said that "we can issue blue cards only to persons who are known to be descendants of treaty tribes." In attempting to explain that the Chinook lacked this status, the superintendent said that the agency was "fully aware that the Chinooks are an Indian tribe," but their treaty had not been ratified. Although he used the present tense, the context of the sentence suggests that the superintendent was referring to the historical tribe which had negotiated a treaty. The second purpose of issuing a blue card, the superintendent wrote, was "to identify an Indian as being an enrolled member of a tribe." He noted that the two organizations which "purport to represent the Chinook Indians have no official status" and had never "prepared an accepted roll" (BIA 10/13/1954).

Chinook descendants received "blue cards," BIA officials explained, not because they were Chinooks but because they were on the Quinault roll. Although everyone knows there "have always been Chinook Indians," the superintendent said in November 1954, "they do not now seem to be a legal entity. . . ." Therefore, he concluded, he could not issue "blue cards" to "Chinooks" (BIA 11/22/1954). "The only Chinooks that we can issue cards to," the superintendent clarified in February 1955, "are those that are allotted on the Quinault Reservation or those who are direct lineal discendants [sic] of Quinault allottees" (BIA 2/28/1955). The Indian agency "issues Indian identification cards only to those that are listed on our old census rolls," a new superintendent, C. W. Ringey, said later in the year. "Some of your Chinook people have cards," he explained, "because their names are listed on the Quinault census roll by virtue of their allotments on the Quinault Reservation" (BIA 10/27/1955).[27]

The subject of the "termination" of Federal supervision over the Indians of western

[27] The Petition claims that the BIA issued "blue cards" to Chinooks after receiving a Chinook membership roll from them (Petition 1987, 102). The Petition's presentation of this issue departs significantly from the BIA's explanation of its issuance of "blue cards." The sample "blue cards" provided as part of the Petition described the holder of the card as an "enrolled member of the Quinaielt-Chinook" tribe (Petition Ex.178, 358), which was consistent with BIA policy.

Washington was first raised with the Chinook organization in 1952. The superintendent of the Western Washington Agency invited J. Grant Elliott to attend a meeting with the Quinault Tribe and the Quinault allottees to "work out a program for the final disposition of the Quinaielt Tribe and Tribal Reservation" (BIA 3/25/1952). A visiting BIA official toured western Washington that month to talk to tribal representatives or groups with reservation resources about "complete severance of Federal trusteeship responsibilities. . . ." On March 28, he held a "meeting with the Quinaielts" at Hoquiam. At this meeting, Claude Wain offered a list of suggestions about the regulation of reservation timber contracts. Although Wain was a council member of the new Chinook organization, he made no plea on behalf of Chinooks. Rather, one of his points was to urge that the "Quinaielt tribe be granted independence" (BIA 4/30/1952). The next month the local Chinook council at Bay Center passed a resolution relating to logging practices on the Quinault Reservation (CTC 5/17/1952). The council's nine points were completely different from the eight points Wain had made at the meeting of Quinaults, which suggests that Wain had been speaking for himself rather than for the council. The resolution revealed, however, that Chinook descendants other than Wain were concerned about policies relating to their allotments on the reservation.

With termination legislation under consideration, Superintendent Bitney of the Western Washington Agency began including the Chinook organizations on the mailing list of memorandums concerning the termination program or proposals. Many Chinook descendants, after all, held reservation trust allotments. The superintendent sent a copy of such a memorandum to the "Chinook" as early as August 1953 (BIA 8/28/1953). In November 1954, Superintendent Robertson included both the Chinook Nation and Chinook Tribes, Inc., on the mailing list for a conference to discuss the termination program (BIA 11/10/1954).[28] During this period, both Chinook organizations received copies of some memorandums from the BIA which dealt with issues other than termination; they may, however, have dealt with resources or services which would be affected by termination (for example, BIA 1/27/1954, 2/17/1954, 5/17/1954).[29] At times, however, the Bureau attempted to limit the notices forwarded to the Chinook organizations to those which dealt with termination. In February 1955, for example, a memorandum on "Tribal use of Government Contracts" was sent to a list of "tribal chairmen" which did not include either Chinook organization (BIA 2/7/1955). In March 1955, however, the Indian agency did include the two Chinook organizations on the mailing list for a memorandum with additional information on a proposed termination bill

[28] The Petition emphasizes that Robertson referred to a meeting of representatives of "tribes" (Petition Ex.387), but ignores his later reference to "tribes, or other organizations."

[29] The Petition portrays the act of providing this information to both Chinook organizations as an indication that the BIA identified and dealt with the Chinook as a tribe (Petition 1987, 65-67). The Petition does not extend its interpretation to its logical conclusion that, if such notices were an indication of identification and recognition, these notices constituted identification and recognition of two separate and distinct Chinook entities. The Department disagrees with this interpretation that providing a group with information constitutes recognition of the group.

(BIA 3/14/1955).

The Indian agency prepared for the possible passage of the proposed termination legislation by formulating statements of the "withdrawal status" of the Indians of western Washington, including Chinooks. "It is believed," a late September 1953 draft said, that "there are several hundred Chinooks most of them on the Quinault roll." The draft observed that the difficult issues involved in the "termination of Federal trusteeship responsibilities" would be the allotments to Chinooks on the Quinault Reservation and the settlement payment to Chinook descendants authorized by Congress in 1912 (BIA 9/23/1953). The superintendent recognized that it would be necessary to consult "with Indian people" who would be affected by the proposed termination of "Federal trusteeship" over the "restricted property" of Indians. Noting that "a number of them are allotted on the Quinault Reservation," he invited Chinooks to attend a meeting on the reservation at Taholah or a meeting with the Shoalwater and Georgetown Indians at South Bend (BIA 9/30/1953).

At a meeting on October 3, 1953, at Bay Center rather than South Bend, a BIA official from the sub-agency at Hoquiam explained the proposed termination bill. The minutes noted that Roland Charley played a dual role at this meeting as both the representative of the Shoalwater Bay Indians and the Chinook chairman. Because "they have no tribally owned property," the Bureau's minutes said, the discussion was about what the Chinook and Shoalwater Bay Indians would receive for their allotments and their claim against the Government, and what to do with the Shoalwater Bay Reservation (BIA 10/3/1953). In a second meeting at Bay Center, arranged with J. Grant Elliott, attendees from the Chinook Nation indicated that their chief concern was their allotments on Quinault and the long-term timber sale contracts pertaining to them. They also asked that their claims suit be settled before termination became effective (BIA 10/25/1953). Noting that there were "Pacific County" and "Waukiakum County" factions of Chinooks, the BIA official concluded that "neither faction recognizes the other" as the legitimate Chinook representative (BIA 10/7/1953). Representatives of both factions apparently were invited to a meeting in Seattle with the Commissioner of Indian Affairs to discuss the proposed termination legislation.

Chinook Tribes councilman Charles Larsen prepared a briefing paper for the commissioner, and secretary Catherine Troeh forwarded it to the BIA sub-agency official, claiming that Larsen's comments represented "the views of the members generally" on termination issues. Larsen complained that the Quinault tribe had denied absentee allottees the right to vote in reservation affairs and probably would deny those allottees their rights in a distribution of reservation assets. He worried that it would take a long time to get in touch with all Chinook descendants, since they were scattered over many states, and said that the group would need at least two years to prepare a roll and have it inspected. He was concerned about warnings against dual enrollment, and asked if being a Quinault allottee and a member of the Chinook in their suit against the Government constituted dual enrollment (Troeh 1953b). The Commissioner of Indian Affairs replied to Larsen's comments on the proposed termination legislation and specifically addressed

his concerns about dual enrollment. The commissioner made a distinction between rolls prepared for claims cases against the Government and rolls prepared pursuant to the proposed bill. He indicated that a Chinook descendant allotted on the Quinault Reservation could be on both the Quinault roll for termination purposes and the Chinook roll for claims purposes (BIA 2/2/1954).

Although termination legislation for western Washington State was not enacted, Congress did pass a termination act for western Oregon in 1954 (*Statutes* 1954). Because the act listed the historical tribes of western Oregon, not just the tribes which were currently recognized by the Federal Government, the act not only terminated any existing Federal relationships, but also prohibited the establishment of a Federal relationship with any of those historical tribes. The act clearly stated that it applied not only to the tribes or bands of Indians, but also to their "individual members." The act specifically stated that it applied to the "Chinook," "Clatsop," and "Kathlamet." The same three tribes or bands were again explicitly mentioned by the Secretary of the Interior in the *Federal Register* notice he published in 1956, as required by the act, to declare that the Federal trust relationship to the affairs of the tribes, and Federal services to its members, had terminated (Interior 1956). The western Oregon termination act clearly applied to the Clatsop Tribe of Oregon, but not to the Lower Band of Chinook of Washington State.[30] Although the historical Kathlamet Band had villages on the Oregon shore of the Columbia River, some scholars have concluded that the Kathlamet moved to the Washington shore of the Columbia, among the Waukiakum, about the 1810's (Ruby and Brown 1976, 6; Suphan 1974, 217-218).[31] This act specifically stated that it did not affect any claim filed against the United States. Thus, the descendants of the Chinook and Clatsop were able to pursue their claim before the Indian Claims Commission, despite the termination or prohibition of a Federal relationship with the Clatsop Tribe.

The Indian Claims Commission announced its findings of fact and opinion in the case of *Chinook Tribe and Bands of Indians v. United States* on April 16, 1958. Although the Commission found "no evidence" that the "newly organized" Chinook group had "a tribal organization recognized by the Secretary of the Interior," it accepted the right of the Chinook "petitioner to present the claims of the Chinook (proper) and Clatsop Tribes on behalf of the descendants of such tribes" because it followed a liberal interpretation of the capacity, or right, to sue under its act. The Commission, however, refused to allow the Chinook petitioner to present claims on behalf of the Wahkiakum, Willapa, Kathlamet, and Nucqueclahwemuck bands on the grounds that they had "maintained their separate identities" and had "at no time" merged with the Chinook to form a "Chinook Nation." The Commission found that the Chinook proper, or Lower Band of Chinook, had proven

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[30] The Petition claims that Congress identified the Chinook petitioner in this act (Petition 1987, 99). If this analysis were correct, the Chinook petitioner would be prohibited from acknowledgment by the executive branch of the Government (25 CFR 83.7(g)).

[31] The members of the petitioning group with Kathlamet ancestry descend from Indians who have long been associated with individuals of Waukiakum and Chinook ancestry north of the Columbia River in Washington State.

that it had held exclusive aboriginal title to lands north of the Columbia River, and that it had shared the area of Willapa or Shoalwater Bay with the Chehalis. The United States had taken control of Chinook lands, the Commission ruled, as of the 1851 unratified treaty with the Lower Band. Having found that the Chinook and Clatsop had had an exclusive claim to aboriginal lands which had been taken by the United States Government, the case proceeded next to a determination of the value of those aboriginal lands (Indian Claims Commission 1958, 205-207, 211, 225-226, 228, 229).

The Chinook Nation, 1958-1968

Two months after the Indian Claims Commission announced its opinion, the Chinook Nation held a meeting and potluck in Skamokawa, which was attended by about 74 members. The Commission's findings and opinion were read to the group and explained by the claims attorneys. Although the Chinook claimants had won their case, the Commission had not granted nearly as large an aboriginal area as they had claimed. Thus, the meeting minutes observed, a "spicy discussion was held between the lawyers and several members." At this meeting, a decision was made to attempt to arrange a meeting between the councils of the Chinook Nation and the "Bay Center group" in order to reconcile all the Chinook descendants in "one group representing all of the business of the Chinook Nation" (CN 6/14/1958). No record of such a meeting has been found. Although the Chinook Nation continued to hold regular meetings through the 1960's, no available evidence indicates that the Chinook Tribes, Inc., continued to function in the decade after 1958. It does not appear that the explanation for this lack of activity was an absorption of the Bay Center group by the Chinook Nation, for only a few individuals from Bay Center or South Bend signed the attendance sheets for Chinook Nation annual meetings during the 1960's (CN 1953-1967).

In the years from 1959 to 1962, Chinook Nation meetings were presided over by Wilfred "Bill" Petit, while chairman J. Grant Elliott was absent due to illness. Elliott died in 1962. At the next annual meeting, in June 1962, the constitution was amended to provide for an election of leaders every two years. A nominating committee was chosen by the council and, later in the day, it reported to the annual meeting a slate of candidates for the leadership positions. The annual meeting unanimously elected these nominees. Frank Quigley was retained as secretary-treasurer and Anna Elliott Koontz was elected to the new position of recording secretary. The minutes of the meeting originally listed Petit as the candidate for chairman and Elliott's son, J. Kent Elliott, as the candidate for vice-chairman, but later annotations crossed out the "vice" after Elliott's name and inserted it after Petit's name (CN 6/10/1962, minutes; 10/-/1962). At the next council meeting, J. Kent Elliott began presiding as chairman of the Chinook Nation (CN 7/14/1962).

During the 1960's, the council of the Chinook Nation held quarterly meetings at the home of one of its members. Every June, in Skamokawa, the council would hold a morning meeting which would be followed in the afternoon by the annual meeting of the general membership. One change at the annual meetings during the 1960's was that potlucks

were replaced by the practice of asking everyone to bring their own lunch. On occasion, "special" meetings of either the council or the general membership were called (CN 1953-1967). In 1961, four of the seven "area councilmen" of the Chinook Nation resided in Oregon and represented those areas: Warrenton, Astoria, Portland, and Salem. The three Washington areas were: Bay Center-South Bend, Aberdeen, and Seattle (CN 2/23/1961). This list did not include the chairman and secretary, both of whom lived in the vicinity of Dahlia or Skamokawa. The council minutes for January 1963 listed the addresses of the eight council members present, including the officers. At this time, three of the eight resided in Oregon (at Hammond, Portland, and Salem), three resided in Washington along the Columbia River (two at Skamokawa and one at Rosburg), one resided on the coast (at Moclips), and one resided at Bay Center (CN 1/19/1963).

Leadership of the organization remained stable during the 1960's. The only change after Kent Elliott became chairman was that Anna Elliott Koontz was elected to replace Frank Quigley as secretary-treasurer when he resigned in 1963 (CN 8/25/1963). At the 1964 annual meeting, chairman Elliott, vice-chairman Petit, and secretary Koontz were reelected to their positions without opposition (CN 6/6/1964, minutes). Although their term in office was two years, it was not until the annual meeting of 1967 that these three officers were again unanimously reelected (CN 6/10/1967). In 1965, the council of the Chinook Nation consisted of chairman J. Kent Elliott of Skamokawa, Washington; vice-chairman Wilfred Petit, who had moved to Pocatello, Idaho; secretary Anna Koontz of Rosburg, Washington; five area representatives from Washington; and five area representatives from Oregon (CN 4/-/1965). The three leadership positions were filled by the same individuals in 1968, but by then Koontz had moved to Taholah on the Quinault Reservation (CN 6/15/1968).

The overriding concern of the meetings of the council and the membership after 1958 was preparation for the Indian Claims Commission of expert testimony on the value of Chinook lands and resources at the time of their "taking" by the Government in the 1850's. The claims attorneys made a presentation at all six annual meetings from 1958 to 1963 (CN 1953-1967). Attorneys did not participate in the meetings from 1964 to 1967, for in these years members debated whom to fire and whom to hire as attorneys. The leaders of the Chinook Nation were especially concerned that a case be made not only for the value of the land, but also for the value of the area's fish, furs, and tidelands. They apparently had been led to believe by their original attorney that they could expect to receive a judgment award "in excess of a quarter million dollars" (CN 6/18/1960). As early as 1959, the council was investigating the value of the mineral wealth "on the Chinook beaches" (CN 3/14/1959). An Indian Claims Commission hearing on the valuation of Chinook and Clatsop lands was held in 1963. A second hearing was held in 1968 on the valuation of aboriginal resources.

How to pay for the necessary appraisals of lands and resources was a constant concern for the Chinook Nation during the 1960's. In part, the Chinook Nation's interest in reconciliation with the Chinook Tribes, Inc., arose from its belief that the Bay Center group had acquired records and dues meant for the claims effort. Its leaders asked the

claims attorneys in 1959 if they knew what had been done with the money the Chinook Tribes had collected as dues (CN 5/2/1959). At its annual meeting in 1960, the Chinook Nation passed a motion to assess its adult members in order to fund the appraisal effort (CN 6/18/1960). The council then set the assessment fee at $12 per adult member (CN 10/15/1960). The next year, the council began referring to this fee as a "contribution" rather than an "assessment" (CN 4/29/1961). In order to raise more money, the council also lowered the age limit from 21 to 18 for what it still called the appraisal assessment (CN 6/10/1961). When it was reported that the appraisers had stopped work for lack of funds, the council agreed to "borrow" from its general administrative fund on behalf of its appraisal fund (CN 10/21/1961, 10/-/1962).

When the appraisers indicated, in early 1961, that they would not be finished by the tentative date for hearings, the council began to press its claims attorney for an accounting of funds for the appraisal (CN 3/4/1961). After making an additional payment to the appraisers, the council voted to request from its claims attorney a copy of the appraisers' contract (CN 12/2/1961). The next year, the council retained a private attorney to examine the contract with the appraisers and say what he considered wrong with it. The council then decided to send a delegation to meet with the claims attorney to draw up a new appraisers' contract (CN 8/18/1962). During the Indian Claims Commission hearings in January 1963, attorney McLeod reportedly stated that a contract existed between the Chinook Nation and the appraisers. The appraisers claimed that this was incorrect, that attorney McLeod did not submit a contract to the BIA until the third day of the hearing, and that the BIA then refused to approve it (CN 5/30/1964). Later that month, the council met with BIA officials to discuss the appraisers' contract (CN 1/19/1963). By July 1963, the council had decided to go around the claims attorney to contact the appraisers directly to get an estimate of the future costs of their work and to negotiate a contract with the appraisal firm (CN 7/27/1963).

The council concluded, on the basis of what it had learned, that it should "hire another lawyer" to present the remainder of its valuation case (CN 8/10/1963). A special meeting of the membership was called for August 1963 to consider the appraisal contract. The appraisers spoke at the meeting and, according to the minutes, noted the lack of cooperation they had received from attorney McLeod and suggested hiring a new trial attorney. A motion was then passed, by a margin of 63-2, to terminate the current attorney contract for the claims case. A separate motion was passed to make a contract with the appraisers (CN 8/25/1963, 9/30/1963, 11/3/1963 resolution). In November, the council passed a resolution, which it intended to present to the Commissioner of Indian Affairs, requesting the termination of the contract with the claims attorneys. The council complained that the attorneys had not been prepared for the valuation hearings in January 1963 and did not present evidence on the value of the fisheries and pelts taken from aboriginal Chinook lands. The attorneys, the council also complained, had not furnished the Chinook Nation with an accounting of the $3,000 paid to them for expenses (CN 11/3/1963, minutes and resolution). The BIA area office complied and notified McLeod that his claims contract was being terminated (BIA 4/8/1964).

In 1964, the council met with prospective claims attorneys (CN 5/30/1964). At the annual meeting in June 1964, the general membership of the Chinook Nation, by a vote of 28-2, authorized its council to enter into a contract with attorneys Jeremiah Long and Richard Broz of Seattle (CN 6/6/1964, minutes and resolution). This contract was approved, but these attorneys soon asked to terminate the agreement and to end their representation of the Chinook (Indian Claims Commission 1975, 440 n.2). Thus, in May 1966, the council again passed a resolution asking the Commissioner of Indian Affairs to terminate its attorney contract (CN 5/14/1966, minutes and resolution). The BIA area office again complied (BIA 6/20/1966). By early 1967, the Chinooks were being represented in the claims case by attorney E. L. Crawford of Oregon (Indian Claims Commission 1975, 439-440). Crawford handled the case until an award was made.

After dismissing their original claims attorney and seeking to deal directly with the appraisers, the Chinook Nation needed to raise additional funds to pay the appraisers' fee. Thus, it asked members for a second contribution to the appraisal fund. The first contributions were for the hearing on land values in 1963, it claimed, and the second contributions would be for a hearing on the value of fish, furs, and tidelands. At the end of 1963, chairman Elliott reported, only $642 remained in the appraisal fund while the appraisers needed an immediate $3,000 and eventual $6,000 (CN 12/16/1963). Chinook Nation leaders took the position that members who contributed to the appraisal fund would be repaid out of the judgment funds (CN 6/10/1962, minutes; 7/14/1962). They passed a motion in 1963 to make that the official policy of the Chinook Nation (CN 8/25/1963, 9/30/1963). Chairman Elliott assured members that all contributions "will be refunded at the time of the settlement" (CN 9/30/1963).

In 1963, the council directed its executive committee to begin preparing plans for the distribution of funds to be awarded by the Indian Claims Commission (CN 6/8/1963). The next month, a BIA official was a guest at the council meeting and indicated that the group could pass a resolution on how to prepare a judgment roll and submit that resolution to the BIA and the Commission (CN 7/27/1963). At a council meeting in August 1963, vice-chairman Petit proposed a resolution that "this judgment when awarded be based on a per capita payment" to descendants of the Lower Chinook on the payment roll prepared to satisfy the Act of 1912 (CN 8/10/1963). The minutes of that meeting do not indicate whether this resolution was adopted by the council. This was the position, however, which the council would take a decade later. At a special meeting of the general membership later in August 1963, the BIA official advised the group that judgment funds likely would be distributed to the lineal descendants of individuals on a base roll, such as the payment roll developed for the Act of 1912. The Chinook Nation then passed a motion to request a copy of that annuity payment roll from the BIA (CN 8/25/1963). Two years later, vice-chairman Petit was acknowledging that the BIA would prepare the payment roll (CN 6/6/1965).

The council came to the conclusion, by the start of 1965, that the only way to fund adequately the appraisal of resources on aboriginal Chinook lands was to borrow money from the Federal Government. Congress recently had made loans available for the

purpose of hiring expert witnesses to prepare evidence to present to the Indian Claims Commission (*Statutes* 1963, 301). A special meeting of the membership in January 1965 unanimously approved a resolution to apply to the Government for a loan of up to $20,000, the meeting minutes said, to hire the expert assistance needed "to finish up our case" (CN 1/30/1965). In October, another special meeting voted unanimously to accept the approved loan and its attached conditions. A problem for the group, however, was that the loan conditions prevented using the loan funds to pay the appraisers for their previous work (CN 10/23/1965; BIA 10/23/1965).

Although consideration of the claims case always dominated Chinook Nation meetings, other issues were considered by the council and members and appeared in the organization's minutes. In 1960, the annual meeting voted to endorse a petition to the Federal Power Commission, already filed by the group's claims attorney, to oppose two dams which were proposed to be built well upstream on tributaries of the Columbia River (CN 6/18/1960). Should the dams be built, the Chinook Nation intended to claim a "reimbursement" for an alleged loss of fishing rights and a depletion of salmon runs (CN 2/23/1961, 6/10/1961). In 1961, the annual meeting voted to adopt the model constitution, prepared by a new Indian Fisheries and Game Commission which had been created by Indians of western Washington, for use "in helping to govern the Chinook Nation with their fish and game" (CN 6/10/1962, resolution and minutes).

The number of individuals attending the annual meeting of the Chinook Nation between 1958 and 1967, according to sign-in sheets attached to the meeting minutes for 8 of the 10 years, varied from 24 to 74. The average attendance at annual meetings was 43 members or descendants, while the median attendance was about 37 people. It is unlikely that everyone at the meetings signed these attendance sheets, of course. For example, J. Grant Elliott presided over the 1958 meeting but did not sign the attendance sheet. In addition, there were always some visitors at these meetings. On the other hand, some Clatsop descendants from Oregon attended these meetings -- because they were to share the Claims Commission award with Chinook descendants -- who probably did not consider themselves members of the Chinook Nation. The largest turnout occurred in 1958, when the findings of the Indian Claims Commission were read and discussed. In addition to the annual meetings, three special meetings of the general membership were held in 1963 and 1965. The sign-in sheets for the 1963 special meeting indicate that 81 individuals attended the meeting, but only 65 voted on the issue of terminating the claims attorney contract. The average attendance at these special meetings was 55 voting members (CN 1953-1967).

The geographical distribution of attendees was predominantly from towns in Washington along the Columbia River and in northern Oregon. The 1958 meeting included 50 individuals from Washington and 17 from Oregon. In 1962, 1966, and 1967, however, the number of attendees signing in from Oregon exceeded the number from Washington. On the list for 1964, when attendees were asked for their tribe as well as address, though, almost all of those from Oregon indicated that they were Chinook, not Clatsop. If Oregon descendants were overrepresented, Shoalwater Bay descendants were poorly represented

in these meetings. In 1958, 13 people attended from the Shoalwater Bay towns of South Bend and Bay Center, which was almost as many as attended from Wahkiakum County. During the 1960's, however, the maximum attendance from South Bend and Bay Center was in 1965, when 6 people were present from those towns. It is possible, of course, that area representative Paul Petit from Bay Center kept people on Shoalwater Bay informed of the activities of these meetings. The apparent conclusion from these sign-in sheets of the Chinook Nation, however, is that Chinook descendants from Shoalwater Bay participated very little in the meetings of the Chinook Nation during the 1960's (CN 1953-1967).

No records of any meetings of the Chinook Nation after 1967 have been found. By the late 1960's, Chinook Nation leaders appeared to be discouraged by how few Chinook descendants paid annual dues. According to the 1968 newsletter, 90 individuals had paid dues in 1966 and 72 in 1967. Secretary Anna Koontz indicated that she had not answered recent letters from many writers who had not paid their dues for 1965, 1966, or 1967, because "I find no reason to answer their demands of 'when are we going to be paid' [or] 'why don't we get our money'???" (CN 6/15/1968). The Chinook Nation did not hold an annual meeting in 1968. The reason for not meeting in June 1968, chairman J. Kent Elliott wrote in his last newsletter, was the "lack of news and funds. . . ." He held out the possibility of a special membership meeting after the hearing on the 1851 valuation of Chinook resources, which was scheduled for September 1968 (CN 6/15/1968). Although annual meetings apparently ceased, local newspapers reported that meetings of Chinook and Clatsop descendants were held at Cathlamet in 1970 after the Commission's final award, at Skamokawa in 1971 to consider an appeal, and at Skamokawa in 1973 after Congress appropriated judgment funds (Longview 1970b, [1973]; Long Beach 1970d; [Long Beach] 1991).

The Chinook Indian Tribe, Inc., 1970-1982

A new Chinook organization, or a reactivated one, was formed in 1970. Betsy Herrold Trick called the "first meeting" of the organization to order in April 1970, and "suggested that the already incorporated Chinook Council be reactivated. . . ." This reference to the Chinook Tribes, Inc., clearly assumed that that previous organization was inactive and had no current leaders. Trick had been the last secretary of the Chinook Tribes in the late 1950's. While presiding over the new meeting, Trick called for an election of officers. Adolph Sund of Ilwaco was elected as chairman. Lewis Hawkes of Bay Center was chosen as vice-chairman. Stephen Meriwether of Ilwaco was picked as secretary. The three council members were all from Ilwaco (CIT 4/10/1970). Council member Dolores Guse was Sund's sister. Secretary Stephen Meriwether, only 18, was Guse's son and Sund's nephew. Thus, five of the six officers of the new organization were from Ilwaco, and three of the six were from a single family line.

The new organization also designated Catherine Herrold Troeh as its secretary for the Seattle area. Troeh was Trick's sister and predecessor as secretary of the previous

organization (CIT 4/10/1970). There is no evidence, however, that Troeh had attended the group's first meeting or assumed such a position with it. Indeed, in 1972 the organization denied that Troeh was associated with it (CIT 2/4/1972). At one monthly council meeting in 1971, the three members of Sund's family line were the only council members present (CIT 2/26/1971). At that meeting, new members were elected to the council from Raymond, Washington, and Astoria, Oregon. By 1971, no one from Bay Center was on the council, and the position of vice-chairman was vacant. Ilwaco remained the home of four of the council's six officers (CIT [1971], 7/8/1972). After a year of monthly meetings, in November 1971 the council began meeting only three times per year (CIT 11/19/1971). Although the reason given was lack of business for monthly meetings, Meriwether also was away at college.

A local newspaper reported that the Chinook council "had been disbanded" after the death of Roland Charley in 1958, but that Adolph Sund had "pulled it together again. . . ." (Longview 1971). In an attempt at claiming continuity with the earlier Chinook Tribes, Inc., Sund declared that his council's records were complete up to 1960 (CIT 4/25/1970). This appears to have been an acknowledgment that the earlier organization had been inactive for a decade. Stephen Meriwether, the organization's secretary, originally used "Chinook Tribal Council" as his letterhead, but by late 1970 was referring to himself as the secretary of the "Chinook Indian Tribe, Inc." (CIT 11/6/1970). By 1971, the new organization was explicitly claiming to function under the incorporation papers filed in 1953 (CIT [1971], 7/8/1972). Ever since, Chinook Indian Tribe, Inc., has been the name used by the organization.

Meriwether often contended that the reason his organization lacked its historical records was that his predecessors as secretary had been poor record-keepers. Thus, he sought old records from outside sources, especially the BIA. In December 1970, Meriwether asked the BIA for a copy of the 1953 constitution and by-laws of the Chinook Tribes, Inc., claiming that his continuous organization had "misplaced" its copy during one of its "office moves" (CIT 12/31/1970). He apparently received copies of these documents. A year later, in November 1971, the council approved a "new and revised Constitution" (CIT 11/-/1971). In 1976, as the group began to consider filing a petition for Federal recognition, Meriwether also requested that the BIA provide him with copies of the "lists of tribal members" which had been submitted to the Bureau by Catherine Troeh in 1953 and by Frank Quigley in 1954 (CIT 2/7/1976). The BIA complied with this request as well (BIA 2/9/1976).

At its first meeting in 1970, the sole item of business for this new Chinook Tribal Council was to decide whether or not to join the Small Tribes Organization of Western Washington, Inc. (STOWW). Betsy Trick argued that joining STOWW would cost nothing and could further the interests of the Chinooks. After the election of its officers, the new council unanimously approved a motion to join STOWW. The organization elected three delegates to STOWW, including Trick (CIT 4/10/1970). This limited agenda suggests that the new organization was created, or reactivated, in order to benefit from STOWW sponsorship. The agenda for the Council's first monthly meeting in June

consisted of a presentation on the benefits of STOWW membership by a STOWW representative (Long Beach 1970a). The chairman of STOWW spoke at the second monthly meeting in July (CIT 7/24/1970; Long Beach 1970c). At the October council meeting, STOWW's fisheries specialist made a presentation, and at the November meeting he recommended litigating "an aboriginal fishing rights case" (CIT 10/23/1970, 11/27/1970).

A week after becoming chairman, Adolph Sund wrote to the BIA agency, not to notify it of his election, but to inform it that in the future it should obtain information about the Chinook Indians from his "Chinook Tribal Council, Inc." in Ilwaco (CIT 4/25/1970). This letter puzzled the agency. Its enrollment officer contacted Anna Koontz of the Chinook Nation, who said that she knew nothing about the organization and that Adolph Sund had "taken no part in Chinook activities in the past" (BIA 4/30/1970). The BIA area director bluntly told Sund that, "We fail to understand the . . . purpose of this letter." He stated that the Chinook Tribe had never been recognized by the Bureau to receive Federal services. "The only recognition of the Chinook group" by the Bureau, he said, "relates purely to Indian Claims Commission, Docket No.234." The BIA had dealt with certain Chinook individuals and their contract with an attorney, he explained, "in order that the claim filed with the Indian Claims Commission could be continually prosecuted" (BIA 5/12/1970).

In view of the BIA's response to the group's initial letter, Meriwether wrote to Senator Henry Jackson in an attempt to gain BIA recognition for his organization and to get the Indian Claims Commission to deal with it in the distribution of judgment funds. After joining STOWW, a local paper reported, the group's "next project" was "to update its membership rolls before the Chinook land settlement is ready for dispersal" (Long Beach 1970b). Meriwether argued that the signatories to the attorney contract were only an unorganized "group of individuals" as opposed to a "tribal council" whose records went back to 1951 (CIT 5/30/1970). The Department of the Interior advised Senator Jackson that, "We recognize no Chinook tribal entity. . . ." It argued that a group's state incorporation did not justify recognizing the group as a tribe. The Department noted that the Indian Claims Commission Act allowed any "identifiable group of Indians" to enter a claim and contended that recognizing individuals to speak on behalf of a group "in no way should be interpreted as constituting recognition of the Chinook Indians as a tribal entity. . . ." (Interior 1970). Meriwether also tried to convince the BIA agency to substitute his organization for the "inactive" group headed by Kent Elliott of Skamokawa (CIT 11/6/1970). The BIA took the position that it recognized "no Chinook tribal entity," saw no reason to change the individuals with whom it dealt for purposes of the Chinook claims case, and expected to prepare the claims judgment roll itself (BIA 8/17/1971).

The Indian Claims Commission issued its opinion on the 1851 value of aboriginal Lower Chinook and Clatsop lands in November 1970. An absence of comparable land sales prior to 1851 precluded determining the actual market value of the tract, the Commission concluded, so it sought to assess the factors which hypothetical buyers and sellers would have considered to arrive at a fair market value. The best use of the majority of these

76,600 acres, the Commission found, was as timberland, which in 1851 had a potential for profit but no immediate market. Accepting the valuation of neither the plaintiffs nor the Government, the Commission placed the fair market value of the tract in 1851 at $75,000. It noted that Lower Chinook and Clatsop descendants already had received $26,300 in compensation for these lands from payments made under the Act of 1912. Subtracting this compensation from the fair market value of the lands, Lower Chinook and Clatsop descendants were awarded $48,700 by the Commission (Indian Claims Commission 1970, 56-58, 62-63, 64-65, 85-87). The Commission's award was upheld by the Court of Claims in 1971 (Court of Claims 1971, 780). After the deduction of attorneys' fees and expenses, the award was reduced to about $28,000 (BIA 6/20/1974). Congress appropriated the funds to pay this judgment in 1972 (*Statutes* 1972, 1518; BIA 2/14/1974).

In February 1974, the Bureau of Indian Affairs' Washington, D.C., office concluded that the beneficiaries of the Indian Claims Commission award were the lineal descendants of the individuals identified as Clatsops or Chinooks of the Lower Band of Chinook on the 1914 payment roll prepared by McChesney. It recommended that the Secretary of the Interior should prepare a roll of these descendants and that the judgment award "should be distributed per capita to all persons on this new roll" (BIA 2/14/1974). The "Chinook Council" -- presumably the council of the Chinook Nation, since the BIA had been dealing with it for claims purposes -- recommended that some of the award be used to dispose of the debts incurred in prosecuting the claim, that $5,000 be reserved for a lobbying effort to get the old treaty ratified, and that the remainder be distributed per capita to Chinook and Clatsop descendants of individuals on the 1914 payment roll (BIA 6/8/1974, p.10; [1974]).

As required by new legislation passed by Congress in 1973 (*Statutes* 1973, 466-468), the BIA held a public hearing at Skamokawa in 1974 to discuss the distribution of the Chinook and Clatsop judgment funds (BIA 6/8/1974). The Bureau's hearing officer told the audience that the BIA recognized the Chinook "only for claims purposes," thus implying that a tribal award would not be made (BIA 6/8/1974, p.22). He read the recommendations of the "Chinook Council." Only seven individuals made public comments, one of whom was the appraiser presenting a bill for his unpaid fee. No one spoke as a representative of either the Chinook Nation or the Chinook Indian Tribe, although Anna Koontz made some remarks. Most comments complained about the result of the case, sought information about the case, or questioned the appraiser about the case. One individual proposed setting up "a scholarship fund with what is left" of the award after attorneys' fees and expenses, and another speaker supported that idea (BIA 6/8/1974, p.28, 36). The testimony at the public hearing, the BIA reported, revealed a "strong feeling that the per capita distribution of these funds will result in little or no benefit to those descendants" and a "strong feeling that these funds should be invested" and the interest used for scholarships (BIA 6/20/1974). Thus, the BIA agency made such a recommendation and the area office agreed (BIA 6/20/1974, 7/2/1974).

Stephen Meriwether of the Chinook Indian Tribe apparently did not know until 1976 that

a public hearing had been held in 1974 (CIT 4/20/1976). Thus, it was not until two years after the hearing and recommendation that, at a meeting in Bay Center in 1976, the Chinook Indian Tribe unanimously passed a resolution opposed to a per capita distribution of the judgment funds (CIT 4/17/1976). It also asked its STOWW attorney to draft a letter to the Secretary of the Interior (CIT [1976]). On April 26, 1976, Meriwether wrote to the Secretary of the Interior to inform him that the Chinook Indian Tribe, Inc., wanted him to delay his submission of a distribution plan in order for the organization to prepare a plan of its own (CIT 4/26/1976). The Solicitor of the Department of the Interior replied that the Department could not prepare a plan for the tribal use of judgment funds by the Chinooks, since "at this time the Chinook Indians are not a federally recognized Indian tribe. . . ." Thus, "a per capita payment to individual Chinook Indians" was the only plan the Department could recommend to Congress (Interior 1976).

In 1982, the BIA agency replied to an inquiry about the Chinook and Clatsop judgment funds from the chairman of the Chinook Indian Tribe. The acting superintendent explained that although a proposal for distribution of the award had been developed and a public hearing on the matter held, a plan for utilization of the funds had not been submitted to the Congress before the 180-day deadline set by the Act of 1973 (BIA 5/25/1982; *Statutes* 1973, 466-468). In 1984, the BIA area office drafted proposed legislation for the distribution of the funds, again proposing their use for educational purposes, and held another public hearing in Bay Center (BIA [1984]; Petition 1987, 56, 298). After the meeting, the Chinook Indian Tribe, Inc., informed the BIA that it wanted no action taken on distribution of the judgment funds until its petition for Federal acknowledgment had been reviewed (Petition 1987, 298). When the business manager of the Chinook Indian Tribe later complained to the BIA that it was providing information about the judgment funds to the public without sending her organization copies of these letters, claiming that such correspondence "relates to our enrollment," the BIA pointed out that an enrollment created for the distribution of the award was not the same as the enrollment of the organization known as the Chinook Indian Tribe (CIT 11/15/1985; BIA 12/11/1985). The Indian Claims judgment award has not yet been paid.

In addition to its interest in the claims award, the new Chinook organization also had cultural objectives. At the group's "first annual Chinook Indian salmon bake" in Ilwaco, in August 1970, these Chinooks announced that they hoped to use the revenue from the event to build a longhouse which would function as a tribal center and artifact museum (Longview 1970a; Portland 1970; Astoria 1970). Secretary Meriwether contacted the Washington State Museum about acquiring some of its artifacts for the proposed Chinook museum, with conditional success (CIT 12/29/1970, 1/15/1971, 2/1/1971; Washington State 1971). Meriwether also successfully sought the return from a county historical museum of a Chinook skull reputed to be that of Chief Comcomly (CIT 11/-/1971, 5/10/1972; Astoria 1972; Clatsop County 1972). His apparent plan to display the skull at the annual salmon bake prior to reburial, however, drew a rebuke from at least one elder -- the former secretary of Chinook Tribes, Inc. -- and was cancelled (Troeh 1972; Meriwether 1972). In addition to its cultural concerns, the organization asked STOWW, which was urging water rights litigation, to make a "water survey for the Chinooks" (CIT

11/27/1970).

A decade later, the Chinook Indian Tribe continued to seek some cultural objectives. By 1978, at least, the organization was publishing a monthly newsletter for its members. In addition to lists of the organization's officers, highlights of the annual meetings, and accounts of the activities of the council and committees, the newsletter included news about members, selections from the historical notes of Stephen Meriwether, and the poetry of the late Myrtle Woodcock (CIT 1978-). In 1978 and 1980, the Chinook Indian Tribe contacted local governments to express its concern about protecting historical Indian burial grounds. Both counties indicated that they needed more specific geographical information. The historical planner of Pacific County asked if "the elders in your group could help determine the site" of the burial ground, since there was some doubt about its exact location. He also pointed out, however, that there was no record of a complaint having been filed at the time of construction on the site, which had occurred more than a decade earlier (Pacific County 1978; Clatsop County 1980).

At a general meeting of the Chinook Indian Tribe in 1976, the organization unanimously passed a motion to authorize the STOWW attorneys "to research all of the arguments for federal recognition of the Chinook Tribe and to prepare a recognition petition to the Secretary of the Interior" (CIT 4/17/1976). This meeting also approved Meriwether's recommendation to form both a recognition committee and a fisheries committee. The Chinook Indian Tribe acquired statements of support for its recognition effort from the town council of Ilwaco, the board of commissioners of Pacific County, and the governor's Indian Advisory Council (Long Beach 1976b; Pacific County 1976; Washington State 1976). In 1982, the Chinook Indian Tribe initiated a formal enrollment process to update its rolls. It did so because of concerns raised by the BIA after its initial review of the acknowledgment petition. As part of this effort, the Chinook Indian Tribe placed legal notices in local newspapers in Washington and Oregon. Current members were asked to reaffirm their desire to be enrolled, while new members were required to submit ancestry charts. As a result of this enrollment project, the Chinook Indian Tribe asserted that its 1981 membership roll was "wholly superceded [sic]" by the roll submitted to the BIA in 1987 (Petition 1987, 217, 311). The 1981 roll had contained 323 names, but the 1987 roll listed 1,164 members.

The BIA agency at Hoquiam had formed, by 1981, a committee to develop a management plan for the Quinault Reservation. The voting membership of the committee consisted of three representatives from the Quinault Tribe and three representatives from the recently-formed Allottees Association. Seeking wider involvement on a proposed "Trust Landowners' Advisory Board," the superintendent twice wrote to Chinook Indian Tribe chairman Donald Mechals to encourage recommendations during public meetings (BIA 1/13/1981, 4/24/1981). The council of the Chinook Indian Tribe passed a resolution which supported the concept of an advisory board for Quinault allotment issues and opposed the existing reservation management plan. The council argued that "the Quinault Tribe does not have the authority to act for the individual land owners" on the reservation, and insisted that "individual land owners have the right to say what happens

on their land. . . ." (CIT 1981). The Quinault Business Committee wrote to the Chinook Indian Tribe in September 1981 and enclosed a proposal to initiate an "Interim Intertribal Forestry Advisory Board" for the reservation. The goal, it said, was to develop "cooperation among the tribes and allottee groups, whose members were allotted at Quinault. . . ." It referred to the Chinook as one of the "Allottee groups" of the reservation, and proposed a meeting of "representatives from the Tribes and Allottee groups to discuss this proposal" (Quinault 1981b).

The Department of the Interior was urging the Bureau of Indian Affairs to create an advisory board for the reservation and to "include tribal government-appointed representatives from all reservation landowners" (Interior 1981). The draft presentation by the BIA area office on how to carry out this policy directive stated that "the Quinault Nation will be the Tribal Governing Body that the Bureau of Indian Affairs will consult with. . . ." (BIA 11/5/1981). Donald Mechals protested against such an interpretation. The "Quinault Nation does not own the Reservation," he wrote. "It is owned by individual Indians and their heirs. . . ." He sought to clinch his argument by quoting the BIA's own manual on the importance of "individual property rights" (CIT 1/28/1982). In the Department of Interior's reply to Mechals, it now made a distinction between tribes and groups of allottees, and contemplated a plan in which members of the forestry advisory committee would be officially designated by "their respective tribes, or by the group to which they belong" (Interior 1982). The BIA and the Quinault Nation apparently decided in 1982 not to implement such an advisory committee (Petition 1987, 296).

Another organization of Chinook descendants was formed in the 1970's under the name of the Wahkiakum Tribe of Chinook Indians. In 1978, some of these Chinook descendants initiated a fishing rights suit in Federal district court in Oregon which became known as *Wahkiakum Band of Chinook Indians v. Bateman* (Petition 1987, 291). The following year, the Chinook Indian Tribe contracted with the plaintiff's attorney to share one-third of the cost of this litigation (CIT 7/14/1979).[32] A Cowlitz organization and the Wahkiakum plaintiffs also each paid one-third of the costs. The district court ruled against the Wahkiakum Band's fishing rights claims. The Ninth Circuit Court of Appeals affirmed the district court's decision in 1981, ruling that the Band had neither a treaty right nor an aboriginal right to fish in the Columbia River. Although it found that the Chinook had been affiliated with the Quinault by the Executive Order of 1873, the Court held that the fishing rights of Chinooks were limited to rights which accompanied an allotment on the Quinault Reservation (Court of Appeals 1981, 178-181).[33] In 1983, the chairman of this Wahkiakum Tribe of Chinook Indians wrote to the BIA area office to

[32] The Petition attempts to claim the suit of the Wahkiakum Band as an action of the Chinook Indian Tribe (Petition 1987, 291, 293).

[33] A state court in Oregon earlier had reached different conclusions, relying upon what it had thought was precedent of the Ninth Circuit (Oregon Court of Appeals 1979). The impact of this decision was limited to Oregon.

seek advice on how to obtain approval of its membership roll. The Wahkiakum claimed to be "a seperate [sic] tribal entity," but "closely related" to "the larger Group that ties into the Chinook Tribe" (Wahkiakum Tribe 1983a). The secretary of the Wahkiakum Tribe at that time, Timothy Tarabochia (Wahkiakum Tribe 1983b), is the current chairman of the petitioning Chinook Indian Tribe.

Some local observers commented on Chinook activities after 1958. Local historian Lucile S. McDonald, writing in 1966, concluded that the early intermarriage of Chinooks and non-Indians had resulted in both a "loose identity" for the tribe and individual Chinook descendants in "whom Indian characteristics are not strong. . . ." Only recently, she claimed, had young descendants "become aware that their ancestors had proud genealogies and traditions and -- unless something is done to preserve them -- they will have lost a precious heritage" (McDonald 1966, 5). During the 1970's, several local newspapers reported on the activities of the new Chinook Indian Tribe, Inc., and its secretary Stephen Meriwether. Papers in Ilwaco, Long Beach, and Longview, Washington, covered the meetings of the Chinook Indian Tribe and its efforts to file a petition for Federal recognition (Ilwaco 1970, 1976, 1980; Long Beach 1970a, 1976a; Longview 1970a, 1976). Astoria and Portland, Oregon, papers reported on the group's effort to create a Chinook museum and to retrieve Comcomly's skull (Astoria 1970, 1972; Portland 1970, 1972). In 1971, the Longview paper published a biographical profile of the new chairman, Adolph Sund (Longview 1971), and the Astoria paper published an article about the two Chinook organizations and quoted the views of Stephen Meriwether and Kent Elliott (Astoria 1971).

Organizations beyond the local area also took note of Chinooks during the 1970's. The report to Congress in 1976 by its American Indian Policy Review Commission suggested that the Chinook at that time met 14 of 15 considerations which previously had been used to recognize tribes. It supported this position only with a simple check list and not with a review of Chinook history or a discussion of its evidence and assumptions (AIPRC 1976). Despite its lack of Federal recognition, the Chinook Indian Tribe won acceptance from some Indian groups. In addition to its membership in STOWW (LaClair 1974), by 1980 the Chinook Indian Tribe had become a member of the National Congress of American Indians (NCAI 1980). Its NCAI membership certificate indicated, however, that the Chinooks were from Sumner, Washington, which was the location of STOWW rather than the Chinooks. The Quinault Indian Nation generally has resisted Chinook tribal claims. In one attempt to defuse Chinook antagonism toward the Quinault position on a reservation heirship case, however, the Quinault chairman wrote to the Chinook Indian Tribe to seek to maintain what he called "the generally good relations between your tribe and ours" (Quinault 1981a). Although this letter referred to "your tribe," later in the year the Quinault Business Committee was describing the Chinook Indian Tribe as only an "allottee group" (Quinault 1981b).

The only scholar to publish the results of his or her research on the contemporary Chinook has been the historian Clifford Trafzer. He relied on the work of a "Chinook Heritage Project" which had been created in 1979 by the tribal elders of the Shoalwater

Bay Reservation. With the help of community elders and university professors, and funding from university, state, and Federal sources, the project gathered historical and cultural data about the Chinook. From the results of this research, Trafzer concluded in 1990 that "the Chinook no longer are a unified tribe. . . ." He identified three contemporary groups of Chinooks in the 1980's. One group was the Wahkiakum Chinook, which he inexplicably said was living on the Quinault Indian Reservation. Perhaps he was aware that Anna Elliott Koontz, the Chinook Nation secretary from Wahkiakum County, and Timothy Tarabochia, secretary of the Wahkiakum Tribe, were living on the reservation in the late 1980's. The second group, he said, was the Chinook Indian Tribe, an organization which he linked to the group which had incorporated under state law in 1953. The third group of Chinooks, Trafzer concluded, lived at Shoalwater Bay (Trafzer 1990, 99-100).

By the late 1970's, the council of the Chinook Indian Tribe had expanded its representation beyond the Ilwaco area. In late 1976, Adolph Sund remained chairman, Barbara Harden had become vice-chairman, Elmer Wilson had become secretary-treasurer, and Dolores Guse was business manager. These four officers formed an executive board. This board, also functioning as a nominating committee, presented the names of five individuals as candidates for vacancies on its council and said that three more individuals were needed to serve as council members (CIT 10/30/1976). An undated list of officers of the organization, from about 1977, showed an executive board of chairman Adolph Sund of Ilwaco, his sister Dolores Guse of Ilwaco as business manager, Elmer Wilson of Astoria as secretary-treasurer, and Barbara Harden of Raymond as field representative. The council of nine members included Guse and Harden. Of the other seven members, four were from South Bend, one was from Bay Center, one was from Chinook, and one was from Rosburg. Thus, 6 of these 11 officers were from the Shoalwater Bay vicinity, 4 were from the vicinity of the mouth of the Columbia (3 on the Washington side and 1 on the Oregon side), and only 1 was from the Wahkiakum County area (CIT [1977]).

It was about 1977 that Carlton Rhoades became chairman of the Chinook Indian Tribe. This change in leadership appears to have been accompanied by a significant shift in the council's size and membership as well. The council in 1978 included only seven officers: a chairman, vice-chairman, secretary-treasurer, and four council members (CIT 8/-/1978). The distinction between an executive board and a council had been eliminated and the size of the council reduced. Four of these seven officers were new to the leadership of the organization. Because this list did not provide addresses, the geographical representation of these officers is not known. The business office also had been moved to Chinook, Washington. Rhoades' tenure as chairman may have lasted only a single year, for Donald E. Mechals, of Chinook, became chairman at some time before December 1978 (CIT 10/20/1978, 12/-/1978). The Chinook Indian Tribe adopted a new constitution in 1980. This document confirmed that the council would consist of three officers and four members. Rather than representing geographical areas, the four council members were given terms of different lengths, perhaps to provide more experienced members with longer terms. The chairman's term was set at three years (CIT 6/21/1980). Although the

constitution used Chinook Tribes, Inc., as the organization's name, the group's stationary continued to use Chinook Indian Tribe, Inc.

In 1982, the councils of the Chinook Indian Tribe and the Chinook Nation met together in Kelso, Washington, and passed a resolution which stated that its "central purpose" was to provide a "clarification of the respective positions of the two groups in light of the pending Petition of the CHINOOK INDIAN TRIBE, INC. before the Federal Acknowledgment Project. . . ." The resolution stated that the Chinook Indian Tribe was "the political continuation" of the "aboriginal bands of Chinook Indians," while the Chinook Nation was only the "representative" of Chinook Indians "for the purposes of land claims litigation before the Indian Claims Commission. . . ." By this resolution, the Chinook Nation acknowledged that "the TRIBE represents its members in a governmental capacity and that the NATION does not purport to exercise governmental authority over the Chinook Indians who are members of the TRIBE. . . ." (Chinook Indian Tribe and Chinook Nation 1982; Petition 1987, 297, 310). Following this reconciliation, the Chinook Indian Tribe adopted a revised constitution and by-laws in 1984 (Petition 1987, 310). It was this Chinook Indian Tribe, Inc., which submitted the revised petition for Federal acknowledgment in 1987.

Proposed Finding

Chinook Indian Tribe

(Petitioner #57)

Anthropology Technical Report

Alternative Indian Name and Surname Spellings Guide

Adopted for this Report - Alternative Spellings in Historical and Other Documents

Charley	-	Charlie, Charly
Comcomly	-	Cumcumley, Concomley
Ducheney	-	Duchene, Duchesne, Dushane
Haguet	-	Hagge, Haugiet, Hoguet
Hawks	-	Huckswelt, Hox, Hawkes, Hawk
Ilwaco	-	Elwah, Ellewa, Elwahco Jim
LaFromboise	-	Laflemboy; Laflombois
Luscier	-	Lussier, Lucier
Millet	-	Mallet, Mallette, Millette
Nahcotta	-	Narcotta, Narcotty, Narkarty, etc.
Pickernell	-	Picknoll [a.k.a. Edmonds]
Silackie	-	Solackie, Salakike, Selekee, etc. [sometimes surname is listed as "Bobb," according to patronymics]
Skamock	-	Skamaqueup, Skumahquea, Scummaque [sometimes surname is listed as "George," according to patronymics]
Taltrich	-	Talltech, Toltech, etc.

Place Names

Georgetown or Georgetown Reservation. Now known as Shoalwater Bay Reservation.

Goose Point. Point of Peninsula where Bay Center is located that extends into Shoalwater Bay.

Shoalwater Bay. Now known as Willapa Bay.

Tokeland. Town near Georgetown Reservation. Referenced in 1854, as the place where Chief Toke lived on Shoalwater Bay.

Toke Point. Over time, this place name has been used to designate different locations at the north end (North Cove) of Shoalwater Bay.

Yellow Bluffs. One reference in the Petition Exhibits, Volume 2 (a 1970's newspaper article), says it is in the vicinity of Ilwaco, where a park was made.

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SUMMARY OF EVIDENCE

In 1851, the Lower Band of Chinook Indians (sometimes called the Chinook Proper) had their principal residence in several villages along the north shore of the Columbia River, in what is known today as Pacific County, Washington. It is from this band of Indians that most of the petitioner's members descend. In the winter months, many of these Indians would migrate to villages on Shoalwater Bay to exploit food and other resources available there. By 1851, the population of the Chinook Indians had been greatly reduced due to diseases introduced by non-Indian pioneer settlers. In January 1851, for example, George Gibbs made a census of the Indians living along the Columbia River, from the confluence of the Cowlitz River to the Pacific Ocean. He counted 15 heads of household and a total population of 171 Indians. Of these 171 Indians, 135 were Chinook Indians and 36 were slaves. Also by 1851, a number of non-Indian pioneers had married Chinook Indian women. By Gibb's count in January 1851, there were eleven Indian women who were married to non-Indian men. Many of the petitioners' members are descendants of such pioneer-Indian marriages. By the early 1850's, local observers such as James Swan, George Gibbs, and George Dawson noted that the Chinook Indians were heavily intermarried with the Lower Chehalis Indians, whose traditional territory was to the immediate north of the Chinook Indians. The main settlement for Chinook descendants in 1851 was the village of Chinookville, on the Columbia River.

Further up the Columbia River's north shore, in what is now known as Wahkiakum County, were villages inhabited by the descendants of the Wahkiakum and Kathlamet bands. These two bands had amalgamated prior to 1851. On the south shore of the Columbia River, at its mouth, was a village of Clatsop Indians, in what is known today as Clatsop County, Oregon. By 1851, these villages had also been decimated by diseases introduced by non-Indians. Each of these four bands (Lower Chinook, Wahkiakum, Kathlamet, and Clatsop) spoke a different variety of the Chinook language. There was social contact between these villages, as demonstrated by patterns of village and language group exogamy. Some of the petitioner's members have ancestry from the Wahkiakum, Kathlamet, and Clatsop bands (for details of descent from the various bands, see the Genealogical Report). Collectively, the Lower Band of Chinook Indians, the Wahkiakum Band, the Kathlamet Band, and the Clatsop are sometimes referred to as "Chinookan Indians" in the anthropological literature.

For the most part, the first non-Indians to contact these villages described them as being politically autonomous, each one organized under a village headman. One exception to this form of political leadership was Chief Comcomly I (died 1830) who, for a short time before his death, provided leadership for most of the Indians at the mouth of the Columbia River. Supporting evidence that the four bands of Chinookan Indians from which the petitioner descends were not organized politically as a single tribe stems from the 1851 Tansey Point treaty negotiations. Initially, the Federal Government negotiators tried to have all of the Indians around the mouth of the Columbia River, including the

four bands named above, to sign a single treaty. The Indians balked at this idea. Instead, their leaders signed several treaties as allied villages which resided in a common territory. It is possible that this organization into political bands at the time of the 1851 treaty negotiations reflected the Indians' own perceptions of cultural similarities and dissimilarities between neighboring villages and/or inter-village political alliances that were already in existence.

After 1851, the Indians that were living along the Columbia River in these various bands experienced dramatic social and political changes. Some of these changes were due to encroachment by non-Indians on the Indians' traditional territory. For example, as non-Indian settlers moved into Wahkiakum and Pacific Counties, there was greater political pressure to settle the remaining Indians in those counties onto reservations, so their land could be settled by non-Indians. This was one of the forces behind the establishment of a more permanent Indian community at the north end of Shoalwater Bay (then known as Willapa Bay) at Bay Center, as well as the Shoalwater Bay Indian Reservation (also known as Georgetown). The Quinault Reservation was established, enlarged, and allotted with the same motive, so that non-Indians could obtain the land on which the Indians of western Washington, including the Chinookan descendants, were still residing.

Shoalwater Bay Reservation was established by presidential order in 1866, and the original assignment of lots occurred in 1881. The initial assignees at Shoalwater Bay Reservation were from several different tribes: Chinook, Chehalis, Kathlamet, Wahkiakum, and Clatsop. Some of the Indians who were assigned land on Shoalwater Bay Reservation in 1881 can be identified in the Federal census as living within the jurisdiction of the Oysterville or Cathlamet post offices in 1870 and at Chinookville in 1880. From at least 1888 to 1920, the residents of Bay Center and Shoalwater Bay Reservation were a single community. There was much family migration between the two locations, with some of them using Georgetown as a temporary residence for oystering purposes and Bay Center as a more permanent residence. For example, a family recorded as living on the reservation in the 1888 Georgetown Indian census might be found living in Bay Center in the 1900 census. In 1910, the same family, or some of their primary kin, might be living back on the reservation. In 1910, the Indian agent noted that there were approximately 150 Georgetown Indians, most of whom resided in Bay Center, where they owned land, worked, and went to school with the local non-Indians.

In 1880, the predominantly Indian settlement of Chinookville was still in existence on the north shore of the Columbia River. In June 1880, a large number of Indian families and pioneer-Indian families are listed in the Federal census for Chinookville. Because this census was taken during fishing season, it is not clear how many of the Indians listed were residing there permanently. It is known that many Indians lived at Chinookville only during the fishing season, but had their main residence elsewhere. This was the case in the 1854, when George Dawson took a census of the Indian population at Chinookville (65 individuals) and noted that about three times as many Indians would be present at the beach during fishing season. In a similar pattern of work migration, the 1900 census

provides evidence that many of the Indians listed as fishing in Ilwaco were actually residing in Bay Center (entire Indian families were listed as living in both locations in the 1900 census). Sometime between the 1880 and 1900 Federal censuses, Chinookville ceased to exist, perhaps before the modern town of Chinook was established, in 1884. Many of the Indian descendants who were living and/or fishing at Chinookville in 1880 were living in Bay Center, Ilwaco, and Dahlia in 1900.

Quinault Reservation was established by the Treaty of Olympia, which was signed by the Quinault and Quilleute Indian leaders in 1855. At first, the Chinook Indians' leaders participated in the negotiations that led up to the Treaty of Olympia. But they eventually withdrew from the negotiations when the Federal Government negotiators made it clear that the Chinook Indians would have to move to a reservation in Quinault Territory rather than one in Chinook Territory. Quinault Reservation was enlarged in 1873, but the first allotments there were not approved until 1907. Even though the Chinook Indian leaders did not sign the Treaty of Olympia, some of the Indians allotted on Quinault Reservation in 1907, 1908, and 1910 were Chinookan descendants from Bay Center (29% of the first 690 allotments on Quinault went to Chinookan Indians, almost all of them were residents of Bay Center). In 1908, some of the Chinookan descendants from Bay Center who were allotted on Quinault were listed as "Georgetown Indians." Some of the Chinookan Indians allotted on Quinault Reservation from 1907 to 1910 continued to live in Bay Center and/or on Shoalwater Reservation according to the 1910 and 1920 Federal censuses; that is, even though they were allotted on Quinault Reservation, they did not move there.

One of the results of the establishment of the more permanent Indian community at the north end of Shoalwater Bay and the allotment of Bay Center Chinook descendants at Quinault Reservation was the political and social separation that eventually developed between the concentration of mixed-blood Indians in the three contiguous settlements of Altoona, Dahlia, and Brookfield and the Indian community at the north end of Shoalwater Bay. Altoona, Dahlia, and Brookfield were almost exclusively inhabited by Chinook Indian descendants, and were close enough to each other geographically, and in terms of kinship and social interaction, that they can be thought of as a single community until at least 1932 In this report, this community will be referred to as "Dahlia." The Dahlia community was principally comprised of descendants of pioneer-Indian marriages. The three settlements are located on the sites of three former Wahkiakum Indian villages which had existed in 1844. But there is no historical continuity between these Wahkiakum Indian villages and the three modern settlements of mixed-blood Indians who were all descendants of the Lower Chinook Band. Mostly they were descendants of Mary Rondeau Ducheney-Preble-Kelly (especially the children of Agnes Ducheney Elliott) and Emelie Chinook Ero-Durival.

From 1888 to 1920, there is clear evidence that the Indian descendants at Bay Center, and those in Dahlia, maintained social relations with other residents within their respective communities. The evidence includes Federal census data, school district census data, a

map of Goose Point/Bay Center annotated by a Chinook resident of Bay Center which accurately indicates the residential patterning of Indians living there about 1915, marriage patterns, and descriptions provided by Indian and non-Indian residents who lived in the vicinity of these settlements. An analysis of the McChesney Rolls for 1906, 1913, and 1914 yielded a list of 418 adult Chinook Indian descendants for the year 1906. Of the 418 adults living in 1906, 324 do not have descendants on the 1995 membership list. Of the adults who do not have descendants on the list, 169 either lived out of state or have an unknown address in 1906 and 1910. This evidence indicates that a large number of Chinook descendants (169 of 418 adults or 40%) moved away from Pacific and Wahkiakum Counties by 1906 and that their descendants have not maintained social or political relations with the petitioner. Regarding the 94 adults alive in 1906 who do have descendants on the 1995 membership list, 16 of them were resident in the Dahlia community (16 of 94, or 17%) and 24 were living in the Bay Center community (24 of 94, or 26%) in 1906 and/or 1910.

Evidence regarding the maintenance of social community at Bay Center through 1910 is very clear. Newspaper accounts, the writings of local residents, and the Federal census make it clear that the Indians at Bay Center were maintaining their Indian culture through at least 1910. Chinook elder Anna Mae Strong submitted to the BAR an annotated map (Map #3) based on information provided by her mother, Annie Clark Rhoades. The map demonstrates that approximately half of the Indians living at Bay Center about 1915 were actually residing in a separate Indian settlement called Goose Point, on the swampy tip of the peninsula where Bay Center was established. The other half lived in the town of Bay Center proper, where some non-Indians also lived. The Indians residing in the town tended to live in a cluster near each other. The Federal censuses for 1900, 1910, and 1920, as well as district school records support this settlement pattern in Bay Center.

In addition to this important evidence regarding residential patterning, the Indians living in Bay Center maintained an Indian Shaker Church until at least the 1920's. The location of the Shaker Church changed over time. The first one, built in the town of Bay Center, was converted into a gymnasium where boxing matches were held. The second church was built at Goose Point, in the Indian settlement. There are descriptions from the 1890's of Shaker meetings being held in Bay Center, Georgetown (Shoalwater Bay Reservation), and Bruceport. Johnny Skanown, a Chehalis Indian and resident of Bay Center, was one of the preachers for the Shaker Church.

Many of the Indians listed in the 1910 Federal census of Bay Center were said to be speaking Chehalis. Chehalis is an Indian language that many of the Chinook Indians had adopted through social contact, including intermarriage, with their northern neighbors. As early as 1852, there are references to the extensive intermarriage between the Chinook and Chehalis Indians at Chinookville and at the north end of Shoalwater Bay. In 1890, when Anthropologist Franz Boas visited the Bay Center Indian community, he discovered only one reliable informant who could still speak Chinook. All of the Chinook descendants living in Bay Center had adopted the Chehalis language for purposes of daily

conversation. Thus, the 1910 Federal census data on language is consistent with other earlier evidence. Photographs taken in 1913 at Tokeland (near Shoalwater Bay Reservation) during McChesney's enrollment, show Indians wearing a mixture of western and traditional clothing. The traditional clothing included woven basket-style hats.

There is no similar evidence for the maintenance of distinct Indian culture for the Chinook descendants at Dahlia. There is no evidence from 1880 to 1910 that the Chinook descendants at Dahlia continued to speak an Indian language, to practice an Indian religion or burial customs, to wear items of Indian clothing, or to maintain any other elements of their Indian culture. This lack of evidence, in contrast to Bay Center, suggests that most of the Chinook residents of Dahlia had acculturated more quickly than those living in Bay Center.

The Federal censuses for 1900, 1910, and 1920, that there was a concentration of Chinook descendants living at Dahlia in those years, though a more thorough analysis of the 1900 tax records for Dahlia does demonstrate that the Chinook descendants were not the only individuals present there. The district school records from 1918 to 1932 suggest that most of the individuals living at Dahlia may have been Chinook descendants, since most of the children attending the public school in those years were Chinook descendants.

There is some evidence for the existence of social ties between the residents of Bay Center and Dahlia until 1910. An analysis of primary kinship relations (defined as grandparents, parents, self, siblings, and children) provides one form of evidence that the residents of Bay Center and Dahlia may have been maintaining some social relations until that time. For example, Margaret Ero Pickernell-Johnson was living at Brookfield (a settlement in the Dahlia community) in 1900 and Bay Center in 1910 and 1920. Several of her children were living in Bay Center as well. Julian Ero (her brother) and George Ero (son of Julian Ero) were living at Dahlia in 1910 and 1920 as were some of Margaret Ero's half-siblings (the Durivals). Aside from evidence based on primary kinship relations, there is very little evidence of communication between Bay Center and Dahlia residents. There was at least one marriage between residents of these two settlements; that is, between Joseph Howe Elliott (Dahlia) and Josephine Johnson Elliott (Bay Center). A death notice in a Wahkiakum County newspaper for Dixie James (a Chinook Indian resident of Bay Center; he died 1909) noted that he had continued to fish with his relatives at Altoona until the time of his death.

There is no evidence that the residents of Bay Center and Dahlia maintained social relations between their settlements after 1920. There is some evidence that the Chinook descendants in Bay Center and Dahlia were becoming more and more separated from each other. For example, many of the Chinookan descendants at Bay Center were allotted at Quinault between 1907 and 1916. Some of the Chinook descendants at Dahlia were adopted by the Quinault Indians during a Quinault council meeting in 1912, but their adoptions were revoked in 1918 at a subsequent council meeting. Most of the

descendants living in Dahlia were not allotted at Quinault until 1932, after several years of legal battles.

There is also no evidence that the Indian descendants living in Dahlia and Bay Center had leaders who worked together on a variety of significant issues. There is some evidence that George Charley was a leader for the Indians at Bay Center/Georgetown from 1889 to about 1929. He was especially known for his leadership with regard to fishing rights for the Indians of Bay Center from about 1920 to 1929. But there is no evidence that he had any influence over the Chinook Indian descendants living at Dahlia or elsewhere. There is also no evidence that the Indians in Dahlia communicated their views to George Charley on issues that were significant to the Chinook Indians as a whole. When it came to getting allotments on Quinault Reservation, for example, the Dahlia residents pursued them as individuals, with no help from George Charley, or any other "Chinook" leader (George Charley was Chehalis, but his wife was part-Chinook). There is no clear evidence of a political relationship of any kind between the residents of the two settlements until 1951.

In addition to this, evidence for leadership or political influence within the mixed-blood Indian community at Dahlia is lacking before 1951. The petition made vague claims that political leadership was provided by family elders, such as Mary Rondeau Ducheney. The petition suggested that she was a leader because she signed the 1899 lawyer contract for the first Chinook land claim. A contemporary newspaper article referred to her as the "queen" of the Chinook Indians because she was the oldest living descendant of Chief Comcomly I. This is not the same as evidence that Mary Rondeau Ducheney provided leadership for the Chinook descendants of Dahlia on a wide range of issues that were important to the Chinook Indians as a whole.

In 1935, only the Indians living on Shoalwater Bay Indian Reservation were allowed to vote on the Indian Reorganization Act (IRA). Those living in Bay Center were not allowed to participate in the election at Shoalwater Bay Indian Reservation. In 1920, the close kinship ties between the residents of these two communities provide evidence that this political and social distinction between the Indians of Bay Center and Shoalwater Bay Reservation did not exist in 1920. It is not known if the decision regarding who could vote in the 1935 Shoalwater Bay Reservation IRA election helped to create the division between Bay Center and the Reservation residents, or if the division had become a reality between 1920 and 1935. The distinction that is made between the Indian descendants of Bay Center and Shoalwater Bay Reservation in 1935 could be related to George Charley's death that year. George Charley was a resident of Shoalwater Bay Reservation and/or Bay Center, and recognized leader of the Indians there, from at least 1889 (when he was named chief of the Shoalwater Bay Indians by the BIA agent) until about 1929. He was also allotted at Quinault Reservation, and died fishing at the mouth of the Quinault River in December of 1935. Because he was buried on Quinault Reservation, it may be that he moved from Shoalwater Bay Indian Reservation to Quinault Reservation after 1929. In spite of the distinction that was made at the time of the vote to reject the IRA, the

Commissioner of Indian Affairs in 1951 stated that there were 215 Shoalwater Bay Indians that were either living on, or had an interest in, the Shoalwater Bay Indian Reservation.

There is very little evidence regarding the maintenance of social community or political authority from 1929 to 1951 in the petition. Myrtle Johnson Woodcock is one person who provided some leadership during those years. For example, she helped to gather evidence for the Chinook Indians' land claim, and may have helped in the fight to get some Chinook descendants allotted on Quinault Reservation. There is evidence that she was personally concerned about the preservation and dissemination of Chinook culture and history, but it is clear that she was not a leader for all of the Chinook Indian descendants in Pacific and Wahkiakum Counties. She variously claimed to be the secretary or the president of the Chinook Indian council from 1925 to 1951, but there is little evidence that there was an organization that she was leading. It is likely that if she had any political authority it may have been limited to the Indian descendants who grew up in Bay Center. Several members of the petitioning group provided depositions in 1987 for inclusion in the petition for Federal acknowledgment that stated that they or their parents had attended meetings in the home of Myrtle Johnson Woodcock during this period. But there is no contemporary evidence that such meetings took place. There is no contemporary evidence regarding how broad (how many families) or extensive (the percentage of total members) participation in these meetings may have been or what political issues were discussed at the meetings. There is also no evidence linking the Dahlia community to the leadership that may have been provided by Myrtle Woodcock during these years.

The next available evidence regarding community and political leadership concerns 1951 to 1968. In that year, J. Grant Elliott, a Chinook descendant from Dahlia, filed a land claim petition with the Indian Claims Commission. He supposedly did this on behalf of all the Chinook descendants. There is no evidence that Grant Elliott provided leadership before 1951 for the Chinook descendants of Dahlia or for the Chinook Indians as a whole. After he filed the land claim, about 100 Chinook descendants held a meeting and formed an organization, the Chinook Tribal Council (it was sometimes called the Chinook Nation). At that meeting, Mr. Elliott was elected Chairman of the council, and Myrtle Woodcock was elected Secretary-Treasurer. They began a process of collecting information in order to establish a membership list. They also began holding occasional meetings. While the land claim was always the centerpiece of the meetings, other issues were sometimes raised, for example, hunting and fishing rights, the value of timber on allotments of Chinook descendants on Quinault Reservation, the protection of Chinook Indian grave sites, and the disposition of a flattened skull that was believed to be that of Chief Comcomly I (skull flattening was a mark of high social status among the Chinook Indians). The skull was returned to Grant Elliott from a museum in England. Mr. Elliott, in turn, donated it to a historical museum in Astoria, Oregon.

Before the membership list had been completed, there was a leadership dispute between Mr. Elliott and other members of the Chinook Tribal Council. Members from Bay Center, including Myrtle Woodcock, Charles Larsen, and Claud Wain, were unhappy with Mr. Elliott's leadership style. Mrs. Woodcock specifically mentioned that Mr. Elliott had not been holding regular meetings, but there is other evidence that they were equally unhappy with what they perceived as a general lack of political process and Mr. Elliott's attitude of superiority.

In May of 1953, about 68 Chinook descendants held a meeting in Bay Center for the purpose of electing a new chairman and other officers, which they did. Roland Charley, the son of chief George Charley, was elected Chairman and Myrtle Woodcock was the Secretary. Anna Mae Elliott Koontz, who would later become the secretary for the Chinook Nation, was elected tribal historian. The new organization was called the Chinook Tribes, Inc. (CT, Inc.). On June 13, 1953, separate annual meetings were held in Bay Center and Skamokawa. Grant Elliott disavowed the election held in Bay Center in May. He held his own election at the June 13th meeting. He and his son, Kent Elliott, were elected Chairman and Vice-Chairman, respectively. A total of 173 ballots were cast in the election for chairman and vice-chairman (for comparison, there were approximately 555 Chinook adults living at that time, according to the membership applicants list submitted to the Western Washington Agency by the CT, Inc. in 1953). From that point on, Elliott always referred to his organization as the Chinook Nation.

When Myrtle Woodcock defected to CT, Inc. from Elliott's Chinook Indian Council, she took the meeting minutes, membership records, and the bank account records with her. It was not clear that all of the people in the membership records wanted to belong to the CT, Inc. In fact, several of Elliott's followers wrote to the CT, Inc. secretary asking that their membership applications be returned so that they could be properly registered with the Chinook Nation. At the June 1953 annual meeting in Bay Center, Myrtle Woodcock resigned as secretary of the CT, Inc.

In July 1953, Catherine Troeh, secretary for the CT, Inc., submitted a list of membership applicants to the Western Washington Agency. The 1953 CT, Inc. list of applicants provides the only information on the group as a whole in 1953. The list contained 555 adults and 421 minors, for a total of 976 applicants for membership. This list was probably based on information gathered by Mr. Elliott's Chinook Indian council from 1951 to 1953. The list included the city and state of residence for each of the members. This data provides evidence that the communities that once existed at Bay Center and Dahlia were no longer as significant in terms of the percentage of the Chinook descendants who lived there. According to the 1953 list, only 56 CT, Inc. applicants were living at Bay Center/Georgetown (10%) and 23 at Dahlia (4%). Only 173 (31%) of the adults on the list resided in Pacific and Wahkiakum Counties, more generally.

In 1954, Charles Larsen, the secretary of the CT, Inc., wrote to the area officers of the organization, asking them to contact the Chinook descendants in their region who had not

yet expressly agreed to become members of the CT, Inc. He included a list of approximately 115 people who had yet to declare their loyalty. The purpose of the contact was to ask if they wanted to be members of CT, Inc. or not.

There is no separate membership list for the Chinook Nation in the 1950's. Their membership remains unclear, and it is impossible to check thoroughly for overlap between the two groups' supporters in the early 1950's. It is possible that Chinook Nation never had its own separate membership list. Initially, the Chinook Nation fought to have the original membership records returned. From 1953 to 1955, the officers for Chinook Nation and the CT, Inc. discussed cooperating with each other in order to develop a single membership list which would be acceptable to both councils, but this never became a reality.

The leadership dispute between Chinook Nation and CT, Inc. lasted from 1953 to at least 1958. During those years, the two councils held separate annual meetings. The lawyers for the two councils and BIA staff attempted unsuccessfully to get the two councils to resolve their differences. There is a possiblity that the CT, Inc. members voted to begin cooperating with the Chinook Nation at their June 1955 annual meeting, and that the CT, Inc. council members opposed this move (Chinook Nation meeting minutes, February 4, 1956). It may be that CT, Inc. lost support soon after that 1955 meeting, since they held their last annual meeting in 1957. Also in 1957, Claud Wain, along with about 15 other Chinook Indian descendants, appeared before a Senate committee that was reviewing timber sales on Quinault Reservation. After 1957, former CT, Inc. members gradually started attending meetings of the Chinook Nation, which continued to meet annually through 1968. Some of them also supported the Chinook Nation financially by paying dues and supporting a fund that was started in 1961 to appraise the value of the land in the aboriginal Chinook territory.

From 1953 to 1958, it is not clear to what extent the two councils had mutually exclusive groups of followers. If there were two separate groups which persisted over time, cut across family lines, and differed on a variety of issues, this might be evidence of factionalism. In this case, the available evidence indicates that most of the dissention was between the officers of the two organizations. There is no evidence indicating that the members were divided over a variety of issues important to the group as a whole. Also, the dispute between the leaders did not last very long: according to minutes of the Chinook Nation meeting held on February 4, 1956, the members attending the June 1955 CT, Inc. annual meeting voted to end the conflict and reunite with the Chinook Nation. The minutes also reported that the officers of the CT, Inc. were opposed to reunification. There are no CT, Inc. meeting minutes to confirm either of these assertions. It is known that in 1958, the officers of the two councils were still discussing the possibility of reunification. Beginning in 1956, some of the people who had participated in the meetings of the CT, Inc. started attending meetings of the Chinook Nation. The steps toward reunification were slow, but even former officers of CT, Inc. were participating in Chinook Nation by 1959. For example, on March 13, 1959, Paul Petit, Wilfred Petit, and

Claud Wain all attended a meeting of the Chinook Nation. Also present was Lillian Larsen Bates, the sister of deceased CT, Inc. secretary, Charles Larsen.

From 1957 to 1968, the Chinook Nation continued to hold annual meetings. Most of the emphasis in the meetings was on the Chinook land claim, including the extent and value of the land and mineral resources of their ancestors' aboriginal territory. They also discussed obtaining fishing and hunting rights from the state of Washington, protecting fishing resources in the Columbia River, elected leaders, voted on membership applications, and appointed delegates to attend a variety of meetings. From 1961 to 1965, the Chinook Nation collected money for a fund that would be used to pay a professional appraiser to estimate the value of their aboriginal land as established by the Indian Claims Commission in 1958. Most of the contributions were made from 1961 to 1963. At least 266 Chinook descendants contributed to the fund.

There is no evidence that a Chinook organization existed between 1968 and 1970. Chinook Tribes, Inc. had become defunct by 1958. Also, the Chinook Nation did not hold annual meetings consistently after 1968. The last known meeting of the Chinook Nation was in April, 1973. On June 8, 1974, a meeting was held in Skamokawa, Washington at the request of the BIA, in cooperation with Kent Elliott, to discuss the Chinook Indians' wishes regarding payment of the land claim award. There is no evidence that this was a regular annual meeting of the Chinook Nation, even though it occurred about the time their annual meetings had been scheduled in earlier years. Evidence that the Chinook Nation stopped holding meetings about this time includes information from Kent Elliott's sister, Natalie "Louise" Elliott Meyer, who stated that, when she returned to the Skamokawa area in the early 1970's, the Chinook Nation was no longer functioning.

In 1968, however, a new Chinook organization was beginning to form under the leadership of Adolph Sund, a descendant of the Petit and Pickernell Chinook families. Sund lived in Ilwaco, where he worked as a fisherman. A newspaper article in 1968 mentioned that Adolph Sund had collected money from members of the Chinook Indians for the purchase of a foghorn for the jetty at the mouth Columbia River. Stephen Meriwether, Adolph Sund's nephew, recalled that about 1968 the Small Tribes of Western Washington (STOWW) sent representatives to meet with Adolph Sund to see if the Chinook Indians were interested in organizing. This organization was not formally initiated until 1970. Meriwether stated that the delay in organizing was due, in part, to staff changes at STOWW.

The new organization which started in 1970 was called the Chinook Indian Tribe (CIT), and is the same organization that submitted the first petition for Federal recognition in 1981. In 1970, Adolph Sund recalled that the new Chinook organization started to form about 1968, when a group of Chinook descendants met and discussed the possibility of constructing a traditional Chinook plank house as a museum for Chinook history and

culture. There is no evidence regarding how many people attended the meetings that were held in 1968, or which Chinook families were represented.

The petitioner claims that the CIT, which formed in 1970, is the continuation of Chinook Tribes, Inc. which had existed from 1953 to 1958. However, there is a period of at least 10 years (1958 to 1968), and perhaps 12 years (1958 to 1970), for which there is no evidence that the Chinook Tribes, Inc. held meetings or carried on any activities. The minutes of the first CIT meeting, held April 10, 1970, state: "The first meeting of the reactivated Chinook Council was called to order . . . ." The classification of the meeting as the "first meeting" of a "reactivated" council provides supporting evidence that the members of the Chinook Tribes, Inc. had not met from 1958 to 1970.

While some of the people involved with the CIT from 1970 to 1981 were on the 1953 membership applicants list submitted by the CT, Inc., there is serious discontinuity in the membership reported by the petitioner in 1981 and the 1953 membership applicants list. Some of the people present at the first meeting in 1970 had been active in the Chinook Tribes, Inc. in 1953, including Betsy Herrold Trick, Catherine Herrold Troeh, and Lewis Hawkes. Nevertheless, based on the list of members submitted in 1981, it is not possible to conclude that this was the same organization as the 1953 CT, Inc. For example, the 1953 list included 976 applicants (555 adults and 421 minors). The 1981 list only contained the names of 323 members, including adults and minors. While there is no information in the 1981 petition about where each of the 323 members was living at that time, most of them were descendants of families associated with Pacific County (especially Ilwaco and Bay Center since about 1880). In contrast, there were very few Chinook descendants on the 1981 list whose families have been associated with Wahkiakum County since the turn of the century. It is possible that this is because the dispute between the officers of the Chinook Nation (based in Skamokawa, Wahkiakum County) and the CT, Inc. (based in Bay Center, Pacific County) had not been completely resolved during the 1960's.

After the 1981 petition was submitted, the Branch of Acknowledgment and Research (BAR) sent the CIT a technical assistance letter, advising them of potential problems needing clarification regarding their membership. One of the concerns of the BAR was that, given the petitioner's membership criteria (descent from one of three lists of Chinook Indians), there was a very large number of potential members that were not on the membership list. In response, the CIT decided to recruit more members. For example, they used newspaper advertisements in 1982 and 1983 to try and locate other Chinook descendants who wanted to become members. In 1987, the CIT submitted a new petition which included a new membership list which had expanded from 323 to 1,203 members. The 1987 list was more similar to the one submitted by the Chinook Tribes, Inc. in 1953 than the 1981 list had been in terms of the family groups represented. The 1987 petition provided the town of residence for each of the petitioner's members. The 1987 petition narrative noted that 65% of the members lived in "close proximity" to the Chinookan Indians' aboriginal homeland. By "close proximity," the petition intended

all of the towns in Pacific and Wahkiakum Counties, as well as a number of towns along the Columbia River in Oregon.

In 1995, the BAR received an updated membership list from the petitioner. The 1995 list is basically consistent with the 1987 list in terms of individuals on the list and the family groups represented. The 1995 list contained the names of approximately 1,040 adult members. According to that list, there are about 632 Chinook descendants in Washington State, 222 in Oregon, and 186 adults who are living out of state or have an unknown address. In 1995, there were only 33 Chinook adults (3%) in Bay Center and 17 Chinook adults (2%) living at Dahlia. The separate geographical settlement of Chinook Indians at Bay Center, known as Goose Point, no longer exists. There is also no evidence that there is a distinct community at Dahlia.

In terms of political leadership from 1970 to the present, the petitioner has presented very little evidence regarding the internal political process of the CIT. Most of the evidence presented supports the fact that the officers of the Chinook council have been active in conducting business with political entities such as federal, state, and county government agencies (e.g., the BIA, state agencies that manage fish and wildlife and cultural resources), inter-tribal organizations (e.g. Small Tribes of Western Washington, Affiliated Tribes and Allottees of Quinault Reservation; Northwest Federation of American Indians), and recognized and unrecognized tribes. From 1970 to 1972, Stephen Meriwether, the CIT secretary, led a successful campaign to have the skull of Comcomly returned to the CIT from the historical museum in Astoria. However, there is little evidence that the members of the organization cared about these activities. For example, there is not enough information on communication between the officers on the council and the members of the petitioning group to determine if the actions taken by the council were requested or supported by the members as a whole, or if the members ever objected to any actions of the council. Dick Basch estimated that 30 to 35 members attended the monthly meetings during the 1970's. There is no contemporary evidence to confirm this level of participation.

One of the ways to gain an understanding of a group's political process is to focus research efforts on issues that have caused conflict among the members. For example, in interviews conducted by the BAR anthropologist, some Chinook members admitted that there had been some conflict over whether or not to pursue acknowledgment from the Federal government in 1976. Those who were opposed to asking the Government for recognition were in favor of a more radical position of asserting their aboriginal rights which, from their point of view, had never been relinquished. It is possible that the political alignment of the members on this issue might support the existence of political factions within the group. However, it is not clear from this single issue that factions existed in 1976. Likewise, there is no acceptable evidence of factions before or after 1976.

Activities surrounding the Chinook land claim provide some information about the Chinook Indians acting collectively in the 1970's and 1980's. The Indian Land Claims Commission awarded the Chinook and Clatsop Indian descendants $48,692.05 on November 4, 1970. On December 18, 1970, the Chinook Nation held a meeting to discuss the award. Altogether, about 100 Chinook descendants were in attendance. Some of the members of the recently formed CIT were present at the meeting, including Stephen Meriwether. Those present decided to appeal the award to the Court of Claims. On December 3, 1971, the Court of Claims dismissed the Chinook Indians' appeal. The award money was appropriated by Congress on October 31, 1972. In April of 1973, the Chinook Nation held a meeting to discuss the possibility of asking Congress for a better settlement for the land claim.

In 1974, Paul Weston of the BIA notified Kent Elliott that he wanted to conduct a public hearing with the Chinook Indians to discuss how the award money should be distributed. In response to the notification, Elliott called a strategy meeting of the Chinook Nation officers. The officers proposed three uses for the award including using some of the money for a scholarship, using some of the award to lobby for the ratification of their 1851 treaty, and paying out the rest as per capita payments. Per capita payments was the method preferred by the BIA.

On June 8, 1974, the BIA held the hearing in Skamokawa with the Chinook Indians. At that meeting there was discussion from several Chinook Indians about what to do with the money. No one present at the hearing spoke in favor a per capita distribution. Some descendants favored making the award into a scholarship fund, others liked the idea of using the money to have their treaty ratified. Several times the Chinook Indians tried to act collectively rather than as individuals, at one point trying to turn the hearing into a business meeting. In a follow up letter to this meeting, dated June 20, 1974, John Benedetto (acting Superintendent of the Western Washington Agency) wrote the Portland Area Office Director, informing him that the Chinook Indians were opposed to per capita payments, and that they preferred putting the money into a scholarship. Benedetto recommended that this preference be acted upon. The scholarship fund was never established, however.

On April of 1976, the CIT council (as a separate entity from the Chinook Nation) held a general meeting of its membership. The BIA was again proposing to distribute the Chinook land claim award on a per capita basis. The members present voted to reject the per capita payment plan. Instead they favored a lump sum payment to CIT so the money could be used to strengthen their organization or to purchase land and build a Chinook meeting place. On May 21, 1976, H. Gregory Austin, Solicitor for the Department of the Interior wrote to the CIT stating that the disbursement of the money on a per capita basis was the only method acceptable to the Department. He stated that the distribution had to be done on a per capita basis because the Chinook Indians were not a recognized tribe. He also denied their request to delay distribution. Nevertheless, the per capita distribution was never carried out.

In August 1984, John Weddell (Tribal Operations Officer, Portland Area Office) wrote to Don Mechals (not knowing that Mechals was no longer CIT chairman), proposing once again the idea of individual payments. Weddell wanted to talk to the Chinook Indians about special legislation that had been drafted for the purpose of distributing the land claim award money. The meeting that Weddell requested was held under the leadership of Ralph Lorton, the actual CIT chairman. There is no record of what happened at this meeting, but the BIA decided on October 18, 1984 to delay distribution of the money, because of opposition from the Chinook, until a decision could be reached on the CIT's acknowledgment petition.

From 1976 to about 1983, the CIT council established a fishing committee. The committee was comprised of a number of Chinook descendants who still made their living based on fishing. The committee members met regularly, and the petitioner submitted meeting minutes for the period from 1980 to 1983. It is not known how broadly this committee's work was supported by the CIT membership as a whole. There is no evidence that the membership communicated with the fishing committee or was informed by the committee of its activities.

The petition included correspondence from a group of Chinook descendants who supposedly formed an organization called Quinook Resources in the early 1970's. The three named officers for the organization were Ferrill Johnson, Norris Petit, and Daniel Stephan. These Chinook descendants were all fishermen and members of Quinault Nation, and they threatened legal action against Quinault Nation for allegedly not allowing them to fish under the provisions of the 1855 Treaty of Olympia. There is no evidence that they were connected to the CIT council of the 1970's. It is not clear what the membership, if any, in this organization may have been. There is no evidence that the organization survived for more than a year.

In 1978, some of the petitioner's members objected to the chairman, Carleton Rhoades, publishing his own opinions as those of the CIT. Mr. Rhoades supported abolishing the BIA and Indian reservations, among other things. From the available evidence (minutes from council meetings held at that time) it is not clear if Mr. Rhoades resigned or was forced out of office after he made his comments. Whatever the process, he was replaced by Donald Mechals as CIT chairman. Because of the lack of information about how these events unfolded, it is impossible to evaluate if the membership as a whole cared about this matter, or if it was an issue that was resolved by only a few council members.

For most of the period from 1970 to 1981, the available evidence indicates there was not much interest on the part of the membership in the petitioner's political affairs. During the early 1970's, the CIT held monthly meetings that were sometimes only attended by Adolph Sund (CIT chairman), Dolores Guse (Sund's sister, CIT business manager), and Stephen Meriwether (Sund's nephew, CIT secretary). By November 1971, the council decided to meet three times per year because there was no business to conduct, and for lack of participation and interest in the meetings.

Logging practices on the Quinault Reservation was one issue that raised interest on the part of some Chinook Indians who were allotted there. Much of this interest was generated by Donald Mechals, the CIT chairman for most of the years between 1978 and 1994, who is an allottee on Quinault Reservation. For example, about 28 Chinook Indians attended a BIA briefing for Quinault Reservation land owners in 1981 at the Chinook office.

The petitioner's membership shifted dramatically between 1981 to 1987, both in terms of the total number of members and the family groups that were considered members. This evidence makes it impossible to discern the size and character of the group over which the council may have had political authority. Most of the members on the 1981 list were from Pacific County towns, particularly Bay Center and Ilwaco, with only a few people from Wahkiakum County. If the the 1981 list includes most of the people who participated in the Chinook meetings from 1970 to 1981, as it seems to, then the officers of the council could have had authority over only 323 Chinook descendants in 1981. In 1982, the leaders of the CIT and the Chinook Nation signed an agreement which formally recognized the CIT as the governing body for the Chinook Indians, and stated that Chinook Nation had only been established to pursue the Chinook land claim. At the same time, the Chinook Indians began the process that enlarged its membership list, which has already been described.

In 1987, the CIT submitted a new membership list to the BAR as part of its revised petition. The 1987 list contained the names of 1,203 members. It included a larger number of people from Wahkiakum County (e.g., some of the Elliotts), as well as other Chinook families that had not appeared on the 1981 list. Prior to 1987, there is no evidence of a political or social relationship between the CIT council and most of the Wahkiakum County and other Chinook descendants who appeared for the first time on the 1987 list. At the same time, it is known that some of the Chinookan descendants involved in Chinook meetings between 1970 and 1981 were not on the 1981 list. This would include Richard Basch (council member and Clatsop descendant), Louise Elliott (council member), and Eugene and Larry Goodell (from Dahlia), for example.

There is more evidence regarding participation in the political process by members of the petitioning group since 1994. In June 1994, Tim Tarabochia was elected chairman of the CIT, replacing Donald Mechals after nearly 18 consecutive years as chairman (there was one brief period when Ralph Lorton served as chairman). In the 1994 election, about 88 votes were cast for the chairman's position (the BAR has no written evidence to confirm this estimate by Mr. Tarabochia). There were approximately 42 votes for Mr. Tarabochia and 30 for Mr Mechals. The balance of the votes were split between two other candidates.

Informants told the BAR anthropologist about a number of political issues that were used in this election to defeat Mr. Mechals. One was the issue of preserving Chinook culture and sacred sites. Another issue was the pursuit of Chinook fishing rights. Some Chinook

members stated that, as CIT chairman, Mr. Mechals had been too single-focussed on the timber policy on Quinault Reservation and had not paid enough attention to these other matters. It was Mr. Tarabochia's opinion that Mr. Mechals had pursued these issues reluctantly, and only when forced to do so by the Chinook membership. Another issue that was raised by Mr. Tarabochia and some of his political supporters during the 1994 election was the disposition of income from Chinook Indian Bingo, a small business that was started by several Chinook descendants for the purpose of raising funds for the CIT. Much of the initial capital for the business was contributed by Mr. Mechals. Mr. Tarabochia believed that Mr. Mechals was profiting personally from the business more than he should. The Washington State Gambling Commission conducted an audit and did not find any illegalities or serious management problems. Nevertheless, the issue of the bingo business was used effectively to help unseat Mr. Mechals as chairman.

Since Mr. Tarabochia was elected chairman, the CIT has organized several committees which were functioning in 1995, at the time of the BAR anthropologist's site visit. At that time, other council members included: Dick Basch (Vice-Chairman); Elmer Wilson, Jr. (Secretary-Treasurer); Gary Johnson (councilman); Cliff Snider (councilman); Darlene Brueher (councilman); Leda Anderson (councilman), Fred Lagergren (councilman), and Jean Shaffer (councilman). The council members are elected to three-year terms.

Most of these council members also provide leadership for one of the following CIT committees: cultural affairs, business, communications, social, enrollment, and planning. Some of these committees had only existed since about 1993, but they had all been very active in 1994 and 1995. For example, the business committee had successfully established that Chinook Indian Bingo was a CIT enterprise, had made an investigation into how the income was being spent, and made suggestions to ensure that the CIT was getting its proper share. The cultural affairs committee was engaged in a Chinook language reconstruction project, was cooperating with state archaeologists on an Indian site at Cathlapootle, and was working to protect a Chinook Indian grave site at Dahlia, among other things. The planning committee had devised a strategic development plan for the CIT to follow. The membership committee has worked to make the enrollment process more rational and consistent. The communications committee publishes a quarterly newsletter, which is sent to each Chinook household.

In 1995 and since, the CIT has held monthly council meetings. The attendance at the meetings varies with their location. Meetings held in the town of Chinook (where the CIT headquarters is located) draw an average of 20 to 25 participants. Monthly meetings held in Bay Center were estimated to have between 50 and 70 participants. During the BAR anthropologist's 1995 field visit, approximately 100 members attended the monthly meeting at Bay Center. Also during that visit, the CIT held a potlatch to honor some of their elders. This potlatch was arranged on short notice; in spite of this, approximately 200 people (most of them were Chinook descendants) were present at the potlatch held at the CIT headquarters in Chinook, Washington (the old Chinook grade school), some of them coming from as far away as Bellingham. Jean Shaffer stated that she had used the

Chinook Newsletter mailing list to notify everyone of the potlatch, targeting those on the list who lived nearby in Washington and Oregon. The 1996 annual meeting was attended by at least 159 voting members, since that was the number of votes cast in the election to recall the chairman (44 in favor of removal and 115 against).

In 1995, both the Shoalwater Bay Indian Tribe and the Quilleute Indian Tribe passed resolutions supporting the petitioner's request for acknowledgment. Quinault Nation submitted a brief opposing the acknowledgment of the CIT. None of these submissions contained any new evidence regarding whether the CIT has continuously existed as an Indian tribe.

THE CHINOOK INDIANS PRIOR TO FIRST SUSTAINED CONTACT WITH NON-INDIANS

The petitioner, the Chinook Indian Tribe, consists mostly of descendants of Lower Chinook Indians, and other lower Columbia River Indian bands, whose leaders participated in negotiations for the Tansey Point Treaties in August, 1851. These treaties were signed by Indian representatives and representatives of the Federal Government, but were never ratified by the United States Senate. Even though the treaties were never ratified, the decision by the Federal Government to negotiate a treaty with the Lower Chinook leaders demonstrates that the Government believed the Lower Chinook Indians were a tribal entity at the time of the negotiations. Also in 1851, there was a census of Indians along the lower Columbia River. While there are earlier mentions of specific Chinook Indians and their villages, for example, in the journals of early explorers and the records of the Hudson's Bay Company, the treaty and the censuses of 1851 represent the earliest systematic data on Indian families and their settlements that are available. For these reasons, this anthropological report, after a brief introduction, focusses primarily on Chinook history, beginning with the year 1851. For a fuller discussion of Chinook prehistory and the history of the early contact period, the reader should refer to the BAR historical report.

At the time the Government negotiated the Tansey Point Treaties in 1851, the Lower Chinook Indians had already suffered several major epidemics of small pox and other contagious diseases brought by European settlers. These epidemics greatly reduced the Indian population along the lower Columbia River. At a meeting of the Indian Claims Commission, Archaeologist Herbert Taylor stated that, by 1832, the Chinook Indians had been so exposed to diseases from non-Indians, that there was no Chinook tribe left. At that point, there were just "a few hangers on" (Meriwether 1971c; Petition Exhibit #76). In 1806, Lewis and Clark estimated that there were 1,100 Chinook Indians. By the time the treaty was negotiated, and the first census was taken, the Indians remaining were only a fraction of those who lived there previously. Gibbs counted only 66 Chinook Indians (32 men and 34 women) on the Columbia River, and 34 on Willapa Bay, in 1854 (Gibbs 1855, 435; Petition Exhibit #6).

Anthropologist Leslie Spier wrote: "It seems preferable for the time being to separate Chinook proper from the Chinookan triblets of Willapa Harbor. I have listed the latter with the coastal tribes, under the collective title Shoalwater Chinooks" (Spier 1936). He concluded, with Gibbs, that the southern half of Shoalwater Bay had at one time been the Chinook Indians' principal winter quarters. He notes that Edward Curtis, the photographer and ethnographer, recognized the Chinook territory as reaching as far north as Nemah on the mainland and Nahcotta on the peninsula. The north end of Shoalwater Bay, he says, belonged to the Shoalwater Salish (Spier 1936,29-31). By "Shoalwater Salish," Spier was probably referring to the Chehalis Indians who were living on Shoalwater Bay. Verne Ray held a different opinion, stating that even the north end of

Shoalwater Bay had once belonged to the Chinook Indians, but that their numbers had dwindled by 1850, and the Chehalis had started moving in (Ray 1938, 36). Of the Shoalwater Chinooks, Spier listed the following five divisions: Nemah, at the present site of the town by the same name; Nisal, a group that formerly lived on the Naselle River; Killaxthokle, only known by a reference through Lewis and Clark's notes; Gitlapshoi, a group of Chinook Indians living at Sealand, about a mile north of the town of Nahcotta; and Tsa'djukkw, the long peninsula between Willapa Bay and the sea, from the mouth of Shoalwater Bay, south to Cape Disappointment (Spier 1936).

The 1851 Tansey Point Treaties were signed by Indian leaders from several "bands" along the Lower Columbia River. Based on the available data, the Indians who signed the treaty probably lived in villages within these territories at the time of the treaty (that is, in 1851). This does not mean, however, that the Indians lived exclusively in those places, or even that those territories were the exclusive use area of the members of the bands identified in the treaty, since the Indians of the lower Columbia, like those of western Washington generally, had extensive kinship relationships based on the principle of language group exogamy. This marriage pattern resulted in opportunities for migration, from one village, and even one territory, to another, to exploit natural resources available at different times of the year (seasonal migration), as well as in times of prolonged economic hardship and external social pressures (for example, the settlement of non-Indians in the region).

The bands and their territories, as identified in the treaty, are demarcated on Maps #1a and #1b. The Indian bands on the north shore of the Columbia River (in what would become Washington State) participating in the Tansey Point negotiations include the following: the Lower Chinook Band, the Waukikum Band, and the Konnaac Band. The bands on the south side of the Columbia River (present-day Oregon) were the Clatsop, the Naalem Band of Tillamooks, the Lower Band of Tillamooks, the Nuc-que-cluh-we-nucks, and the Kathlamet Band.[1] Of these treaty bands, only the Clatsop, the Wheelappa, the Waukikum, the Kathlamet, and Lower Chinook have descendants on the Chinook petitioner's membership list, so only those bands will be discussed in this report. There were a few Tillamook descendants who became part of the Indian communities at Chinookville and Bay Center, but they do not have descendants on the petitioner's membership list.[2] There is no record of what happened to the modern-day descendants, if there are any, of the Nucquecluhwenuck or Konnaac bands.

It is doubtful that the "bands" designated in the Tansey Point Treaties were discrete political units. However, when the United States treaty negotiators tried to arrange a single treaty for all of the Indians in the region, they Indians refused to comply. Instead,

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[1] Additional "bands" signing treaties at Tansey Point in August 1851 were: 1) Quillequeoquas; 2)Wheelappas; 3) Klatskania Band of Chinooks; 4) Twality Band of Kalapooya.

[2] Most of the Tillamook Indians moved to either Siletz or Grande Ronde Reservation.

they grouped themselves into "bands," probably on the basis of shared language, geographical proximity, and pre-existing, occasional ad hoc alliances. It is probable that the Lower Chinook leaders who negotiated and signed the treaty functioned in the role of village headmen or headwomen. According to the description provided by Catherine George and Julia Russell in 1902, the villages were independent, each with its own headman (Catherine George and Julia Russell, 1902 testimony for the Chinook Indian land claims case). As can be seen by comparing the treaty signers' names with the 1851 list of villages and headmen, not all headmen alive in 1851 signed the treaty (see Table 1). Why so many headmen did not sign the treaty is not known.

There is much confusion in the literature as to whether or not the Indians of the lower Columbia River were a single "tribe" at the time of first sustained contact with non-Indian settlers. Some writers point to Chief Comcomly (d. 1830), a Chinook Indian, whom they say was a political leader for all of the Indians along the lower Columbia River as evidence that the lower Columbia River Indians were a single tribe. For a brief period after first sustained contact, the Indian villages along the lower Columbia River may have been unified under Comcomly's leadership. But before and after that period, the basic political unit was the village. The Federal Government has treated with and has recognized Indian villages as "tribes." According to the regulations governing the Federal acknowledgment process, tribe is defined as "any Indian or Alaska Native tribe, band, pueblo, village, or community within the continental United States that the Secretary of the Interior presently acknowledges to exist as an Indian tribe" (25 CFR §83.1).

Added to the confusion about type of political organization present among the lower Columbia River Indians is the issue of language group classification. In the Handbook of North American Indians, anthropologist Michael Silverstein indicates that there were two distinct languages along the Columbia River, Upper Chinook and Lower Chinook. According to this scheme, Kathlamet, Waukikum, and Konnaac band members spoke varieties of Upper Chinook. Linguistically, they were more closely related to the Upper Chinooks around The Dalles. On the other hand, Lower Chinook was spoken by members of the Lower Chinook Band and the Clatsops. It should be noted that "Chinook jargon" was a trade language, and is not the same as Lower Chinook. As a trade language, Chinook Jargon's grammar and vocabulary were a mixture of Northwest Coast Indian languages and non-Indian languages.

Many people assume that the area where a particular language is spoken is coterminous with an Indian tribe. A variation of this way of thinking is that a person's tribal affiliation can be determined by the Indian language they speak. In some parts of North America, where Indians practiced village or language group endogamy (marrying someone from their own village or language group) this may have been true. But this was not the pattern for Indians living in the Northwest Coast culture area. In the Northwest Coast area, the Indians usually married someone from a village other than their own. Even more surprising to some is the fact that the Indians in this area were just as likely to marry someone who spoke a different language. This was not just a matter of speaking a

different variety of Lower Chinook, but of speaking a language that derived from a completely different language stock. In this region, it was common, for example, for Waukikum Indians (Upper Chinook speakers) to marry Cowlitz speakers and for Lower Chinooks to marry Chehalis speakers. Charles Cultee's paternal grandmother spoke Clatsop, but his paternal grandfather spoke Quillequeoqua (the Chinook called them "Tinneh"), which is a language of the Athabaskan language stock. To overcome language barriers, most Indians in the region were multilingual.

Because many Indians of the Northwest Coast were multilingual (spoke more than one Indian language), language does not provide a simple answer to an individual Indian's tribal affiliation either. According to Boas, Kathlamet was the dialect of Upper Chinook that was spoken furthest down the Columbia River. Based on information provided by Charles Cultee, Boas stated that the Kathlamet language area extended from Astoria (on the south side of the Columbia River) and Gray's Harbor (on the north side) as far up river as Ranier.[3] This suggests that the Indians labeled as Waukikums, Konnaacs, and Kathlamets in the Tansey Point Treaties all spoke "Kathlamet." Charles Cultee was also an informant for Boas on "Lower Chinook" (which included Clatsop, in his classification), so Cultee spoke that variety of Chinook, as well. In addition to this, Boas noted that Charles Cultee's wife was a Chehalis Indian, and that Charles, and his children, were almost exclusively speaking Chehalis in their daily conversation. In fact, this was not a recent phenomenon. Chehalis was the dominant language among the Chinook and other Indians living on Shoalwater Bay since at least 1852, when James G. Swan resided in the area (Swan 1857, 306).

Whatever may have been the case aboriginally, at the time of the 1851 treaties, the Indians at the mouth of the Columbia River were living in separate villages or family compounds, and were organized under the leadership of village headmen. While each village had its own headman/woman, these bands interacted with each other, both socially and politically. The social and political ties between villages are evidenced by potlatches, inter-marriage, and patterns of migration. Based on his interviews with Chinook informants, Verne Ray wrote that the village was the largest political unit among the Chinook Indians aboriginally (Ray 1938, 35). Ray based his opinion, in part, on the 1819 description of Franchere, who wrote that "All of the villages form so many independent sovereignties . . . Each village has its chief but that chief does not seem to exercise a great authority over his fellow citizens" (Franchere, quoted in Ray 1938, 55). Usually the position of village headman was passed from father to eldest son, though sometimes other principles were involved. Ray noted that the Chinook chief, Comcomly (d. 1830), had two wives, one Scappoose, the other Chehalis. All things being equal, the older son was

[3]Cultee named the following "tribes" as speakers of Kathlamet: 1. Wa'qaiqam of Gray's Harbor; 2. La'cgEnEmaXix (about opposite Cathlamet, on the north side of the Columbia); 3. Kla'ecaLxix (present town of Cathlamet); 4. La'qaLala (3 mi. above Oak Point, on the north side of the Columbia; 5. Lcta'mectix (½ mile below the mouth of the Cowlitz River); 6. Teiaqiotcoe (3 miles above Oak Point); 7. KLa'gulaq (two miles below Ranier); 8. KLa'moix, (at present day Ranier).

usually chosen to follow his father as headman. When Comcomly died, however, his younger son, qatqos (commonly spelled Cutcose), by his Chehalis wife, became the chief of the Chinook Indians at Qwatsamts. The younger son was chosen because the Chehalis, Ray wrote, were considered to be more upper class than the Scappoose.

Ray wrote that the village headman selected his or her own war chief. He or she also had the power to appropriate the property of others. Each headman also had a spokesperson, since it was not considered proper for the chief to address commoners directly. Sometimes there was conflict between the headmen of larger villages for dominance over the smaller settlements that lay between them. There were no inter-village councils, in Ray's opinion, though he suggested that villages that were close to each other were more likely cooperative than not. It was the responsibility of the chief to hear, judge, and settle disputes. Blood money was paid in serious cases. Fines were also imposed to settle minor disputes (Ray 1938, 55-58).

Ray was also of the opinion that the Clatsop, Chinook, Shoalwater Chinook, and the Kathlamet were "a single ethnic unit." While it is true that they shared relatively common cultural and economic patterns, and intermarried, these groups did not share a common, overarching political structure. In Ray's opinion, the Indians in these groups shared a common culture, but were not a single Indian tribe.

The map of William A. Slacum, dated 1836, provides the locations of several Indian villages (Petition Exhibit #3). The following description locates the villages beginning at the mouth of the Columbia River, and proceeding upriver. Each village is represented by a number of Indian lodges. It is not known if Slacum intended these to represent the precise number of lodges in each village. Perhaps they indicate the relative size of each village. The village of Chenamus (two lodges), was located on the west bank of the Chinook River, at its confluence with the Columbia. Chinook Village (four lodges) was above that point, just west of "Barrow Hill," later known as Scarborough Hill. There was also Gray's Village (two lodges, where the modern village of Altoona[4] is located), located on the east bank of Gray's River. Immediately above that was Pillar Rock Village (two lodges, modern Dahlia; see footnote below). Just above that was Scummaques' Village (three lodges, modern Brookfield). This is about 3 ½ miles from the modern town of Skamokawa, which was named for the headman. All of these villages were on the north shore of the Columbia River, below "Kathlamet Island" (today, Tenas Ilahee) and Puget Island. Just above Puget Island, on the south bank of the Columbia River, was Oak Point Village (three lodges). In 1841, Captain Wilkes estimated that there were about 209 Chinook Indians, and about 300 at Pillar Rock, Oak Point, and other points further up the Columbia River. A map published in 1844 by Duflot de Mofras indicates the same Indian villages on the north bank of the Columbia as noted by Slacum in 1836.

[4]There is no known historical continuity between the Indian villages noted here, and the predominantly mixed-blood Indian settlement that later developed at Dahlia.

Beginning from the mouth of the river, they were: "Indiens Chenamus," "Indiens Chenook," "Village de Gray," "Roche du Pilier," and "Indiens Scummaques" (Petition Exhibit #314). On the south bank of the Columbia, on Point Adams, the map notes the presence of another Indian village with the designation "Indiens Clatsop."

THE 1850's: THE CHINOOK INDIANS AT THE TIME OF THE TANSEY POINT TREATY NEGOTIATIONS

In January 1851, George Gibbs made a census of Chinook Indians who were living in villages along the Columbia River, from the Cowlitz River to the sea. He submitted the census to Robert Shortess, Indian agent. He counted 14 heads of household with a total population of 171 Indians, including 135 Chinook Indians and 36 slaves. Of the 135 Chinook Indians, 99 were full-bloods and 36 were half-blood Indians. It is significant that the census was taken in January, when most of the Chinook Indians would have been living away from the Columbia River's shore, toward the interior on Shoalwater Bay. This means the count is lower than it would have been if it had been taken during the Spring or early Summer. The information in Table 1 is based on Gibbs' 1851 census (Petition Exhibit #439). As can be seen from the data in Table 1, the Chinook Indians were still somewhat dispersed in January 1851, with the largest settlement at Chinook. One-half of the heads of household listed lived at Chinook (7 of 14).

Unscientific phonetic transcriptions make it difficult to compare the names on the January 1851 census and the August 1851 treaty signers (see Appendix A for all the treaty signers, listed by band). Only five of the fourteen family heads in the January 1851 census can be positively identified as signatories to the Tansey Point Treaties of August 1851. Phonetic comparison of some of the leaders' names and the areas that were ceded through the treaties signed suggest some other possibilities as noted in Table 1. It is possible that several of the Indians in the January 1851 census may have chosen not to participate in the negotiations. They could have been sick or may have died (they have no known descendants since 1851). It is also possible that they felt they were represented by the men who went to the treaty negotiations. Also, there are many Indians that did sign one of the August 1851 treaties who were not listed in the January 1851 census. That could be because of seasonal migration (many Chinook families lived on Shoalwater Bay during the winter), or it is possible that Gibbs simply missed them in the census.

In addition to the male Indian heads of household included in Gibbs' 1851 census, he listed eleven Chinook Indian women who had married pioneer men. Living in the Wahlamet Valley were "Mrs Loucier" (Julia Aubichon Luscier), "Widow Perow," "Mrs. Charle-fou" (unknown), "Mrs Bilecq" (Genevieve St. Martin Belleque?), and "Mrs. Frederick (unknown)." "Mrs. Kipland" (unknown) was living at Cape Disappointment, as was "Mrs. Scarboro" (a.k.a. Am-e-a-wauk or Elizabeth Ann Scarborough). "Mrs

Hubbard" (Marie Saint Martin Hubbard?) was living at Chehalem. Mrs. Shortess and Widow Lattie were living at Astoria.

In 1851, most of these women were living in the Wahlamet Valley, far removed from Chinook territory. By 1870, however, several of these Chinook women, and/or their descendants, were living back in the area, returning with their non-Indian husbands to their homeland. Chinook women listed by Gibbs, who returned to the area, or have descendants who did, include: Marie Marguerite (wife of Etienne Luscier); Elmermach (also known as Mary Ann; wife of Alexis Aubichon); Ec-le-sic (a.k.a. Amelia; married twice, first to Urbaine Hiroux [later spelled "Ero"],

TABLE I
CHINOOK INDIAN VILLAGES IN 1851

Village	Heads of Household	Signed an August 1851 Treaty?
Wah-kia-kum	1. Skemaque-up	Yes; (Skumahquea, Waukikum Band)
Pillar Rock and Woody Island	2. To-tilli-cum	Yes; (Totillicum, Kathlamet Band)
Tenas Ilahee Island	3. Tk'hlone	not sure; (possibly Klahan, Waukikum Band)
Oak Point	4. Sa-ka-nickt	not sure; (possibly Sycumnicks, Konnaac Band)
Oak Point and WappatooVillage	5. T'ma-ma-wote	not sure; (possibly Tahmy ninnus, Konnaac Band)
Yellow Bluff	6. Ozrow	No
Yellow Bluff	7. Whilept	No
Chinook	8. Elawah (Ilwaco)	not sure; (possibly Elaspah, Lower Chinook Band)
Chinook	9. Tit-dau-an	No
Chinook	10. Amoos-amoos	Yes; (Ahmoosemoose, Lower Chinook Band)
Chinook	11. Nah-cutte	Yes; (Nahcotta; Lower Chinook Band)
Chinook	12. El-y-eh	No
Chinook	13. Cha-lot	No
Chinook	14. Ta-ma-nu-us	not sure; (possibly Tahmy ninnus, Konnaac Band)

Source: January 1851 census by George Gibbs (Petition Exhibit #439).

and second to Pierre Durival). All of the women who moved back to the area have descendants on the petitioner's membership list. Some descendants of Mrs. Belleque became affiliated with the Chinook Nation, during the later 1950's. There are some Belleque descendants on the petitioner's current membership list (1995).

One of the Chinook Indian women listed by Gibbs whose family continuously lived in Chinook country was Am-e-a-wauk (a.k.a. Ann Elizabeth), the wife of James Scarborough. James and Ann Elizabeth lived together on the Columbia River at Scarborough Hill, near the Indian village of Chinookville. They both died at relatively young ages, but their children continued to live in the area and their descendants tended to marry Indians from other tribes. Some of the Scarboroughs were closely tied to the Cowlitz Tribe, since Ann Elizabeth also had some Cowlitz ancestry. There were also some Scarboroughs who affiliated with the Lummi Tribe.

According to the January 1851 census of the Clatsop Tribe recorded by George Gibbs, the Clatsops had 72 Indians (54 full-bloods, 18 half-bloods) and 8 slaves (Petition Exhibit #400). Most of the names that he included in the census as full-blood heads of household are familiar as signers of the Clatsop's 1851 treaty, or from earlier historical documents. The names in the 1851 census included Ko-teh-teh, Tous-tow, Tun-kul, Washington, Elasso, Ka-hauteh, Wa-sul-sul, The-shock, Wa-tut-hum, Twa-letsl, Wun-na-woks, and Wulket. In regard to the residence of those who continued to live in the exclusively Indian settlement, Gibbs wrote: "Clatsop and Tansey Points in summer, at the Neahcoxie and elsewhere in winter." This reflects the seasonal migration pattern of the Clatsops. Later, Boas would note that the Clatsop descendants alive in the 1890's had all adopted the Tillamook language due to their intermarriage with the Tillamook Indians from the Neacoxie River area.

In addition to the Indians who were still living in exclusive Indian settlements, there were the following Clatsop women who had married white men: Mrs. Smith [Celiaste Coboway Smith], Clatsop Plain; Mrs. Edmonds ['Tonwah' Pickernell], Baker's Bay; Mrs. LaBonte [Marguerite 'Kilakotah' Coboway LaBonte], Wahlamet Valley; Mrs. Jervay [Marguerite 'Yiamust' Coboway Gervais]; and "the children of Mr. Tibbetts" [Calvin Tibbetts married a Clatsop Indian woman named Louise], Clatsop Plain. Of these, only Celiaste Smith has a significant number of descendants on the petitioner's membership list. She and her family were residing at Clatsop Plain in 1851 and many of them have continued to be associated with that area over time. Emeline Pickernell was living on Baker's Bay (the Wallicut River), on the north side of the Columbia River. She has a few descendants on the petitioner's list, but most of the Pickernell descendants are members of Quinault Nation and are not on the petitioner's list. Mrs. LaBonte and Mrs. Gervais were living in the Wahlamet Valley in 1851. Their descendants have never affiliated with the petitioner or its precursor organizations.

The Tansey Point Treaties

In August 1851, the Tansey Point Treaties were negotiated with eight bands of Indians from the Lower Columbia River. The Tansey Point negotiations were aimed at getting Indians in the vicinity of the lower Columbia River to relinquish aboriginal title to their lands. As a matter of their own convenience, the United States Government treaty negotiators attempted to have all of the Indians from the region (north and south of the Columbia River) sign one single treaty for all of the land that the Government proposed to purchase. The Indians refused this offer. Instead, the Indians offered to sign separate treaties, perhaps allying themselves with headmen from their own and neighboring villages. The "bands" may have been formed along lines of linguistic similarities, former alliances, or some other criteria. But there is no evidence that the "bands" designated in the treaties existed as political entities prior to the treaty negotiations. Instead, the early explorers, settlers, and later Chinook informants, described a situation in which each village was politically autonomous.

The Clatsop leaders were the first to sign their treaty, on August 5, 1851. There were a total of eleven signatories for their band. Of these, Tostow, Catala (Cotata), and Washington had descendants who became part of the Chinookville and Bay Center Indian communities by 1880. For example, Joseph Lane, the son of Washington, married Jennie Telzan, a Tillamook. Jennie, her son by Joseph, James Lane, Jennie's second husband, Bill Williams (also Indian), and Jennie's brother, Thomas Telzan were all part of the Chinookville and Bay Center Indian communities from as early as 1880 to at least 1920.

Another Clatsop alive at the time the treaty was signed who left descendants in the Bay Center community was Kulhalah (male). Kulhalah's daughter, Mary, married twice; first to Yankee Jack (a Chehalis Indian; Milroy 1878), and second to Pete Wagner (non-Indian?). Mary and Yankee Jack had a son, Lincoln. Lincoln appears variously in the written records as Lincoln Jack and Lincoln Lewis. He married Hattie George, a daughter of George and Maggie Skamock (Wahkiakum Indians). Hattie and Lincoln Lewis raised a family in the Bay Center community.

Bob Silackie (the variant spellings are myriad) was also a full-blood Clatsop who was also part of the Bay Center Indian community and who has descendants on the Chinook petitioner's membership list. Bob Silackie's mother was Tostow's sister (Tostow, also known as Tosetum, was Clatsop chief from about 1851 to 1876, Petition Exhibit #49). Bob's children tended to marry into the Bay Center Indian community, while some of their descendants married Bay Center Indians or Indians from other tribes. For example, Bob's daughter, Belle, married Joseph George (son of George and Maggie Skamock); daughter Agnes married Jesse Jack James (Chinook descendant and original Shoalwater Bay Reservation allottee); another daughter, Lizzie, married Albert "Doc" Riddell (listed as "Indian" in 1910 census of South Bend). Bob Silackie's son, Silas, married Nina Lane, also a Clatsop descendant (daughter of Jennie Williams and Joseph Lane). Tostow was the father of Kate Tostow (born ca 1851; d. 1926), who married Henry W. Jurhs (non-

Indian). Thus, Kate Jurhs and Bob Silackie were cousins. She was enrolled by McChesney in 1906, at which time she was living in Warrenton, Oregon.

Aside from Bob Silackie, there are only a few other Clatsop Indians who have descendants on the Chinook petitioner's 1995 membership list. These include two daughters of Chief Cobaway (about 2% of 1995 membership), Grace Tibbetts Sorter (not a full-blood; about 1% of the 1995 membership), and George Taltrich (less than 1% of 1995 membership). The most significant of these Clatsops (in terms of numbers and participation in Chinook affairs since the 1970's) was Chief Cobaway's daughter, Celiast. who married Solomon Smith. Most of the Clatsop descendants on the Chinook membership list, who do not have late 19th century marriage or geographical community ties to the petitioner, are descendants of Celiast Cobaway. None of Celiast's sisters had descendants on the petitioner's 1953 membership applicants list (Petition Exhibit #137). There are some descendants of Celiaste's sister, Marguerite (a.k.a. Kilakotah), and Marguerite's third husband, Louis LaBonte, on the 1995 membership list. As far as is known, they did not maintain social or political relations with the petitioner continuously since treaty times, and have become members only recently. Perhaps this is because they left the aboriginal area at an early date, whereas Celiast and Solomon Smith, and many of their descendants, have lived continuously in the Clatsop Plain area from the late 1800's to the present.

The Waukikum Band of the Chinooks signed their treaty on August 8, 1851. Eight heads of household signed the treaty on behalf of the Wahkiakum Band, including Skumahquea. Skumahquea had been given a medal by Lewis and Clark in 1805 (Ray 1976, 138). In Gibbs' January 1851 Indian census, only Skumahquea was listed as a family head at the village of Wahkiakum. The fact that seven other Indian male family heads were living in Wahkiakum village in August could be a result of the traditional seasonal migration patterns, with the Indians migrating to the Columbia River in the summertime to fish, and living on Shoalwater Bay in the winter. Whatever the reason for their presence in August 1851, seven additional Indians, as representatives of the Wahkiakum Band, signed the treaty along with Skumahquea. Skumahquea, through his son George Skamock, is the only Wahkiakum Indian treaty signer known to contribute descendants to the Indian community at Bay Center and to the petitioner's membership list. George Skamock was an original allottee on Shoalwater Bay Reservation. He and his wife, Maggie, and his children were also allotted on Quinault Reservation.

The Kathlamet band had seven heads of household who signed their treaty on August 8, 1851. The first to sign was Totillicum, who was listed in Gibbs' January 1851 census as the only family head living at Pillar Rock/Woody Island. It is possible that Totillicum was the only headman left in his village in January 1851, when Gibbs gathered data for his census. Perhaps the other six family heads were wintering on Shoalwater Bay or at some other location. But Totillicum does seem to have been preeminent among the seven treaty signers, judging from the fact that he was the first to sign the treaty. Totillicum

does not have any direct descendants on the petitioner's membership list. His line died out before 1906 (McChesney 1906).

Totillicum's brother, Klowsum, was the father of Sam Millet, who was a prominent figure in the Chinookville and Bay Center Indian communities until his death in 1913. Sam Millet was married to an Indian woman named Esther (Kathlamet and Cowlitz descent, daughter of Karmlele). Sam and Esther's daughter, Emma Millet, was married three times producing a number of offspring, some of whom have descendants on the petitioner's membership list. Sam Millet was an original allottee of Shoalwater Reservation, and he and his family were also allotted at Quinault Reservation. Klaloo, who was another brother of Klowsum, was the father of Yesesta (a.k.a. Elizabeth) who married twice, first to Antone Baricho (non-Indian), and second to Frank Springer (non-Indian). Several of Elizabeth's children have descendants on the petitioner's membership list. According to Sam Millet, the family lines of most of the Kathlamet headmen who signed the 1851 treaty died out by 1906 (see McChesney Roll 1906, Statement #10).

Twenty heads of household signed the treaty for the Lower Band of Chinooks on August 9, 1851. Five of the Lower Chinook leaders who signed the Tansey Point Treaty have descendants on the membership list of the petitioner: Comcomly II, Ahmooseamoose, Quewish, Huckswell, Yahwisk. Fifteen of the Lower Chinook treaty signers have no descendants on the petitioner's membership list, but some of them had siblings who do have descendants on the list. The following discussion briefly outlines the main branches of the Lower Chinook Band families who were represented in the 1851 treaty, and their general connections to the modern Chinook petitioner.

Comcomly II, who signed the 1851 treaty, was not the same as Comcomly I, the chief who had the same name. Comcomly I died in 1830. Comcomly II was not listed by Gibbs as a family head among the Chinook Indians living at the village of Chinook in his January 1851 census. Perhaps he, like many others, was spending the winter months away from the Columbia River. Comcomly II had no living descendants in 1906, according to Sam Millet and Catherine George (McChesney 1906, Statements #10 and 16). However, there were some living descendants of Comcomly I, including Mary Rondeau, daughter of Kah-at-law and Louis Rondeau (non-Indian). Also known as Margaret Chinook, Kah-at-law was Comcomly I's daughter, who died circa 1834, soon after her daughter, Mary, was born (circa 1826) near present site of Salt Lake City, Utah. Mary Rondeau was raised at Fort Vancouver by James Douglas and Peter Skene Ogden (see McChesney 1906, Statement #46). Mary Rondeau's grandfather, Comcomly I, also died soon after her birth (circa 1830).

Mary Rondeau married a total of three times, and produced many descendants on the petitioner's membership list. Mary Rondeau married Rocque Ducheney in Vancouver but moved to Chinookville by 1844, when Rocque was put in charge of the Hudson's Bay Company Store there (Anonymous 1899; Petition Exhibit #86). Rocque Ducheney purchased the Scarborough donation land claim, which included all of Chinook Point, in

1856.[5] The prolific Elliott family on the petitioner's membership list descends from one of Mary Rondeau's daughters. Many of the Elliotts have allotments, or interests in allotments, on Quinault Reservation.

Quewish, a Lower Chinook treaty signer, was also a son of Comcomly I and his Upper Chinook wife (Multnomah Tribe?). Quewish had a daughter named Wahpooza, a.k.a. "Sallie," according to Sam Millet (see McChesney 1906). Wahpooza's daughter, Caroline (born circa 1866), married George Charley (born circa 1864), a Chehalis Indian. In 1889, George Charley succeeded his father, "Lighthouse Charley" Matote, as the chief of the "Shoalwater Bay Indians," according to a paper signed by the Indian agent which designated him as such. George Charley was a well-established leader for the Indians of the Bay Center and Shoalwater Reservation Indians from 1889 until 1929 (George Charley died in 1935). His authority over Indians living along the Columbia River is less well-defined, and was certainly less immediate. Caroline and George Charley produced a long line of Charley descendants who have affiliated with several tribes, including Quinault Nation and the Shoalwater Bay Indian Tribe, as well as the Chinook petitioner. Roland Charley, one of their older sons, was prominent in the Bay Center Indian community, and served as Chairman of the Chinook Tribes, Inc. council from 1953 until his death in 1958. His daughter, Myrtle (Charley) Landry also served on the Chinook Tribe, Inc. council between 1955 and 1957. Myrtle Landry was also nominated to serve on the Chinook Indian Tribe council in 1970. On May 22, 1971, Myrtle Landry signed a certificate of election results for the Shoalwater Bay Indian Tribal Organization, which was sent to the Commissioner of Indian Affairs. One of Caroline's brothers (probably a half brother - same mother, different father) was Matthew John, who was also living in the Bay Center Indian community in 1906. Most of George Charley's descendants are on the roll of the Shoalwater Bay Indian Tribe, while a few are on the petitioner's membership list.

Ahmoosemoose was another Lower Chinook who signed the 1851 Treaty. He was included by Gibbs in his January 1851 census of Indian family heads living at Chinook. Ahmoosemoose had two daughters. Kate Ahmoosemoose married John Walkowsky (non-Indian), and they raised a large family in Oysterville from the early 1890's to at least 1920 (see United States Census, 1920). Ahmoosemoose's other daughter, "Looks," married a man surnamed Hyasman. Their son, Frank Hyasman married an Indian woman, and they were both allotted on the Quinault Reservation, as were Kate Walkowsky and several of her children. According to Chinook oral history, Kate Walkowsky participated in Chinook council meetings in the 1920's and 1930's, which were held in South Bend, WA, under the leadership of Myrtle Woodcock. Kate and her children were allotted on Quinault Reservation. Kate Ahmooseamoose Walkowsky has descendants on the petitioner's membership list.

[5]This is according to a newspaper article found among the personal papers of Anna Elliott Koontz, who was the secretary for the Chinook Nation from 1953 into the 1960's.

Yahmants signed the 1851 treaty for the Lower Chinook band. He was the headman of a Chinook village on the Naselle River, and a slave owner (Ray 1938). He left no direct descendants; but his sister, Kahmuck, had a daughter named Julia. Julia was the mother of Alex Luscier and Sterling Price, who were part of the Bay Center Indian community. Alex Luscier eventually married Emma Millet (Kathlamet Indian, daughter of Sam and Esther Millet) and they have descendants on the Chinook petitioner's membership list.

Huckswelt (also known as Hawks and Tom Hawks), the Lower Chinook treaty signer, was married to a Chinook Indian woman named Catherine Wassequah. Catherine was the daughter of Wassequah (male), the brother of Elaspah, who signed the 1851 treaty. Tom and Catherine had three children, John, Josephine, and Adam Hawks. All three children married Indians and produced families of their own, who have descendants on the modern petitioner's membership list. Some Hawks family descendants continue to live in Bay Center to the present (1996). Tom Hawks was one of the original allottees at Shoalwater Bay Reservation, as were his sons Adam and John. Adam and John Hawks were also allotted at Quinault Reservation. After Tom Hawks' death (about 1886; see McChesney Roll Statement #16), Catherine married a Chehalis Indian named Wynooche George (Milroy 1878). Catherine and Wynooche had no children together, but they continued to live in the Bay Center community. Catherine had a half-sister (both women were daughters of Wassequah), also named Catherine, who married George Dawson (non-Indian). Catherine Dawson has no known descendants, on the petitioner's membership list or otherwise, but she was part of the Bay Center Indian community after her husband's death.

Yahwisk was a Lower Chinook who signed the 1851 treaty. Yahwisk's son, Tyee John (died ca1873), married Mary, a Chehalis Indian. Together they had five children, four sons and a daughter: Johnny John, Sampson John, Toney John, Jonas John, and Nellie John. All five of Tyee John's children were part of the Chinookville and Bay Center Indian communities from 1880 to at least 1906. Eventually, some of his descendants ended up living on Chehalis Reservation by 1906, while others remained part of the Bay Center community. Some of Tyee John's descendants (through his last two children only, Jonas and Nellie John) were on the Chinook Tribes, Inc. membership applicants list in 1953. Some of them are also on the petitioner's membership list at the present time.

There were several Lower Chinook descendants who were part of the Bay Center Indian community, but who have no known descendants with the petitioner. For example, Quewish had two grandchildren who were still alive in 1906. One of his grandchildren was Joseph Narcotta. Joseph was the son of Nahcotta, who was included in Gibbs' 1851 Indian census as a family head at Chinook. Joseph Nahcotta had not been heard from for some time in 1906 (McChesney 1906). Quewish's other grandchild was Paul Jones (son of an Indian named Jones), who married a Squaxin Island Indian woman named Kate. Kate and Paul Jones lived together for many years in the Shoalwater Bay region, from 1880 to at least as late as 1906 (the time of Paul's statement to McChesney - see Statement #6). They lived as part of the Chinookville and Bay Center Indian

communities. They have no known descendants, either on the petitioner's membership list or on the rolls of any recognized tribes.

Wahkuck, a Lower Chinook treaty signer, left no descendants. His sister had one son, James Julius, who was part of the Bay Center Indian community. James Julius has no known descendants on the petitioner's membership list or with any recognized tribes. His three children by Susan Quatanna were all dead by 1913, and he had no children by his other wife, Annie Gill. Wahqueon, a treaty signer, left no known descendants. But Wahqueon's sister, Willegas, had a son named Samuel Jackson who was part of the Bay Center Indian community. Similarly, Sukumtyee (a treaty signer) had a sister, Ahkiack. Her son, John Clipp, was a well-known member of the Bay Center Indian community. John Clipp was one of the original allottees on the Shoalwater Bay Reservation. John Clipp's granddaughter, Daisy Ford, lived at Georgetown with her Indian husband, Tom Walley, in 1906. John Clipp was also an adopted Quinault Nation member, and participated in the 1912 adoption council meeting.

There are a few signers of the Lower Chinook treaty who have descendants who are still living, but have become affiliated with other tribes, and have no known connection to the petitioner. One such treaty signer was named Kulchute. Catherine George said there were two men by this name (McChesney 1906, Statement #16). The older Kulchute died without issue and the younger one had a daughter named Tahshuck. Tahshuck married a man surnamed Smith, and their two children Maggie Smith and Edward Smith were living on Chehalis Reservation in 1906 (McChesney 1906). They have no known social or political relationship with the petitioner, and neither do their descendants.

Additional Data from the 1840's to the 1860's

There were several pioneer settlers on the north shore of the Columbia River about the time of the treaty. As early as 1841, a settler named John Douglas lived on the Peninsula on Willapa Bay.[6] About 1842, John Pickernell [a.k.a. John Edmonds] settled near the mouth of the Wallicut River. In 1846, James Birnie had moved to a town called Cathlamet, where a post office was established in 1851. He and John McLean, living at Oak Point, were about the only non-Indian residents between Chinook Point and the Cowlitz River (Ruby and Brown 1976, 215). In 1847, a Catholic priest started a mission, called Stellamaris, at Chinook Point. George Washington Hall was also living on Chinook Point. He is mentioned in the Lower Chinook Band's Tansey Point Treaty as a nuisance to the Indians and, in the treaty, it was agreed that he would be removed from the area. In 1852, Hall was chosen to serve as postmaster at Chinookville. About 1854,

[6]There is some evidence that John Douglas was the grandfather of William F. Garretson (Petition Exhibit #686). According to the Petition Exhibit, John Douglas married an Indian woman named Judith. They had a daughter, Mary Douglas, who married Francis Garretson, one of the survivors of the Bruce, a ship that burned on Shoalwater Bay.

Patrick McGowan purchased half of the Stellamaris mission's land from the priest, who was ready to abdicate the task of converting the Indians. By 1848, James Scarborough had established a farm at Barrow Hill (later known as Scarborough Hill), which was later patented to him under the 1850 Donation Land Act. Near the Scarboroughs lived a sailor named Edwards. At the place known today as Ilwaco, was the farm of James Johnson. With the exception of the priest and Patrick McGowan, all of these non-Indian pioneers married Indian women. Most of their wives were Lower Chinook Indians. John Edmonds Pickernell married Tonwah [a.k.a. Emeline], who had Chinook and Clatsop ancestry (see January 1851 Clatsop Tribe census by George Gibbs, where she is listed as Mrs. Edmonds).

Aside from Chinookville and Bay Center, another village in the 1850's that had a significant number of Chinook Indians was Bruceport, named for the ship "Robert Bruce" which burned on Shoalwater Bay on December 16, 1851. Some of the survivors decided to stay and make their homes along the bank, founding Bruceport (in 1854 named Bruceville). At least two of these men, John Riddell and Alec Milne, married Chinook women. The first generation of Riddell and Milne Indian children apparently grew up in Bruceport. Their descendants were associated with the Bay Center community. Other Indians who were later associated with the Bay Center community sometimes lived in Bruceport, as they followed available work harvesting oysters.

One of the best known settlers at the north end of Shoalwater Bay was James G. Swan, who lived near Bruceport for three years from 1852 to 1854, and left a journal of his experiences during those years (Swan 1857). He was familiar with the Indians on Shoalwater Bay and along the Columbia River. Swan described his first trip from Bruceport to Chinook Village, which occurred in June 1852, which involved sailing southward on Shoalwater Bay, past Long Island, to the mouth of the Bear River. Swan and his companions had to paddle the canoe up the river about three miles to a Mr. Wilson's house. From there, the travelers walked over the portage to William McCarty's house. From McCarty's house, they took a canoe further up the Bear River to George Dawson's home. Then Swan walked about nine miles to Chinookville, where the settlers and Indians were fishing. As he traveled the nine miles along the beach, he passed by James Scarborough's house, then the dwelling of the French Catholic Priest who had been at Chinookville for several years. Next he came to the village itself, which consisted of about 12 to 14 houses for Indians, and about the same number for non-Indians.

In January 1854, a census of the Indians living at Chinook Beach was recorded by George Dawson (Petition Exhibit #472). He was the secretary for one of the Indian treaty commissions, and married a Chinook woman named Catherine. After her husband's death, she went to live among the Indians at Bay Center. George Dawson listed 66 Indians, though it is difficult to match most of them to the Indians who signed the 1851 Treaty. One person of importance in the census was Elliwaugh (Ilwaco Jim), who was, Dawson notes, "considered the chief." Dawson did not state the tribal affiliation of the individual Indians at Chinookville in 1854, though he did broadly label them Chinook

Indians on the census. It is not known with certainty that they were all, in fact, Chinook Indians. Logically, it seems likely that they were the same mixed community of Chinook and Chehalis Indians that were there when James Swan visited in 1852.

Dawson also noted that perhaps three times this many Indians were present on the beach during the fishing season. In the winter time, most Chinook Indians in the region would have been on Shoalwater Bay. Dawson's assertion was confirmed by William H. Tappan, Indian Agent, who took another Indian census in September 1854. At that time, there were 128 Chinook Indians, 71 Shoalwater Bay Indians, and 41 Cathlamet Indians. In January 1855, another census by Tappan showed there were 10 families of Indians on Shoalwater Bay. There were also 151 Chinook Indians. Tappan's count of the Chinook Indians included 35 slaves and excluded the women married to non-Indian pioneers, like McClure, Robert Shortess, Solomon Smith, and George Washington Hall.

Based on George Dawson's 1854 census, the Annual Report of the Commissioner of Indian Affairs in 1854 stated that the Lower Chinook Indians, numbered approximately 120 individuals, living in six or seven settlements (COIA 1854, 129). The report characterized the settlements as being single family affairs. He described the village of Chinook as the largest, with about 66 people, and stated that they were highly intermarried with the Chehalis Indians. He also mentioned that the Chinook Indians had grounds on the southern shore of the Columbia River, opposite the mouth of the Cowlitz River. This last reference seems to pertain to the Kathlamet band, rather than the Lower Chinook. The report named four persons who claimed to be chiefs: Ske-ma-que at Wahkia-kum; To-tili-cum at Woody Island; E-la-wah (Ilwaco) at Chinook; and Toke at Shoalwater Bay.

According to Ray, Toke's village, known as Tokeland, was the principal seat of the Chinook Indians at the north end of Shoalwater Bay who went to the Columbia River just to fish for salmon in the Spring and Summer (Ray 1938; Petition Exhibit #161). In actuality, the Indians at the north end of Shoalwater Bay were a mixture of Chinook and Chehalis Indians who had intermarried by 1851. In the 1930's, ethnographer Verne Ray's informants[7] told him that the villages around Chief Toke looked to him for leadership (Ray 1938, 55-58). In 1854, the Commissioner of Indian Affairs (COIA) reported that small pox had been very severe at Tokeland during 1853, and very few Indians were still living there. During the Winter and Spring, small pox had spread rapidly along the coast as well, all the way north to Cape Flattery. There were numerous Indian houses at the south end of the Bay, on Long Beach Peninsula, that no longer had any occupants. The Willopahs, he considered to be nearly extinct, except for a few women who had married

[7]Ray used two informants, Isabel Aubichon Bertrand (born 1843; d. 1933) and Emma Millet Luscier (born circa 1867, d. after 1953). According to Ray, Isabel Bertrand spoke no English. Her daughter, Catherine Bertrand Riggs, had to interpret for her. Isabel Bertrand was living in Portland as early as 1906. Ray did not state what language she was speaking (whether Chehalis, Chinook, Chinook jargon, French, or some other). Emma Luscier was Ray's principal informant.

Chehalis men. Isaac Stevens estimated that there were 66 Indians in the Lower Chinook band and about 50 in four other bands. Of the 66 Chinook Indians, one married a Cowlitz woman, the rest were married to Chehalis Indians (COIA Report 1854, 249; see also Gibbs 1855).

1902 Land Claim Testimony Describing Chinook Villages about 1851

The 1902 testimony of Catherine Hawks George and Julia Green-Russell (Chinook and Chinook-Clatsop descendants, respectively) in the Chinook land claims case against the United States provides a supplemental data for understanding the Chinook Indian settlements that existed about the time of the 1851 Tansey Point treaties. In their testimony, they described the location of villages in the aboriginal Chinook area at the time of the 1851 treaty, and named the leaders of each village. In summary, they estimated there were 185 Indians living in 37 houses. At the mouth of the Chinook River was the village of Chinook, which was under the leadership of Comcomly, the son of Tatoosh. At Chinook, there were a total of 10 dwellings, with about 40 people residing there. There were two separate clusters of four houses each and one grouping of two houses. Qwatsamts village had 40 people living in four houses under the leadership of Kulchute. Also living at the mouth of the Chinook River, there were 10 people in four houses under Nahcotta's influence. Further up the Columbia River, at Grays Bay, there were 20 Wahkiakums and Kathalmets under Selawish (his wintering place was on the Nemah River). On the Nemah River, there was a permanent settlement of one home, with 20 people living in it, under the leadership of Tletah. On the Naselle River, there was a settlement consisting of seven homes and 40 people under Quewish. On Willapa Bay there were 35 Chinook Indians who lived in two villages, one led by Seyehkehul, the other by Kanqualth.

Tribal Identity among Chinookan Indians: 1860 to 1900

Charles Cultee, Sr. (born circa 1830) can be used as an example of how language group exogamy and migration patterns complicate tribal identity and affiliation in this region. Based on the available data, the case of Charles Cultee was not exceptional among the Lower Chinook Indians. Franz Boas was an anthropologist who did fieldwork among the Chinook Indians in 1890, 1891, and 1894 on the Chinook and Kathlamet languages (Boas 1894 and 1901, respectively). Boas recorded some genealogical information on Charles Cultee. For example, Cultee's maternal grandmother was a Kathlamet, and his maternal grandfather a Xuila'pa (usually spelled "Wheelappa"). Cultee's paternal grandmother was a Clatsop, and his paternal grandfather a TkulXiyoqoaike (Quillequeoqua, whom the Chinook called "Tinneh;" they lived on the Upper Willapa River (Boas 1894, p. 5). His father, Kularsen, was listed as a Clatsop by McChesney, in his 1906 roll of lower Columbia River Indian descendants. Based on genealogical information, it is clear that Charles Cultee's tribal affiliation is not a simple matter.

Tribal affiliation is also not always clarified by looking at residential patterns. At various points in time, Charles Cultee lived in territories that in aboriginal times were inhabited by the Kathlamet, the Lower Chinook, and the Wheelappa. Boas noted that Cultee had lived in Cathlamet[8] for a number of years. Though Boas did not specify when Cultee lived in Cathlamet, it must have been before 1870, since he lived in Lower Chinook territory after that time. In the separate 1870 census schedule for Indians and Chinese residents, Charles Cultee was listed as being 40 years old, and living in an Indian community within the area designated as the "Oysterville Post Office." From the census data itself, it is not clear whether this is a reference to a specific Indian village, or just a listing of all the Indians living within Oysterville Post Office jurisdiction. It is possible that the 1870 Indian census included the Indian community at Chinookville (near Scarborough Hill) and Quatsamts (at the mouth of the Wallicut River), on the Columbia River, as well as Indians living at the north end of Shoalwater Bay, at Bay Center and Georgetown. The 1870 Indian census includes Indians (or their descendants) who are known to have lived in each of these Indian villages, and the Oysterville Post Office included all three villages in 1870. In the late 1870's, pioneers who settled on the Columbia River near the site of present-day Ilwaco (Lower Chinook Territory), stated that Cultee lived on the beach alongside Hawks, Ilwaco, Matell, and several other Indians. When Boas found Charles Cultee in 1890, he was living at Bay Center, at the north end of Shoalwater Bay (Wheelappa territory). This is quite distant from Cathlamet, on the south side of the Columbia River. Thus, residential patterns do not really clarify what tribe Cultee belonged to either. All three of the residences of Charles Cultee are probably the result of migration due to factors involving contact with non-Indians. It is also possible that he shifted his residence between Bay Center and the Columbia River on a seasonal basis, as many Indians did from aboriginal times to at least 1900.

THE ESTABLISHMENT OF RESERVATIONS IN WESTERN WASHINGTON RELEVANT TO THE CHINOOK INDIANS

In 1855 and 1856, there were more rounds of treaty negotiations, eventually leading to the establishment of Quinault Reservation. In February and March of 1855, Governor Isaac Ingalls Stevens met with the tribes near Cosmopolis on the Chehalis River. The Lower Chinooks were present at the treaty negotiations. They had 112 individuals representing their band. The Chinook Indians refused to sign the treaty because of the provision in the treaty which would have removed them from their homeland along the Columbia River and Shoalwater Bay to live among the Quinault Indians, with whom they had antagonistic relations. The treaty council broke up on March 3, 1855. The Chehalis River treaty was

[8]Most writers assume that the Indians living in the Indian village of Cathlamet, on the southern shore of the Columbia River moved to the north shore of the Columbia River about 1811 or 1812, near the modern town by the same name. If this is correct, Boas would mean that Cultee was living on the north side of the Columbia River.

signed only by the Quinault and Queets Indians. On January 25, 1856, Stevens signed the Treaty of Olympia with the Quinaults and the Quileutes.

Land for the Chehalis Reservation was selected at the confluence of the Black and Chehalis Rivers in 1859 (Ruby and Brown 1976, 241). The reservation was intended as a resettlement place for the Chinook, Cowlitz, and Chehalis Indians. Chehalis Reservation was established by presidential order on July 8, 1864. A number of Chinook Indians who had genealogical ties to the Chehalis Indians moved to the Chehalis Reservation by 1906 (perhaps earlier), but it never became a major haven for the Chinook Indians generally. Most of the Indians who had Chinook descent who moved to Chehalis Reservation did not continue to affiliate with the petitioner. Rather, they seem to have integrated with the Chehalis Tribe.

On September 22, 1866, a presidential order was signed establishing the Shoalwater Bay Reservation. The assignments for tracts on this reservation were made in 1881 by special agent of the Indian service, Oliver Wood (Solicitor's Opinion, September 23, 1932, Sale of Timber on Georgetown Reservation). The BAR does not have any correspondence or notes about how or why the individuals who were assigned tracts at Georgetown in 1881 were chosen, but the list of original claimants gives an idea of the Indians who were thought of as "Shoalwater Bay Indians" in 1881. They were predominantly Lower Chinook and Chehalis, with some Kathlamet, Wahkiakum, and Clatsop Indians. It appears logical that the individuals were assigned tracts on the reservation because they were already living there or nearby, at Bay Center. The 1888 census of Georgetown Indians is the first census of those who are known to have lived on the reservation (see Table 2 and Table 3). There is no evidence that there were other concentrations of Indians at the northern end of the Bay in 1881 or later with whom these could be confused. The Shoalwater Reservation was more significant in Chinook history than the Chehalis Reservation, since a number of Lower Chinook and Clatsop Indians were original allottees there, and some have continuously harvested oysters and/or resided there ever since.

In 1910, Special Alloting Agent Finch B. Archer suggested there were very few Indians living at Shoalwater Reservation, many of the Indians who had houses there were actually living at Bay Center, and they had all been allotted at Quinault. For these reasons, he recommended the reservation should be opened to the public domain. Archer visited Shoalwater Reservation on September 23, 1910, and found only four families living there at that time, though there were more houses present that he was informed were occupied during the fall and winter months. He summarized his findings as follows:

> The Georgetown Indians number about 150 persons. The actual residence of most of these is at Bay Center, across Willapa Bay, Washington, and nine miles south of the Georgetown reservation. These Indians live among the white people of the village; the children of both races attend the same school. Most other Indians have purchased lots in the Bay Center

> cemetery, where they bury their dead. These Indians earn a good livelihood by salmon fishing and oyster culture. Nearly all speak English, pay taxes, and have for years exercised the right of suffrage. They have all, and at their own request, been given allotments of lands on the Quinaielt reservation.

It is obvious from his description that Archer understood the interconnection between the Indians at Georgetown and those residing at Bay Center, that they were functioning essentially as one band of Indians. The suggestion of the allotting agent, to open Shoalwater to the public domain, was rejected on October 10, 1910, by the Indian Office.

The Relationship of the Chinook Indians to the Quinault Tribe and Reservation: 1887 to 1928

The following analysis of Quinault Allotments is based on the supplement to the Chinook Petition entitled "Allotment Program, Quinault Reservation 1907 to 1926: Identities of Allottees by Tribe" (dated October 1994; received by BAR December 5, 1994), as well as the Bureau of Indian Affairs' records on the allotments. The BAR anthropologist has reviewed the original Quinault allotment documents and believes that the raw data in the petition supplement is generally accurate, but the analysis is not. The petition claims that there were a total of 12.9% of the first 577 allottees who had Georgetown, Chinook, Kathalmet, and Clatsop ancestry. The BAR anthropologist's analysis showed that the percentage is much higher, even after excluding some Indians that the petitioner counted as "Chinook."

There were at least two problems with the analysis in the petition supplement. First, it would be incorrect to include all "Georgetown" Indians as Chinook Indians, since some of them were Chehalis, Quinault, or other. The present analysis did not include Georgetown Indians unless they had known Chinook, Kathlamet, Wahkiakum, or Clatsop ancestry (based on the McChesney rolls and other sources). Second, it is not known why the petitioner's analysis of the first three rounds of allotments ends with allotment #577. Altogether, there are three allotment lists: 1907, 1908, and 1910. The 1910 list includes allotments 469 to 690. The BAR's analysis shows that 29% of the first 690 allottees were descended from one of these four tribes. This is much higher than the petitioner's analysis, which claimed only 12.9% of the first 577 allotments went to Chinook descendants. The following recounts the history and the BAR's analysis of those first 690 allotments.

In 1887, the General Allotment Act was passed. On June 8, 1905 the Commissioner of Indian Affairs ordered that the allotment of Quinault Reservation begin. On January 19, 1907, the first 119 allotments were certified. In the first round of allottees, there were not very many people of Chinook ancestry (19 out of 119 or 16% of the first round). All of the Chinook ancestry people were labeled "Quinault" in the BIA allotment records, even

though they had no Quinault ancestry. It is known that several, if not all of them, became members of the Quinault Tribe, since they participated in the 1912 council held to consider adoptions of Indians from other tribes. The majority of the people allotted by June 1907 were Quinault, Hoh, and Quilleute Indians.

On May 2, 1906, there was an act that expanded the Quinault Reservation. In June of 1907, the Act of May 2, 1906 was extended, so that yet more Indians could be allotted. By February of 1908, 468 allotments had been certified, totaling 37,155.45 acres (Petition Supplement on Quinault Allotments 1994). The second round of allotments (120 to 468) included more Indians from Bay Center and Shoalwater Reservation. Out of the 349 individuals allotted in the second round (between 1907 and 1908) there were 91 individuals of Chinookan ancestry (or 26%). Several families of Chinookan descendants that were included in the second round of allotments at Quinault did not participate in Chinook affairs in the 1950's and have not done so since. Many of the other Chinook Indians allotted in the second round have descendants who have participated in Chinook in various organizations in the 1950's, 1970's, and at present.

The third list of allotments is dated 1910 and includes allotments 469 to 690. Of these 222 individuals (469 through 690), 90 were Chinookan Indians (41%). Altogether, then, 200 of the first 690 allottees (29%) had known Chinookan ancestry. Almost all of the Wahkiakum, Kathlamet, Chinook, and Clatsop Indians allotted through 1910 were connected to the Indian village at Bay Center.

The Act of March 4, 1911, enacted by the House and the Senate, provided for more allotments on the Quinault Reservation "to all members of the Hoh, Quileute, Ozette, or other tribes of Indians in Washington who are affiliated with the Quinaielt and Quileute Tribes in the treaty of July first, eighteen hundred and fifty-five, and January twenty-third, eighteen hundred and fifty-six, and who may elect to take allotments on the Quinaielt Reservation rather than on the reservations set aside for these tribes." The allotment of land on Quinault Reservation came to a halt in 1913. E.B. Merritt reported that,

> About 1913, a special allotting agent was sent to the Quinault Reservation for the purpose of looking into the matter of making allotments to the Indians thereof. Subsequently, it was decided not to allot the lands at that time, as some of the tracts selected were heavily timbered and could not be allotted for agricultural purposes until the removal of the timber. As a number of persons had applied for allotment a list was prepared thereof by the special agent, which contained the names of 322 applicants, with descriptions of lands selected. This informal schedule, or memorandum, which was made for reference when allotment work should be resumed, was found to contain the names of persons whose rights on the reservation were questioned (E.B. Merritt, Assistant Commissioner, BIA, Report to the Secretary of the Interior dated October 28, 1919, 18).

Malcolm McDowell (member, Board of Indian Commissioners) stated in his 1920 report "I understand that the allotments were suspended on the ground that the land was worth more for timber than agricultural purposes" (Board of Indian Commissioners, 1921; Petition Exhibit #321). He found that, by 1913, there were 463 allotments, 355 in trust patent and 108 in fee patent. This process had left 262 Indians unallotted (Board of Indian Commissioners, 1921; Petition Exhibit #321). It is not clear why Merritt stated there were 322 unallotted applicants and McDowell said there were 262. McDowell urged that the allotment process resume quickly, that it should only include "Indians now on the roll," and that the children of the Indians already allotted should be allotted as well.

The Quinault Indians considered numerous requests for adoption into their tribe at a council meeting held on April 4-6, 1912. The meeting was conducted under the leadership of Taholah Agency Superintendent H.H. Johnson (meeting minutes, Petition Exhibit #434). A number of Chinook Indians were considered and approved for membership with the Quinault at that meeting. Fifty-eight of Mary Ducheney's descendants were adopted during these proceedings, including the large Elliott family. Also included in the adoption process were members of the William Stoddard family, who were on the 1953 membership applicants list submitted by the Chinook Tribes, Inc. (CT, Inc.). William Stoddard's family did not have any historical or social ties to the Chinook descendants at Dahlia or Bay Center, though his mother was known to several of the Chinook Indians at the 1912 Quinault adoption council. William Stoddard's closest known relationship to the Chinook Indians was that he grew up in the household of the Smith family, on Clatsop Plain. At least 50 Quinault Indians[9] over 18 years of age were present at the council meeting, as shown by the number of votes cast. One of the votes on adoption was 50 to 0. Most of the votes were about 36 to 0, with some as low as 22 to 0.

Special Agent for the BIA Charles Roblin conducted an investigation in 1916 and found that the Quinault council had acted hastily in adopting most of the applicants in April 1912. They had adopted many people who did not have any history of affiliation with the Quinault Tribe, and some people who had no Indian ancestry. For these reasons, the adoptions of 1912 were reconsidered by the Quinault Tribe at a council meeting held from December 18-20, 1918. Roblin characterized the 1918 council as being "more representative" than the one that was held in 1912. He also stated that he allowed more time for the council to consider the actual merits of each individual's adoption case (E.B. Merritt, Assistant Commissioner, BIA, Report to the Secretary of the Interior dated

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[9] Quinault Indians present at the proceeding who were mentioned by name in the minutes include (individuals with Chinook ancestry are underlined): Isaac Bastian, Mrs. Pansy Campbell, Joe Capoman, Joe Chenoise, Allen Chenoise, James Chow Chow, John Clipp, John Dixon, Billy Garfield, Emma Garfield, Mrs. Silas Hall, Jonas Hyasman, Dick Jackson, Johnny Johns, James Julius, Mary Longfred, Captain Mason, Billy Mason, Percy Mason (interpreter), Hayes Otook (fished at Chinookville, 1880), Bob Pope (married a Chinook woman), Robert Sampson, Harry Shale, Jim Simmons, Jack Skamink, John Smith, George Underwood (interpreter), Johnson Waukenas, Jack Wilcox, Ellen Yellout (Petition Exhibit #434).

October 28, 1919, 18). The Quinault Indians voted to remove most of the 1912 adoptees from their rolls. This included at least 96 people of Chinook descent. Some important Chinook families (in terms of the number of overall Chinook descendants removed in 1918) that were removed from enrollment included the descendants of Louis Ducheney and Mary Ann Luscier Ducheney, Amelia Ducheney Jones-Alden-Anderson, Agnes Ducheney Elliott, Arlinda Peers Boldt, and Julia Ann Pickernell Green-Russell. There were also seven individuals of Chinook ancestry whose adoptions into the Quinault Tribe in 1912 was reaffirmed (Roblin 1919, Quinault Report, Taholah 11697, 053, Parts 1 and 2; BAR files).

In 1921, the Board of Indian Commissioners issued the "Report on the Indians of Western Washington by Malcolm McDowell (the report itself was dated November 1, 1920; Petition Exhibit #321). McDowell noted that the Quinault council, in April 1912, considered "a large number" of applications for adoption (minutes of the council of the Quinaielt Indians, dated April 4, 5 and 6, 1912; Petition Exhibit #434). The Quinaults had received about 4,000 applications, from all over Washington, Canada, and as far away as Massachusetts, after the act of March 4, 1911, which called for allotments to "other fish-eating Indians." McDowell stated that the last agency census (he did not specify the date) listed 747 Indians on the Quinault Reservation. McDowell also stated:

> In southwest Washington, along the Pacific coast in the Grays Harbor country, Pacific County, and Wahkiakum County, which is on the Columbia River, are a number of Indian communities, small groups of the remnants of the Chehalis, Shoalwater, Chinook, Clatsop, and other Indians who have taken their places in the white communities and are living side by side with the white people (Petition Exhibit #321; see also minutes of the council of the Quinaielt Indians, dated April 4, 5 and 6, 1912; Petition Exhibit #434).

In this indirect manner, he acknowledged the continuing presence of the distinct Indian communities at Altoona-Dahlia-Brookfield (Wahkiakum County), Bay Center (Pacific County), and Georgetown (Pacific County). Taholah was still very isolated at this time. McDowell stated that the nearest railroad town was Moclips. From there, wagons had to ford the Moclips River and then travel up the ocean beach at low tide for six miles to reach Taholah. In 1920, the Indian service was in the process of building a highway and bridge that would make Taholah more accessible.

W.B. Sams, Superintendent of Taholah Indian Agency, wrote a letter to the Commissioner of Indian Affairs (dated December 14, 1926; Petition Exhibit #324). In this letter, Sams quoted a letter the Commissioner wrote to Peter E. Jackson, dated January 14, 1914, which stated that, in the early part of 1913, Indians requesting allotments on Quinault Reservation had to affiliate by enrollment with the Quinault Tribe. By March 5, 1913, however, the Indian Office had concluded, upon further study, that the "Indians from other fish-eating tribes" would <u>not</u> have to go through the adoption process

in order to be allotted.[10] Initially then, the Indian Office required that Chinook Indians become Quinault Indians in order to be allotted, but later this requirement was dropped. Sams stated that his predecessor, H.H. Johnson, understood that his instructions with regard to the allotments on Quinault gave him the power to enroll and allot Indians from the appropriate tribes, without action from the Quinault Council. Sams stated his opinion that he thought this was improper, that the former superintendent had "exceeded his authority when he enrolled a number of these people," and that those Indians who had been enrolled since 1913, without action from the Quinault Council, were not "duly enrolled" as members of the Quinault Tribe. Rather, he stated: "They are simply enrolled."

On November 30, 1928, W.B. Sams wrote a letter to Charles G. Miller which noted that the Chinook, Cowlitz, and Upper Chehalis Indians had been recognized as being eligible for allotments on Quinault Reservation and the Puget Sound Indians were not. In another letter (Petition Exhibit #326; probably written by the Superintendent of Taholah Agency, though the signature of the person who wrote it is eliminated from the copy in the petition), dated August 13, 1932, the Taholah Agency reported to the Commissioner of Indian Affairs that there were three "new tribes" of the Quinaielt Reservation (Cowlitz, Chehalis, and Chinook).

The Relationship of the Chinook Indians to Shoalwater Bay (Georgetown) Indian Tribe and Reservation

Shoalwater Bay Indian Reservation, also known as Georgetown, was established by Presidential Order on September 22, 1866. In 1874, Indian Agent Gibson suggested that Shoalwater Bay Reserve was unsuitable for habitation, and that it should be withdrawn as a reserve. Agent Gibson was correct in his assessment of the land on the reservation; it was not well-suited for agriculture or habitation. However, subsequent agents realized that, while many Indians did not live on the reservation throughout the year, it was used by the Indians in a seasonal manner, for the harvesting of oysters (for example, see Archer 1910; Commissioner of General Land Office 1920), and was therefore important to their economic well-being. For this reason, the reservation was never returned to the public domain or sold to the public.

The original Shoalwater Bay land claimants included many Lower Chinook descendants, some Kathlamet Indians, a Wahkiakum Indian, and a Clatsop Indian (see Table 2). There were some Chehalis Indians and Indians of unknown ancestry who were assigned claims as well. Many of these people and/or their descendants lived at Bay Center in a distinct Indian community on Goose Point, between 1880 and the 1920. In 1888, for example

[10]This could account for the discrepancy between the Chinook Indians who were allotted relatively early in the process (who are listed as "Quinault" on the 1935 IRA voting list) and those who were allotted later (who are listed as "Chinook" and "Quinault-Chinook").

there were only eight nuclear families (28 individuals) living at Shoalwater Bay Reservation, according to the Indian census taken that year by Indian agent Edwin Eels.

By 1920, the only residents on Shoalwater Reservation were George Charley, his wife, some of his children and grandchildren, and Bob Silackie (who was 81 years old). George Charley and Bob Silackie and their families were the only Indians who lived on the reservation regularly for any length of time between 1880 and 1920. In 1900 they were both living at Bay Center. They both started living on the reservation about 1906 (according to the McChesney Roll for that year), and they were there consistently through 1920. The pattern for the other Indians on the reservation prior to 1920 seems to have been for them to live intermittently on the reservation with their more permanent residence elsewhere, often Bay Center.

Table 2 was prepared by the BAR anthropologist to show the relationship of the original Shoalwater Bay claimants to the Quinault Reservation. Many of the original claimants of Shoalwater Bay Reservation, or their primary kin, were eventually allotted at Quinault Reservation and/or adopted as members of Quinault Nation. Most of the people who were assigned claims at Shoalwater Bay Indian Reservation never resided there permanently. The vast majority of them chose to live in Bay Center most of the year, rather than at Georgetown. Some of the descendants of the original Shoalwater Bay Reservation claimants continue to live in Bay Center to the present day (for example, several descendants of Tom Hawks and Elizabeth Springer), and are affiliated with the petitioner. Table 3, summarizes the residential patterns between 1870 and 1920 of those early Shoalwater Bay Reservation inhabitants, along with others who are known to have lived on the reservation between 1888 and the 1920 Federal census. In all cases, the people who lived on Shoalwater Bay Reservation (far left column of Table 3) either lived in Bay Center for much of their adult lives or had primary kin who did.

The group of Indians who became the ancestors of the modern day Shoalwater Bay Indian Tribe are clearly identified after the 1935 vote on the Indian Reorganization Act (IRA). The Bureau of Indian Affairs established a list of eligible voters on Shoalwater Bay Reservation. At the time of the election on April 13, 1935, there were only 11 eligible voting adults living on the reservation, and they rejected the provisions of the IRA. Voting was restricted to Indians who were actually living on the reservation at that time, most of whom were descendants of Chief George Charley. The Indian agent weighed the option of having the Shoalwater residents vote with Quinault Reservation, since they were all allotted at Quinault, but decided that they should vote as residents of Shoalwater Bay Reservation instead. In the end, eight of the eligible voters actually cast a ballot, three in favor of and five against the IRA.

In 1971, the constitution of the Shoalwater Bay Indian Tribal Organization was approved by the Commissioner of Indian Affairs.[11] The 1977 report of the Bureau of Indian Affairs Planning Support Group noted that there were no allotments to individuals on Shoalwater Bay Indian Reservation; rather, all of the land was tribally owned.[12] The reservation consisted of a 334.75 acre land base, plus another 700 acres of tidelands. About 179 acres of the land base were considered commercial timber land, mostly red cedar, western hemlock, sitka spruce, red alder, and Douglas fir. Much of the timber was harvested in the 1920's (US BIA Planning Support Group 1977). In 1977, the council consisted of all tribal members over 18 years old. This was about 52 people in 1977. About 82% of the members resided away from the reservation. Total enrollment of the tribe was 82 (46 females and 36 males). There were only ten members living on the reservation.

The 1977 report listed a number of important historical leaders for the Shoalwater Indians, including: Lighthouse Charley Ma-tote; his son, George Allen Charley; and Rachel Brignone Whitish (great-granddaughter of Charley (Ma-tote), who was Chairwoman in 1977. The report referred to George Charley as "the last official chief," presumably because he was the last chief to receive a document naming him as such by the BIA. Ike Whitish, Rachel Brignone's son, is now the Chairperson (BAR Anthropologist's field data).

[11]Herb "Ike" Whitish, Chairperson of the Shoalwater Bay Indians in 1994, told the BAR anthropologist that the Shoalwater Bay Indians had been recently "recognized" by the Federal Government. This assertion may have been based on the fact that the residents of Shoalwater Bay Indian Reservation had a constitution approved by the Commissioner of Indian Affairs on March 10, 1971. In 1971, there were only six eligible voters. In 1975, the eligible voters had increased to 43.

[12]Support for this contention is found in the 1919 Commissioner of Indian Affairs Report (COIA 1919, p. 93) which indicates that the land tracts assigned in 1881 were still unallotted in 1919.

TABLE 2
ORIGINAL LAND ASSIGNMENTS AT SHOALWATER BAY RESERVATION

1881 Lot#	Original Assignee's Name	Tribe	1909 Heir, if any	Claimant's Allotment # or Descendant's Allotment # at Quinault
1	Matel	Chehalis	Caroline Charley [Matel's daughter]	Grandson, Roland Charley, #150
2	China John [a.k.a. John Carter]	unknown	"assigned to George Charley"	#2
3	John Hawk	Chinook	"assigned to George Charley"	
4	Jim Millette	Kathlamet	Jason Millette [his son]	Jason Millette, #501
5	John Smoker	unknown	no heir listed	no data
6	George Charley, 1909 Report on Shoalwater Res. suggests this was "probably" Deaf George's assignment	Chehalis (sometimes labeled "Shoalwater Chinook")	still living in 1909	#148
7	Tom Hayden	unknown, probably Chehalis	still living in 1909	son, John Hayden, allotted at Quinault, but lived on Chehalis Res.
8	Dixie James	Chinook	"Mrs. Joseph George" [would be Lena James, Dixie's daughter]	#528
9	Yankee Jack*	unknown	Mary Wagoner and Maggie Pickernell [wife and daughter of Yankee Jack, respectively]	unknown
10	John Clipp	mother: Chinook father: Chehalis	still alive in 1909	#18
11	Jake Colege*	unknown	died before 1909; no heir listed	
12	George Skamock	Wahkiakum	still living in 1909	#226

1881 Lot#	Original Assignee's Name	Tribe	1909 Heir, if any	Claimant' s Allotment # or Descendant's Allotment # at Quinault
13	Sam Millette*	Kathlamet	still living in 1909	#520
14	Tom Hox	Chinook	no heir listed	unknown
15	Tyee Charley	If Lighthouse Charley, Shoalwater Chinook	Maggie Charley	unknown
16	Tyee Jim	Chinook	died before 1909; no heir listed	#303
17	Robert Silackie [spelled Salaka in 1909 report]	Clatsop	still alive in 1909	#858
18	a) Henry George b) Jack James (on map)	a) unknown b) Chinook	a) no heir listed b) no data	a) no data b) son, Andy James, #311
19	William Kutch	unknown	"Cannot identify this man"	unknown
20	George Kese	unknown	no heir listed	unknown
21	Old Hox (Huckswelt)	Chinook	Catherine and Adam Hawks [Tom Hawks' wife and son]	Catherine and Adam Hawks
22	Adam Hox	Chinook	still living in 1909	#257
23	Mary Hox	Chinook	Catherine and Adam Hawks	Catherine and Adam Hawks
24	James Pough	unknown	died before 1909; no heir listed	unknown
25	"Doctor Pete" [based on heir, probably Cosmopolis Pete, Sally's father]	mother was Lower Chinook	Sally Pete George, daughter of Cosmopolis Pete and Nellie John, Sally married Edward George	

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1881 Lot#	Original Assignee's Name	Tribe	1909 Heir, if any	Claimant's Allotment # or Descendant's Allotment # at Quinault
26	Simon Charley [identified as "Coolidge" in 1909 Report on Shoalwater Res.]	Chehalis (sometimes "Shoalwater Chinook")	still living in 1909	#492
27	Jacob Culamany [spelled "Oushmary" on 1936 map]	unknown	died before 1909; no heir listed	unknown
28	Johnny Sknown	Chehalis	still living in 1909	#412
29-31	not assigned			

Sources: McChesney Rolls 1906, 1913; Quinault allotment applications and other allotment records; Catholic Church Records of the Pacific Northwest, Volumes I and II; Federal decennial census; Georgetown Indian Census 1888; 1909 Report of Georgetown Reservation; 1936 map of Shoalwater Bay Indian Reservation.

*On the 1936 map of Shoalwater Reservation (See Map 4), these tracts are labeled as though they belonged to George Charley; for example, "Yankee Jack to George Charley." The meaning of this annotation is not clear. BAR does not know is the original claimant gave the land to him, if it was reassigned to George Charley by a BIA agent, if he simply claimed it on his authority as Chief, or devolved to him in some other manner.

TABLE 3
SHOALWATER BAY RESIDENTS AND THEIR KINSHIP TIES TO BAY CENTER

1888 Residents of Shoalwater Bay Reservation	1870 Residence	1880 Residence	1900 Residence	1906 Residence	1910 Residence	1920 Residence
Chief Matell and Ellen	Chinookville Post Office	no data	Bay Center	no data	Georgetown Bay Center	Georgetown
Frank Jocatou (a.k.a., Terfakto) and Emma Millet, and daughter, Lillian	Cathlamet Post Office	no data	Bay Center	Bay Center	Bay Center	Bay Center
Jim Millet, Jennie , and children Jason and unnamed daughter	no data	no data	Bruceport Bay Center	Bay Center	Bay Center	no data
George and Maggie Skamock, and four children, Mary Ann, Nellie, Isaac, and Kelly George	Cathlamet Post Office	Chinookville	Bay Center	Bay Center	Bay Center	Chinook
Joseph George and Belle Silackie, and daughter, Bessie George	Cathlamet Post Office Clatsop Plain?	Chinookville	no data	Bay Center	Bay Center	Bay Center
Adam Hawks	Chinookville Post Office	Chinookville	Bruceport	Granville, WA	South Bend Bay Center	no data
Johnny Hawks and Annie Lewis, and children Blaine, Kate, and an unnamed daughter	Chinookville Post Office	Chinookville	Bay Center Bruceport	Bay Center	Bay Center South Bend	Bay Center
Tom Calhoun, Annie, and children William and an unnamed daughter	no data	no data	Bay Center	no data	Bay Center	Chinook
1906 Residents of Shoalwater Bay Reservation						

	1870 Residence	1880 Residence	1900 Residence	1906 Residence	1910 Residence	1920 Residence
Bob Silackie, daughters Belle, Agnes, and Lizzie	Clatsop Plain?	Chinookville	Bruceport Bay Center	Georgetown	Georgetown South Bend	Georgetown
Caroline Matell and George Charley	no data	no data	Bay Center	Georgetown	Georgetown	Georgetown Bay Center
Tom Walley and granddaughter, Daisey Ford				Georgetown		
Johnny John, and minor nephew Oscar John				Georgetown Bay Center		by 1912, Quinault Reservation
Quinae Clipps				Georgetown Bay Center/Damon Post Office		
1910 Residents of Shoalwater Bay Reservation						
Deaf George an d Patty					Georgetown	
Albert Charley and family					Georgetown	

Sources: Federal censuses for 1870, 1880, 1900, 1910, and 1920; 1888 Georgetown Indian Census.

Some of the Chinook petitioner's members interviewed by the BAR anthropologist stated that they receive medical services through the Shoalwater Bay Indian Tribe. The Shoalwater Chairman, Ike Whitish, stated in an interview that the Shoalwater Bay Indians supported the Chinook Indians in their petition for acknowledgment. He also stated that if the Chinook Indians were not acknowledged, that the Shoalwater Bay Indian Tribe would try to find some means to adopt most, if not all, of the Chinook Indians into their tribe (BAR Anthropologist's Field Data).

NON-INDIAN PIONEER SETTLERS IN SOUTHWEST WASHINGTON AND THEIR FAMILIES: 1850 to 1870

To understand the history of the Chinook Indians since 1851, it is important to understand events that occurred as non-Indians moved into the area. Most of this information can be found in the historical report that accompanies this Proposed Finding. The following brief observations are for orientation purposes, and are not intended as a complete history of the period. In 1850, the western Washington county now called Pacific County was part of Lewis County. In 1851, Pacific County was established as a new county by the Oregon Territorial legislature. The boundaries of Pacific County included the Pacific Ocean and Baker's Bay. Also in 1851, Pacific City was named the county seat (near Cape Disappointment). Pacific City was planned by Dr. Elijah White, who decided that Oregon City was too far inland, and that a greater seaport could be built nearer the mouth of the Columbia River. Dr. White settled on his donation claim at Baker's Bay, west of the present-day town, Ilwaco, in March 1849 (Davis 1981, 33). He laid out his plans for establishing Pacific City and started selling parcels. Three years later, on February 16, 1852, the President Millard Fillmore, under act of Congress, authorized the creation of a reservation for military purposes. The new military reserve encompassed most of what was to become Pacific City. Thus, the 640-acre Ft. Canby reservation was created and White's dream of establishing a new port city perished. The people who had purchased land in the town were forced to give it up (Davis 1981).

Also in the 1850's, there was considerable animosity between Indians and non-Indian settlers. In 1856, the political situation between the Indians and non-Indians in southwest Washington was tense. Because of their fears that the Indian Wars would spread, the non-Indians built stockades at Oysterville (on Long Beach Peninsula) and Fort Willapa (in the Willapa Valley, near present-day Menlo; Turner 1951; Petition Exhibit #81). The presence of these two stockades is reflected in the population concentrations at Oysterville, which became the seat of Pacific County in 1855, and Fort Willapa in the 1850 and 1860 censuses.

Many of the pioneer men who settled in Pacific and Wahkiakum Counties prior to 1860 married Indian women and raised families with them. The relationships between those

pioneer-Indian families, and the other Indians who continued in Pacific and Wahkiakum counties is discussed below.

Pioneer and Pioneer-Indian Families Near Present-day Ilwaco

Several Indians continued to live on Baker's Bay through the 1870's, even though pioneers had settled there. One such Indian was Ilwaco. Ilwaco was the headman at the Indian village on the Chinook River in 1854 and an owner of slaves (Dawson 1854). Swan stated that Ilwaco, his mother, Carcumcum, his wife, "Winchestoh," and several slaves visited him at Bruceport. Swan wrote that the Indians set up a hut on the beach by his home, where they collected goods on the beach that had washed up from shipwrecks. Ilwaco's wife died from small pox at the time of that visit to Swan's residence (Swan 1857). Ilwaco lived on Reverend Holman's donation claim, east of the former Pacific City. Holman helped Christianize Ilwaco and his slave wife "Wyaclaugh" (a.k.a. "Jane"; see Davis 1981, sighting to Whealdon 1913). Ilwaco has no known descendants with the petitioner.

Also on Baker's Bay, east of the Holman's claim, was the 640-acre donation land claim of Captain James Johnson, which was sometimes referred to as Johnson's Ranch. Captain Johnson was a bar pilot. He had a Chinook Indian wife, Coolowish, and two sons, George (born 1845) and James Johnson (born 1848). They were living in Lewis County,[13] Oregon Territory at the time of the 1850 census. Captain Johnson built a house on his donation claim about 1849 or 1850 (Davis 1981, 130, says 1853). The Johnson's place was connected to Shoalwater Bay by the Tarlilt Slough, which passed between Johnson's Lake (now known as Black Lake) and the Bay. Thus, Johnson's Ranch included the main portage for Chinook Indians on Shoalwater Bay to the Columbia River in the Spring and Summer. Captain Johnson drowned about 1857, when he and a friend were paddling a loaded canoe from Astoria to Johnson's Ranch and the boat capsized. Whealdon family oral history suggests that Coolowish took her two boys and went to live with "her people" (presumably the Indians) on Shoalwater Bay (Whealdon 1957c; Petition Exhibit #82).[14] According to the 1857 Wahkiakum County census, George and James Johnson were living with James Birnie, Charlotte Beaulieu (his Canadian Indian wife), and their family in Cathlamet. They were 12 and 10 years old, respectively. Neither of their parents are listed as being present in the Birnie's home.

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[13] At that time, Lewis County included modern Pacific County, Washington.

[14] It does raise the possibility that the Indian community existed at Bay Center, or was starting to form, as early as 1860. There is also a letter dated 1866, from W.H. Waterman (Indian Agent) to the DOI Secretary that there were 30 to 40 families of Indians living on the beach on Willapa Bay. He noted that the Indians had always exploited the fish, clams, oysters, and sea animals, and that they refused to give up their old way of life and take up agriculture.

Whatever the case, the non-Indian Isaac Whealdon family decided to buy the Johnson donation claim in 1858, and actually moved there in 1859. The Whealdon family lived there for a number of years, raising a family and participating in the oyster industry by using their land as a shipping point between Shoalwater Bay and Baker's Bay (Davis 1981). In 1859, when the Whealdons moved onto Johnson's Ranch, there were three Indian families living on the mud flats of Bakers Bay, on the Columbia River, where the town of Ilwaco now lies: 1. Ilwaco Jim, his wife, and three slaves; 2. Hawks and his family; 3. Yammens and one slave. Ben Whealdon stated that only two permanent structures were there in 1859, those of Johnson and Ilwaco Jim. The two Cultee families, Yammens, Old Tom (Hawks), and Toke frequently stayed there in temporary shelters (Whealdon 1957c; Petition Exhibit #82).

According to Whealdon family oral history, Ilwaco (a.k.a. "Ilwaco Jim;" son of Calooya [male] and Carcumcum [female]) often took Isaac Whealdon fishing for sturgeon (Davis 1981, 28). Mrs. John Hunter, whose father eventually purchased the Johnson claim, stated that in 1854 she first met Ilwaco Jim's family, which consisted of Ilwaco Jim himself, three females (two middle-aged women and one slave girl named "Dollie;" who was about 13 years old), and one male slave. One of Ilwaco Jim's wives owned slaves, too. In one of his 1857 letters, I. Whealdon mentioned Ilwaco Jim living on the mud flats by Baker's Bay. Ilwaco Jim spoke broken English and his rich wife had lots of blue and white shells and mats that she had made (Davis 1981, 29). Ilwaco Jim's head was not flattened, according to Davis; therefore, he was not of the royal class. However, he was a headman. Ilwaco Jim's father lived on the Wallicut flats, and had a lodge near the mouth of the Wallicut River (Davis 1981, 30).

When Ilwaco Jim's wife, Jane, died, he burned their house down, in keeping with Indian tradition. The fire got out of control and burned down several other Indian homes. The Indians held a council in the Whealdon home and decided they would all move to Shoalwater Bay. So Ilwaco Jim and his slaves packed up their canoes and paddled up the river to Shoalwater Bay. After that, Mrs. Eliza Whealdon Williams said that she never saw them again. The Whealdon family's oral history stated that William Whealdon went with Ilwaco Jim to explore the Naselle River region in 1872, walking the foot trails over the Bear River Hills that separate the town of Ilwaco from the Naselle region. Based on this tradition, Ilwaco Jim was still living as late as 1872. Mrs. Hunter remembered that William Whealdon, a Presbyterian minister, buried Ilwaco Jim near the head of Shoalwater Bay (Whealdon 1957c; Petition Exhibit #82).

Eliza Whealdon Williams kept a diary during those early pioneer days. With regard to their seasonal migration patterns, she noted that in the Spring, the "Shoalwater Bay Indians" loaded their canoes with mats, baskets, babies, dogs, cats, and food and paddled south to the end of Johnson's Lake (later Whealdon Lake, now Black Lake). From there they made a short portage for 1/4 mile over the hill to Baker's Bay, where they camped for the night before going on the next day to Chinookville. They stayed at Chinookville

during the summer, where they caught and smoked salmon and other fish, and picked dried berries (Whealdon 1957c; Petition Exhibit #82).

One pioneer-Indian family that became intermarried with the Johnsons was that of Catherine Haguet (sometimes spelled Hagge in census and other records), an Upper Chinook Indian woman. She married Louis Haguet (a Frenchman) and was living in Township 13 north, Range 10 west, in the vicinity of Bay Center, at the time of the 1880 census. She received a 160-acre parcel of land as an Indian Homestead Trust Patent on February 4, 1890 in the same township and range, section 23 and 24 (Petition Narrative 1987, 69). This parcel of land is up the Palix River from Bay Center. Her daughter, Cecilia Jane Haguet (born ca 1850), married James R. Johnson, son of Captain Johnson and Coolowish in 1870. Cecilia Jane Haguet Johnson and James R. Johnson were married and living in Oysterville in 1870 and 1880, according to the census. James R. Johnson operated a mail boat on Shoalwater Bay. He died in 1889, the year that his daughter Myrtle Johnson Woodcock was born. Myrtle Woodcock provided leadership for some of the petitioner's ancestors. James Johnson's widow, Cecilia Jane, remarried and raised a number of children, always living around northern Pacific County, particularly Bay Center and South Bend. She and the children she had with James R. Johnson were allotted on Quinault Reservation, as were some of her grandchildren.

Other Significant Pioneer-Indian Marriage Families in Pacific and Wahkiakum Counties in the 1860's

There is no information on the separate Indian villages in Pacific and Wahkiakum Counties in 1860. The only information available on Indians in the census for 1860 is for Indian women who married pioneer men. Usually, the children from these marriages were labeled "Indian" in 1860.

There were a number of other pioneers who settled in southern Pacific County and married Chinook and/or Clatsop Indian women. By the time of the 1860 census, the Ducheney family was in Chinookville, operating the Hudson's Bay Company Store. In 1860, the family consisted of Rocque Ducheney (Canadian métis, born ca 1819), and Mary Rondeau Ducheney (½ Chinook Indian, born ca 1829), and six of their children. In 1902, Silas Smith, Celiast Coboway's son, gave testimony regarding a visit of his family from their home at Clatsop Plain to Chinookville, to visit the Ducheney family in the 1860's. Rocque Ducheney died between 1861 and 1863, but Mary Ducheney lived a long life, marrying two more times, but always living in Pacific and Wahkiakum Counties.

Several other Chinook families were included in the 1860 Federal Census for Pacific County census. George Dawson (non-Indian, married Catherine Dawson) was living in the same household as John Pickernell, Jr. (born ca 1839) and Margaret Ero Pickernell (born ca 1841), and their son, William. John and Margaret were both Chinook descendants. Next to John and Margaret were John Pickernell, Sr. (non-Indian) and his

Chinook wife, Emeline (born ca 1820); Julia Pickernell Green-Russell and her non-Indian husband, Charles Green; Samuel Sweeney (non-Indian) who married Harriet Pickernell (at least by the 1870 census; his wife according to the 1860 census was named "Elizabeth"). There were a few other pioneers with Indian wives and children listed in the 1860 census at Oysterville Post Office, but they have no known descendants related to the petitioner.

In Wahkiakum County, the only Indian mentioned was Charlotte Birney, who was from Red River Canada. She and her husband, former Hudson's Bay Company employee, James Birnie, were living in the vicinity of Cathlamet, where it is said that they held much influence among the Indians (Strong 1907). While their children were not Chinook Indian descendants, their son, Alexander Birnie (born ca 1847) married Melissa Robinson, a Chinook and Chehalis Indian descendant.[15] Melissa's sister, Julia, married Horace Hallet (non-Indian).

Another early pioneer who married a Chinook Indian was Amable Petit. He moved from Portland to Chinookville in 1866. Amable Petit II (born 1817) married Mary Aubichon (a.k.a. "Emelie" and "Amelia;" a half-blood Chinook Indian). Their daughter, Catherine Petit, married Frederick Colbert (born 1840 in Sweden). From the 1870's to the 1890's, the Colberts raised a large family, living at various times in Astoria, Chinookville, and Ilwaco. One of their daughters, Mildred Colbert, recalled that Catherine (Petit) Colbert was 13 years old when Amable and Mary Petit and family moved to Chinookville.

THE CHINOOK INDIAN COMMUNITIES FROM 1870 TO 1899

As more settlers migrated to western Washington, most of the Indians became concentrated in only a couple of villages. In 1870 the census taker recorded a separate enumeration of "Indian and Chinese" residents. Under this heading only Indians were actually listed (and no Chinese): 60 Indians were noted as living within the jurisdiction of the Oysterville Post Office, and 47 Indians were noted as living within the jurisdiction of Cathlamet Post Office. Some of the Indians listed by the census taker have discernable Chinook, Clatsop, Kathlamet, and Wahkiakum Indian ancestry. For others, their ancestry is unknown. Not all of the Chinook Indians were listed on these separate schedules; some Chinook descendants who had married non-Indian pioneers were listed in the regular Federal census schedules. This section will discuss the meaning of the Indians listed on the separate schedules first, and will then discuss the Chinook Indians listed in the regular census schedules.

[15] Her father was Kyack, a Chinook, and her mother Yallowitch, a Chehalis and Chinook.

In his enumeration of Indian and Chinese residents, the census taker for Oysterville Post Office may have been recording separate settlements at Chinookville and/or Bay Center, but this is not noted in the census itself. The 1870 census for Oysterville Post Office included a number of Chinook and Chehalis Indians who are known to have lived at Chinookville and Bay Center/Tokeland, and who are genealogically and socially related to the petitioner: John Clif, Charley Cultee and family; Matell and family; Indian Charley (born circa 1847; a.k.a. George Charley? - he married Matell's daughter, Caroline); and Tom Hawks and family. There are many other Indians listed, often by first name only, for whom there are no known descendants, either with the petitioner or elsewhere.

It is not entirely clear that the separate enumeration of Indians in the 1870 census for Cathlamet Post Office is a list of Indians in a separate Indian village or Indians living scattered around Wahkiakum County. However, it is possible that these Indians were living in a separate village setting. Indians listed under this Post Office, who are genealogically and socially related to the petitioner, include the following: George Skamock (Wahkiakum), his wife Margaret (Chinook), and son Joseph; and Sam Millet (Kathlamet), his wife, "Mary" (if same as Esther Millet, she was part Cowlitz), and their children Edward and Emma. As with the Indians listed for the separate Indian census for Oysterville Post Office, there are a large number for whom there are no known descendants (38 of 47).

Listed on the regular, non-Indian 1870 census sheets, were a number of Indian women who had married non-Indian, pioneer men who were living in Pacific and Wahkiakum Counties. At Oysterville Post Office, for example, were living the following families: (1) James R. Johnson (Chinook) and Jane Johnson (Upper Chinook); (2) Louis Ducheney and Mary Ann Luscier Ducheney, his wife (both Chinook descendants); (3) Joseph Bertrand (non-Indian) and his wife, Isabel Bertrand (Chinook; daughter of Elmermach), and family; (4) Julia Aubichon Luscier-Roberts (Chinook; widow of Antoine Luscier) and children; (5) Peter Wagner (non-Indian who eventually had Chinook spouses) (6) Charles Forrest (half-Cowlitz Indian); (7) William Smith (non-Indian) and Mary Durival Smith (Chinook; by the 1880 census, Mary had married William Kendron, and was living in Gray's River Valley), and children; (8) Peter Durival (non-Indian) and Amelia (Mary) Chinook Ero-Durival (Chinook), and family; (9) Henry Peers and Judith Ducheney Peers (both Chinook Indians) and family; (10) Amable Petit (non-Indian), his wife Emilie Aubichon Petit (Chinook; daughter of Elmermach) and children; in a boarding house with mostly white people were two Indian males, with the last names (11) Johnson and (12) Laflemboy (first names are illegible). The Johnson is probably George Johnson, James' older brother (he is the correct age). From the census, it appears that these Indian and mixed pioneer-Indian families may have been living near each other.

There were also some pioneer-Indian families living at Unity (later named "Ilwaco") Post Office. They include: (1) Harriet Pickernell Sweeney (Chinook) and her husband Samuel (non-Indian), and family; (2) Harriet's mother and father, John Pickernell (non-Indian) and Emeline (Chinook); (3) Frederick Brown (non-Indian) and Catherine

Carcowan Brown (Chinook); (4) Charles Green (non-Indian) and Julia Ann Pickernell Green-Russell (Chinook), and family; and (5) John Pickernell and Margaret Ero Pickernell-Wilson (both Chinook Indians). In addition to these families, there was the non-Indian family of Isaac Whealdon.

At Fort Willapa Post Office, in 1870, there were a few Chinook Indians and pioneer men who married Indian women: (1) Louis Haguet (non-Indian; married Catherine Haguet, an Upper Chinook woman); (2) John Hawks (non-Indian, from Canada),[16] his wife Mary Hawks (Chinook; grandmother of Don Alonzo Smith who affiliated with petitioner) and family; and (3) Ophelia Stewart and her children, Addie and Wallace (lived in Ilwaco in 1880). Also present at Fort Willapa was four-year old Loyal Clark (non-Indian), who later married Annie Hawks (Chinook) and was a long-time resident in the Bay Center Indian community. Loyal Clark assisted McChesney in 1906 and 1913 when he was compiling information for his list of Chinook heirs, by helping to transport the Indians from Bay Center to Tokeland for interviews.

There were only a few Indians living at the Chinook Post Office, in 1870: (1) Julie H. Durival (Indian, with no husband present), a two-year old child; and two Indian males; (2) Mary Rondeau Ducheney-Preble-Kelly (Chinook), her non-Indian husband John Kelly, and her children from various marriages; and (3) Alexander Pellard (non-Indian), his Chinook wife, Ellen Pellard, and children (Adeline and Alex). At Knappton, there was only one pioneer-Indian family with a connection to the petitioner, that of William Strong, his Chinook Indian wife, Margaret, and his children Joseph (born ca 1866) and Henry Strong (born circa 1864). Henry Strong was a resident of Bay Center, according to the 1910 census, where he was living with Mary Garrettson (another mixed-blood Indian; tribe unknown, but petitioner claims she was Chinook). The petition suggests that Henry Strong and Ida Strong (allotted at Quinault; married Henry Petit, also a Chinook) were half-brother and half-sister (see supplement on Quinault allotments).

At Cathlamet, in Wahkiakum County in 1870, there were a few pioneer-Chinook families as well. These included: (1) Francois LaFromboise (non-Indian), his second wife Denise Dorian (a Cayuse or Walla Walla Indian descendant), and their children (including Rose Belle LaFromboise, born ca 1870, who has a number of non-Chinook Indian descendants on the petitioner's membership list); (2) Horace Hallet (non-Indian), his wife, Julia Robinson Hallet (Chinook), and their children; (3) Charlotte Birney (Canadian Indian,

[16] One source in the petition stated that, in 1860, John Hawks (Canadian, non-Indian) and Mary (Indian) built a four room cabin on the flat just west of Yellow Bluff. The Hawks moved from there just a few blocks toward the west, where she continued to live with her son, John Hawks, Jr., who was a boat builder until at least 1919. The 1860 date seems too early for their arrival in the Ilwaco area. The 1860 and 1870 census suggest that this Hawks family lived in the Willapa Valley, at least until 1870. Mary Hawks had some descendants who applied for membership with the Chinook Indians in the 1950's. Mary had been an orphan, and was taken in by the Holman family. When the Holmans moved to Portland, Mary Hawks went to work for the Ducheneys, who were living at Scarborough Hill.

widowed); (4) Alexander Birney (Canadian Indian, not Chinook), his wife Melissa Robinson Birney (Chinook; sister of Julia Robinson, above), and their children; (5) Edward Scarborough (Chinook, born circa 1848). There were a few other pioneer-Indian families in the Cathlamet Post Office census who have no known genealogical or social relationship to the petitioner.

During the 1870's and 1880's the Petit family continued to live in Pacific and Wahkiakum Counties. For example, Fred Colbert and Catherine Petit Colbert operated a restaurant in Astoria until 1872, at which time Fred became a seiner at Chinookville. Catherine Petit said she knew Chief Ilwaco, that he was a headman, and that he had a wife who was tyee ('chief') class. Amable Petit, her father, was also seining at Chinookville during the 1870's and 1880's, along with his sons Herbert, James, Joseph, Henry, Frank, Paul, and David. Charlotte Davis recalled that other seiners at that time included Patrick J. McGowan, John Pickernell (married Tonwah, a Chinook and Clatsop Indian); Charles Derock; Daniel Wilson, Charles Bunell, Louis Rondeau (married Margaret Chinook, Chinook Indian woman), Francois LaFromboise, John Fraser, Peter St. Andre, Rocque Ducheney (married Mary Rondeau) Nicholas Kofoed (married Mary Jane Adele Petit), Solomon Preble (married Mary Rondeau, after Rocque Ducheney) Hiram Brown, William McCarty (married Cecilia Cowcow Wan, a Clatsop woman), and John McClure (underlined names are persons known to have married Chinook Indian women).

The 1880 census at Chinookville shows that it was a predominantly Indian and mixed-blood village at that time. There were 82 persons (men, women, and children) who were labeled "Indian" by the census taker, and only 10 non-Indians who were living in Chinookville. Among the 10 non-Indians were 6 adults and 4 children. Three of the non-Indian adults were pioneer men who married Indian women (Fred Colbert, Amable Petit, II, and Samuel Sweeney). Two of the non-Indian adults, Patrick and Jane McGowan, were married to each other, and the four non-Indian children in Chinookville belonged to them. The other non-Indian adult was an elderly male living by himself. Those counted as "Indian" included mostly people of known Chinook, Kathlamet, and Clatsop ancestry. Many of these people have descendants on the petitioner's membership list. It is impossible to determine the ancestry of a few of the Indians, especially those with designations like "Indian Billy" or "Indian woman."

Because there is no other data for the 1880's on specific Indian individuals and where they were living, it is not possible to say if the Indians in Chinookville were living there permanently, or if they were there because it was fishing season. In the latter case, it would be a fishing camp more than a permanent settlement by that point. It is possible that the pioneer-Indian families were living there permanently and the full-blood Indian families were only there to fish. This pattern is reflected in the 1910 census, when the census takers counted Bay Center Indian families twice, once as residents of Ilwaco, and again as residents of Bay Center. While it is not reasonable to project the seasonal migration pattern of 1900 onto the Indians of 1880 (twenty years earlier), it does suggest

the possibility that the Indians fishing at Chinookville in 1880 were permanently residing at Bay Center/North Cove.

There is other supporting evidence for this in 1880. First, the 1880 census only lists a few people of Indian descent living in the township and range where Bay Center is located. It is possible that if there were a permanent Indian community at Bay Center in 1880, the residents of that community were not counted in Bay Center because they were away at the time of the census, fishing at Chinookville. Second, census and other data for earlier decades (the 1860's and 1870's) supports the hypothesis that the Indians in Pacific and Wahkiakum Counties were still living in separate communities. As early as 1866, a BIA agent referred to 30 to 40 families living on the beach on Shoalwater Bay (Waterman 1866). The letter by Waterman is not a clear reference to a Goose Point-North Cove community, but it could be. Waterman may have been referring to the beach at North Cove (later known as "Georgetown;" see BAR historian's report). There is strong evidence that the Indians living at Georgetown in 1888 were closely related to the Indians living at Bay Center in the 1900 census. Several of the key families living at Georgetown in 1888 were fishing at Chinookville in 1880. These include the families of Bob Silackie, John and Annie Hawks, and George and Maggie Skamock. Another 1888 resident of Georgetown Reservation who was fishing at Chinookville in 1880 was Adam Hawks.

The BAR has no information about when Chinookville ceased to exist, or why it was abandoned. According to Charlotte Davis (Chinook descendant), Fred and Catherine Petit left Chinookville and moved to Ilwaco in 1882. In 1884, the new town called Chinook (not one of several Indian villages by the same name, but the modern town) was founded by Mr. Prest and Bill Taylor. Scandinavians started moving into the area in large numbers about this time (Davis 1981, p. 32).

In addition to Chinookville, there was a concentration of Indians in the vicinity of Bay Center in 1880. Because the census is not very specific about geographical location for this part of the county (it only supplies township and range T13N, R10W), it is impossible to call those listed in the area a "community," Indian or otherwise. Nevertheless, there were 16 non-Indians and 14 Indians living within T13N, R10W. Two of the non-Indians were pioneer men who were married to Indian women. This is less than the number of Indians expected to be living in the area in 1880, since the 1866 letter by Waterman mentions that 30 to 40 Indian families were living on the beach. It is possible that some of the full-blood Indians in the 1880 Chinookville census may have only been there seasonally, to fish during the summer (the 1880 census was taken in the month of June). Several of the full-blood Indians listed at Chinookville in 1880 are listed as living at Shoalwater Bay Indian Reservation in 1888. Others were living in Bay Center at the time of the 1900 census.

The Emergence of a More Permanent Indian Community on Goose Point at Bay Center

The historical origins of the Indian community on Goose Point are not well-known. One of the exhibits in the petition discusses the early contact period of Bay Center history (Hope Wilson Clark "The Bay Center Story"; Petition Exhibit #213; she was born 1898, married Scott Clark, a Chinook descendant, and died in 1993). In this article, Clark discussed the arrival of Bay Center's earliest European settlers. Clark claimed that the land at Bay Center/Goose Point was originally owned by Dr. James R. Johnson,[17] who had been living in the village at Bruceport. It is possible that Johnson moved from Bruceport to Bay Center in 1853, becoming the first European to settle there, though there is some possibility that Johnson also maintained a residence in Bruceport after 1853. James R. Johnson also served a term as a representative in the territorial legislature about 1853 or 1854. Clark noted that Doctor Johnson built his house near the tip of Goose Point on a donation claim land grant. Doctor Johnson is mentioned in James G. Swan's book, too (Swan 1857).

There is other supplemental evidence that supports Dr. Johnson's presence at Goose Point by at least 1860. The 1860 census lists James R. Johnson (born ca 1805) as a physician living within the jurisdiction of Bruceport Post Office, along with his wife and children. The fact that he was counted as living at the "Bruceport Post Office" in 1860 does not contradict Clark's contention that he moved to Goose Point in 1853, since mail for those living at "Palix" (the original name of Bay Center, from about 1873 to 1877; see Clark, Petition Exhibit #213) was brought from Oysterville to Bruceport by mailboat, where it had to be picked up by the addressee. A separate post office was not established at Palix until 1876. The BAR historian also found an 1863 plat of Township 13 North Range 10 West (Willamette Meridian), which includes Goose Point and the rest of what became known as Bay Center. On the plat, "J.R. Johnson" is the only named land owner at the mouth of the Palix River (195.49 acres).

Two other early settlers at Bay Center are mentioned in Clark's article. George Wilson, Hope Wilson Clark's grandfather, settled on the shore of the Palix River in 1853, opposite Bay Center (this was known as Wilsonville and is today Wilson's Point). The other settler was Lewis H. Rhoades[18] (L. Rufus Rhoades, married Annie Lola Clark,[19] a Chinook descendant), was the next known settler to arrive in the area, moving there in 1865.

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[17] This James Johnson is not related to the Captain James Johnson who married Koholwish (Lower Chinook female), or to Captain Johnson's son, who was also named James Johnson.

[18] born Aug. 20, 1844; died July 14, 1913.

[19] born 1910; married 1927.

According to Clark, the land for the town that became known as Bay Center was purchased from Doctor Johnson's widow in 1873, indicating that Doctor Johnson died by that year. There is no mention in written accounts of a permanent Indian village at Goose Point before that time (it might be noted that Sam Millet stated that he was born at Bay Center; see 1906 McChesney Roll, Statement #10; his daughter, Emma Millet Luscier stated that her father, Sam, was born in Wahkiakum County). It is possible, therefore, that the Indian community at Goose Point may not have been established until after 1873, when the donation claim of Doctor Johnson was sold. But this is not known with certainty. It is also possible that the Indians lived there before Dr. Johnson was granted the land, and they continued to live there as "squatters."

About 1880, a number of social changes contributed to the establishment of a relatively permanent distinct Indian settlement at Bay Center. For example, by the time of the 1880 census, the large Indian population at Cathlamet no longer existed. The two surviving Indian families listed in the separate 1870 Indian census for Cathlamet, of George Skamock and Sam Millet, joined Indians living at Chinookville and/or Bay Center/Georgetown by the 1880's. The only Indians left in Cathlamet in 1880 were those who had married non-Indian pioneers, and their descendants.

By the 1900 census, there were some mixed-blood Indian families living in isolated communities along the shore, further up the Columbia River from Cathlamet, at Altoona, Pillar Rock (Dahlia), and Brookfield. These were Indian village sites in 1836 (they appear on the maps by Slacum 1836 and de Mofras 1844; Petition Exhibits #3 and #314), then known as Gray's Village, Kathlamet Village, and Wahkiakum Village, respectively. In 1854, the latter two villages were still in existence, with Totillicum the headman at Kathlamet/Woody Island, and Skamoqueah the headman at Wahkiakum Village. There is no evidence, however, that the mixed-blood Indians who were living there in 1900 were related to the Indians who lived in the villages of 1851 and 1854. Therefore, it is concluded that there was no village continuity from the villages in 1841 and the distinct mixed-blood settlements that emerged there between 1880 and 1900.

1888 Shoalwater Indians Census

In 1888, Indian agent Edwin Eels made a special census of the "Georgetown Indians." This designation did not previously exist, but seems to indicate the Indians who were actually residing at Georgetown, as the Indian village on the Shoalwater Reservation was sometimes called, at the time of the census. The land for the reservation was set apart in 1866 by executive order. In 1876, the reservation was apparently "rediscovered" by the Indian agent, who stated that no one in the superintendency was aware that it existed (COIA Report 1876). That year he visited the reservation and found only 2 Indian men and their families ("the chief and his brother") living on the reservation. He appointed a chief, three subchiefs, and a sheriff to keep order. About 30 heads of household eventually came to meet with the Indian agent, and they expressed their desire to obtain

parcels of land on the reservation. Lots on the reservation were subsequently assigned to individuals in 1881.

According to the 1888 Georgetown Indian census, there were a total of 26 Indians living at Georgetown in eight nuclear families. Indians included in this census were Chief Matell (Chehalis) and Ellen (his wife, tribe unknown); Frank Jocatou (Quinault), Emma Millet (his wife, Kathlamet and Cowlitz), and their daughter Lillian Frank; Jim Millet, Jennie (his wife, Wheelappa), their son, Jason Millet, and an unnamed daughter; George Skamock (Wahkiakum), Maggie (Chinook), and their children Mary Ann George, Nellie George, and Isaac George; Joseph George, also a son of George and Maggie Skamock, was living there with Belle Silackie (his wife, Clatsop) and their daughter, Bessie George; Adam Hawks (Chinook); Johnny Hawks and Annie Lewis Hawks (his wife, both Chinook Indians), and his children Blaine and Kate Hawks; and Willie Calhoun (Indian), Annie (his wife, Indian, their tribe is unknown), and their children Thomas Calhoun, and an unnamed 2-year old daughter. The people underlined above also lived in Bay Center between 1900 and 1920.

Many of these same Indians lived in the Bay Center Indian community in the late 1800's and early 1900's or had primary kin who did. It is possible that the Indians living at Georgetown in 1888 were there on a seasonal basis, exploiting the oysters. There were never more families living at Georgetown than this between, 1888 and 1970. In BIA correspondence, the term "Georgetown Indians" was used to designate both the Indian descendants who actually lived on the reservation and the Indians who lived in Bay Center (regardless of their tribal origin), because the kinship and other social relations between the two communities were so close. In fact, they are accurately viewed as a single social community from the 1880's to the 1920's (see Table 3, above).

There is no extant manuscript Federal census for 1890. There is very little evidence that provided information on the Indian communities at Bay Center and Chinookville for the 1890's. The summary statistical report for the 1890 census reported that there were only 44 "civilized Indians" in Pacific County in 1890, down from 159 in 1880 and 124 in 1870. The statistical tables in the Commissioner of Indian Affairs Report for 1888 stated that there were 102 "Georgetown" Indians.[20] The accompanying narrative report written by Edwin Eels (agent, Puyallup Agency consolidated) for 1888 noted that most of the Georgetown Indians were not living on the reservation. Rather, they had purchased small pieces of land in Bay Center and were living there. The Indians made their living harvesting oysters. The agent also noted that the Georgetown Indians were showing renewed interest in their parcels on the reservation, not because they wanted to move back there, but because the newly constructed railroads in the area had driven up the value of the land. As noted above, there is an 1890 newspaper article that mentions the Indians in Bay Center as participating in the Ghost Dance (did the author mean the

[20]For the same year (1888) there were only 95 Quinaults.

Shaker Church at Bay Center?). Also, Verne Ray's two informants stated that the last Chinook potlatches were held about 1880 at Chinookville, and about 1890 at Bay Center (Ray 1938, 95). According to the 1900, 1910, and 1920 censuses, there were Chinook, Kathlamet, and Clatsop Indians still concentrated in a settlement at Bay Center.

The Shaker Church at Bay Center, Washington

The Shaker Church at Bay Center and Shoalwater Bay Reservation is known through newspaper articles, memoirs, and photos. The Indian Shaker Church was established by John Slocum, a Squaxin Island Indian. In 1882, he reportedly died, had a vision, and was brought back to life. In broad outline, he told the members of the church they were not supposed to drink alcohol, gamble, smoke, or enlist the services of shamans. Shakerism appropriated some of the beliefs and ritual elements of Christianity, and combined them with native beliefs in spirit possession, making it a syncretic faith. Mud Bay Sam, one of the early, influential converts to the Shaker Church, was adopted by the Quinault Tribe before 1912. Mud Bay Sam was the first elected Bishop after the Shaker Church incorporated under the Washington State law in 1910. Mud Bay's wife, Emily Sam, sought adoption by the Quinault Tribe in 1912 (1912 Quinault Adoption meeting minutes; Petition Exhibit #434; Amoss 1990).

According to Amoss, Shakerism spread first to the Skokomish and Chehalis Reservations then to Chehalis Indians on Gray's Harbor by 1883. This is probably the path by which it was introduced to the Indians at Bay Center, since the first-known Shaker preacher there was Willie Andrew, a Chehalis Indian. Willie was present in the Bay Center community from at least 1900 to 1920, according to the Federal censuses for those years. He may have arrived as early as 1890, but there are no manuscript census schedules for that year to confirm this. The community at Jamestown S'Klallam was converted to Shakerism about 1885.

The Shaker Church was established at Bay Center by the 1890's. Its continuing presence in 1900 is confirmed by internal evidence from the photographs included in the petition. Ruth Dixon (non-Indian), a local historian familiar with the Bay Center Indian community, identified a number of the Shakers in the photographs. The petition explains that there were two buildings that served as the meeting place for the Shaker Church. The first one was on top of the hill, up from the Indian village at Goose Point, in the town of Bay Center. The first church was still used by the Shakers as late as 1901, as seen by a photograph of Lottie Hawks (Chinook, married to Charles Wain, Indian, but not Chinook) with her infant daughter Clara, who was born about 1901 (see 1910 Federal census). This church was eventually converted into a gymnasium, where boxing matches were held. The second Indian Shaker church building was constructed at Goose Point on the swampy lowlands. George Charley had a home next to the church on Goose Point (see photo section of the book on the McChesney Roll, Adams 1969).

Indians photographed with the Bay Center Shaker Church include: John Clipp; Chief George A. Charley (Chehalis); Annie Lewis Hawks (wife of John Hawks, son of Huckswelt) and their children Lewis Hawks, Lottie Hawks Wain, and Elsie Hawks; Lucy Andrews-Benn (Chehalis; mother of Willie Andrews, Shaker preacher); Margaret Ero Pickernell-Wilson; China John; Joe Wain and his son Charles Wain; John Skanown (Shaker Preacher; known at Shoalwater by 1881, since he was provided a claim at Georgetown that year); John Benn; Mary (Katama) Wells; Lillian Frank (married to Clarence Pickernell); Emma Millet (married Alex Luscier); Alex Luscier; Tonina Baricho; Maggie Lewis (married Nathan Pickernell); Howard Cultee; Rosie (married Johnny Skanown); James "Captain Jim" Huckquist; Susan Skanown (married James Huckquist); Isaac George; Eliza (some records say she was Cowlitz; the 1910 Indian census for Bay Center says both parents were Nisqually; married Joseph Waine; together, they were the parents of Charles Wain, who married Lottie Hawks; Alice Skanown (married a man named Cross); Emma Larsen; May Larsen; Mary Wagner; Johnny Baricho (nicknamed Toke); Mr. Lewis (first husband of Maggie Lewis Pickernell); Josephine Johnson (married Joseph Howe Elliott); Henry Franklin Springer; Elizabeth Springer (mother of Johnny Baricho); Louis Larsen. The people underlined in this paragraph have no known Chinook, Clatsop, Kathlamet, or Wahkiakum ancestry. Where their tribal background is known, it is indicated. It will be noted that many of the non-Chinook Indians are Chehalis.

The Shaker Church offers one point of continuing social contact between the Chinook Indian descendants at Bay Center and those who continued to live on the Columbia River in the late 1800's and early 1900's. For example, Josephine Johnson, who married Joseph Howe Elliott (both Chinook descendants) is in one of the Bay Center Shaker Church photographs. She lived on the Columbia River at Elliott Point with her husband. Margaret Ero (first married John Pickernell, Jr. [Chinook], then Charles Wilson [non-Indian]) is also in the photographs, and she was born on the Columbia River and many of her relatives continued to live there.

The traditional Indian burial of Mary Armstrong Riddell (full-blood Chinook Indian; she married twice, both non-Indians: Benjamin C. Armstrong and John Riddell) is described by Anna Wiegardt Perrow (Perrow 1955). According to her tombstone, Mrs. Riddell was buried in 1893 in Bay Center (BAR anthropologist's field data), though she lived with her husband John Riddell in Bruceport from 1870 until her death (see Territorial and United States censuses for 1860, 1870, 1880 and 1900) . In the 1880 census, she was listed as Mr. Riddell's servant, but it is known that she was the mother of his two sons, Eugene and Albert.

> I well remember the day Mary Armstrong Riddell passed away. Our school teacher, Arthur E. Skidmore, helped us make wreathes and sprays of roses, snowballs and other flowers. Then we marched down to the Riddell home and placed our offerings on her casket. Mr. Riddell was so pleased. She had a huge canoe, about forty feet long, housed in a split

> cedar shake she located above high tide. Some of her possessions were put in the canoe and all was burned in ceremonial fashion. She was buried in the Bay Center cemetery, and as the grave was filled with earth, Captain Jim Huckquist, who was married to her sister, Susan, threw in her beads and other trinkets. Mary Riddell had another sister, Anne, known variously as "Big Anne" and "Satsop Anne," and she made beautiful baskets (Perrow 1971, 31).

This story provides evidence that the Chinook Indians in Bay Center were still practicing some traditional Indian burial customs at least as late as 1893. It is also further evidence that an Indian community was present at Bay Center in the early 1890's, since the Indians at Bruceport transported their deceased loved ones to Bay Center for burial.

John Wiegardt recorded the following story recounting a Shaker ceremony that was held when he was still a child to cure Bob Silackie (Wiegardt 1955, reprinted in Sou'wester 1971).

> The Bruceport Indians, like their white neighbors, were good, bad, and in between. They had a religion of their own known as the Shaker Church. I attended one of their meetings when they let it be known that they were going to drive an evil spirit out of one of their ailing older Indians. The meeting was held in the old Charley Fisher home, long since vacated by the Fisher family, who had moved to Toke's Point, now Tokeland. It was a hot, sultry evening in the summer.
>
> The outside door stood wide open. On each side of the door stood two husky Indian boys, each held two wooden-handled dinner bells which they kept ringing continuously during the meeting. Seated in the center of the room, and stripped to his waist, was the ailing person, Bob Salikee. His church members were circling around him and chanting a noise that sounded to me as "Hi-yi, hi-yi, hi-yi." As they passed behind the patient, they stopped a moment to rub their hands over the ailing back, then suddenly clapped them tight and continued on their way in the circle. As they passed the open door, they tossed their arms outward and opened their hands. Later, I learned that they were entrapping the evil spirit and tossing it out the open door. The ringing of the bells in the doorway was to frighten the released spirits against again entering the room and the patient. The treatment was highly successful, for the next morning, bright and early, I saw old Bob out on the oyster beds, picking native oysters (Wiegardt 1971, 35).

This story, dating to the 1890's, provides evidence of the interconnection between the Indians living in communities around Shoalwater Bay, since Bob Silackie lived at Bay Center/Georgetown from 1888 to 1920 and was cured in a ceremony held in Bruceport. It

also provides additional, supporting evidence that the Indians were holding Indian Shaker ceremonies at that time.

The anthropologist Franz Boas visited the Indians at Bay Center in 1890, 1891, and 1894 in order to find Chinook and Kathlamet speakers so that he could record some data on those languages. Boas mentioned Bay Center as a place where an "Indian remnant" had gathered. One of his main informants was Charles Cultee, Sr. (born circa 1840). Boas did not discuss the nature of the Indian community at Bay Center in his books on Chinook and Kathlamet languages (Boas 1894 and 1901, respectively). Boas also did not mention going to visit Indians at Shoalwater Bay Reservation, only at Bay Center, which suggests that Bay Center was better known as the main Indian community at the north end of Shoalwater Bay since, according to the Indian agent, the majority of the Shoalwater Bay Indians lived there rather than on the reservation across the Bay.

Another anthropologist who wrote about the Chinook Indians was Verne Ray (Ray 1938). He conducted his fieldwork in 1931 and 1936, but he did not gather much evidence on the Chinook descendants as they were living at that time. Rather, his research focus was on traditional Chinook beliefs and activities as they were in the late 1800's. He had two informants, Mrs. Bertrand and Emma Millet Luscier. According to "Mrs. Bertrand" (Isabel Aubichon, born 1843, d. 1933; wife of Joseph Bertrand, non-Indian), the Chinook Indians had a single-order secret society, in contrast to the Quinaults who had a two-order secret society (Ray 1938, 89 ff.). Mrs. Bertrand told Ray that the Chinook Indians learned about the secret society from a Northwest coast slave of Comcomly, but Ray suspected that it was probably learned from the Quinaults. About 1860, Mrs. Bertrand said that she attended the initiation of Comcomly's son (the "son" was not named, and Ray thought Mrs. Bertrand might actually be referring to Comcomly's grandson). Spirit power ceremonies were usually held in the winter time, as were shamanistic performances. His spirit power was the black bear. The initiation ceremony took place at a Clatsop town near Astoria. The ceremonies, Mrs. Bertrand noted, were often attended by the Quilleute and Chehalis, but the Quinaults were not welcome. She also provided Ray with an account of a "dual" between two shamans. One of the shamans, a woman, who was a finder of lost objects, won out over the man who had knife power. This dual occurred near Bay Center. The favorite places for seeking spirit power were at the summit of Scarborough Hill (above the Qwatsamts village), Saddle Mountain (Clatsop Country), in the swampy regions near present-day Ilwaco, the head of Skamokawa River, and Naselle Mountain (Ray 1938, 79).

Verne Ray's informants told him about the spirit power initiation ceremony that was held for Dixie James. Ray did not record a date for this ceremony, though Dixie James was born about 1853 and died in 1909. This would make a date of about 1870 to 1880 possible. The ceremony was held at Jamestown S'Klallam village, in the home of "Old Tcinu" who, according to Ray, had a similar spirit power to Dixie James. Ray wrote that there were 30 adult Indians who went up to S'Klallam in canoes. Presents of blankets and a gun were made to Old Tcinu, and Sam Millet (born circa 1829; d. 1913) gave him a

canoe (Ray 1938, 84). Sam Millet's spirit power was the snake, symbolized by the bracken root. In addition to this report of a spirit power initiation, Ray says that John Clipp (born circa 1861; died sometime after 1912, since he participated in the Quinault adoption council meeting that year) regained his sight after being blind for three years, when he danced to show his spirit helper, the owl.

Ray recorded other traditional aspects of Chinook culture still practiced in the 1870's, such as potlatching (feasting and gift-giving), holding slaves and traditional medicine. He noted that potlatching was done "only in the most superficial sense," in the sense that the Chinook Indians applied the term potlatch to any celebration that involved feasting or gift-giving (Ray 1938, 93). In applying the label "superficial," Ray apparently was comparing the Chinook potlatches his informants recalled to the now famous potlatches of the Northwest Coast that were held in the late 1800's and early 1900's. The later potlatches were competitive, sometimes economically ruinous, battles between local village headmen. Nevertheless, Ray's description of the Chinook potlatches fits perfectly well with the description of potlatches that were held prior to contact with Europeans, which were less competitive and had an economic redistribution function (Piddocke 1968).

According to Ray, the last potlatch at Bay Center was held in 1890, and the last one on the Columbia River was in 1880. The potlatches were usually held in the summer or fall. This is worth noting for two reasons. Ray's informant estimated that the last potlatch at Chinookville was held about 1880, which coincides with the last time Chinookville appears in the Federal census (though there are no manuscript census records for 1890). It is also interesting that the Indian community at Bay Center held the last potlatch in 1890, about ten years after the last one at Chinookville. Potlatches are good evidence both for social cohesion and political authority, because it would be impossible to sponsor a potlatch without strong leadership and the support of the community. This evidence, coupled with the evidence that the Indians in Bay Center had an Indian Shaker Church in operation by 1890 (see below), indicates that there was an Indian community there at that time. Unfortunately, there are no listings of individual Indians living in Bay Center between 1880 and 1900. For this reason, it is not possible to say with certainty that the Indians sponsoring the potlatch in Bay Center around 1890 were predominantly Chinook Indians. But it does seem likely given the evidence for 1881, 1888, and 1900.

One of the potlatches that one of Ray's informants told him about was a feast at Quatsamts village,[21] held about 1880. The Chinook Indians, who were hosting the affair, held a competition with the Clatsops to see who could eat the most salmon eggs. The Chinook Indians won the competition, which insulted the Clatsops, who were humiliated because of their small appetites. The Clatsop shaman (asxaia' xan) became angry and

[21]Ray mistakenly states that Quatsamts was an Indian village at the mouth of the Wallicut River.

started a fight with the Chinook Indians. His fellow Clatsops finally convinced the shaman to leave Quatsamts to avoid further conflict.

The 1850 census provides evidence for the ownership of slaves, as do other records left by non-Indian settlers present in the area at that time. For example, Ray noted that Yammans, a signer of the 1851 treaty, who was chief at Naselle, owned a slave from Vancouver Island. Chief Matel, Chief Ilwaco, and others owned slaves as well. The practice of holding slaves seems to have continued until at least the 1870's.

Emma Millet Luscier (born circa 1867; the 1870 census says she was three years old) reported to Verne Ray that, when she was a baby she was very ill. A shaman named Qwalsi told her mother that she would not recover unless placed in a traditional cradle. The shaman made the cradle for her, head board (for skull-flattening) and all. Mrs. Luscier said that her paternal aunt eventually removed the head board. On another occasion, a shaman dreamed that she would have to have her ears pierced to be cured of an illness. She said that when her ears were pierced, the community visited for two to three days and brought food to share, as well as gifts for the shaman. According to one of Ray's informants, about 1875, "Dr. Jack" (tsaa/x) accurately predicted the failure of the oyster crop. Doctor Jack, age 40, along with his wife, Lucy, are recorded in the 1880 census. They were living in the Indian village of Chinookville, in the same home as Adam Hawks (son of Tom Hawks, signer of 1851 treaty) and Bob Wain. Nothing more is known about Dr. Jack.

In the late 1890's, the Chinook Indian descendants started seeking compensation for land that was taken from them. This has been an important issue for Chinook descendants at various times during the 1900's, as it is to the petitioner. In 1897, the Nehalem band of Tillamooks (including some Indians of Chinook and Clatsop ancestry) were awarded a $10,500 settlement for land mentioned in their unratified Tansey Point Treaty. Ruby and Brown suggest this may have spawned the lawsuit brought by the Chinook Indians in 1899 (Ruby and Brown 1976). In 1901, the Kathlamets submitted a claim to Congress, which the Senate denied. In 1899, the Chinook Indians chose Silas Smith (a Clatsop descendant) as one of their lawyers. The land claim petition was signed that year by 37 Indians, representing the main lines of descent for Chinook Indians at that time. The 1987 Petition Narrative, pages 252-253, lists only 34 of the 37 signers, and misidentifies at least one of the 34 it did include. The signers were Mary Rondeau Ducheney-Preble-Kelly, Julia Pickernell Russell-Green, Mary Ann Bouton Nienberg, Catherine Cowcowan Brown, Louis Ducheney, Edwin Scarborough, Isabel Aubichon Bertrand, Catherine Aubichon Pellicier-Tellier, Annie Hallet Stone, Melissa Robinson Birnie, Horace H. Hallet, Annie F. Hunter, Amelia Aubichon Petit, George W. Johnson, Wahsuskea

Matell,[22] Catherine Hawks George,[23] Caroline Matell Charley, Catherine Whahsequah Dawson, John Clipp, John Hawks, Adam A. Hawks, Paul Jones, Victoria Lewis Hawks, Annie Hawks, Kate Chenois,[24] Jonas Hyasman,[25] Toney John, Johnny John, Tom Walley, Simon Pete, Lena Pete, Salley Pete, Henry Pisk, Matthew John, Tsolix,[26] Julia Aubichon Luscier-Roberts-Price, and James Julius (Petition Exhibit # 166, oversize). The four people whose names are underlined have no known Chinook ancestry.

In 1906 and 1913, Charles McChesney compiled a roll of Chinook. Kathlamet, Wahkiakum, and Clatsop Indian descendants who were heirs to the 1851 Tansey Point Treaties signers. In 1914, the heirs of the treaty signers received payment for the land that had been ceded according to the 1851 treaty. During the 1920's and 1930's, the Chinook Indian descendants fought intermittently to obtain more compensation from the United States Government for their land and other resources. Another land claim was made before the Indian Claims Commission in 1951. There will be more on their land claims later in this paper. For now it is enough to state that the Chinook Indians won an additional monetary settlement in 1970, stemming from the 1951 land claim. The money, though appropriated by Congress, was never accepted by the Chinook Indians because they did not agree to a per capita method of paying out the award, as was the wish of the United States Government. The Chinook Indians wanted to receive the money as a payment to them as a tribe, not as individuals. The money is still being held in an account for them, and is collecting interest.

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[22]Chief Matell was a Chehalis Indian. He had a Lower Chinook wife who was deceased by this time. Together, they were the parents of Caroline Matell Charley, wife of George Charley.

[23]Catherine Hawks was a Wheelappa Indian. She married a Lower Chinook Indian named Tom Hawks who was also known as Huckswelt. Huckswelt signed the 1851 Lower Chinook Band treaty.

[24]Probably the wife of Joseph Chenois, a Clatsop; see Quinault Allotment Papers retrieved by BAR historian, which list his four wives; Kate Chenois' ancestry is unknown.

[25]The 1987 Petition Narrative says this signatore was James R Johnson; but this is impossible since Myrtle Johnson Woodcock's father died in 1889. The original document is clear.

[26]1987 Petition Narrative, 253, identifies him as Sam Millet. If this identification is accurate, Millet was the only Kathlamet descendant to sign. A more likely prospect is the Indian by the name Tsolix, who was a Clatsop Indian, according to the 1906 McChesney Roll. He had two daughters Sallie and Lucy who had married men in the Bay Center community by 1906. According to the 1900 census both Solux and his wife, Ellen, were living in Bay Center, as were Sam Millet and his wife, Esther.

THE CHINOOK INDIAN COMMUNITIES FROM 1900 TO 1920 AND THE 1953 MEMBERSHIP APPLICANTS LIST

By 1900, there were only two geographical communities of Chinook Indian descendants where the descendants lived in areas segregated from the surrounding population. One was at Bay Center, and one was at Altoona/Dahlia/Brookfield (will be referred to as "Dahlia," for the sake of simplicity). There were some Chinook descendants at Ilwaco also, but there is no evidence that they continued to live segregated from the rest of the non-Indian population. The Indians at Bay Center continued to marry other Indians, mostly other Chinook, Kathlamet, and Clatsop Indians. The Chinook Indian descendants living at Dahlia in 1900 were mostly the offspring of pioneer-Indian marriages between 1850 and 1880. Most of them continued to marry non-Indians, though there were some patterned marriages (to other Chinook Indian descendants at Dahlia and Bay Center, as well as to other Indians from the general region, as culturally appropriate). Most of the social interaction from 1900 to 1920 seems to have been within each of these communities. This section of the anthropology report discusses what is known about the kinship and other social ties within and between these two settlements of Indian descendants, and compares the results with what is known about the Chinook Indians included in the 1953 membership applicants list that was submitted to the Bureau of Indian Affairs by the Chinook Tribes, Inc.

Based on the BAR's analysis of the 1906 and 1913 McChesney rolls, and the 1919 Roblin roll of unattached Indians, there were 418 known adult[27] Indians (full-blood) and Indian descendants (less than full-blood) of the Chinook, Clatsop, Kathlamet, and Wahkiakum Indians living in 1906. Of these 418 adult Indians, only 106 are known to have descendants on the 1953 list of applicants for membership in the Chinook Tribe, Inc. (Petition Exhibit #137). These statistics are based on the BAR anthropologist's analysis of Federal census records, records concerning allotments at Quinault Reservation, and the ancestry charts provided by the petitioner. It is not known what happened to some of the 312 Indians who do not have descendants on the 1953 membership applicants list. Some joined or affiliated with other Indian tribes (recognized and unrecognized: for example, Quinault, Chehalis, Cowlitz, and Lummi); others may have died before producing offspring or may have moved out of the Chinook Indians' aboriginal area.

Analysis of Data on Culturally Patterned Marriages

The petitioner did not submit any analyses on the percentages of culturally patterned marriages. The BAR anthropologist attempted to analyze the data that was submitted by the petitioner and found by the BAR on the percentage of culturally patterned marriages

[27] Unless otherwise indicated, adult age is 18 and over.

for the petitioner's ancestors from 1860 to 1909. The results of the analysis were inconclusive, because the available data on marriages, once compiled, appeared to be very incomplete. It is possible that, with more research, the petitioner could find more complete, reliable data on marriages and conduct a decade by decade analysis, from 1880 to 1909 on the percentage of culturally patterned marriages. The BAR can provide technical assistance on how to conduct this analysis. Some brief suggestions follow.

First, the petitioner should compile a list of all extant marriages for their ancestors, by decade. Potential sources of information for this analysis would include the Federal censuses (Indian and non-Indian; 1850-1920), county censuses, the 1888 Georgetown Indian census, the 1906 McChesney Roll statements, the 1932 applications for allotments at Quinault Reservation, the 1950's applications for membership in the Chinook Nation and Chinook Tribe, Inc., and the ancestry charts supplied by members for the 1981 and 1987 petitions. Also helpful would be church and local government records of births, marriages, and deaths.

Second, the petitioner should determine whether or not the marriages listed for each decade meet the definition of culturally patterned. In the case of this petitioner, a "patterned marriage" refers to marriages to Chinookan or other Indians from the local vicinity, as culturally appropriate. The marriage of Emma Millet to Alex Luscier (Kathlamet and Chinook descendants, respectively), and that of Elizabeth LaFromboise to George Ero (both Chinook descendants) would be examples of culturally-patterned marriages. So would the marriage of Lottie Hawks to Charles Wain (Chinook and Chehalis descendants, respectively). The marriage of Mary Rondeau to Rocque Ducheny would not be included as a patterned marriage, since Rocque was reportedly a Canadian métis (mixed French and Canada Indian). This marriage should be treated as any other marriage of an Indian woman to a non-Indian pioneer. Marriages to non-Indians do not count as culturally patterned. The culturally patterned marriages are mostly Chinook descendants to other Chinook descendants. Particularly in the mid- to late-1800's, there were some marriages of Chinook Indians to Chehalis and Cowlitz Indians.

The data available on marriage patterns in the 1950's is based on the list of membership applicants the Chinook Tribes, Inc. submitted to the Western Washington Agency in 1953. The BAR anthropologist analyzed this list, in conjunction with ancestry charts that were submitted by members to the Chinook council (from 1951 to 1954) to determine how many Chinook marriages were extant in the early 1950's. The information on the ancestry of the Chinook Indians' spouses was not always complete. For example, the Chinook members who submitted ancestry charts to their council did not always report whether they were married to other Indians or not. Cases in which a Chinook individual submitting an ancestry chart did not indicate whether or not their spouses were Indian, it was assumed that they were not. In some cases, supplemental information available to BAR made it clear that a spouse was either Chinook or Indian from another tribe. In

those cases, the marriages were included as "culturally-patterned" where appropriate.[28] Thus, the data that are described for the early 1950's should be viewed as a conservative estimate of patterned marriages. It is possible for the petitioner to supply more information regarding marriages in the 1950's that would make this analysis more representative of the Chinook Nation/Chinook Tribes, Inc. membership as a whole. At the current time, no reliable conclusions can be drawn because of the partial nature of the data.

The partial data that were available for the early 1950's indicated that several of the Chinook descendants were still married in a culturally-patterned fashion, at a rate of about 11%, in 1953. In the early 1950's, there were 555 adult Chinook descendants on the membership applicants list, 314 of whom were married. At least 35 of the 314 married adults (11%), were in culturally-patterned marriages. Most of the patterned marriages were to other Chinook Indians who had lived, or were living, in Bay Center and Dahlia (According to the available data, the Chinook Indian communities in these locations did not exist in 1953). Culturally patterned marriages were especially prevalent among Chinook Indians living in, or having socio-historical ties to, the Bay Center Indian community. There were also some marriages to other western Washington Indians.

The Geographical Distribution of the Chinook Indians Between 1906 and 1910

As can be seen from the data in Table 4 the general population in Pacific, Wahkiakum, and Clatsop Counties rose dramatically during the same 50 year time span. This general trend of growth in the non-Indian population from 1860 to 1910, at a time when the rate of growth for the Chinook Indian population was relatively slow, allowed for more opportunities to marry non-Indians.

[28] In some cases, for example, marriages were reported to persons of partial Cherokee ancestry. These were not included as culturally-patterned; in the case of the Chinook Indians, refers to marriages to other Western Washington Indians.

TABLE 4
GENERAL POPULATION STATISTICS,
BY COUNTY: 1860, 1910, and 1960

	1860	1910		1960	
COUNTY	Inhabitants	Inhabitants	% Change 1860-1910	Inhabitants	% Change 1910-1960
Pacific	420	12,532	2,884	14,674	17
Wahkiakum	42	3,285	7,721	3,426	4
Clatsop	498	16,106	3,134	27,380	70

Sources: Federal Censuses for 1860, 1910, and 1960.

According to information compiled from the 1906, 1913, and 1914 McChesney rolls, there were a total of 418 adults in the year 1906[29] who were descended from the Lower Chinook, Clatsop, Kathlamet, Wahkiakum, and Wheelappa Bands. In 1906 many of the descendants of these tribes had moved away from the aboriginal area. The majority of those who moved away did not maintain an affiliation with any of the Chinook organizations that existed in the 1950's, though there were some exceptions. Only 94 (22 percent) of these adults who were alive in 1906 have descendants on the petitioner's 1995 membership list. This suggests that there is a large pool of Chinook descendants in 1995 who were not affiliated with the petitioner.

The data in Table 5 summarize information on residence for the 418 adult descendants living in 1906. Several observations can be made from the data in this table. First, 418 adult Chinook descendants (18 years of age or over) were alive in 1906. The evidence suggests that many of the 418 adults alive in 1906 lived outside Pacific and Wahkiakum Counties and did not continue to maintain social relations with the Chinook Indian descendants who continued to live there. For this reason, it would be misleading to include all of the 418 descendants alive in 1906 in the analysis of residential patterns.

A better starting point for the analysis is with the fact that only 94 of the 418 adults alive in 1906 have descendants on the 1995 membership list. The 1906 McChesney Roll and the 1910 Federal census were used to establish residency for these 94 individuals. When

[29]The year 1906 is chosen arbitrarily for this analysis because it is the year McChesney's first roll of descendants for the Tansey Point treaty tribes was published. That roll included the Post Office address for all of the Indian descendants who were considered heirs who would receive payment(s) upon the resolution of the Chinook land claim. The 1914 roll is Petition Exhibit #169.

a person was found to be resident in Bay Center/Georgetown or Dahlia according to one of these sources, they were counted as being a "resident." Of those adults who have descendants on the 1995 list, there were 16 Chinook adults living in Dahlia, and 24 living in Georgetown from 1906 to 1910. Another observation is that the majority of adult Chinook descendants who were living in Bay Center in 1906 do not have descendants on the modern petitioner's 1995 membership list, while most of those living in Dahlia do have descendants on the list.

TABLE 5
RESIDENCE IN 1906 AND/OR 1910 OF ADULT DESCENDANTS ALIVE IN 1906

RESIDENCE BETWEEN 1900 AND 1910	1906 Adults with Descendants on 1995 Member List	1906 Adults with No Descendants on 1995 Member List	TOTALS
Washington			
Dahlia	16	8	24
Bay Center/Georgetown	24	38	62
"Other" Washington	18	42	60
Oregon	9	67	76
Other States and/or Residence Unknown	27	169	196
TOTALS	94	324	418

Sources: 1906 McChesney Roll and 1910 Federal Census.

There is another way of looking at the data for this same period of time (1906 to 1910) which provides a more complete snapshot of the situation in Pacific and Wahkiakum Counties at the end of the first decade of this century. This method includes all of the Chinook descendants alive at that time who were either living in either Dahlia or Bay Center, whether they have descendants on the Chinook membership list in 1995 or not. There were 24 Chinook adults living in Dahlia in 1906 and/or 1910, and 62 living in Bay Center. In addition to these, there were an additional 20 adult Chinook Indian descendants with primary kinship ties to Dahlia, 24 with primary kinship ties to Bay Center, and 9 with primary kinship ties to both. This means that 139 of the 418 adult descendants alive in 1906 (33%) either lived in one of these two communities, or had primary kinship ties to someone who lived there.

While Bay Center did have some non-Indian residents, a substantial portion of the Indian residents lived in a separate, segregated part of Bay Center, called Goose Point, on the tip of the peninsula. This is confirmed by at least two pieces of evidence: a map edited by Chinook elder Anna Mae Strong, and the 1910 Federal census. Ms. Strong used a map of Goose Point and Bay Center (Map 3) to indicate the locations of Chinook families' houses, based on information provided by her mother, Annie Lola Clark Rhoades (born circa 1910). Mrs. Strong's grandmother and grandfather, Annie Hawks Clark (born 1864 near the current town of Chinook; died 1927 at Bay Center) and Loyal Clark, and their children were long-time residents of Bay Center. Loyal Clark helped transport some of the Indians to Tokeland by boat in 1913, when McChesney came to Tokeland (between Georgetown and Bay Center) to collect information for his annuity roll. Because of her family's residence in Bay Center, Mrs. Strong's mother may be considered a reliable witness to events around 1915. Only one non-Indian family lived at Goose Point in the midst of a community of 12 Indian homes (a combination of Chinook, Chehalis, Clatsop descendants). Most of the families living in these homes had two parents who were full-blood Indians. In addition to this, there were 19 families of Indian descendants, living in the town of Bay Center proper. Many of these families were comprised of descendants of pioneer-Indian marriages. This information indicates that the separate geographical Indian community at Bay Center existed as late as 1915 (BAR Anthropologist's Field Data).

The 1910 census of the Bay Center Indian population counted a total of 156 Indians (adults and children, included) in Bay Center. Of these, 126 were Chinookan Indians (Lower Band Chinook, Kathlamet, Wahkiakum, or Clatsop). The other 30 Indians were from other Western Washington tribes; many of them were Chehalis Indians. The 1910 census does not provide a precise residential address, nor does it distinguish between residents of Goose Point and those living in the town of Bay Center. However, by comparing the map edited by Ms. Strong to the 1910 and 1920 censuses, it is apparent that there are some patterns in the census data (e.g., those identified on Ms. Strong's map as living at Goose Point are listed near each other in the 1910 and 1920 censuses). A strict comparison of only the Chinookan Indians (N=126) in the 1910 census to the Ms. Strong's map demonstrates that 46 individuals (36%) in the families on the map were living at Goose Point, 41 (33%) were living in Bay Center, and 39 Indians (31%) in the census are not identified on Ms. Strong's map.

In Bay Center, the Chinook Indians maintained an Indian Shaker Church, also until at least the 1920's. Again, it is unclear when the Shaker Church ceased to exist. The Chinook Indians in Bay Center shared a common burial ground with the non-Indian settlers ("Pioneer Cemetery"). While they shared a common cemetery, the graves of the Chinook Indians who were buried in Bay Center from the late 1800's through the early 1900's were located in the marginal, less-desirable areas of the cemetery (along the perimeter), while the non-Indians were buried in the central part of the cemetery. The BAR anthropologist was shown around the graveyard by a Chinook elder whose family has lived near or in Bay Center since the early 1900's. This pattern of cemetery burials

suggests that discrimination was an active factor during the late 1800's and early 1900's (BAR Anthropologist's Field Data).

The Chinook Indians living in Bay Center from the 1880's to about 1920 were closely related in terms of kinship and other social ties, to the Indians living in other towns in Pacific County, including: Georgetown, Bruceport, South Bend, Chinook, Ilwaco, Nemah, and Nahcotta. For example, when Anna Wiegardt Perrow's family, which lived in Bruceport, needed a midwife to deliver her younger sister, Augusta, in 1895, her father went to Bay Center to get Elizabeth Springer, a Chinook Indian woman, for the job (Davis 1981, 41). These communities were linked to each other by boats traveling on Shoalwater Bay, since there were no roads linking the communities in the early 1900's. In the census data between 1850 and 1920, it is very common to find an Indian living in Bay Center in one decade and living at Georgetown or Bruceport in the next.

At some unknown time after 1920, the separate geographical community at Goose Point ceased to exist, though a number of Chinook Indian descendants still live in Bay Center at the present time, including Catherine Hawks Lorton, the only full-blood Indian on the petitioner's membership list. Bay Center continues to be the place where the Frank and the Lorton extended families gather for their annual picnic and softball game, as they have been doing for several decades (BAR Anthropologist's Field Data).

The other place where some Chinook descendants were still living near each other from 1906 to 1910 was along the north shore of the Columbia River around Dahlia, in Wahkiakum County (includes Dahlia, Altoona, and Brookfield [a.k.a. Pillar Rock]). Twenty-four adult Chinook Indians lived there. Dahlia, in particular, continued to be almost exclusively inhabited by Chinook Indian descendants until at least 1932. School census records for the years from 1918 to 1932 for School District #7 (Dahlia) were obtained by the BAR genealogist. These records show that the vast majority of children living in the Dahlia School district were the Chinook Indian descendants (Ducheney, Peers, and Ero descendants, mostly). This suggests the possibilty that Dahlia may have continued to exist as a separate community of Chinook descendants until 1932. The first school in Dahlia was built in 1890, at Elliott's Landing by Jonathon Green Elliott, the non-Indian spouse of Agnes Ducheney Elliott. In 1900, a school was built with public funds for the children at Dahlia and Pillar Rock. In 1948, Dahlia became somewhat accessible to automobile traffic when the first road was constructed. Dahlia maintained a separate school until 1956 (Hunter 1993). The Chinook Indians also maintained separate and distinct burial grounds in Altoona and Dahlia, which were used exclusively by their families. The Chinook Indians living in Altoona, Dahlia, Brookfield, and Skamokawa were closely related to each other in terms of kinship and social relations.

Fifty-two of the Chinook Indians who did not live in Bay Center or Dahlia had primary kin who did live in one of them. In this report, primary kin is defined as an individual's parents, siblings, grandparents, and children. For example, John Pickernell (born circa 1839, half-blood Chinook) was living in Astoria in 1906, at the time of the McChesney

enrollment (he was the only non-Clatsop Indian in Clatsop County). Margaret Ero (born circa 1841), John Pickernell's wife, was living at Brookfield (near Dahlia) when the 1900 census was recorded, where she was listed as a widow. In Brookfield, she lived alongside her half-brother, John Durival. At the time of the 1920 census, she was living with her second husband, Charlie Wilson, and her brother, Julian Ero was living at Dahlia, her half-brother Louis Durival, and her half-sister Sophie Durival Nelson. John and Margaret Ero Pickernell's son, Alfred Pickernell (born ca1865; married Rosa Taltrich, a Clatsop descendant), and their granddaughter, Maud Pickernell (born 1888), were living in Bay Center. Several of Alfred's brothers were also living in Bay Center including Nathan Pickernell, who married Maggie Lewis (a Clatsop descendant living in the Bay Center community) and Clarence Pickernell, who married Lillian Frank (a Kathlamet descendant living in the Bay Center community). Another example of primary kinship ties between Bay Center and Indians not living in the geographical community is that of Georgia Petit Winship, who was living in the town of Chinook, and her sister, Hattie Petit Reed, who was living in Bay Center.

There is very little evidence, however, for the maintenance of social relations between the Chinook descendants living in Bay Center and those in Dahlia from 1880 to the present. Dixie James, the son of James ("Captain Jim") Huckquist, and his family provide another example of primary kinship ties between Bay Center and Altoona. Dixie James was one of the original claimants at Georgetown, and a resident of Bay Center. Dixie James married Adeline Pellard (daughter of Ellen - a.k.a. Temi-Temi, who was a leader at the old Chinookville Indian community, according to Verne Ray; Ray 1938). Dixie and Adeline were married and living in Bay Center in 1906 (they were both on at least their second marriages). In 1880, Adeline's mother was living at Brookfield, WA, in Wahkiakum County. Adeline's daughter from a previous marriage, Josephine Johnson, married Joseph Howe Elliott (also a Chinook Indian), from Altoona. Josephine's photograph was taken in front of the Shaker Church in Bay Center about the year, 1902. In 1910, Sophie Johnson, another daughter of Adeline Pellard's, was living with her husband, Jason Millet in Bay Center. On February 26, 1909, the Willapa Harbor Pilot, announced the death of Dixie James: "Dixie James, a Bay Center Indian, died Saturday in Bay Center, aged 52 years. Deceased was well known at Altoona, where he engaged in gill-netting in the summer season. A number of his relatives reside in this county (Wahkiakum) ----- Cathalmet Sun" (Petition Exhibit #89).

Another example of primary kin relations between Indians in Bay Center and other towns in Pacific County is the family of Myrtle Johnson Woodcock (born 1889). Myrtle's grandparents, Louis and Catherine Haguet lived near Bay Center in 1880. Myrtle Johnson's father, James Johnson, II was orphaned as a boy. After his mother died, James (age 10) and his brother George Johnson (age 12), went to live with the Birnie family at Cathlamet, in Wahkiakum County (1857 Wahkiakum County census). Myrtle was living in Bruceport in 1900, and South Bend in 1906. She was often taken to the Indian communities at nearby Bay Center and Georgetown by her mother, Cecilia Jane Haguet Johnson-Howard (an Upper Chinook Indian; Myrtle's father, James Johnson, was a

Lower Chinook Indian), who helped the Indians by providing services as a midwife (BAR Anthropologist's Field Data). Myrtle's mother, Cecilia Jane Haguet, had a sister, Lucy Haguet (married William Bailey, a half-blood Chinook Indian) living in Bay Center in 1906, and a brother, Frank Haguet, living there in 1910. According to the 1910 census, Frank Haguet lived in Bay Center with Cecelia Johnson (Myrtle Johnson's sister and his niece), and Sam Oliver, Cecelia's Cowlitz husband. Living nearby was John C. Johnson, Myrtle Johnson's brother.

Two examples of primary kinship relations between Bay Center and South Bend are found in Albert Riddell and Maria Telzan. Albert Riddell (a Chinook Indian), lived in Bruceport in 1900 and in South Bend in 1910. He married Lizzie Silackie, a Clatsop descendant who had lived most of her life in Bay Center with her father, Bob Silackie. Maria, an Indian woman who lived with her third husband, Tom Telzan (a Clatsop Indian), in Bay Center, had a daughter, Caroline Milne McBride, and two adult grandchildren living in South Bend in 1910.

There were also some kinship ties between the communities at Bay Center and the Indians in Wahkiakum County. For example, Alex Luscier (born circa 1856; a quarter-blood Chinook plus some métis ancestry) married Emma Millet (born circa 1867; a full-blood Kathlamet and Cowlitz descendant). They lived in Bay Center in 1906. Alex had a sister, Mary Ann Luscier, who married Louis Ducheney (a quarter-blood Chinook, plus some métis ancestry), and lived in Skamokawa in 1906. Alex Luscier also had a sister, Amelia Luscier Cashel who lived in Knappa, Oregon, a half-sister, Lulu Roberts Prior, who lived in Nemah, and a half-brother, Sterling Price, who lived in Portland in 1906.

For the most part, however, kinship ties between Chinook Indians in Bay Center and Wahkiakum County were not primary kinship ties, but those between first and/or second cousins. For example, there were a number of adult Petit and Ero descendants living in Wahkiakum County and Bay Center between 1900 and 1909. The Indian woman born in 1800, whose baptismal name was "Marianne Chinook," married Alexis Aubichon in 1826 at Fort George (later known as Fort Astoria). Marianne Chinook had five daughters with Alexis Aubichon: (1). Julia Aubichon Luscier-Roberts-Price (born circa 1833, died 1904); (2). Sophia Aubichon Lafferty (born ca 1828; died 1905; no known descendants); (3). Catherine Aubichon Pellicier-Tellier; (4). Isabel Aubichon Bertrand (born ca 1843); and (5). Mary Aubichon Petit (born circa 1830). Julia Aubichon married three times; first to Antoine Luscier (his mother was métisse; Catholic Church Records of the Pacific Northwest, St. Paul), then to Joseph Roberts (non-Indian), and finally to Thomas Price (non-Indian). Catherine Aubichon was still living in 1906, but her family had already moved away from the Chinook Indian aboriginal area by that time, and she left only a few descendants on the modern petitioner's roll (through only one of her seven daughters, Agnes Pellicier McClintock).

Perhaps one of the most important Chinook ancestral lines (in terms of numbers of descendants and providing leadership to the modern petitioner) descends from Marianne

Chinook, through her daughter Mary Aubichon (a.k.a. "Emilie" and "Amelia;" born circa 1830; died circa 1880), who married Amable Petit II in 1845. Amable was from Three Rivers, Canada.[30] Mary Aubichon Petit was living as a widow in Ilwaco in 1906. The 1900 census adds that several of her adult children and grand-children were living there, too. Her sons who were living in Ilwaco and Chinook between 1900 and 1909 included: (1) Herbert Petit (born 1849), who married Anna Sweeney (1/4-blood Chinook; daughter of Harriet Pickernell); (2) Joseph Petit (born 1865), who married Emeline Bouton (1/4-blood Chinook); (3) James Amable Petit (born 1857), who married Ida G. Strong (a Chinook descendant); and (4) Frank Petit (born 1866). Adult grandchildren of Mary Aubichon Petit who were living in Ilwaco and Chinook between 1900 and 1909 include (a) Georgia Petit Winship (daughter of Herbert and Anna); two sisters (b) Elsie Petit Mechals and (c) Lulu Petit Sund (daughters of Joseph and Emeline). Some of their descendants moved to Bay Center by 1953, and some of them married other Indians. Other children of Mary Aubichon Petit include: (5) Charles "Henry" Petit (born 1862), who married Phoebe "Harriet" Sweeney (Anna Sweeney's sister; living in Aberdeen in 1906); and (6). Catherine Petit (born 1853), who married Frederick Percy Colbert (non-Indian). These latter two Petits have descendants on the modern petitioner's membership list, but did not marry back into the Chinook community.

Marianne Chinook Aubichon had a sister named Amelia Chinook who married twice; first to Urbaine Hiroux (see 1850 census; later anglicized to Ero) and then to Pierre (Peter) Durival (before the 1860 census). Amelia Chinook Ero-Durival, was still living at Brookfield in 1906. According to the 1900 census, Amelia was living there with two other elderly Chinook Indians, her niece, Sophia Aubichon Lafferty (d. 1905), and her daughter, Margaret Ero (Margaret Ero married twice, first to John Pickernell, a ½-blood Chinook, and then to Charley Wilson, a non-Indian). Many of Margaret Ero's children with John Pickernell lived in Bay Center, and most of them married other Chinook Indians.

There were also kinship relations between the Chinook descendants living at Altoona, Brookfield, Ilwaco, and Chinook. For example, living at Altoona in 1910 was Mary Rondeau (born circa 1829, ½-blood Chinook), who married three times during her lifetime: Rocque Ducheney (probably had some métis ancestry; died ca1863), Solomon Preble (married before 1870), and John Kelly (died before 1906). Through these marriages, Mary Rondeau produced a number of offspring. In 1910, she was living in Altoona alongside her adult children (Agnes Ducheney Elliott; James Preble), adult grandchildren (Edward C. Elliott, Charles G. Elliott, Joseph H. Elliott, John L. Elliott, George R. Elliott, Walter Fitzpatrick, Grace Elliott Heiner, Amelia Peers Jones-Alden),

[30]Amable Petit II is identified in the Catholic Church Records as the son of Marianne Baudrie of Canada and Amable Petit [I]. Amable I's second wife, Susanne Tawakon, was Iroquois and Chinook, the daughter of Thomas Tawaka, an Iroquois engagé of Hudson's Bay Company and a "woman of the country (i.e., a Chinook). Amable II's half brothers and sisters were métis, it is not known if Amable II's mother was Indian.

and adult great-grandchildren (Eliza Elliott Miles, Louise Elliott Henry, James Jones, and Cattral Jones). By 1953, many of the Elliott descendants had moved to Skamokawa and Astoria; that is, they were no longer living primarily in Dahlia (Petition Exhibit #137).

Another, more distant, kinship tie between the Indians of Cathlamet and the Indians living at Bay Center was that between Julia Robinson Hallet's (3/4 Chinook Indian blood) children, and her cousins. Julia Robinson Hallet, Paul Jones, and Caroline Charley were cousins. Two of Julia Hallet's children, Horace Hallet, Jr. and Alex Hallet, lived in Cathlamet between 1900 and 1906. Her daughter, Annie "Lottie" Hallet Stone was living in Oregon in 1906, but her descendants have always maintained relations with Chinook Indians. Julia Robinson Hallet's grandmother, Yasilwitch, was part Chinook and part Chehalis (according to Melissa Birnie's McChesney deposition). Yasilwitch was the sister of Koopalnuck (a.k.a. "Jones"), who was the father of Paul Jones. Paul Jones lived with Kate, his Squaxin Island Indian wife, at various locations throughout Pacific County between 1880 and 1906 (1880, Chinookville; 1900, Bruceport; 1906, Bay Center). Finally, Yasilwitch and Koopalnuck were at least partial siblings of Wahpooza, the mother of Caroline Matel (sometimes spelled Metell). Caroline Matel was the daughter of Chief Matel, wife of George A. Charley (Chief of the Shoalwater Bay Indians 1889 to 1929; died 1935), and mother of Roland Charley, who was elected the Chairman of the Chinook Tribe, Inc. in 1953. Caroline lived with her husband George Charley at Bay Center and Georgetown Reservation in the late 1800's and early 1900's. Today there are Charley descendants in the rolls of the Shoalwater Bay Indian Tribe, Quinault Nation, and a few on the petitioner's membership list.

It is also important to note that a couple of important Wahkiakum and Kathlamet Indian families migrated to Bay Center from Wahkiakum County about 1880, or a little thereafter. The Wahkiakum and Kathlamet Indians were merged in the McChesney Roll in 1906 under the "Kathlamet Tribe." Prominent among the Kathlamet Indians were the siblings Jim and Sam Millet, and their half-sister [and cousin through levirate] Elizabeth Millet Springer. The Millets were full-blood Indians. Sam's wife, Esther (also a full-blood), and their daughter, Emma Millet Luscier, were also part of the Bay Center community. George and Maggie Skamock (both full-blood Indians), who raised a large, well-known family in Bay Center were also originally from Wahkiakum County (George Skamock reported to the census taker in 1910 that he was a Wahkiakum Indian). In census and other historical records, their children usually bore the surname "George," and they tended to marry other Indians from Bay Center. For example, Joseph George married Belle Silackie (full-blood Clatsop) and Lena James (a Chinook descendant). Edward George married Sallie Pete (full-blood Chinook). Hattie George married Lincoln Lewis (sometimes named "Lincoln Jack" in the census data; a Clatsop descendant). Nellie George married Robert John (a Chinook descendant).

Another example of the social connections between Chinook Indians in Bay Center and the Wahkiakum County is seen in the marriage of Josephine Johnson (born circa 1880). Josephine was the daughter of Adeline Pellard (born circa 1862; a half-blood Indian).

Josephine lived in the Bay Center Indian community with her mother, and her adopted father, Dixie James. Her photograph was taken at the Shaker Church in Bay Center in the early 1900's. She married Joseph Howe Elliott, a Chinook Indian descendant born in Wahkiakum County. After her marriage to Joseph Elliott, Josephine moved to Wahkiakum County. By 1953, they were living across the Columbia River in Astoria, along with many of the Elliott descendants. Dixie James, for his part, was known to have fished on the Columbia River with his relatives in Wahkiakum County until the time of his death in 1909. Adeline Pellard's brother, Alex Pellard (born ca 1869) was living in Altoona in 1906. Adeline's half-brother, Henry Peers (sometimes spelled Pierce), married Judith Ducheney (1/4 blood Chinook, plus métis ancestry). Some of their descendants have continued to live in Wahkiakum County from the late 1800's to the present day (see Table 5), specifically in the towns of Altoona, Dahlia, Brookfield, and Skamokawa, as have the descendants of Judith Ducheney's sister, Lucy Agnes Ducheney Elliott.

At the time of the enrollment by Charles Roblin in 1919, and in their applications for allotments on Quinault Reservation in 1932, several Chinook Indians from the Alden and Jones families, who had been raised in the Altoona Indian settlement, stated that they had moved to Bay Center, or towns nearby, and had continued to visit extensively with the other Indians in Bay Center, Georgetown, and Altoona. They named many of the prominent Indian residents of Bay Center as people with whom they had maintained social relations (Roblin 1919 and 1932; Petition Exhibit #125 and Oversize Petition Exhibits #561, ff.).

The Geographical Distribution of the Chinook Indians from 1950 to 1955

In 1953, the Chinook Tribes, Inc. provided the BIA with a list of individuals who had applied for membership in their organization. There were 555 adult members on that list (and 421 minors, for a total of 976). In some ways the total number of adults for 1906 (418) and 1953 (555) are not comparable, since the database for 1906 includes all adult Chinook descendants, and the 1953 membership applicants list, which is based on membership recruitment from 1951 to 1953, does not intend to list all Chinook descendants living in 1953. Instead, it is a list of those descendants affiliated with the Chinook organization from 1951 to 1953. This distinction is important since 280 (or 67%) of the adults alive in 1906 had no known, continuing social connection to the descendants living in Dahlia and Bay Center. Most of the individuals on the 1953 membership applicants list are descended from the 138 (or 33%) adults who were known to be maintaining social relations with the two Chinook Indian communities that existed in 1906. Nevertheless, a few of the adults alive in 1906 who have no known social connection to the two communities are either on the 1953 list themselves or have descendants who are on the list. It is also noted that only 91 of the adults alive in 1906 have descendants on the 1995 CIT membership list.

The Chinook Indian descendants who became adults and married between 1910 and 1953 tended to choose non-Indian marriage partners. In the early 1950's, only 11% of extant Chinook Indian marriages are known to have been culturally patterned. In the same way that culturally-patterned marriages appear to have declined by the early 1950's, the percentage of Chinook Indians living in Bay Center and Dahlia (the former Indian communities) declined also. Of the 418 adult Chinook Indian descendants living in 1906, 24 lived in Dahlia (6%) and 62 in Bay Center (15%). In 1953, 23 of 555 Chinook Indian adults lived in Dahlia (4%), and 56 lived in Bay Center (10%). While the number of Chinook descendants living in these two towns remained about the same from 1906 to 1953, the percentage of the total number of Chinook adults decreased. There are several economic factors that contributed to the trend, including: insufficient land for all of the descendants, the depletion of oysters in Shoalwater Bay, and the decline in fishing on the Columbia River.

There is no evidence that the geographical or social communities that existed in 1910 still existed in 1953. It will be noted that 173 of the 555 Chinook Indian adults (31%) still resided in Pacific and Wahkiakum Counties. Another 14% adult Chinook Indians were living in Clatsop County, Oregon, bringing the total percentage of adult Chinook Indians living in the three-county aboriginal area to 46%. A number of Lower Chinook Indian descendants, especially those born in Wahkiakum County, had moved across the Columbia River to the town of Astoria, in Clatsop County, by 1953. But most of those still living in Clatsop County were Clatsop Indian descendants of Celiaste Cobaway Smith.

TABLE 6
COMPARISON OF GEOGRAPHICAL DISTRIBUTION
(ACTUAL RESIDENCE) OF CHINOOK INDIAN ADULTS
FOR THE YEARS 1953,[31] AND 1995[32]

	1953		1995	
	Number	Percent (%)	Number	Percent (%)
Bay Center/Georgetown	56		33	
Other Towns	53		136	
Pacific County, WA	109	20	169	16
Dahlia/Altoona/Rosburg	23		17	
Other Towns	41		45	
Wahkiakum County, WA	64	11	62	6
Other Counties, WA	153	27	401	38
SUBTOTAL WASHINGTON	326		632	
Clatsop County, OR	77	14	50	5
Other Counties, OR	64	12	172	17
SUBTOTAL OREGON	141		222	
Those Living Outside Washington or Oregon, and/or Residence Unknown	88	16	186	18
TOTAL CHINOOK ADULTS	555	100	1,040	100

[31]Based on the 1953 list of membership applicants for the CT, Inc.

[32]The database for the 1995 membership list included a total of 1,622 records. Eliminated for purposes of this analysis were 301 members known to be under 18 years of age, 56 former members who are deceased but still on the list, and an additional 225 for whom no birth date was recorded. After these records were eliminated, there were a total of 1,040 Chinook adults on the 1995 membership list. The data in this column should be viewed as an estimate based on partial data.

Primary Kinship and Other Social Relations to the Former Chinook Communities of Chinookville, Bay Center, and Dahlia in 1953

There were 555 adults on the 1953 Chinook membership applicants list. The names of the adults on the list were analyzed to see how many of them had significant social connections to the former Indian communities. The results of this analysis are shown in Table 7, below. Each of the categories in Table 7 is mutually exclusive; that is, there is no double counting. People were placed in the highest category possible, the one that indicated the strongest social connection to one of the former Indian communities. A person who lived in Bay Center in 1953 was not also counted in the category for those having primary kin who lived in one of the communities at an earlier time, since living there in 1953 would be the strongest existing social connection. Altogether, in 1953 there were 56 adult Chinook Indians living in Bay Center (10%) and 23 adult Chinook Indians living in Dahlia (4%). It should be noted that by 1953, Bay Center and Dahlia were no longer distinct geographical Indian communities. There is also no evidence that they were distinct social communities.

TABLE 7
NUMBER OF ADULT CHINOOK INDIANS ON 1953 MEMBER APPLICANTS LIST WITH A SIGNIFICANT SOCIAL CONNECTION"[33] TO A FORMER CHINOOK INDIAN COMMUNITY

	Bay Center	Dahlia	Chinookville	Total
# Residents in 1953	56	23	0[34]	79
# Lived there at some time prior to 1953	68	30	8	106
# Have primary kin who lived there[35]	56	85	70	211
SUBTOTALS	180	138	78	396
# with no known social connection to three former Indian communities	NA	NA	NA	159
TOTALS	180	138	78	555

[33] Here, "social connection" is defined as 1) living in Bay Center or Dahlia in 1953; 2) having lived in Bay Center or Dahlia before 1953; 3) and/or having primary kin (grandparents, parents, siblings, children) who lived in one of these villages. These are listed in descending order of importance.

[34] Chinookville ceased to exist sometime after the 1880 census was taken.

[35] Some of the people included here may themselves have lived in these communities, but without distinct evidence indicating they did, they have been included in this category.

Another 106 adults on the 1953 list (19%) had lived in one of three Indian communities (Chinookville,[36] Dahlia, and Bay Center) at some time prior to 1953. Added to this, there were 211 adults (39%) who had primary kin who lived there in 1953 or at some time previous to 1953. This latter group probably includes some individuals who lived in one of these three communities, so this count should be considered conservative (that is, with more evidence, it is likely that the number of adults who lived in one of the Indian communities at some point in time before 1953 would rise). This means that at least 396 of the 555 (71%) adults on the 1953 Chinook member list had at least one significant kinship connection to at least one of the three Indian communities. This is not adequate to meet the requirement of the regulations for demonstrating the existence of social community for the year 1953. But it does provide a starting point for potentially demonstrating that a social community existed at that time. For example, it might be possible to begin with the Chinook descendants who still lived in the former Indian communities as of 1953 (the individuals with the strongest continuing social connection) and demonstrate through additional evidence that they interacted with each other and with the other former residents in a significant manner in the 1950's. At the time this report is being written, there is no evidence of continuing social interaction in 1953.

There were 159 (555-396; or 29%) adults on the 1953 membership applicants list who have no known significant kinship connection to any of the three Chinook Indian communities. Of these, forty adults on the membership applicants list had no known genealogical connection to the petitioner's ancestors. Their family histories are not known, but it is not likely they were ever connected to the Chinook communities. There were 30 adult descendants of the Smith family of Clatsops, who have persistently resided in the Clatsop Plain, Oregon area. In addition, there were 12 adult members of the Stoddard family, who were on the 1953 membership applicants list via their social connection to the Smith family, and are not known to have been resident in any of the three Chinook Indian communities in Table 7. This leaves a total of 80 adults (162-82) who were genealogically related to the petitioner's ancestors, but had no known kinship connection close enough to be categorized as "primary kin."

Evidence Relevant to Chinook Indian Social Community from 1910 to 1929

From 1906 to 1913, Charles McChesney prepared a roll of descendants of the Indians who lived along the lower Columbia River. Among them were the ancestors of the modern petitioner, who descended from the Chinook, Clatsop, Kathlamet, Wahkiakum Indians. The roll was compiled in anticipation of a monetary settlement for the Indians

[36]The Indian village of Chinookville ceased to exist sometime soon after the 1880 census.

who signed the 1851 Tansey Point Treaty. The Federal Government agreed to make a payment to the Chinook Indians, which the Government considered full compensation for any outstanding claims the Chinook Indians might have. The money was paid out to the individual descendants listed in a roll prepared in 1914.

The 1910 Federal census shows a large number of Chinook descendants and their families fishing at Ilwaco, where several of them are listed as "White." At the same time, in 1910, separate Indian censuses[37] were taken for the Indians living at Bay Center (34 households, 150 Indians), North Cove (same as Shoalwater Reservation, 5 households, 28 Indians), and Dahlia (16 households, mostly Ducheney and Ero/Durival descendants, 62 Indians). There were also special Indian census schedules recorded for Cathlamet, South Bend, Bruceport, and Nahcotta, which included several Chinook descendants.

From 1916 to 1919, Charles Roblin, special Indian agent for the BIA, compiled a schedule of unenrolled Indians in Western Washington. Roblin included the Chinook Indians in the schedule. In his cover letter accompanying the schedule, he included the following comments about the "Chinooks, Shoalwater Bay, and Associated Bands."

> In Pacific, Wahkiakum, and Gray's Harbor Counties, Washington, there are a number of small Indian settlements, comprising the remnants of the tribes originally inhabiting the country around the harbors and inlets of the Pacific Coast and Columbia River. These have almost entirely lost their character as Indian settlements; and yet, so far as it has been possible, the Indians can be said to have kept up their "tribal relations" and communal life. They can hardly be said to have "severed tribal relations" as the fact is that the white civilization and communities have simply surrounded them and overwhelmed them, thus making tribal conditions impossible (Roblin, letter dated January 31, 1919, pages 5-6; Petition Exhibit #125).

In his schedule of the Chinook families, Roblin included the following people, most of whom have descendants on the petitioner's membership list: Julian Ero, Sophia Durvall LaFromboise-Nelson, Mary Hendron, Louis Durvall; Amelia and Mary Petit (only the Broemsers and Kofoeds); Julia Ann Pickernell Green-Russell and family (including Albert Green, Lottie Green Edmiston, and Amanda Green Williams, and Olive Russell Becken, Herbert Russell, Katie Russell Kofoed, and Nina Russell Hall); the Rondeau family: Mary Ducheney Fitzpatrick, Sophia Ducheney Enyart, Judith Ducheney Peers; Lucy Agnes Ducheney Elliott; Louis Ducheney, James Grant Preble, Sereta Kelly Oberender, Mary Frances Kelly Ward; Edward and Mary Scarborough; the Springer family (including Charles Larsen, Louis Larsen, Henry W. Larsen, and Lillian Larsen Bates; and the Weston family (including: James Weston, Louis Weston, Inez Weston

[37] The Indian census schedule listed the usual information found in the Federal census, with additional information on the person's Indian name, their tribe, citizenship status, and whether or not they were allotted.

Shannon-Brawley, and Mary Jane Weston Jette). Roblin also included a number of people as "Chinook" Indians who have no known Chinook ancestry or any social or political connection to the petitioner: John Arquette;[38] Mary Duncan; Jessie Ladue;[39] Donald and Elizabeth Manson; Charlotte, Lillie, Angeline and Lena Poirier;[40] Leon Seguin; Margaret Wanetta Watson.

The manuscript 1920 Federal census has become available to the public since the Chinook petition was submitted, and the BAR obtained copies of some of the key census tracts. The 1920 census provides information that supports the continuing existence of concentrations of Chinook Indians in Bay Center and Dahlia. The census recorded 45 Chinook Indian residents at Bay Center, 12 on Shoalwater Bay Reservation, and 43 in Dahlia. The BAR did not obtain complete census data for the entire region, so it is impossible to say what percentage of the total Chinook population this might represent.

There are very few sources of information that help to flesh out the social relationships between the people in and between these communities in 1920 and beyond. One exception is a newspaper article, published in 1924, which provides some insight into social visiting between Indians living at Bay Center and their relatives who had moved to Quinault Reservation. Willapa Harbor Pilot; dated June 20, 1924; Anonymous 1924a, Petition Exhibit #94). This article describes the visit of Maggie Skamock (sometimes "Maggie George," her son, Johnson George, and his wife, to visit one of Maggie's other sons, Clarence George at Taholah. The article reads as follows:

> Mr. and Mrs. Johnson George and children, and Mrs. Margaret George of Bay Center (widow of George Skamock), returned Sunday from a two weeks visit at the home of Mrs. Albert Leslie of Aberdeen.
>
> While there they visited the Tahola reservation. Things on the reservation do not look very promising just at present but many of the Indian boys are doing exceptionally well at fishing. Some have made with their catches as high as $200 a day.

[38] Arquette descended from Amable Arquette and Margaret Kukakum (died 1869). Margaret was the daughter of Chief Kecka-cum of a wandering band of Indians along the Columbia River. According to marriage records, her name was "Marguerite, Tchinouk by nation." The Arquettes lived in Marion County (Catholic Church Records of the Pacific Northwest).

[39] nee Jessie Smith. Probably the wife/widow of Dominick LaDue. The 1880 census said her father was from the Scandinavian Islands, and her mother was born in Washington.

[40] May be the descendants of Basile Poirier, who married three women (1) a Canadian woman; (2) Celiaste Cobaway; (3) Louise Moatwas (1838). These may be descendants from his third marriage.

> Clarence George, while his folks were there, brought in a two days catch, including the night, which netted him for the two days and night $300 or about $150 each day.
>
> They are fishing the blue back salmon and feel very much encouraged with their work so far this season.

The article indicates that this family of Chinook Indians from Bay Center did maintain relations with their kin at Taholah. Unfortunately, this is the only available example of social relationships being maintained between the Chinook Indian descendants in Bay Center and Quinault Reservation.

The letter of W.B. Sams, Superintendent of Taholah Indian Agency, dated December 14, 1926, confirmed that there were Indian communities at Bay Center and Georgetown from 1905 to 1913 (Petition Exhibit #324). He stated the Commissioner of Indian Affairs had instructed Special Alloting Agent Finch P. Archer and Superintendent H.H. Johnson to go to Bay Center, Georgetown, and the communities along the Columbia River and enroll and allot the Indians living there. In his 1926 letter, Sams did not specify which communities along the Columbia River had been intended.

The Superintendent of Taholah Agency wrote a letter, dated May 23, 1929, stating that there were 2 tribes of "unattached Indians" living "under this jurisdiction," the Cowlitz and the Chinook. They had estimated memberships of 800 and 200 respectively. With an estimation of 200 Chinook Indians, the Superintendent must have been intending only those Indians who were maintaining social and political connections with each other in Pacific County, since the total number of descendants would have been much higher than this.

Evaluation of School Records for Chinook Children: 1914 to 1947

The petitioner submitted some Cushman Trade School Records for 1914 to 1915 (Exhibit #126). Listed on page 4 are two "Chinooks," Gilbert and Marvin Cluchie, of Kelso, Washington. There is no evidence that they related to the Lower Chinook Indians.[41] Page 5 includes Minor Juhrs, son of the Clatsop Indian, Kate Juhrs. Several persons were listed as "Quinault" Indians who are actually Chinook and/or Clatsop descendants, including: Gustave Davis, Charles Gracey, Mary Cultee, Bessie George, Stella James, Kate Kindred, Dora Millette. In and of itself, this evidence does not reveal anything about the nature of the Chinook community at that time. They were considered "Quinault" because they had been adopted by Quinault Nation and allotted on the

[41]Some records label the Cluchies as Umpqua and other documents indicate they were Cowlitz. According to BAR research, they were most likely Umpquas; their parents were Henry and Sophie Cluchie.

Quinault reservation. Only one of these individuals has descendants on the petitioner's 1995 membership list.

The petition also included some of the Indian school records for the 1920's and 1930's (Petition Exhibit #127). One Chinook woman, aged about 17, was placed in the care of Tulalip Agency until she reached age 21 since she had been abandoned by her father and had run away to Tacoma, Washington, where she had been found socializing with other Indians (Dic. . .. to Sams, July 21, 1922). This woman eventually married another Chinook descendant and sometimes participated in the petitioner's affairs during the 1960's. A letter regarding Indian children attending Tulalip Indian School (Dickens?, to Sams, September 28, 1926 Petition Exhibit #128) included seven male Chinook Indians of Bay Center. The 1930's school records from Tulalip School and Salem Indian School (Chemawa, Oregon), included information on eleven Chinook Indian children. They all participated in Chinook Tribes, Inc. or Chinook Nation events in the 1950's and 1960's and are on the modern petitioner's membership list. All of these children were from Bay Center, with the exception of one girl who was from Dahlia.

Most of these school records did not provide useful information, with the exception of Oma Woodcock's application to Salem Indian School, which was witnessed by Mrs. Iver Johnson (nee Lizzie Pickernell) and Edna Olsen (nee Clark), both of whom were Chinook Indians living in the Bay Center Indian community (dated march 14, 1932; Petition Exhibit #128). This demonstrates that the Johnson family was known among the Indian families in Bay Center, even though they were not actually residing there. Edna Clark Olsen was the secretary of the Chinook organization that the petition says existed from 1925 into the 1930's, under the leadership of Myrtle Woodcock. Mrs. Woodock claimed to be the president of such a Chinook organization.

The undated list of "Children of School Age under the Jurisdiction of Taholah Indian Agency, Washington" was evaluated by the BAR (part of Petition Exhibit #128). Only some of the Chinook descendants included in this list were marked by the petitioner as "Chinook." On the other hand, some marked as "Chinook" were not really Chinook Indian descendants. There were a total of 95 children who were determined to have Chinook Indian ancestry. Many of their families had associated with Quinault Nation by this time, and their descendants have continued to do so, not maintaining any social or political affiliation with the petitioner or its precursor organizations of the 1950's and 1960's. Again, these are all Indians of Chinook descent who lived in Bay Center and were adopted, along with their parents, by the Quinault Nation and allotted on the Quinault Reservation. It is by virtue of their being considered members of the Quinault Nation that they were considered to be living under the jurisdiction of the Taholah Agency. Some of these school age children (and/or their descendants) are now members of the Shoalwater Bay Indian Tribe. On the other hand, some of them (and/or their descendants) are on the petitioner's membership list and have attended meetings held by the Chinook council.

The petition also included a letter dated July 20, 1937, from Nohr (Welfare Department, Wahkiakum County) to Indian Agent Nicholson, regarding enrollment at the Salem Indian School for six Chinook Indian children from Dahlia. Again, this kind of information, by itself, does not demonstrate the existence of a continuously existing Chinook community. It does demonstrate that the county welfare worker realized there were Indian descendants at Dahlia, in Wahkiakum County. The same can be said for a letter written by Melvin Helander (Superintendant. Taholah Indian Agency; letter dated November 25, 1946, Petition Exhibit #128), which included an unmarked list of Indian students in public schools. The six Chinook Indians found by the BAR were residents of Dahlia, Lower Skokomish Reservation, and Bay Center.

Annamae Rhoades Nielsen-Strong provided the BAR anthropologist with a copy of a story recounting Annie Clark Rhoades' (her mother, born about 1910) first experience of leaving her home in Bay Center to attend the Indian school at Tulalip. This story was also included in the petition. This was Annie Clark's freshman year in high school, about 1924. She relates how different school life was, and related specifically that the only churches at Tulalip were Protestant and Catholic. She attended the Catholic Church which, she said, was very different from the Shaker Church she had known in Bay Center. In her story, Annie Clark related how Victor Johnson,[42] also a Chinook Indian, was the director of the school, and a friend of the family. Johnson came to Bay Center to talk to her parents about letting her go to school at Tulalip Reservation, and accompanied her there after they had consented (see typescript copy of the story, BAR anthropologist's field data). This story indicates that the Johnson family was still socially connected to the Indians at Bay Center, even though they did not live in Bay Center at the time.

In 1944, Willard Hamilton, Education Field Agent, wrote a report to George P. LaVatta, Superintendent of Taholah Indian Agency. The report included photos of public schools where there were concentrations of Indian children. Some photos were taken of the school, playground and utility building in Bay Center. A note at the top of the page stated that there were two teachers in Bay Center. The school included grades 1 through 7 and there were 31 pupils, 7 of them Indian. Other photos were taken of the school children, an oyster scow, and a cannery. A note at the top of the page stated: "A number of Indian families live in this village and derive their living fishing, working in the Oyster Industry, crabbing, etc." Another photo shows South Bend Junior and Senior High School. A note on the photo states: "South Bend usually has a number of Indians attending. Quite a few families live in the town and pupils [that] finish [the] 8th grade at Bay Center are transported by bus 17 miles to this school" (Petition Exhibit #128).

In 1947, two state education workers planned visits to Indian communities for the purpose of "consideration of applications for allocations from the Indian Education

[42] Victor Johnson was the brother of Myrtle Johnson Woodcock. He attended the Carlisle Indian School, in Pennsylvania, and was teaching school at Bruceport according to the 1910 census.

Fund." The communities to be included in these visits were: Cathlamet (Dahlia), Bay Center, and South Bend (Van Horne and Wanamaker, letter dated April 9, 1947; Petition Exhibit #128). The meetings were to take place on April 28, 1947. This letter indicates that the BIA was still aware, in 1947, that there were significant Indian populations in Dahlia and Bay Center. Added to the list of towns with a significant Indian population was South Bend. Most of the Chinook Indians living there at the time of the 1920 census were former residents of Bay Center.

CHINOOK RELATIONSHIP TO QUINAULT NATION: 1930 TO 1940

The petitioner did not supply very much information regarding their relationship with the Quinault Nation for the period 1930 to 1940. While the BAR staff has found some data, it will be important for the petitioner to conduct more research on this aspect of Chinook history and present the results to the BAR.

On January 28, 1933, the Superintendent of Taholah Indian Agency, N.O. Nicholson, wrote the Commissioner of Indian Affairs about establishing a roll for the Chinook and Cowlitz Tribes (Petition Exhibit #327). The other correspondence surrounding this letter is not included in the petition. The Nicholson letter that was included implies that the COIA had inquired about conducting [or requested] a census of these two tribes. Nicholson appeared to be balking at the suggestion because it would take too much time and be too costly. Nicholson stated that the Indians of these tribes "do not live on any reservation but are scattered over the entire Northwest. We do not have a complete list of Indians of either of these tribes." He continued,

> By reason of the decision of the United States Supreme Court in the case of Halbert, et al., v. The United States (233 U.S. 753) sixty-two of the claimants in the said suit were placed on the Quinaielt census roll for the year 1932. They were listed on the Quinaielt roll as 40 Indians of the Chinook Tribe, 15 were enrolled as of the Chehalis Tribe, and seven were enrolled as of the CowlitzTribe. The 15 Indians of the Chehalis Tribe had never been carried on any census roll up until that time, neither had the Chinook nor the Cowlitz Indians listed on the same roll ever been carried on any roll prior to that time (Nicholson 1933; Petition Exhibit #327).

With regard to instructions from the Indian Office, dated January 23, 1933, Nicholson went on in the letter to ask the COIA if it were the intention of the office to drop these 62 Chehalis, Chinook, and Cowlitz Indians from the Quinault Roll, and make separate rolls for the Chehalis, Chinook, and Cowlitz Indians.

The Chinook Indians did not vote on the Indian Reorganization Act (IRA) as a separate tribal entity because they did not have a reservation of their own. Chinook Indian

descendants, however, did vote on the IRA, as residents on the Quinault and Shoalwater Reservations. The following discussion describes the voting process on Quinault Reservation and evaluates the Chinook Indians' participation in that election.

On April 13, 1935, the Indians living on the Quinault Reservation voted on whether to accept or reject the Indian Reorganization Act (IRA). This included members of the Quinault tribe as well as descendants of other tribes (including the Chinook Indians) who either lived on the reservation or certified that they considered the reservation to be their permanent place of residence. This is supported by the finding of facts for the Leo Williams case (1983; Petition Exhibit #292), the United States District Court, Western District, stated that the vote was limited to persons who considered the reservation their permanent home. In preparation for the vote, a list of Quinault allottees who were eligible to vote was drawn up. Those who lived off-reservation "temporarily," but certified that they regarded the reservation as their permanent home, were allowed to vote, as were actual residents. Altogether, there were a total of 764 Indians who were eligible to vote.

The petitioner provided a copy of the off-reservation Quinault allottees deemed eligible (Petition Exhibit #117). The youngest people on the list of off-reservation eligible voters were 21 years old. On this list are 519 names, which indicates that 68 percent (519 of 764) of the adult Indians allotted on Quinault Reservation lived off-reservation in 1935.[43] Of the 519 off-reservation allottees eligible to vote on the IRA, the BAR anthropologist counted at least 250 adults of known Chinook descent (even though some of them were labeled "Quinault" or "Quinault-Chinook;" that is, the anthropologist did not count only those labeled "Chinook").[44] The qualification "at least" is included for the 8 persons identified on the voter list as "Chinook-Cowlitz," for whom there is no known Chinook ancestor. That is, they may or may not be Chinook descendants, but they have not been included as Chinook Indians here. Therefore, 33 percent (250 of 764) of the eligible voters were off-reservation Chinook descendants.

The petitioner provided an off-reservation IRA voting list. In the margin, there are marks beside 216 names. These marks may indicate who voted in the election. There is a very slight discrepancy, however, between the 216 names marked on the list, and the 217 persons who cast votes according to the BIA's vote tally. If the marks beside the names indicate who actually voted in the election, then there is evidence that at least 102 of the

[43]There is no information on the actual residence of the off-reservation Chinook Indians for the year 1935. If such information were available, it would allow for the analysis of residential patterns for the Chinook Indians in 1935. At this time, because of the lack of data, it is not possible to draw any conclusions about the percentage of Chinook descendants living in Dahlia, Bay Center, or Ilwaco.

[44]It is not clear how many of these 250 Chinookan individuals were considered members of Quinault Nation and how many were simply allottees on the reservation. According to BIA correspondence, the policy seems to have changed over time. It would be helpful if more data were submitted to the BAR to help clarify this point.

250 Chinook descendants on the off-reservation eligible voters list (41 percent) actually participated in the IRA election at Quinault. Haas indicates that the total number of voters on the IRA for the Quinault was 360. Again, if the marks on the list found in Petition Exhibit #117 indicate off-reservation members who participated in the election, Chinook descendants account for 28% of the actual voters (102 of 360; Haas 1947). There are also a few Chinook descendants among those who voted as resident allottees (BAR Historian's Field Data).

TABLE 8
INDIANS ALLOTTED ON QUINAULT RESERVATION
VOTING IN THE 1935 IRA ELECTION

	Not Participating	In Favor of IRA	Against IRA	Total Eligible Voters
On-Reservation	102	36	107	245
Off-Reservation	302	148	69	519
TOTALS	404	184	176	764

Table 8 shows that there were serious differences between the Indians living off-reservation and those living on-reservation with regard to the IRA. The reservation Indians voted overwhelmingly against the IRA and the off-reservation Indians voted in favor of it.

CHINOOK POLITICAL LEADERSHIP FROM 1876 TO 1935

On August 10, 1876, Light House Charley received chief papers signed by Robert Houston Milroy, Superintendent of Indian Affairs. "Light House Charly, otherwise called Ma-tote, an Indian of the Shoal Water Bay Tribe" was named chief of the tribe. Milroy complained about him in a letter, dated April 5, 1877, saying that if he received any more bad reports about Light House, he would remove him as chief. Ma-tote supposedly got the nickname "Light House" from the fact that he donated the land that the lighthouse at North Cove was built on (at the north end of Shoalwater Bay), . The lighthouse was built in 1853. According to Har Plumb (local non-Indian), Ma-tote was also known as Chief Toke, the person for whom the town of Tokeland was named. There is no independent confirmation of this identification at this time. Chief Toke was living at the time of Swan's three-year sojourn at Bruceport (circa 1853), and Swan considered him quite elderly and dissipated at that time. This seems to make it unlikely that Ma-tote, the man

Milroy appointed as chief in 1876 was the same as Chief Toke.. There is no evidence that Light House Charley provided leadership for any of the Chinook Indians living on the Columbia River (at Chinookville, Ilwaco, or Dahlia) before or after 1876.

Upon his death, Light House was followed by his son, George A. Charley, when the chief papers were signed over to him on November 29, 1889, by Edwin Eels, United States Indian Agent, Puyallup Agency. According to one source in the petition, George Charley was born at Bruceport, and his wife Caroline Matell was born at Chinook (Petition Exhibit #52). The Federal census data and the McChesney Roll suggest that George and Caroline were born about 1864 and 1866, respectively. The Matells and Charleys are listed next to each other in the 1870 Indian census for Oysterville Post Office. George Charley assisted in the operation of the rescue station located at the channel that led into the north end of Shoalwater Bay. The crew at the station was both Indian and non-Indian (Exhibit #52). On October 28, 1881, the British vessel Lammerlaw ran aground in the channel, and George Charley was one of those who went to rescue the crew members.

In the 1920's, George Charley[45] provided some leadership for all-Indian fishing crews around Peacock Spit and Sand Island[46] (Petition Exhibit #140 and #432). George Charley also led crews to pick hops around western Washington and managed an all-Indian baseball team. For example, Har Plumb's (non-Indian) father had a contract with George Allen Charley, as chief of the Shoalwater Indians, to seine for fish along the outer beach of Peacock Spit and the beach of Sand Island (Petition Exhibit #52; see also the letter of Plumb to Meriwether, dated February 26, 1976; Petition Exhibit #148)). Plumb claimed that the Indian men and boys stayed in tents. The Indian families lived on board the scow, which was used to store and deliver food. The scow was partitioned into individual rooms. George Charley came along the beach with his two grandsons, Edwin (son of Roland) and George Brignone (son of eldest daughter, Lizzie), and commanded the seining work crew. Plumb stated that the whites were allowed to fish on Peacock Spit and Sand Island only by permission from the Indians (through George Charley). It was Plumb's opinion that the Indians allowed the whites to keep part of the catch because the whites supplied most of the equipment. One photo from the 1920's, of an Indian work crew includes Roland Charley, Stanley Charley, Joe John, Sr., Mitchell Charley, Nina Charley McCrory, Irene Charley (who later married a man surnamed Shale), Joe Mechals, John Durkee (unknown), Vernon McCrory (non-Indian?, husband of Nina "Fanny" Charley), and Eva Olsen (unknown; related to Edna Clark Olsen?). Another photo includes Joe Wain, Chief Charley, Wallace Baumgarner (non-Indian spouse?), Stanley Charley, Willie George, Ed George, Joe John, Mitchell Charley, George Cross (non-

[45]George Charley was a Chehalis Indian by ancestry. He lived in Bay Center and/or on the Shoalwater Bay Indian Reservation all of his life. He was allotted on Quinault Reservation, and was an adopted member of the Quinault Nation.

[46] The title for Sand Island was given to Oregon in 1908.

Indian?), Andrew McCloud (unknown),[47] Nina Charley McCrory, Jesse James, Andy Charley, John Hayden, Simon Charley, Annie George, and George Brignone. Indian children that Har Plumb associated with included Francis McCrory, Irene Charley Shale, Rachel Brignone, daughter of Elizabeth Charley Whitish, George Brignone, Rachel's brother, and Edwin "Audy" Charley, son of Roland, and brother of Myrtle and Hazel Charley. All of the Indians in these photos are from the north end of Shoalwater Bay, with the exception of Joe Mechals, whose family lived in the town of Chinook. There is no one in the photographs from Dahlia.

George Charley, along with several Chinook Indians who had been adopted as members of the Quinault Nation, entered into a lawsuit in 1928, against the McGowan family's Baker's Bay Fishing Company. Chinook Indians providing testimony in the case included Johnny Johns (Chinook, WA), James Julius (Cathlamet, WA), Margaret George (Bay Center), George A. Charley (Tokeland), Alex Luscier (Bay Center), Emma Millet Luscier (Bay Center), James A. Petit (Bay Center), and William A. Elliott (Dahlia). The lawsuit claimed that Sand Island and Peacock Spit were aboriginal usual and accustomed fishing grounds that Indians should still be allowed to fish under the 1855 Quinault treaty. The original hearing determined that the mouth of the Columbia River was the usual and accustomed fishing ground for the Chinook Indians and that the Quinault Indians did not fish there aboriginally. Another issue in the case was whether or not Peacock Spit existed as a fishing ground at all before the north jetty was built at the mouth of the Columbia in 1917 (the south jetty was constructed in 1895). The decision was appealed. The testimony gathered during the appeal established that George Charley was the foreman of the fishing crews, and that he fished at Sand Island with Indians from Bay Center and/or Tokeland as early as 1903. This contention was supported by testimony of Chris Hansen (non-Indian), who said that he fished with Charley and his crew (US Court of Appeals, 1931 Brief, p. 34ff; Petition Exhibit #150).

An example of his leadership with regard to fishing is found in a newspaper article (Anonymous June 20, 1924b; Petition Exhibit #94), which stated that Chief Charley had been awarded a fishing contract on the Columbia River in 1924. He was planning to find 16 to 35 men to work under his supervision. He planned to fish there all summer, away from his home in Georgetown. On July 25, 1924, officials stopped the 35 Indians fishing with George Charley from fishing the Columbia River near Fort Canby. The article states that he was the leader of about 100 Indians on Willapa harbor.[48] The chief was brought in to speak with Captain Hoff of Fort Stevens. The July 25 article stated that Chief Charley

[47] There were McClouds who were Cowlitz Indians who applied for adoption with the Quinault Tribe in 1912; the same family had a member on the Chinook council in the 1950's

[48] This is not referring to the Indians on Shoalwater Bay Reservation only, since there were only about 16 Indians (men, women, and children), in the three households on the reservation in 1920. It appears that the author had in mind the Indians of Bay Center, as well. There is no evidence that the Chinook descendants living in Dahlia or Ilwaco were being included in this group.

traveled on "Wednesday" to Olympia to talk with state government representatives about the Indians' treaty fishing rights.

On June 26, 1925, an article appeared in the Ilwaco Tribune, entitled "Paleface Soldier Vs. Indian Chief Charley" (Petition Exhibit #431). It noted that the Indians fishing on the north jetty sands (Peacock Spit) were ordered to leave. The article stated that the sands were part of Fort Canby, and that the Indians, who were seining for fish, were violating the rights of gillnetters and the lessees of Sand Island. The officer in charge at Fort Canby had been authorized to use force "to prevent fishing by members of the Chinook Tribe of Indians headed by Chief George Charley."

George Charley was also fishing at Peacock Spit in 1926, according to a newspaper article (Anonymous, Ilwaco Tribune, June 25, 1926; Petition Exhibit #428). The article mentions that Charley was in charge of seining at that location. The article identifies Charley as the Chief of the Chinook Indians, and stated that he was scheduled to give an address to the "National Convention of Indians," which was to be held in Spokane in July.

A copy of a 1929 fishing contract was included with the petition (agreement dated May 4, 1929; see also Petition Exhibit #140). The agreement was supposed to be good for twenty years, and might be renewed for an additional ten years. It was signed by W.A. Hawkins and Company of Ilwaco on the one hand, and W.B. Sams, Superintendent of Taholah Indian School, on behalf of the "Chinook Indian Reservation[49] and Quinault and Chinook Indian fishermen, and David Baker, Sr., Dawson Cultee, Indian fishermen," on the other. This indicates that Sams was acting on behalf of the Shoalwater Bay Indians, and other Chinookan Indians allotted on the Quinault Reservation, as late as 1929. The agreement stipulated that the company would rent the Indians boats, seines, horses and fishing equipment in return for 50 percent of the catch. The Indians would fish the south shore of Sand Island (fishing grounds 2, 3, and 5). In exchange for this, the company agreed "not to encroach upon fishing grounds approved to George Charley and others on Peacock Spit" (Petition Exhibit #140).

In July of 1929, George Charley's Indian fishing crew was attempting to fish at Peacock Spit, when they were opposed by a crew of white fishermen who felt they had leased the spit for fishing. The Indians tried to land their boats, but were pushed back out into the water by the white fishermen. Charley, who was fishing for the McGowan Company, along with Henry S. McGowan and McGowan's business manager, had driven to Federal Court in Tacoma to seek an injunction against the white fishermen. The article stated that the white fishermen had initially won a court decision supporting their rights to fish at

[49] The meaning of "Chinook Indian Reservation" is not clear in the immediate context of the contract. He probably meant the Shoalwater Bay Indian Reservation, since Quinault has never been construed as a "Chinook Indian Reservation" and the Chinook Indians, per se, never received their own reservation.

Peacock Spit, but another court had overturned that decision. A further hearing on the matter had been scheduled for September 1929 (Petition Exhibit #432).

There is no evidence regarding any leadership activities by George Charley after 1929. He died while fishing at the mouth of the Quinault River on December 17, 1935, and was buried after a service at the Shaker Church at Taholah. The Reverend Joseph Hillaire of the Lummi Tribe officiated at his funeral. Correspondence and meeting minutes from the 1950's indicates that the BIA representatives considered George Charley's son, Roland Charley, the leader for the Shoalwater Indians during the 1950's. There is some evidence that he may have organized Indian fishing crews, as his father did before him. Roland Charley had a fishing boat, the Sea Foam, and Sammy Pickernell, Sr., was the captain. Roland Charley was also elected Chairman of Chinook Tribes, Inc., on May 3, 1953 (Petition Exhibit #138), after a leadership dispute broke out between the Elliott family in Skamokawa and the Indians from around Bay Center. There will be more information on the leadership dispute later in this report.

The petitioner claims there were two leaders for the Chinook petitioner from 1925 through the 1930's, Myrtle Woodcock (born 1889) and Edna Clark Olsen (born circa 1903). The petitioner claims that the organization which these two women helped to lead came to life in 1925. There is very little contemporary, written evidence that there was an active, formal Chinook tribal organization during this period. In court testimony in 1932, Myrtle Woodcock stated that she was the president of the Chinook Tribe. Several depositions from later years state that Edna Clark Olsen was the secretary for this organization and they held council meetings at the home of Myrtle Woodcock in South Bend. For example, Ben Reed stated in a deposition that his mother, Leda Clark Reed, attended council meetings in the South Bend, WA home of Myrtle Johnson Woodcock in the 1930's (Petition Exhibit #311). It seems that the two issues that occupied them most were the pursuit of the Chinook land claim and the maintenance of their membership list. There is no evidence that they led in any other activities during the 1920's and 1930's. According to a Chinook Newsletter article, Oma Woodcock Singer provided the Chinook council with copies of minutes that her mother, Myrtle Johnson Woodcock had taken at council meetings in the 1930's (Chinook Newsletter, August 1979; Petition Exhibit #196). The petitioner did not provide copies of these minutes and they were not found by the BAR. In 1984, Oma Singer stated that she did not know what had happened to these materials (Petition Exhibit #258).

On April 8, 1925, W.B. Sams, Superintendent of the Taholah Indian School, published a notice and sent it to the Postmasters at Dahlia, Chinook, South Bend, and Bay Center, Washington. The notice called for all Chinook Indians to attend a council meeting in South Bend. On April 18, 1925, the Chinook Indians held the council meeting, with W.B. Sams present. "A large attendance of the members of the Chinook tribe was present." The minutes of the meeting were sent, along with a cover letter to the Commissioner of Indian Affairs (dated June 24, 1925; Petition Exhibit #168). The certification by Sams stated:

> This is to certify that I, the undersigned, being Superintendent in charge of the Chinook Tribe of Indians who are a non-treaty and non-reservation tribe, was present on the 18th day of April, 1925, at a general council meeting of the said Chinook Tribe of Indians, which meeting was called for purposes set forth on the foregoing page of minutes, and that I have read the minutes of the meeting and hereby certify that the same are correct and that William Bailey[50] [Bay Center/South Bend], Sam Oliver[51] [South Bend], and James Jones [Dahlia] were selected and duly empowered by the council meeting to represent the Chinook Tribe in the signing of a contract to be entered into with Arthur E. Griffin, attorney of Seattle, Washington, for the purpose of presenting their claim or claims against the Government in the Court of Claims, as provided in the Act of Congress (Public 402-68th Congress).

By stating that he was the "Superintendent in charge of the Chinook Tribe of Indians," Sams was simply listing the Chinook Indians as living within his jurisdiction. This does not, in and of itself, imply that the Chinook Indians were a recognized tribe in 1925.

The Petition included a typescript of a newspaper article which was supposed to have been published in the Ilwaco Tribune on April 10, 1925. The article quoted Myrtle Woodcock as saying the Chinook would hold a business council on April 24 and 25 for the purpose of selecting 3 representatives to give power of attorney to their lawyers (Petition Exhibit #430). If the dates of the typescript are correct as typed, the April 10, 1925 newspaper article may have come out in response to the meeting notice published by Sams on April 8. But there is a possibility that the dates in this typescript are incorrect (perhaps due to clerical error). The newspaper article may be referring to a second meeting which may have been called for June 25, 1925, not April 25, 1925. This would fit better with Mrs. Woodcock's claim in 1952 that the Chinook organized at Bay Center on June 25, 1925 (Petition Exhibit #353). What the full intent of the Chinook Indians may have been in gathering for this meeting in 1925 is not known. Before the meeting was held, Myrtle Woodcock stated that it was to be a "business council," and that they were planning to select three representatives to sign the attorney's contract for the land claim. The fact that the newspaper article refers to selecting the three representatives from the Chinook Indians to sign the attorney's contract further confuses the situation, since this was done on April 18, 1925, according to the minutes recorded by Sams. In recent years, the Chinook Indians have asserted that the BIA suggested that they form an

[50]William Bailey was the son of Mary (Katatama) Taltrich Wells. He was adopted by Dr. Bailey of Hudson's Bay Company, and at the age of four was baptized at the Catholic Mission at St. Paul, Oregon (French Prairie), on October 3, 1863.

[51]Sam Oliver was Myrtle (Johnson) Woodcock's Cowlitz Indian brother-in-law (married her sister Cecilia Johnson Oliver), according to the 1910 census for Bay Center. Oma Singer stated that he was related to Edna Miller (Ero family) and was part Chinook and part Cowlitz (BAR Anthropologist's Field Data).

organization in 1925 and draw up a constitution and by-laws. There is no know contemporary, supporting evidence for this contention.

THE 1951 LAND CLAIM SUIT AND THE ORIGIN OF THE CHINOOK N

On August 13, 1946, the Indian Claims Commission (ICC) was established. The Chinook Indians continued to press for compensation for their lost land, filing D 234 on August 8, 1951. The claim was filed by John Grant Elliott (born 1888; d who claimed to be the "Chairman of the General Council of the Chinook Tribe o Indians." By filing the claim, Elliott met the August 13, 1951 deadline.

Ten days after filing the claim, a general meeting of the Chinook Indians was hel August 18, 1951. Officers elected were John Grant Elliott, Chairman, Myrtle Wc Secretary-Treasurer. Local representatives were: Mildred Colbert ("Portland Gr Alonzo Bain ("Assistant Chairman, Portland Group" (there are no records that ide this person as a Chinook); Elfreda Herrold ("Chairman, Ilwaco Group"); Jack Pet ("Assistant Chairman, Ilwaco Group"); Charles C. Larsen ("Tacoma Branch- Sea Olympia"); Oscar McLeod (in another place spelled McCloud; "Taholah Branch; according to the 1912 Quinault Council minutes, Petition Exhibit #434, McLeod his mother was of Cowlitz descent);[52] Celeste Peterson ("Astoria"); Carol Quigley ("Wahkiakum"; she was not a Chinook herself; but rather, married to Frank Quigl was considered to be a Chinook descendant);[53] Martha (Ero) Stephen ("Wahkiaku assistant"); and Claud Wain ("Chairman, Willapa Branch;" Wain was living in Ra Washington at the time; Claud Wain was an Indian of the Bay Center community; father was Charles Wain (Indian) and his mother was Lottie Hawks, a Chinook wc Charles Larsen, in a undated document entitled "The Chinook Case: A Review by Charles Larsen," wrote that the local representatives, known as "Area Officers," w each elected by their own groups. The minutes of the meeting suggest that this wa Elliott's idea (Petition Exhibit #401). September 22, 1951, three delegates were se at Skamokawa to sign attorney contracts. They were John Grant Elliott, Myrtle Woodcock and Claud Wain. According to Larsen, Elliott's organization was name Chinook Nation, but this name was probably not used until the 1953 division betw leaders based at Bay Center (Chinook Indian Tribe, Inc.) and those based at Skamc (Chinook Nation).

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[52]Mary Ann Riel, a Nisqually metis, born on Cowlitz Prairie, and lived as an adult on Puyallup Reser

[53]See the Genealogical Report's conclusion on Rosa Belle LaFromboise Souvigner's descendants.

[54]Most of the officers listed for the organization in 1951 were allotted at Quinault Reservation. Agair not clear if all of them were members of Quinault Nation in 1951. More information on the overlap between the Chinook Nation/Chinook Tribes, Inc. membership and the Quinault Nation would be he

On June 20, 1952, Myrtle Woodcock, as Secretary-Treasurer, wrote to Oscar A. Chapman, Secretary of the Interior, to notify him that "The Chinook Tribe Council was organized in Bay Center, Washington, on June 25, 1925. Notice was sent to the Department of the Interior. They reorganized on August 18th, 1951 (the council is now 900 strong)." Mrs. Woodcock listed the officers of the organization as: John Grant Elliott, Skamokawa (President); Myrtle Woodcock, South Bend (Secretary-Treasurer); Mildred Colbert, Portland (Area Officer); Charles E. Larsen, Tacoma (Area Officer); and Claud Wain, Raymond (Area Officer). The following people were added as "Area Officers" in handwriting to the above typed names: Jack Petit, Ilwaco; Frank Quigley, Skamokawa; and Celeste Peterson, Astoria. It is clear from this letter that Woodcock was attempting to establish political continuity between the 1925 business council and the Chinook tribal council, as established on August 18, 1951. There is no contemporary evidence which supports the notion that there was a Chinook organization between 1925 and 1951.

On August 25, 1951, Claud Wain called a meeting of the Willapa Harbor Branch of the Chinook Indians in Bay Center. The minutes from the meeting held at Skamokawa on August 18, 1951 were read and approved. There is no record of how many people were present. Names mentioned in the meeting minutes include Myrtle Woodcock, Claud Wain, Alvin Prior, and Alice Lagergren. Those present raised $285.00 for dues, which had been set at $1.00 for those under 16 years and $3.00 for those over 16 (this would seem to represent a minimum of 100 individuals, even if they were mostly adults; Petition Exhibit #401).

There was another general meeting of the Chinook Indians on September 22, 1951. The meeting minutes are included in the petition (Petition Exhibit #344). The meeting, which was called by Raymond Bitney, WWA Superintendent, was held in Skamokawa, at the Grange Hall. There were 65 members of the "Chinook Tribe of Indians" present. The purpose of the meeting was to name delegates to sign the attorney's contract for the land claim case, with attorneys Sareault, Post, and McLeod. Myrtle Woodcock was one of the persons who signed the original attorney contract for the Chinook Tribe in October 11, 1951, along with John Grant Elliott and Claud Wain.[55] Individual Chinook Indians known to have attended include: Mildred Colbert, Jack Lindquist, and Wilma I. Wilson (who took the minutes of the meeting).

Opposition to Moving the BIA Agency Office to Everett

Myrtle Woodcock announced to The Oregonian newspaper that there would be a "tribal meeting" of 100 to 150 Chinook Indians in Aberdeen, Washington, on the Saturday

[55]All three of these individuals were on the 1935 eligible voter's list for the IRA vote on Quinault Reservation.

following November 8, 1951. "One of the matters to be under discussion is the removal of the Taholah Indian agency from Hoquiam to Everett" (newspaper clipping, Petition Exhibit #335). The notice stated that Claud Wain was in charge of the meeting arrangements. The meeting was held, and was attended by Congressman Russell Mack (Petition Exhibit #336). Mack took the Chinook Indians' side in the argument, and Claud Wain called for a congressional investigation. The Chinook Indians voted in favor of a motion supporting such an investigation. Another article (mistakenly? hand-dated August 31, 1953) noted that the meeting included a 90-year old Indian woman from Bay Center who sang old Tamanawas songs (article in BAR anthropologist's field data). The name of the Indian woman was not recorded in the article.

Opposition to Crane Creek Unit Timber Sale

The Chinook Indians who were allotted on the Quinault Reservation voiced their opposition to timber sales on the Crane Creek Unit on the reservation at what they considered to be unfair prices. The prices, based on a 1916 survey, were being used in 1952. First, the Chinook Indians associated with the "Willapa Harbor" (i.e., Bay Center) branch of the Chinook Nation passed a resolution at Bay Center, on May 17, 1952, opposing the timber sale. The newspaper notice stated that the Chinook Indians met in Bay Center, but other localities had voted by proxy. Later, a group of about 20 Chinook Indians met in Skamokawa about June 1952, and passed a similar resolution (Anonymous newspaper clipping from the South Bend Journal, no date; Petition Exhibit #419). There is no list of the individuals who attended the meetings in Bay Center and Skamokawa. It would be helpful to know if the attendees were all allottees on Quinault Reservation or members of Quinault Nation at that time. The Bay Center branch of Chinook Nation sent a copy of the resolution to their United States Senators Harry P. Cain and Russell Mack. Cain responded by sending an inquiry to the Commissioner of Indian Affairs, Dillon S. Myer. Myer responded that his office did not have any information about the claims of the Chinook Tribal Council to legitimately represent "any group of Indians having an interest in lands of the Quinault Reservations, and we are therefore requesting further information on this point from our Area Director, Portland, Oregon" (letter Myer to Cain, dated June 20, 1952; Petition Exhibit #354). The copy of the letter sent to the Portland Area office bore the following note at the bottom of the page: "Please inform us of the (the word "official" inserted, typed above the line) status of the Chinook Tribal Council."

Apparently, the timber sale went forward without the approval of the Chinook Indians. Claud Wain was interviewed by a newspaper reporter as a leader for the Chinook Indians. The article read as follows:

> Chinook Indians in Pacific County are not pleased over the Crane Creek logging unit sale, Claud Wain, chairman of the Willapa Harbor unit of the Chinook Tribe said today.

He also asserts that prices paid for the fir and hemlock were lower than they should have been.

His prepared statement follows:

A news broadcast announced that all Western Washington Indians were staging a celebration as a result of the sale of the Crane Creek logging unit by the Western Washington Indian Agency.

This was not so around the Pacific County area, because my telephone was busy all evening receiving the complaints from members of the Chinook Indian tribe who have allotments in this sale (Anonymous 1952b, according to an article in the Seattle Post-Intelligencer, Nov. 16, 1952; Petition Exhibit #96)

Wain went on to complain about the unfair price that was paid them for their timber.

The BIA's Response to Congressional Inquiries

As a result of the letters written by Mr. Mack, the Bureau of Indian Affairs gave an accounting of the number of Indians under the Western Washington Agency by county (letter of D.S. Myer, Commissioner to Russell Mack, dated November 16, 1951; Petition Exhibit #337). There were two categories noted in Myer's letter. First, there were "Indian Tribes whose members maintain tribal relations by residing on, or who own trust property on the various Indian reservations under the jurisdiction of the Western Washington Indian Agency, Everett Washington." Second, there were "Indian Tribes (members not enrolled) to whom the Western Washington Indian Agency extends services."

In the first category, in Pacific County, the letter stated there were 215 Shoalwater Bay Indians; they were the only Indians enumerated as living in Pacific County in the 1951 (Petition Exhibit #337). There never have been 215 Indians living on Shoalwater Bay Reservation. Therefore, he must have intended to include the Indians at Bay Center, as well. For example, at the time of the IRA vote in 1934, there were only 11 adults living on the Reservation. The only way to make sense of the reference to 215 Shoalwater Bay Indians is to assume that the Commissioner intended to include the Indians living at Bay Center, many of whom descended from the original allottees at Shoalwater Reservation, but had never chosen to live there permanently. The fact that the Indians at Bay Center and on the reservation were thought of as a single group was noted by Special Allotting Agent, Finch Archer, as late as 1910. He summarized his findings as follows:

The Georgetown Indians number about 150 persons. The actual residence of most of these is at Bay Center, across Willapa Bay, Washington, and

> nine miles south of the Georgetown reservation. These Indians live among the white people of the village; the children of both races attend the same school. Most of the Indians have purchased lots in the Bay Center cemetery, where they bury their dead. These Indians earn a good livelihood by salmon fishing and oyster culture. Nearly all speak English, pay taxes, and have for years exercised the right of suffrage. They have all, and at their own request, been given allotments of lands on the Quinaielt reservation (quoted in Solicitor's Opinion, September 23, 1932).

This indicates that the Bureau considered the Indians in Bay Center to be part of, or associated, with those living at Shoalwater Bay Reservation.

According to Commissioner Meyer's letter, there were 1,998 Indians living on Quinault Reservation. As is the case with the Shoalwater Reservation statistics, it is doubtful that there were actually that many Quinault Reservation residents. Rather, this seems to include everyone who had been allotted on the reservation, including some of the Chinook descendants living along the Columbia River. Altogether, under the Western Washington Agency, there were 7,615 Indians who were enrolled and listed under the first category. A footnote in the letter states: "Of this total number of enrolled Indians it is estimated that approximately 862 live off the reservations - about 262 in Thurston County, and about 500 in Wahkiakum County,[56] and about 100 in Clark County.

In the same letter to Congressman Russell Mack, dated November 16, 1951, the commissioner noted the presence of an estimated 500 Chinook Indians in Lewis County (Petition Exhibit #337, 4). This statistic does not make any sense at all. The Chinook Indians have never lived, in any great numbers, in Lewis County (except for the brief period in the 1850's when Lewis County included much of Pacific and Wahkiakum Counties. The thinking of the compiler of the statistics is not clear. It is possible that he intended to type Pacific County rather than Lewis County, since he had already referred to the 215 Shoalwater Bay Reservation Indians and the 500 Chinookan Indians living in Wahkiakum County. There would have been some some Chinook descendants who continued to live in Pacific County in 1951 who were not Shoalwater Bay Indians.

The Commissioner's letter to Congressman Mack listed the Tribal Councils for which the BIA held trust funds. These included the Chehalis and Quinault Tribes, but not the Cowlitz, Chinook, or Shoalwater Bay Indians.

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[56] Raymond Bitney, Superintendent of the Western Washington Indian Agency wrote to Colonel E. Morgan Pryse, Portland Area Director on October 31, 1951 (Petition Exhibit #334). In that letter, Bitney stated: "Our report of September 17th showed some 500 Indians in Wahkiakum County .... In passing, I should like to say that many of the Indians in Wahkiakum County are of Chinook extraction, but are allotted on the Quinaielt Indian Reservation" (Petition Exhibit #334, 2).

The Portland Area Office, in a letter signed by L.P. Towle for Director, Colonel E. Morgan Pryse, wrote to the Commissioner of Indian Affairs stating that: "Until about a year ago, we had no knowledge of a Chinook Tribe as such, although the Chinooks are listed in Bulletin 30 of the Bureau of American Ethnology as a group of Indians living in the general vicinity of Grays Bay." The Area Director noted that the COIA had approved the Chinook Indians' attorney contract on December 27, 1951, but that the approval carried a disclaimer that approval of the contract "did not constitute a determination that the Chinook Tribe of Indians is a Tribe, Band or other identifiable group of American Indians within the meaning of the Indian Claims Commission Act" (letter, Towle to COIA, dated June 27, 1952; Petition Exhibit #356). Towle added: "To our knowledge they do not have approved organization [sic] nor a constitution or by-laws under which they operate in an organized relationship with this bureau."

Other Political Issues of the Chinook Nation Before May, 1953

Another council meeting was held on March 29, 1952, in Skamokawa, where the upcoming land claims hearings, held June 1952, in Seattle, were discussed. The minutes state that there were 17 members present, plus their attorney Mr. McLeod. Mildred Colbert agreed to go to Seattle to provide testimony for the hearings. The group discussed gathering evidence for the land claims case, including the collection of affidavits from Indians and non-Indians (Petition Exhibit #401).

In 1952, J. Grant Elliott wrote a letter to the newspapers demanding the return of Comcomly's skull, which had been stolen by a non-Indian and had found its way into an English museum. On January 17, 1953, the council held a council meeting at Skamokawa. Burnby Bell, of the Clatsop County Historical Society made a presentation on the return of the skull of Chief Comcomly from the museum in England. He convinced the Chinook Indians at the meeting to have the skull sent to the museum of the Clatsop County Historical Society in Astoria. For his efforts, Bell was made an honorary member of the Chinook Nation. The Chinook Indians discussed their land claims case, noting that there had been no action since the June 1952 hearings (Petition Exhibit #401). There were about 100 Chinook descendants who came to the meeting to determine the fate of the skull. In February 1956, Comcomly's skull was sent to the Smithsonian Institution, in Washington, DC (Stewart 1960; Petition Exhibit #66). August 12, 1972, the skull was finally returned to the Indians at Ilwaco (Dark, 1972, Petition Exhibits #69 and #101, Anonymous 1972b and 1972c).

In a letter dated March 20, 1952, Grant Elliott invited Raymond Bitney to attend a meeting of the Chinook Nation Councilors in Skamokawa on March 29, 1952 (Petition Exhibit #347). Unable to attend, Bitney responded with his own invitation, for Elliott to attend a meeting at Taholah on March 28, 1952, "for the purpose of setting up a planning committee to work out a program for the final disposition of the Quinaielt Tribe and Reservation" (letter, Bitney to Elliott, dated March 25, 1952; Petition Exhibit #346). The

meeting called by Elliott was held on March 19, 1952. It was at this meeting that the elected Chinook delegates signed the attorney contracts for the land claims case (letter, Bitney to COIA, dated April 9, 1952; Petition Exhibit #348).

On April 28, 1952, the Superintendent of Western Washington Agency, Raymond Bitney expressed his willingness to provide "blue cards" (Indian identification cards) to members of the Chinook Nation. He wrote to Grant Elliott, requesting a copy of the Chinook membership list so that he could be sure to send out the cards to recognized members of the group.

> We have had numerous requests for identification cards from members of the Chinook Tribe, but we are unable to issue these until we have a list of the members of the Tribe. We would appreciate very much if you would kindly ask the Secretary of the Chinook Tribal Council to send us the above mentioned list as soon as possible, so that we can send out these cards (Petition Exhibit #349).

Copies of this letter were mailed to Anna (Elliott) Koontz, Norris Petit (his branch of the Petit family lived in Bay Center), Oscar Brignone, and Vernon F. Baker (a Kathlamet Indian descendant; his mother was Mary Amelia; Vernon lived in Silverton and Portland, Oregon in the 1950's), because they had applied for blue cards as Chinook Indians. In the Western Washington Agency, it seems that, as of April, 1952, the superintendent meant to provide blue cards to Chinook Indians based on the forthcoming Chinook Nation membership list (letter Bitney to Elliott, dated April 28, 1952; Petition Exhibit #349).

In the early 1950's in Washington State, blue cards were issued by the Bureau of Indian Affairs to Indians who were descendants of treaty tribes, whether they were members of recognized tribes or not, so even if the Chinook Nation members had received the blue cards, it would not have indicated that the Chinook Indians were a recognized tribe in 1952 or 1953. As noted in the historical technical report which accompanies this report, the policy clearly changed by 1955, when some of the Chinook Indians were notified by W.A. Ringey, Superintendent of Western Washington Agency, that the BIA could only provide blue cards to members of officially recognized tribes (see Historical Technical Report, pp 64ff).

The point concerning the issuance of identification cards became controversial soon after that. On May 16, 1952, Bitney wrote Elliott that Bitney had been advised by a lawyer in the Portland Area Office (E.G. Swindell, Jr.), that he could not provide identification cards to Indians whose names "do not appear on any official tribal roll in my office." This seems to be a reversal of Superintendent's earlier statement, which would have allowed for the issuance of blue cards to Chinook Indians based on the Chinook Nation's forthcoming membership list. The letter went on to suggest that Elliott "have your attorneys explore the possibility of having your census roll approved by a court of record" (letter Bitney to Elliott, dated May 16, 1952; Petition Exhibit #350). Once the Chinook

Nation's leaders split, in May of 1953, the Agency office refused to issue any blue cards to Chinook Indians as members of the Chinook Tribe, because they did not have an approved membership roll. Some Chinook descendants did get blue cards in the 1950's, but this was due to the fact that they were listed on the Quinault Nation's membership list, not because they were Chinook descendants.

On February 14, 1953, the area officers (the Chinook Nation council) held a meeting at Skamokawa. The minutes state that there were a few other members present at the meeting aside from the area officers. Officers present were Anna Koontz, Mildred Colbert, Catherine Troeh, Claude Wain, Carol Quigley, Celeste Peterson, and Gertrude Walker. Also present was Myrtle Woodcock, secretary-treasurer. There were a number of new people serving as officers, but there is no information about how or when they were elected or why the former area officers were no longer in their positions. The purpose of the meeting was to discuss the Chehalis Indians' fishing rights lawsuit and to decide if the Chinook Indians wanted to join the Chehalis in the suit. The area officers passed a resolution declining to join the suit at that time, but wishing the Chehalis success.

On March 13, 1953, John Grant Elliott ("Individually and as President of the Council of the Chinook Tribe of Indians"), Myrtle Woodcock, Claude Waine, and Catherine Troeh, entered a complaint in the Superior Court of the State of Washington. The complaint was filed against the non-Chinook owners of land north of Long Beach who had allegedly desecrated an Indian grave site on March 10, 1953. The complaint requested a temporary restraining order against further desecration and damages to the extent of $50,000 (Petition Exhibit #142). On March 20, 1953, the court ordered the persons involved in disinterring the Indian remains and artifacts to turn over the remains and funerary objects to the sheriff and to refrain from further disinterment.

In April 1953, Grant Elliott and his wife went to Seattle to check out the attorneys they had hired and to see if the claims case was being handled as quickly as it could be. They were apparently dissatisfied with the slow pace of settling the case through the claims commission. It appears they were contemplating having their attorneys replaced. The new firm that the Elliotts visited stated there was no basis for removing Post and McLeod from the case, and that things were moving along as well as could be expected (memorandum by Girard Davidson and L.A. Nikoloric, dated April 8, 1953; Petition Exhibit #404).

Some of the Chinook Indians became frustrated with Grant Elliott's style of leadership. In a later account, Charles Larsen complained that there were long periods between meetings held in Skamokawa and the late notices for the meetings that were held (Larsen, undated paper; Petition Exhibit #141).

> From here on there appeared to be a program of silence on the part of the Chairman - meetings were few and when called notices were on such short

time that those living at a distance would not be able to arrive in time. Affairs of the tribe seemed to have fallen by the wayside, no information emanated from the Skamokawa area (Larsen, undated paper, Petition Exhibit #141).

There does not seem to be much evidence that Elliott held few meetings or that he was an inactive leader, as Larsen stated in his letter. But Elliott was fairly single-focussed on the land claims issue and was, at times, perceived by some of the other council members as being autocratic.

An example of the way some of the Chinook Indians felt toward Grant Elliott and his family is seen in a letter written two months after the leadership dispute came to a head. Charles Larsen wrote to some of his fellow council members regarding a meeting, called by the Chinook Attorney, Malcolm McLeod, to discuss a separate land claim that had been entered for the Clatsops (who had their own attorney, named Crawford):

> Now for the invitation: 'I shall arrange to have Mr. Sareault, Mr. Crawford, and Mr. Post, and such of the Chinook Tribe as can be present on August 3, 1953 to discuss this problem.' I have underlined the part that interests us. I feel sure that J. Grant Elliott and his official family will be there and there is no telling in what direction the discussions will go which brings us to the question as to who will be at this conference besides myself? We should have at least three from our organization so that if there are any on the spot decisions to make it can be done" (Larsen to Catherine Troeh, Claud Wain, and Paul Petit, dated July 23, 1953; Petition Exhibit #406; the underlined portion is original to Larsen's letter).

The comment about "J. Grant Elliott and his official family" is obviously communicating the fact that Larsen was fed-up with the Elliott family's domination of Chinook affairs.

THE CHINOOK LEADERSHIP DISPUTE FROM 1953 TO 1958

Beginning in 1953, the Chinook Indians experienced a leadership crisis which reflected a social and geographical division that was made clear at the time of the first assignments of reservation lands to Indians at Shoalwater Reservation (1881) and allotments of land on Quinault Reservations (1907), since the earliest assignments and allotments on these reservations did not include any of the Chinook descendants living at Dahlia. The distinction between the Chinook Indians in Bay Center and those in Dahlia may stem from the fact that most of the Chinook Indian descendants at Dahlia were from the pioneer-Indian families of Marie Rondeau Ducheney-Preble-Kelley and Emelie Chinook Ero-Durival. These women and their descendants had been living at Vancouver, Washington from the 1830's to the 1850's. This is not intended to imply that there is

continuity between on-going Chinook factions from 1881 to 1953. There is no evidence of Chinook political factions at any point in time. This conclusion includes the years 1881 to 1953 and from 1953 to the present.

In broad strokes, the leadership dispute in 1953 resulted in most of the Chinook Indians living in Wahkiakum County following Grant Elliott (Skamokawa, Chinook Nation), and those from Pacific County following Myrtle Woodcock, Charles Larsen, and Claud Wain (Bay Center, Chinook Tribes [CT, Inc.]). Each group had its own council from 1953 to 1958. After 1958, evidence indicates that the CT, Inc. became defunct, while the Chinook Nation continued its pursuit of the Chinook land claim until about 1972. In 1968, some unidentified members of the CT, Inc. reportedly started meeting again, informally. In 1970, the Chinook Indian Tribe (CIT) formed a new council and started holding monthly council meetings (dwindled to once every three months by 1972) and annual general meetings. This group has represented the Chinook Indians from 1982 to the present, since the joint resolution between the Chinook Nation and the CIT (Joint Resolution, June 19, 1982; see Petition Exhibit #512).

The 1953 Division Among Chinook Leaders and the Formation of Two Chinook Councils

In 1953, there was a division among the leaders on the Chinook Nation council (this issue is also covered in the Historical Technical Report, pp. 54-64). Because some council members were dissatisfied with Grant Elliott's leadership, Myrtle Woodcock, the secretary-treasurer, sent out notices for "a general meeting of the Chinook Tribe" at Bay Center (meeting minutes; Petition Exhibit #401).

> On May 3, 1953, a general meeting of the Chinook Tribe was called and notices in local newspapers to be held at Bay Center, Washington [sic]. Notices were sent out by the Secretary, Myrtle Woodcock. This meeting was attended by sixty-eight members. After a recital of the lack of interest shown by the leaders of the tribe it was decided to elect a new set of officers so as to bring new personnel into action and to create more interest in the suit against the government (Larsen, undated paper, Petition Exhibit #141).

The minutes from that May 3rd meeting state that it was called to order by Claud Wain, as temporary Chairman. There is no attendance record included in the minutes, but later documents state that there were 68 members present. Mr. Wain made a few comments and then read from a letter written by Senator Magnusson. Magnusson stated that he had been informed by the Portland Area Office that there was no Chinook tribal organization. Mr. Wain then called on Charles Larsen, "who gave the present state of affairs pertaining to the lack of organization and information to members and outlined a procedure of business for the meeting." A constitution and by-laws for the Chinook Tribes, Inc. was

read. and adopted. Those present at the meeting included "Mrs. Arliss" (probably a reference to Ruth Pauline Shaw Ariss, a Hawks descendant), Carl Koontz, Roland Charley (elected Chairman; he was the only candidate after all of the other nominees declined to run against him), Lewis Hawks (elected Vice-Chairman), and Myrtle Woodcock (elected Secretary-Treasurer). Other persons present and elected as councilmen were Claud Wain, Catherine Troeh, Paul Petit, Jack Petit, and Charles Larsen. Anna Elliott Koontz was elected as the tribal historian (Petition Exhibit #401).

A May 6, 1953 newspaper article, placed by Myrtle Woodcock, in the Tribune (Ilwaco), stated that the Chinook Tribe was an unincorporated association, which had the officers listed in Table 9, below. Elliott was not present at the meeting in Bay Center, as indicated in a letter written to him by Myrtle Woodcock, dated May 8, 1953.

> Dear Mr. Elliott: As Secretary, I called a meeting of the Chinook Tribe at Bay Center with what I thought was your approval. Sixty-eight members attended. It was intended to be an annual meeting for the purpose of electing officers and adopting a Constitution and By-laws. We had Mr. Charles S. Welch draw up a set of what we considered as workable articles and by laws. No one protested the regularity of the meeting as called and having Mrs. Elliott's card agreeing to the meeting, we assumed the meeting was held with your approval. I have learned since that you and others misunderstood the purpose of the meeting, and that you are not contented with the action taken.
>
> We realize that the Chinook must maintain a united front for the purpose of proving our claim against the United States, and that all action should be supported by the whole group. In order to accomplish this, I suggest that you direct me, as secretary, to call another meeting, mentioning in the notice the misunderstanding and declaring clearly that the purpose of the meeting is to (1) elect officers, (2) adopt a Constitution and By-laws, and (3) consider other business . . . ." (quoted by Larsen, undated paper, Petition Exhibit #141).

In spite of the conciliatory tone of Mrs. Woodcock's letter, the two groups held separate annual meetings on June 13, 1953, one in Bay Center and the other at Skamokawa. At the June 13 meeting in Bay Center, Myrtle Woodcock resigned her position as the Secretary-Treasurer of the Chinook Tribes, Inc., and Catherine Troeh was chosen to replace her. On June 15, 1953, the Chinook Tribes, Inc. incorporated under state laws (see Articles of Incorporation and Constitution and By-laws, Petition Exhibit #143). According to these documents, the membership of the group was open to Indians of the Kathlamet, Wahkiakum, Willapa Band of Chinooks, Lower Band of Chinooks, Clatsops, and affiliated tribes. Annual meetings were to be held the third Saturday of June, in Bay Center.

The elected leaders of the two groups, as of June 27, 1953, are listed in Table 9.

TABLE 9
OFFICERS OF THE TWO CHINOOK COUNCILS IN 1953

Chinook Tribes, Inc.		Chinook Nation	
Roland Charley	chairman	John Grant Elliott	chairman
Catherine Troeh	secretary-treasurer	Frank Quigley	secretary-treasurer
Lewis Hawks	vice-chairman	John Kent Elliott	vice-chairman
Jack Petit	councilman		
Claud Wain	councilman		
Charles Larsen	councilman		
Paul Petit	councilman		

Sources: Petition Exhibits #102; #138

In a letter to John Grant Elliott, Frederick Post, attorney for the Chinook Indians in the Chinook Court of Claims suit, encouraged the two Chinook leadership groups to find a way to settle their differences and reunite (dated July 27, 1953; Petition Exhibit #141). He also wrote to Roland Charley, on October 16, 1953, on the same theme. According to the correspondence, there were a number of Chinook Indians who asked the Bay Center leaders, who were in possession of the group's records after Myrtle Woodcock's defection, to return their applications, so they could be properly registered with Elliott's group in Skamokawa (Petition Exhibit #141). Charles Larsen quickly replaced Mrs. Troeh as the Secretary-Treasurer of the Bay Center group (by November 18, 1953). Though Mrs. Troeh resigned her position as secretary, she remained active in Chinook affairs.

Eventually, the CT, Inc. attempted to have the contract with their attorney, Charles Welsh, approved by the COIA. Welsh sent the contract to the COIA on March 29, 1954. On May 3, 1954, Acting Area Director L.P. Towle sent the contract to the COIA, along with a letter stating the following opinion and recommendation:

> Supplementing the comments of the Superintendent, there is no recognized Chinook Tribe so far as treaty rights or restricted land is concerned. The federal government has no responsibility to such Indians as Chinook Indians. An attempt was made to form a Chinook enrollment but so far as this office is informed such roll has never been approved.

> While any group of Indians can incorporate under state law for their mutual advantage, such incorporation does not create a responsibility or liability upon the federal government.
>
> This office has been given to understand that the basis of departmental recognition of an Indian tribe as such is dependent upon ratification by the United States Senate of a treaty or agreement with an Indian tribe or recognition of a tribal entity under Federal statutes. Upon the basis of that standard, and the facts above stated, it is the opinion of this office that the Chinook Tribes, Inc. is not a recognized Indian Tribe, within the meaning of Sec. 2103 of the United States Revised Statutes (25 USC 81) that will authorize the Commissioner of Indian Affairs to approve an attorney's contract between such Indian tribe and an attorney.
>
> It is, therefore, recommended that the attorney contract not be approved (Petition Exhibit #381).

The petitioner's cover page for this exhibit contends that Towle's opinion is "flawed," because the COIA had already approved an attorney contract for the Chinook Nation in 1951 (cover page, Petiton Exhibit #381). The cover page of the exhibit assumes that if the BIA approved the attorney contract of the Chinook Nation in 1951, that this implies recognition of the Chinook Nation as a tribe in 1951. However, approval of attorney contracts for the pursuit of land claims did not imply recognition of any claims entity as a tribe at the time of the claim. Second, it does not follow that the COIA was bound to approve the attorney contract for the Chinook Tribes, Inc. just because this was done for the Chinook Nation. It is probable that the Portland Area Director had in mind the practical concern of not wishing to approve attorney contracts for more than one Chinook land claims suit. By approving the attorney contract for the Chinook Nation in 1951, the COIA had already recognized one land claims entity for the Chinook and Clatsop tribes which had signed the 1851 Tansey Point Treaty. The Area Director did not want the COIA to be in the position of acknowledging two Chinook land claims organizations by signing the attorney contract of the Chinook Tribes, Inc. in 1954. The concern over the leadership dispute appears in the correspondence during 1953 between the BIA (the Area Director and the Western Washington Agency) and the lawyers for the Chinook Indians on the one hand, and the two groups of Chinook leaders on the other. The lawyers and the BIA officials appealed numerous times to the two sets of leaders to settle their differences and reunite. For example, Frederick Post, attorney for the original land claim petitioner, Chinook Nation, tried to get the two groups to reunite, as he indicated in his letter of July 27, 1953, written to Grant Elliott:

> The problem raised by the later division as a last resort, would be solved in either a State or Federal Court. I suggested previously to both groups that the problem be solved by a coalition slate of officers. You should work toward that end to bring about harmony, so that there will be a united front

> in prosecution of the claim. The division has caused no damage yet, but it well might in the future (Petition Exhibit #407).

In spite of these appeals, the Chinook Nation and CT, Inc. failed to reunite. On June 19, 1982, when the Chinook Nation and the CIT signed a formal agreement of cooperation.[57]

Attorney Welsh wrote to Senator Russell Mack, asking for his help in having the contract approved on June 8, 1954 (Petition Exhibit #382). Welsh noted that the Chinook Indians were anxious to pursue several legal matters, and therefore wanted the contract as soon as possible. Then Welsh added, "For your information this contract and my proposed legal services have nothing in connection with the land suit now against the government." This implies that the Chinook Tribes, Inc. did not intend to supplant or compete with the Chinook Nation as the land claims litigant. Their intention in having the attorney contract approved was to establish themselves as the current governing body of an Indian tribe for purposes other than the land claim.

Welsh's attorney contract was never approved. The COIA, Glenn Emmons stated in his letter to the Portland Area Director, Don Foster, dated June 25, 1954, that he could not approve the attorney contract for the Chinook Tribes, Inc. for land claims or any other purposes. "Our records show that the Chinook Indians are now represented by other attorneys in connection with their claims pending before the Indian Claims Commission. On the record before me, I cannot recognize this corporation as having authority to act for the Chinook Indians, either in general matters or the claims now pending before the Indian Claims Commission" (Emmons to Foster, Petition Exhibit #384). This decision was based on the lack of evidence in the record, available to the COIA at that time, that the Chinook Tribes, Inc. had the authority to act for all Chinook Indians.

In a May 13, 1953 report, Raymond Bitney, Superintendent of the Western Washington Agency (WWA), commented on the Chinook leadership dispute. He appears to have taken the side of Roland Charley, Myrtle Woodcock, and Claud Wain, at least initially, since he refers to Grant Elliott as the "temporary Chairman," and states that he claims to be chairman, even though other elections had been held. Bitney went on to say that Roland Charley was the Chairman of the newly reorganized "Chinook Tribal Council."

> With passage of the Indian Claims Act in 1946, the group became active and organized under a temporary Chairman, Mr. Jay [sic] Grant Elliott of Skamakawa [sic], Washington. A contract was entered into with legal

[57] Additionally, the fact that the BIA had "administered in 1954 more than 100,000 acres of trust allotment lands of Chinook Indians who were not members of the Quinault tribe" (cover page, Petition Exhibit #381) does not imply recognition of the Chinook Indians as a tribe in 1954. The BIA was administering the allotments for these Chinook Indian descendants as individuals, not as a tribe. Later, in the 1970's and 1980's, the BIA dealt with the Chinook allottees through the elected leadership of the CT, Inc., but not from 1951 to 1954.

counsel for the purpose of pressing claims against the government. Mr. Elliott claims to be Chairman despite any elections since that time by the members.

In May of this year, the group adopted a written constitution (not approved) and elected a council for their self-government. The president, or Chairman, is Mr. Roland Charley of Tokeland, Washington.

This furnishes a good example of the confusion that exists. Mr. Charley is listed in the Quinault Census as a full-blooded Quinault Indian. He has an allotment on the Quinault Reservation, has a home on the Shoalwater Bay Reservation, and is the Chairman of the newly organized Chinook Tribal Council (Petition Exhibit #359).

After listing the Tribal Council, all of whom were allotted on Quinault Reservation, Bitney continued:

All of these people claim to be Chinooks. The Council holds regular meetings and its members consider themselves the governing body for 516 adult Chinook Indians, some three hundred of these being located in southwestern Washington and along the Columbia River in Oregon from Astoria to Portland. They claim an enrollment of 979 men, women, and children . . . . (the rest of this paragraph is illegible in the Petition Exhibit).

Most of them are more white than Indian, but all claim Indian fishing rights and other special privileges. Most of them have allotments or inherited interests on the Quinault Reservation and most are quite satisfied to have this land remain tax exempt, though a minority does want fee patents and release from wardship.

The Chinooks have never signed a treaty with the United States. They secured allotments on the Quinault Reservation as an "allied fish-eating tribe." There is a question as to their rights on the Quinault Reservation. They have none of their own. (Petition Exhibit #359)

Bitney was incorrect in stating that the Chinook Indians had not signed a treaty with the United States. The Chinook Indians signed a treaty at Tansey Point in 1851. However, the United States Senate took no action on the treaty, allowing it to die in committee. Thus, the treaty was signed, but never ratified.

On June 13, 1953, a meeting was held at Skamokawa to discuss the meeting held at Bay Center on May 3. At the Skamokawa meeting, Grant and Kent Elliott were nominated as chairman and vice-chairman, respectively. There were two nominations for secretary-treasurer, and Frank Quigley eventually was elected to that role. According to minutes

taken on June 27, 1953, there were 173 written ballots for Grant and Kent Elliott, and 162 votes for Frank Quigley. The question of approving a constitution was delayed until they could "receive the records from our present secretary-treasurer, Myrtle Woodcock." A motion to "not recognize the meetings held at Bay Center as meetings of the Nation, and only to recognize them as local meetings and to notify the Indian Agency as such" was passed (Petition Exhibit #138). On about September 23, Grant Elliott placed a restraining order on the bank account, which had belonged to the Chinook Nation and held money collected for the purpose of the land claims case (about $1,168.06, as of June 8, 1953; Petition Exhibit #143). This action prevented the CT, Inc. leaders, who had the bank records in their possession due to the defection of Myrtle Woodcock, from using the money.

Activities of the Two Chinook Councils

The CT, Inc. adopted a constitution and by-laws, hired an attorney, and tried to gain control of the funds collected by Elliott for the land claims case (letter, Bitney to COIA, dated January 8, 1954, Petition Exhibit #129). The CT, Inc.'s attorney had asked Bitney to approve their constitution, but he had refused to do so. Bitney expressed concern about the court case that had ensued, that the court was expected to decide which set of leaders were the legitimate leaders of the Chinook Indians. Bitney also noted concern over the fact that most of the Indians in both groups were allotted at Quinault, and did not know if this was a bar to their being recognized as the Chinook Tribe. It is worth noting that Bitney was of the opinion that most, if not all, of the members of the Chinook organization were allotted on Quinault Reservation.

Finally, on April 3, 1954, Elliott's group held an initial vote on its own constitution and by-laws (Petition Exhibit #143). The vote to adopt was 45 to 0. This petition exhibit is somewhat confusing, in that it is drawn up over the name of Myrtle Woodcock, Secretary-Treasurer. This suggests that the constitution and by-laws were drafted before her defection in 1953, but not voted on by the Chinook Nation until 1954. Perhaps Elliott's failure to act on the constitution was one of the things that frustrated the other council members. At the same meeting, there was a discussion of the lawsuit that was pending against the Bay Center group, which aimed at having the Chinook Nation recognized as the legitimate Chinook governing body. The constitution was voted on again at the June 5, 1954 meeting. The law suit against the Bay Center group was discussed at that meeting as well. No documentation on the the outcome of Chinook Nation's law suit against the CT, Inc. was provided by the petitioner.

On June 20, 1954, an annual meeting of the CT, Inc. was held at Bay Center, called to order by Roland Charley and Charles Larsen (died in 1955?). At this meeting, Catherine

Troeh "gave an account of a council meeting at Taholah."[58] Several people from the Chinook Nation (Anna Koontz, Florian Kjos Beyfield, Myrtle Zollner, and Kent Elliott) made comments about the split between the two groups, and the need to reconcile. The Chinook Nation representatives were ruled out of order, and told to submit their complaints in writing. In other business, Lewis Hawks, who had been elected to the Chinook Tribe, Inc. council at their first annual meeting, May 3, 1953, was replaced by "Jess" Williams[59] because Lewis Hawks had not participated in any meetings held since the previous election. At this meeting, Charlotte Davis, of Seattle, was chosen to collect historical information on the Chinook Indians (Davis 1981). There were 53 persons who attended the meeting, including the delegation from the Chinook Nation. Most of the people in attendance lived in Bay Center and South Bend, though some came from Aberdeen, Bremerton, Olympia, Portland, Tacoma, Seattle, and even Peoria, Illinois.

In 1954 or 1955[60], the Chinook Tribe, Inc., held a Sunday meeting at the Fort Columbia Museum. About 200 people were present for the meeting; 25 of them non-Indians from the Pacific County Historical Society. The officers present at the meeting were: Chairman, Roland Charley; Secretary-Treasurer, Betsy Herrold Trick; Councillors: Harlan Herrold, Ilwaco; Paul Petit, Bay Center; Jack Petit, Ilwaco; Myrtle Landry, Tokeland; Claud Wain, Raymond; as well as Al Becken; Ed Scarborough; Gilbert Fulkerson (anonymous, undated newspaper article in BAR Anthropologist's Field Data: Guests Have Pow-Wow at Fort). Roland Charley asked Jack Petit to run the meeting in his place. The Chinook Tribe, Inc. took the opportunity to celebrate the 50th wedding anniversary of Roland Charley. At this same meeting, the Chinook Indians took a number of actions. First, they voted to join the National Congress of American Indians. The president of NCAI, Joseph Garry, gave a speech opposing the proposed Western Washington termination legislation. They also passed several resolutions: one supporting the study of Indian artifacts that had recently been dug up on land belonging to Oral Evans, with the provision that any human bones discovered be reburied according to Indian custom; another resolution asking their representatives to watch out for amendments that might affect their land claims suit; and finally, a resolution asking that the State game department refrain from issuing identification cards "without the sanction of the attorney general's office or other proper legal consent."

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[58]This implies that Mrs. Troeh was at the meeting, and raises the question of Chinook descendants' participation in Quinault tribal affairs.

[59]The identity of Jess Williams is not clear. There are a number of Williams descendants of Amanda Green Williams who were allotted at Quinault. For example, Layton Henry Williams (born 1907)lived on Quinault Reservation for a while, according to his son, James Williams. Jess could be a nickname for one of the descendants of Amanda Green.

[60] Probably 1955, since Charles Larsen was no longer on the council. He died in 1955, and Betsy Trick was the "Acting Secretary" in a letter dated February 28, 1955.

The Leadership of Charles Larsen, Claud Wain, and Myrtle Woodcock

Charles Larsen had been a long-time employee of the Bureau of Indian Affairs; he had lived on many different reservations and served as an administrator for several Indian schools. The petitioner's cover sheet for Petition Exhibit #330 suggests that Mr. Larsen was the "delegate" of the Chinook Indians to the Northwestern Federation of American Indians (NFAI). While Mr. Larsen wrote and sent out meeting announcements to the members of the federation on May 18, 1948, there is nothing in the record that provides evidence that he was attending the meetings of NFAI as a representative of the Chinook Indians. In fact, the Chinook organization was not started up again until 1951. There is no evidence that Mr. Larsen was involved in Chinook affairs until 1951, when he was elected a council member of the Chinook Nation. After the leadership dispute in 1953, Larsen sided with the Chinook Tribes, Inc. (CT, Inc.), which had its leadership centered at Bay Center. Larsen was influential in shaping the constitution and by-laws for the CT, Inc., gathering information for the Chinook membership list in 1953 and 1954, and attempting to obtain blue cards for Chinook members (Indian identification cards used for fishing without a license), among other things.

Charles Larsen, in a letter to several CT, Inc. council members dated July 23, 1953, hinted that Roland Charley, who was quite elderly at this time, was not a very effective leader. Regarding a meeting called to discuss the potentially rival land claim filed by the Clatsop Indians in Oregon,[61] Larsen wrote a letter to only three other council members: Catherine Troeh, Claud Wain, and Paul Petit. In addition to side-stepping Roland Charley, Larsen did not send a copy of the letter to Lewis Hawks, the elected Vice-Chairman. Lewis Hawks was removed from office in 1954 because he had not attended any council meetings since his election in May, 1953. The issue that Larsen wanted to discuss with them was who should represent the Chinook Tribes, Inc. at the meeting about the Clatsop claim. Larsen said "I might be all wet and reading too much between the lines but let us not be caught napping - I am sure that those who attend will get some information out of the discussions that will be helpful. I would address this to the Chairman but am not sure if he would take any action in time to be of any benefit" (Petition Exhibit #406). While Roland Charley was not a strong leader for the CT, Inc., there were other Chinook Indians who did guide the council's activities.

Charles Larsen, as a Chinook Tribe, Inc. council member, submitted several amendments to the constitution in the form of formal, written resolutions. These amendments are dated September 5, 1953 (Petition Exhibit #399). The amendments concerned establishing an agenda for council and general meetings, the legal age to vote in Chinook meetings (18 years), the authority to select delegates to officially represent the Chinook Indians at meetings with other Indian tribes and government agencies, and the

[61]The descendants of Celiaste Coboway Smith (Clatsop Indian woman) were already participating with the Chinook Nation at this time, with Gertrude Walker serving on the council. This separate suit may have been brought by reservation Clatsops, or some other group.

establishment of dues for membership. Larsen's resolutions carried the qualification that the adoption of the resolution "be made known to the Area Officers so that they may transmit the information to all members in their districts." This reflects the intention of the Chinook Tribe, Inc. to communicate to its membership through these "area officers." There are at least two pieces of evidence that indicate that the system was used, both of them having to do with the way in which the Chinook Tribe, Inc. put together its membership list in 1953. First, there is a letter in the Petition Exhibits which were written by council officers to the area directors. This letter asks the area officers to enroll members in their areas, specifically asking them to have individuals choose between membership in the Chinook Nation and the Chinook Tribe, Inc. Second, the area officers witnessed the membership applications of members in their areas. Mildred Colbert, who represented Chinook Indians in the Portland area where she lived, witnessed the membership applications of the Chinook Indians living in her area (see early 1950's membership applications submitted by petitioner). Membership applications for Chinook Indians living in Bay Center were signed by Lewis Hawks or Roland Charley.

The Chinook Indians experienced great difficulty in getting a membership list together because of the leadership dispute. One was submitted to the BIA by the Chinook Tribe, Inc. in 1953, with over 1,000 members listed on it. But the issue of a tribal roll was raised again during the consideration of termination legislation in 1954. During one of the hearings held at that time, the Chinook Tribe, Inc. representatives stated that the allotted six months for roll preparation prior to termination was insufficient. Instead they requested at least two years to prepare their roll. Also regarding the roll, Frederick Post, attorney for the Chinook Nation, wrote to Charles Larsen, asking for his help in getting the Chinook Tribes, Inc. to turn over the membership list that had been put together by Myrtle Woodcock, while she was still Secretary-Treasurer of the Chinook Nation (letter dated June 15, 1954; Petition Exhibit #410). Post wrote:

> . . . . I say again that an ultimate showdown which might make a lot of people unhappy can be avoided if the enrollment records are made available to the Skamokawa group. An immediate and pressing need for this list is to enable the Skamokawa Council to procure hunting and fishing cards to Chinook Indians. This program is held up through . . . . (copy illegible). Another need of a list is so that all persons desiring to attend meetings of the Skamokawa group can be notified. It is my hope that eventually the list will be used to ascertain Chinook members for the purpose of receiving a share of some future recovery. At that time the present enrollment papers would not be the best evidence of membership but would be valuable to show the state of mind of enrollees at the time the suit was brought and to exclude those who would seek to get on the Chinook 'band wagon.'

The Chinook Tribe, Inc. worked to maintain their membership list. On July 22, 1954, Charles Larsen announced the formation of a membership committee composed of

Roland Charley, Claud Wain, and Paul Petit. Along with the letter, Larsen included a list of about 115 people, many of them either related to Grant Elliott or living in Wahkiakum County, who had filled out application forms for the Chinook Nation (before the leadership dispute resulted in the formation of two councils), but who had not declared their interest in changing affiliations to the Chinook Tribes, Inc. He asked for the help of all the council members in talking to people on the list in their "district" who would be interested in officially switching their membership to the CT, Inc. (letter, Larsen to Chinook Tribe, Inc. Council members; Petition Exhibit #411).

On October 26, 1954, Charles Larsen wrote to Melvin Robertson, Superintendent of the Western Washington Agency (WWA), stating the Chinook Tribe, Inc. wanted to work together with the Chinook Nation to come up with a single membership list. "Towards this end we are requesting our tribal attorneys to call a meeting of the two tribal groups, either the two Councils or two committees, with a view of making arrangements to mutually arrive at an authorized enrollment or an enrollment that can be certified by a group officially recognized by the government" (Petition Exhibit #414). This letter makes it seem that the two groups of leaders, while having personal conflict, believed that their organizations shared the same membership.

At a meeting of the Western Washington Inter-Tribal Council in Port Angeles (October 5th?, 1954; Petition Exhibit #140), Charles Larsen met Melvin Robertson (Superintendent, WWA). After that meeting, Larsen wrote Robertson a number of letters in behalf of the CT, Inc. One letter, dated October 11, 1954, addressed the question of the issuance of blue cards, used to identify Indians who had treaty fishing rights (and therefore did not need a commercial fishing license). The agency office refused to issue blue cards to the Chinook Indians because they were not a recognized tribe (letter dated October 13, 1954, Robertson to Larsen; Petition Exhibit #140). This decision was based on several grounds: that the treaty signed by the Chinook Indian leaders in 1851 was never ratified by the Senate; the Chinook Indians "had never prepared an accepted roll;" and, the Chinook Indians had no reservation land of their own. Robertson wrote, in part:

> I have read the files concerning the Chinooks and cannot find where the Chinook Tribe has ever prepared an accepted roll, and in most cases they have no restricted property. In a letter written in 1952 to the Washington Office in reply to inquiries from Cain and Magnuson, I notice that it was indicated therein that the Chinook Tribe has no official status. Similarly, the two tribal councils which apparently purport to represent the Chinook Indians have no official status so far as the Washington Office is concerned.

In his October 26, 1954 letter, Larsen also wrote to Robertson regarding the development of the Chinook tribal roll. Larsen stated that the two groups were planning to meet, along with their attorneys, to decide on how to draw up a roll that could be "officially recognized by the government" (Petition Exhibit #137; see also a letter from Charles

Welsh to Walling and Post, Petition Exhibit #140). Robertson wrote to Betsy Trick (letter dated February 28, 1955),

> Another perplexing situation that exists concerning the Chinooks is the fact that they have two governing bodies which is bound to be confusing to any person in a position of authority. It may not be possible, but at least it would be worthwhile to try to consolidate the opposing factions into one organization. If this can be done, there would be no question on the part of the Government or anyone else as to their right to deal with the people who are officially the governing body of the tribe (Petition Exhibit #137).

The BIA was apparently asking for this information so that they could more easily establish a Chinook payment roll in case the Chinook descendants were successful in their land claims case. Robertson's encouragement to clear up the leadership dispute was not acted upon immediately, since the continued existence of two sets of leaders was noted in 1957. In fact, there is no evidence that the two leadership groups ever officially reconciled.

In a letter to Charles Larsen, dated November 22, 1954, Bitney stated that he would not be able to provide much help to the Chinook Indians in putting together their membership list (a requirement under the proposed Western Washington Termination legislation). He also noted the fact that the Chinook Indians were in a "somewhat different category from that of other tribes" because they had no reservation of their own and they did not come under a treaty. Because of these differences, "we cannot issue blue cards to the Chinook people any more" (Petition Exhibit #128). The issue of blue cards was raised again in a letter from Betsy Trick, secretary of the Chinook Tribe, Inc., to Don Eastvold, Attorney General of the State of Washington, dated June 6, 1956 (Petition Exhibit #140).

Another letter was written by Bitney, to Portland Area Director, Morgan Pryse, on the issuance of blue cards to the grandchildren of Mrs. Paul Petit (letter dated January 22, 1954; Petition Exhibit #148). In that letter, Bitney expressed his frustration at the multiple tribal identities of some of the Chinook Indians: ". . . . Further, we find members of one family enrolled in the Quinault and Chehalis and at the same time these people make a claim to be Chinooks. This you will find true in the Petit case." In expressing his confusion over the multiple tribal labels used for the same individuals, Bitney appears to have been unaware of the fact that the first non-Quinault Indians allotted at Quinault Reservation were first adopted into the Quinault Nation. After their allotment on that reservation they were enrolled on the Quinault census as either "Quinault" or "Quinault-Chinook." Only later were some of the Chinook descendants placed on the Quinault census as "Chinook." In another letter to Pryse (January 25, 1954; Petition Exhibit #148), Bitney stated: "I realize that this is a very involved situation, but I hesitate to complicate it further by issuing identification cards which may be used as prima-facie evidence that certain individuals are recognized as members of a certain band, tribe or group." He suggested that blue cards not be issued to the Chinook

descendants until the Solicitor responded to the twenty questions that had been asked of him. The BAR has not seen the questions asked of the Solicitor or the correspondence surrounding them.

The petition is very misleading with regard to the issuance of blue cards. For example, the cover page for Petition Exhibit #396 states that the BIA at first declined to issue the blue cards to Chinook Indians but then later corrected their mistake and decided to issue "several hundred of them." At one point, Raymond Bitney did consider issuing blue cards based on the Chinook roll that would be submitted by the Bay Center leadership (letter dated November 4, 1953, from Bitney to Pryse, Portland Area Director). Bitney's attempt to issue the blue cards on this basis was apparently resisted by the Portland Area Office's solicitor (Petition Exhibit #397). However, blue cards were never actually issued based on any Chinook Tribe membership list.

The BIA did issue blue cards to some Chinook descendants, but only to those Chinook descendants who were adopted by the Quinault Nation as members. That is blue cards were issued to Chinook descendants because they appeared on the Quinault census. The Chinook Indians who received the cards in the 1950's were eligible for those cards because they were on the Quinault Reservation census list. Several copies of blue cards issued during the 1950's to members of the current petitioning group were included as exhibits in the petition. One example of this is the card issued for Ransom Alvin Padgett, dated August 5, 1952 (Petition Exhibit #358). On the blue card, Padgett's tribe is listed as "Quinaielt-Chinook."

Termination Legislation and the Chinook Indians

In preparation for the termination ("withdrawal") of services through congressional legislation, the Portland Area Office started collecting information on the Indians living in the jurisdiction of the Western Washington Agency, as early as May, 1953. Bitney included a supplement to the questionnaire he had received on tribal organizations which addressed the presence of Indians in his jurisdiction who were not covered under the questionnaire that had been provided to him. Bitney wrote: "Not listed in the questionnaire are the Chinook Indians, the Cowlitz, the Squaxin, and others. Reservations not covered are the Hoh, the Ozette, the Shoalwater Bay, and the Squaxin Island" (Petition Exhibit #359). Referring to the Quinault Reservation, Bitney wrote:

> The Chinooks own more land on this reservation than all the other tribes combined but the Quinault Tribe, as represented by a small group of 300 souls residing at Taholah, control the affairs of the reservation, by sheer force of personalities. These Chinook Indians are scattered throughout the Pacific Northwest with some membership as far away as New York and California. The strength and most vocal groups are in Pacific and

> Waukiakum Counties in Washington. They had some kind of organization as far back as 1924 [sic 1925] but it disappeared. (Petition Exhibit #359).

While in Washington, DC, Bitney had received instructions concerning the proposed Western Washington termination legislation. He was supposed to send out staff members to discuss the proposed legislation and get feedback from the Indians on it. In a letter to the Portland Area Director, dated September 30, 1953, Bitney wrote the following with regard to the "Chinook Tribe": "They have been invited to attend the meeting at Taholah on September 30th at 1:00 p.m. by John Libby since a number of them are allotted on the Quinault Reservation. In addition to that, Mr. Libby will meet with the Chinook, Cowlitz, Shoalwater and Georgetown Indians at Southbend [sic], Washington at 1:00 p.m. on October 3" (letter, Bitney to Pryse, Petition Exhibit #365). At the meeting with the Chinook Indians, Roland Charley voiced his approval of the idea of granting the home sites of the Indians living at Georgetown Reservation in fee patent and selling off the rest of the reservation (Petition Exhibit #368).

Bitney wrote a letter, dated August 28, 1953, to the "Chairmen of All Indian Tribal Councils" regarding a memorandum from the COIA that explained Public Law No. 277 (legislation removing the special prohibition on sale of alcohol to Indians) and Public Law No. 280 (legislation that gave criminal and civil jurisdiction over Indian areas to the states of Oregon and Washington). He offered to discuss any questions the Indian leaders might have about the bills, after he returned from Washington, D.C., about September 11, 1953. The Chinook Indians were included on the mailing list of councils receiving the memorandum (Petition Exhibit #360). There was only one entry for the Chinook Indians. Beginning in January 1954, mailings from the WWA regarding meeting announcements and other news went to leaders of both the Chinook Nation and CT, Inc. (for example, see Petition Exhibits #372, #373, #374, #375).

On June 24, [1953][62] Bitney and Pryse met with the Indians allotted on the Quinault Reservation. According to minutes taken by Warren Spaulding, Claud Wain was the first Indian to speak at the meeting.

> At this meeting Mr. Herbert Capomen [sic], Vice-Chairman, was in charge and I would estimate the crowd at about 75 persons. They appeared largely to be "white-Indians" . . . .
>
> Mr. Claude Wain launched into a tirade against the Bureau explaining that he wants home rule and local jurisdiction, in other words, complete tribal control and authority without assuming the responsibility. He was

[62] The year is not stated explicitly in the document itself; the petition exhibit cover sheet suggests 1954, but the CT, Inc. passed a resolution supporting Marie Wilson's bid for obtaining fee patent for her land in 1953; Marie spoke at this meeting; also, Claud Wain is discussing the Crane Creek Timber sale, about which a resolution was also passed in 1953, based on this internal evidence, the year is probably 1953.

answered by Mr. Horton Capomen [sic] who stated that the Tribe as a whole is well satisfied with the Bureau's activities and that Mr. Wain had no personal cause for complaint . . . .

Mr. Wain maintained that he wanted some voice in the tribal decision [i.e. Quinault] and the Chairman advised him that he had posted notice of public hearing before the Council, at Tahola (sic). Wain insisted on a new cruise because, he maintained, the old cruise upon which the current sale is to be based would not give a true picture of the amount of timber available (meeting minutes, taken by G. Warren Spaulding; Petition Exhibit #366).

Catherine Herrold Troeh, under date of July 12, 1953, submitted a list of "Applicants for Enrollment with the Chinook Tribe" to the Western Washington Agency. On September 12, 1953, she mailed the list to the Portland Area Office, along with the Constitution and By-laws and minutes of the meeting that was held on May 3, 1953 in Bay Center. The list of membership applicants included 976 people, from all of the traditional Chinook communities and families (Petition Exhibit #137). The list attempted to note which of its members were minors, and which were adults, though some minors were not marked as such. There were 555 adults (57%) and 421 minors (43%).

On September 21, 1953, Bitney wrote Catherine Troeh and returned the copy of the constitution and by-laws for the CT, Inc. (Petition Exhibit #364). He stated that Paul Hand, a person on loan from the BIA central office in Washington, DC, had seen the constitution and by-laws and decided that the BIA was not in a position to approve or disapprove them because the Chinook Indians were not a recognized tribe. That is, the BIA representative decided to take no action on the constitution and by-laws. Finally, at the request of Chinook counsel, Mr. Welsh, Bitney decided to return the items to Mrs. Troeh, for her to use as she deemed fit.

The situation at the meeting on October 3, 1953, called by the Bureau of Indian Affairs to discuss the termination legislation, is revealing in terms of the dispute between the two groups of Chinook leaders and the way in which the Chinook members participated in both organizations. The minutes of the meeting were included as Petition Exhibit #136. Notice of the meeting was sent to Claude Wain (Bay Center), Grant Elliott (Skamokawa), Catherine Troeh (Ilwaco), and Roland Charley (Tokeland). The meeting was held at the Bay Center Community Center. "Roland Charley represented the Shoalwater or Georgetown Indians, and he is also Chairman of the Chinook Tribe. Mrs. Catherine Troeh, Secretary, also attended the meeting." There were 64 adult Chinook Indians present[63], and they attended from all of the communities that had been notified. They represent most of the main Chinook families, and participation in the meeting was broad-

[63]The minutes taken by the BIA representative state that 45 Chinook Indians were present, but the sign-in sheet lists 64 individuals.

based. They were asked to give their response to the proposed legislation. Most of the Chinook descendants' questions had to do with their being allotted at Quinault while being Chinook Indians, and the effect of the legislation on their pending land claim. Claude Wain, Harlan Herrold, and Charles Larsen were selected to represent the Chinook Indians at a meeting scheduled for October 9, 1953 with the Commissioner in Seattle (on the same issue?). The minutes note that the Chinook Indians already had their by-laws and constitution (as of October 1953).

In a memorandum dated October 7, 1953, John Libby, the Forest Manager for the WWA, provided descriptions of meetings held with Indian groups to discuss the termination legislation to Superintendent Bitney. The "Shoalwater-Georgetown group," he noted, was "represented at Bay Center by Roland Charley, who, as you know, is recorded as a full-blood Quinault Indian and was recently elected Chairman of a Chinook Tribal Council by the Chinooks of Pacific County. (Does this qualify him to represent the Shoalwater Indians)?" Libby's report continued:

> The Bay Center meeting was dominated by the Pacific County faction of the Chinook Tribe. The Waukiakum County group was represented by Grant Elliott's son and a few others, but they had little to say. The Pacific County group selected Harland [sic] Herrold, Claude Wain and Charles E. Larsen to represent them at Seattle. The Elliott faction plans to elect its own representatives. Apparently neither faction recognizes the other as representing the Chinook Tribe (Petition Exhibit #367).

In fact, Libby held two meetings with the Chinook Indians at Bay Center, one on October 3, and the other on October 25. As noted, there were 64 Chinook Indians at the meeting on October 3. In contrast, Libby reported that only 7 Chinook Indians were present at the second meeting, which was held on October 25, but the actual minutes list the names of 15 Chinook Indians, plus their attorney, James Sereault (sic should be Sareault; he was a Cowlitz Indian). Libby refers to the Chinook Indians as being divided into two groups: the Wahkiakum County group (Grant Elliott, chairman) and the Pacific County group (Roland Charley, chairman). All but three of the Chinook Indians at this meeting were from the Wahkiakum County group. Libby and Sareault tried to get the two groups of leaders to settle their differences. As a post-script to his meeting minutes, Libby wrote about the poor attendance at the meeting by the Pacific County group:

> NOTE: It is apparent that the officers of the Pacific County group made no effort to notify their constituents of this meeting, probably because the arrangements for it were made with the Chairman of the opposing faction [that is, Grant Elliott]. I received a letter from Mrs. Troeh on Friday, October 23, stating that there was no time to notify the people. We called her by phone and informed her that the meeting would be held and to let as many people know as possible. She said she would try to get there. Mr. Roland Charley was the only member of the Pacific County faction to

attend the meeting who knew of it in advance. We had written to him. I can only conclude that no effort was made by the officers of this group to publicize the meeting.

Mr. Claude Wain, who is and has been, a severe critic of Indian Services timber sale policies, should definitely have been there, as he is generally considered to be one of the leaders of the Pacific County faction. Since he had written notice of the meeting, I am at a loss to understand why he was not present, unless, as above stated, he refuses to recognize any meeting that includes the rival faction (Petition Exhibit #368).

The letter that Libby referred to as having been sent by Catherine Troeh is found in Petition Exhibit #368 (letter dated October 21, 1953). It was mailed with a summary of concerns about the termination legislation, as drawn up by the secretary of the Chinook Tribes, Inc., Charles Larsen. At the end of Larsen's report, he noted that several Chinook Indians who were allotted on Quinault Reservation had recently gone to a Quinault tribal meeting, and

> . . . were told they had no voice in tribal affairs and were denied the right of vote. Are we to understand that the minority group, dominated by the tribal council, have the right to dictate to the majority group? FURTHER, If, and when this Act goes into effect and there are tribal assets to be distributed to the members of the tribe, are we to understand that we, the absentee allottees, are to be denied the right to participate in such distribution of assets, financial or otherwise?" (questions posed by Charles Larsen; Petition Exhibit #368).

On November 9, 1953, Anna (Elliott) Koontz wrote to Morgan Pryse, Portland Area Director, regarding a membership list which had been submitted by the Chinook Tribes, Inc. She asked about the paperwork supporting the membership of Myrtle Ero Shaw-Zollner, a Chinook who lived in her area. Koontz had been told by Charles Larsen that she could not have the papers she requested because they were the property of the Chinook Tribe (Petition Exhibit #371). J.L. Diddock responded on behalf of the Portland Area Director that the Chinook Indians had submitted a member list to the Area Office, and that Mrs. Zollner's name was on it as member number 1,007. The BAR has never seen a copy of this Chinook list of numbered members. Diddock suggested that Koontz contact Myrtle Woodcock's successor to obtain the records that she wanted, since they were not in the Area Office (Petition Exhibit #370).

In the petition, there is a 1955 list of Chinook Nation officers (Petition Exhibit #345): John Grant Elliott, Chairman (Skamokawa); Kent Elliott, Vice-Chairman (Skamokawa), Frank Quigley, Secretary-Treasurer (living at Cathlamet, WA, son of Della Souvigner). Other council members included: Mildred Colbert (Portland); Celeste Peterson (Astoria); Oscar McCloud [sic; McLeod]; Jewell Elliott Pavletich (Aberdeen), Anna Elliott Koontz

(Dahlia), Frances Elliott Sohol (Seattle), Florian Byfield (purported child of James Petit (Seattle?), and Gertrude Wallingford Walker (Clatsop Indian; Warrenton). There is nothing in the exhibit which suggests these people were elected, or what they did in office. There is a typed note, referring to the constitution and by-laws, which states that the officers of the organization are supposed to serve in their positions "until their claim is settled," meaning the Chinook and Clatsop land claims case which was filed with the Indian Claims Commission in 1951.

On December 14, 1953, Charles Larsen, as acting secretary of the CT, Inc., wrote to the Commissioner of Indian Affairs, attempting to bolster his group's claim as the legitimate organization to represent the Chinook Indians. Larsen noted that the Bay Center group held an annual meeting and council meetings every three months. Soon after this, on January 4, 1954, Frank Quigley, as Secretary-Treasurer of the Chinook Nation, sent the Western Washington Agency Superintendent, Raymond Bitney, "a partial list of qualified members of the Chinook Tribe who wish to have their names placed on the roll at your office" (Petition Exhibit #137). Most of the people on this list were Quigley's own relatives. There are only 71 people on the list, adults and minors. Some of them were included in the list submitted by Troeh, though some of them were not. Quigley stated that he intended to send a completed list in the future.

Claud Wain as a Chinook Leader

Raymond Bitney wrote to the Portland Area Director, Don C. Foster, on April 27, 1954. In this letter he described the dispute between the two groups of Chinook Indians. Bitney went on to say that Claud Wain (born circa 1905 at Bay Center) was enrolled at Quinault, and for several years had tried to get elected to the Quinault council (Petition Exhibit #379). There is no evidence that he was ever successful in his attempts to be elected to the council.[64]

On July 9, 1955, R.H. Hutchinson (in the petition, there is no explanation of who he is) submitted a report to the Portland Area Director regarding a meeting that he had held concerning proposed legislation on the taxation of profits from timber sales. The meeting was held at Mukilteo, Washington. Among the twelve tribes listed as being represented are the "Chinook." The report included the names of several of the participants, but none of the known Chinook family names appear in the report, so it is not clear which group or groups of Chinook Indians were represented, if they were elected as delegates, or if they

[64]This again raises the question of the extent and character of Chinook participation in Quinault Nation politics, an issue that will be dealt with in the Final Determination if there is increased evidence tht the petitioner as a whole may meet the requirements for demonstration of maintenance of community and political authority.

were representing themselves as individuals. Without other evidence, there is no way to discern if this was a matter that was important to the Chinook Indians as a whole in 1955.

In 1957, the two groups were still not unified. At the meeting of the Council of the Chinook Indian Tribes, Inc, held February 18, 1957, the Chinook Indians voted for Claud Wain as acting chairman, in the absence of Chairman Roland Charley. At the same meeting, the council passed a resolution to select three members of their group [CT, Inc.] to represent their interests, along with a like number from the group in Skamokawa and Portland [Chinook Nation], "to act as an executive council for the purpose of transacting business of the thereby unified groups of Chinook Indians" (Petition Exhibit #130). The council selected Edward Scarborough, Alfred Becken,[65] and Betsy Trick. The meeting also included a report from Mr. James Alexander, an anthropologist from the University of Washington, who was living at the Herrold's house and conducting research on the Chinook Indians. At the meeting, Paul Petit's resignation from the council was acted upon also (CT, Inc. council meeting minutes, dated February 18, 1957; Petition Exhibit #138).

Claud Wain appeared before the congressional subcommittee on Indian Affairs of the Committee on the Interior and Insular Affairs (held April 12, 15, May 29, and June 3, 1957). At that meeting, Wain stated that he represented about 20 people who had accompanied him to the hearings. He gave a list of their names to the subcommittee. Most of the people on the list were Chinook descendants. It included Myrtle (Johnson) Woodcock, along with several of her siblings, and numerous Petit descendants, among others. Wain stated that his father was a Quinault Indian and his mother was a Chinook Indian, but he identified himself as a member of the Chinook Indians and an allottee on the Quinault Reservation.[66] Wain admitted that he had not come as an official representative of the CT, Inc., but only because there had not been enough time to call a meeting to have him officially designated as such. Nevertheless, Wain said he had been the Chinook Indians' official delegate to another congressional hearing in 1955. On this occasion, in 1957, Wain provided testimony regarding the price of timber on the Crane Creek Unit of Quinault Reservation (Petition Exhibit #398). The last annual meeting of the CT, Inc. was held on June 17, 1956, and the last council meeting was held on February 18, 1957. In 1958, the two councils were still discussing the possibility of unifying.

[65]Becken noted in his Chinook membership application in the 1950's that he had served on the Quinault tribal council. He did, in fact, have a position on the Quinault council.

[66] Wain's father, Charles Wain, and his grandfather, Joseph Wain, lived among the Chinook Indians from a rather early date; possibly as early as 1880 at Chinookville and at Bay Center from 1900 to 1920.

Was the Leadership Dispute from 1953 to 1958 a Case of Factionalism?

Did the differences between the sets of Chinook leaders in Bay Center and Skamokawa reflect the existence of political factions within the Chinook membership? This question is very difficult to answer. At the beginning of the dispute in 1953 and 1954, the leaders of the CT, Inc. tried to get the people on the membership applicants list to declare if they wanted to continue being affiliated with Chinook Nation or if they wished to switch their allegiance to the CT, Inc. At that time, some individuals did choose sides. But by the early 1960's, some of the central leaders of the CT, Inc. (like Claud Wain) were attending meetings and giving financial support to the Chinook Nation. The CIT leaders were also no longer holding separate council meetings or annual meetings.

Nearly twenty years after the division between the Chinook Nation and the CT, Inc., the secretary of the Chinook Indian Tribe (CIT), Stephen Meriwether, recorded his understanding of the leadership dispute in the 1950's:

> Obviously this polycentric government created a problem for people wishing to conduct business with the Chinooks. On 10 February, 1954, a suit was filed by the Skamokawa Council in King County Superior Court to gain recognition as the true government of the Chinook Indians. The court gave no such ruling and neither group received support from the Bureau of Indian Affairs.
>
> Now we come to the question of differences . . . basic philosophy of the two groups. Because neither group is all "black" or all "white" in its purposes, most Chinooks belong actively to both (letter, dated June 2, 1971, to John Arthur Brown, Petition Exhibit #141).

There is some evidence supporting Meriwether's contention that the Chinook Indians actively participated in both groups. Based on interviews conducted by the BAR anthropologist with some of the older Chinook members, and data provided by the petitioner, it is clear that there were some people from Chinook Tribes, Inc. that continued to send dues money to the Chinook Nation after 1953. Also, within a few years of the 1953 leadership dispute a number of Chinook descendants from Bay Center were attending Chinook Nation meetings again.

It is possible, however, that the overlapping participation by the two groups of Chinook Indians was not as extensive as has been suggested by the petitioner. For example, the Chinook Nation leaders sent out receipts to members who paid their dues. This was true for the Lagergren family and the Disney family. While in the field, the petitioner provided the BAR anthropologist with a photocopy of a receipt book kept by the Chinook Nation secretary, Anna Koontz. The book records dues receipts from June 1953 (the first annual meeting they held after the schism) through June 1958. The BAR anthropologist

put the information in a database and found that 152[67] different individuals had paid dues to the Chinook Nation during those years. The only people with social connections to Bay Center who paid dues to Chinook Nation during that time period were Catherine Prior Lagergren and Ada Pickernell McCullogh-Van Orsdal-Morris, and their respective descendants, which only accounted for only 13 of 152 individuals. The vast majority of the people paying Chinook Nation dues during this period were from Wahkiakum County, and descended from the Ero-Souvenir-Quigley and Ducheney (especially the descendants of Agnes Ducheney Elliott) families that had settled there in the late 1800's. This suggests that Chinook families in the CT, Inc. did not participate broadly in the affairs of the Chinook Nation between 1953 and 1958.

The Chinook Nation meeting minutes for this same period (1953 to 1958), which were provided by the petitioner to the BAR anthropologist during his field trip, tell a slightly different story. The minutes included attendance sign-in sheets that suggest the Bay Center families gradually started participating in Chinook Nation meetings again as early as February 4, 1956. This followed the CT, Inc. annual meeting, held June of 1955. According to Chinook Nation minutes taken on February 4, 1956, the CT, Inc. membership voted to rejoin Chinook Nation even though this was still opposed by the CT Inc.'s council members. As far as is known, this vote was never acted upon officially because, in 1958, the two councils were still discussing the possibility of resolving their differences (Chinook Nation meeting minutes, June 18, 1958). From 1956 to 1958, some of the CT, Inc. members started attending Chinook Nation meetings (Chinook Nation meeting minutes). Some of them paid dues to Chinook Nation, but most of them did not. On March 14, 1959, Claud Wain attended the meeting of Chinook Nation held in Skamokawa, and presented information on the percentage of Chinook allotments on Quinault Reservation and suggested passing a resolution in favor of extending the Trust Act and opposing termination.

In addition to the 152 individuals who paid dues to the Chinook Nation, there were 97 Chinook Indians who attended meetings of the Chinook Nation from June 1953 to June 1958. Most of the 97 Chinook Indians were from the same Wahkiakum County families that had always been part of Chinook Nation. But there were also some significant additions from among the Bay Center families. One meeting that was attended by members of both groups was the one held on February 4, 1956, when membership applications were acted on by the Chinook Nation council. Some measure of reconciliation must have occurred by March 13, 1959, since Paul and William Petit, and Claud Wain were both present at the Chinook Nation meeting held that day. They had previously been officers in the CT, Inc. Lillian Larsen Bates (Charles Larsen's sister) was also present. Unfortunately, there are no similar documents for the CT, Inc. (meeting

[67]There were 152 individuals who paid dues to the Chinook Nation from June 1953 to June 1958. The ancestry of 33 of those paying dues was unknown. Of the remaining 119 who did have Chinook ancestry, 13 had social ties to Bay Center, one lived on Quinault Reservation, and the rest (105 individuals) had social ties to Wahkiakum County.

sign-in sheets, dues rosters, etc.), which would allow for a cross-comparison to confirm or disprove that Chinook Nation families were participating in CT, Inc. affairs during this period.

Factions are political divisions within an Indian tribe that cross-cut family lines, persist over time, and reveal differences of opinion on multiple issues of importance to the tribe as a whole. It has been difficult to gauge if the division between the Chinook Nation and CT, Inc. in 1953 really represented factionalism or not. At first, from about 1953 to 1954, the division seems quite serious, with different groups of members lining up behind each set of leaders. There is some evidence that some Chinook Indians participated in the meetings held by both sets of leaders, or gave financial support to both groups during the 1950's. Recently, some Chinook members suggested that they followed Grant Elliott and the Chinook Nation leaders for land claims purposes and the CT, Inc. leaders for issues related to cultural preservation and political governance.

The leadership dispute from 1953 to about 1958 may reflect factionalism, but there is insufficient evidence to draw this conclusion. The division between the leaders at Bay Center and Skamokawa may well have roots going back to 1881, when some of the Chinook, Wahkiakum, Cathlamet, and Clatsop Indians (among others) living at the north end of Shoalwater Bay were the first to be assigned land claims on Shoalwater Bay Reservation. Indian descendants living in Wahkiakum County in 1881 were left out of these allotments. This same pattern of granting Indian trust land to the Indians of Shoalwater Bay continued with the allotment of Quinault Reservation. Most of the Indians in Wahkiakum County were not allotted until 1932, following the 1931United States Supreme Court decision in the case of Halbert, et al., v. The United States (233 U.S. 753). This may have led to some antagonism between the Bay Center and Wahkiakum County Chinook Indians, since the latter were originally left out and had to fight for their allotments. But because there is no pattern of factionalism between Chinook residents of Bay Center and Dahlia before 1951, it is not possible to conclude that this really is a case of factionalism. As already noted, there is very little evidence that the Chinook descendants in these two locations interacted with each other socially after about 1910.

Mary Rondeau Ducheney-Preble-Kelly, who lived her later years in Wahkiakum County, may have provided some leadership for the Chinook land claim in 1899. One of her grandsons, William Elliott of Dahlia, gave testimony in 1927 in the McGowan fishing rights case. The Elliotts were included in the 1912 Quinault adoptions, the 1919 Roblin enrollment of "unattached" Chinook Indians. Several of the Elliotts were allotted on the Quinault Reservation by 1932. From 1899 to the 1930's, the Elliotts may have provided leadership, but mostly for their own people in Wahkiakum County, not for the Chinook Indians as a whole. In 1951, Grant Elliott asserted his leadership over all of the Chinook Indians, when he entered a land claim on their behalf. While he showed some interest in cultural preservation (the disposition of Chief Comcomly's skull and the protection of Chinook graves, remains, and burial goods, for example), and hunting and fishing rights,

most of Grant Elliott's political efforts were focussed on winning the Chinook land claim. When all the evidence that is currently available is considered, however, it is not enough to conclude that any of the Elliotts were leaders for the entire group of Chinook descendants from 1899 to the present.

During this same time (1889 to 1958), George Charley, and his son Roland, who were dealt with by the BIA on matters concerning the Shoalwater Bay Reservation, led the Indians living in Bay Center and on the Shoalwater Bay Reservation. Under the leadership of George Charley during the 1920's, fighting for aboriginal fishing rights was probably the most important political issue. There is no evidence that George Charley or his followers at Bay Center/Shoalwater Bay were concerned pursuing the Chinook land claim. Since most of the Indians in Pacific County (especially those in Bay Center) already had allotments on Shoalwater Reservation and/or Quinault Reservation, it is probable that pursuing the Chinook land claim was not of as much interest to the Bay Center Indians as fishing rights during the 1920's. From 1953 to 1958, the CT, Inc. council dealt with a wide range of issues, including: exclusion from political power by the Quinault Nation, the low price set by the BIA for timber cut on their Quinault allotments, the Chinook land claim, cultural preservation, obtaining fishing and hunting rights, and more democratic, responsive, and orderly self-governance.

While it is possible that the 1953 geographical division between the Chinook Indians may have early historical roots, there is no direct evidence that this is the case. Direct evidence indicates that the division evolved only after the 1951 land claim organization was started. Political factions do not exist unless people know each other well enough for antipathy to develop. It is possible that there were no factions prior to 1951 because the Chinook Indian descendants in Pacific and Wahkiakum Counties were not enough of a single social group for factions to have formed, in spite of the fact that several Chinook individuals shared kinship ties that transcended the county boundaries (for example there were Ero descendants in both Bay Center and Dahlia in 1953).

CHINOOK POLITICAL LEADERSHIP AND ACTIVITIES FROM 1958 TO 1970

After the signing of the attorney contract in 1958 by representatives of the CT and Chinook Nation, the CT, Inc. appears to have become defunct. One 1971 newspaper article stated that the last tribal leader was Roland Charley, who died in 1958. It stated that after Charley's death, "the council had been disbanded" (Spiro 1971; Petition Exhibit #79). Roland Charley was one of the CT, Inc. delegates who signed the attorney contract on February 21, 1958. There are no contemporary records that indicate the council formally disbanded, but there are not any records that show they continued to hold annual meetings. Also, the idea that the council disbanded at the time of Roland Charley's death comports well with the fact that the last evidence that the CT, Inc. council held its last annual meeting in June 1956, and its last recorded council meeting in

February of 1957. The last known evidence that the CT, Inc. continued to exist as a separate entity was in February 1958, when some of its officers, including Roland Charley, approved an attorney contract for the Chinook Indians, along with leaders from Seattle, Portland, and Skamokawa.

The Chinook Nation, on the other hand, continued to hold council meetings several times per year, and annual meetings each June, from 1953 to at least 1967, according to the meeting minutes provided by the petitioner (Chinook Nation meeting minutes). As noted, after 1956, some of the members of the CT, Inc. started coming back to the Chinook Nation meetings. Eventually, by 1958, they were not only attending the meetings, but serving on council. These included Paul Petit and Wilfred ("Bill") Petit. The latter even served as the chairman for the group for several years. At the meetings held from 1956 to 1964, the Chinook discussed the land claim, the protection of fishing resources on the Columbia River, mineral resources within Chinook aboriginal territory (for the claims case), elected leaders to serve on council and as delegates to various meetings, and acted on membership applications. They also started a quarterly newsletter in 1960, which was to be mailed to all Chinook members over the age of 21. Some copies of the newsletter were submitted by the petitioner.

On April 16, 1958, the Indian Claims Commission agreed that the Chinook Indians had been tribal owners of the land before 1851, but the Government proposed a relatively small area as their aboriginal land base compared to the land the Chinook claimed had been their's. During the 1960's, with the CT, Inc. having become non-functional, the Chinook Nation continued to take the lead on the Chinook land claim settlement. During the 1960's the Chinook Nation held annual meetings that were attended by members of both the Nation and CT, Inc. On November 4, 1970, the Indian Claims Commission made its decision on the value of the lands. The Chinook Indians should have been paid $75,000 in 1914. After deducting lawyers fees and the amount that was distributed to the Chinook individuals in 1914, there was a balance of $48,692.05 that the Government owed the Chinook Indians. There will be more on the Chinook Indians' response to the land claim settlement later in this report.

Immediately after the Indian Claims Commission issued its findings in 1958, the Chinook hired a land appraiser to determine the worth of the land that they had involuntarily ceded to the United States. They did not have enough money to hire an appraiser, and raising the sum proved difficult. As a result, the Chinook Indians started a fund raising campaign, which lasted several years. The Chinook Nation voted to assess each member over 21 a fee of $12 (ten for the appraisal fund and two for administrative costs). In 1965, they also voted to apply for a $20,000 loan from the United States to hire an expert witness regarding the land's value. The Chinook Nation had a falling out with their attorney Malcolm McLeod over his unauthorized fund raising activities and the use of the money they had raised. The Chinook Indians finally obtained a loan from the United States Government to hire an appraiser. Also in 1967, they hired a new attorney, E.L. Crawford and finally got a hearing date regarding the value of their land.

In the BAR files there is a document entitled "Contributors to Appraisal Fund." The quality of the copy of the document was generally poor. It covers contributions that were made to the Chinook land claims appraisal fund from 1961 to October 1965, and was apparently kept by Chinook Nation leaders. Most of the contributions were made from 1961 to 1963. The names on the list were entered into a database and the BAR anthropologist evaluated the information to determine if the support for the appraisal fund was broadly shared by most of the Chinook families. The results of the analysis were inconclusive for several reasons. First, many of the names were illegible. Second, many of the persons listed could not be determined to have Chinook (or any other) Indian ancestry. A total of 525 contributions were entered. Of these, there were 25 names that were illegible, and another 182 persons who had no known Chinook ancestry.[68] This left a remainder of 318 entries on the list who were determined to have Chinook ancestry. These 318 entries included several persons who made more than one contribution to the appraisal fund during the time covered. After eliminating multiple entries for the same person, there was a total of 266 Chinook individuals on the Chinook appraisal list.

As can be seen from Table 10 on the following page, the majority of the 266 Chinook descendants identified as contributors to the fund descend from three family lines: Tonwah Pickernell (44), Askalwilsh (68), and Margaret Chinook (89). This accounts for 76% (201/266=.755) of the known contributors to the 1960's appraisal fee. The Stoddard family line is of unknown origin, though Mary Kelly affirmed their Indian ancestry (1912 Quinault adoption hearings), and there is one source that suggested William Stoddard was adopted by Celiast Coboway Smith's family. The Stoddard descendants seem to have first affiliated with the Chinook Indians in the 1950's. According to the 1960's appraisal fund list, they continued to contribute money to the land claim cause through the early 1960's. But there are no Stoddard descendants on the 1995 membership list. It should be remembered that many of the 266 descendants included in Table 10 have multiple lines of Chinook, Kathlamet, Clatsop, and Wahkiakum descent (as well as descent from other area tribes, in keeping with Northwest Coast Indian tradition). For purposes of the present analysis, their ancestry has been traced to one Indian ancestor only.

[68]Only 2 of the 182 persons of unknown ancestry is known to have descendants on the 1995 membership list; their ancestry was not clarified by the 1995 membership list. The other 180 contributors have no known descendants on the 1995 membership list. This raises the possibility that the Chinook Nation was accepting donations to the appraisal fund from non-Chinookan Indian supporters.

TABLE 10
ANCESTRY OF THOSE CONTRIBUTING TO THE
APPRAISAL FUND IN THE EARLY 1960'S

Number	Contributor's Indian Ancestor (s) and (family line)	Number of Descendants	Percentage of Descendants
1	Tonwah (Pickernell line)	44	17%
2	Askalwilsh (Aubichon and Ero-Durival lines; includes the Petits)	68	26%
3	Cahlast (Peers-Pellard line)	5	2%
4	Margaret Chinook (Ducheney-Preble-Kelly line; includes the Elliotts)	89	33%
5	Katatama (a.k.a. Mary; Bailey-Taltrich line)	3	1%
6	Ahmoosemoose (Walkowsky line)	5	2%
7	Tom Hawks (Hawks line)	6	2%
8	Margaret and George Skamock (George line)	1	<1%
9	Mary Ann (m. Hawks, non-Indian; Smith line)	6	2%
10	Mary (Armstrong-Riddell line)	1	<1%
11	Coboway (Smith line)	13	5%
12	Grace Tibbetts (Sortor line)	1	<1%
13	Mary Cook (Cook line)	3	1%
14	Stoddard (tribal origin not clear)	11	4%
15	Klaloo (Baricho-Springer-Ellis line)	3	1%
16	Klowsum (Millett line)	3	1%
17	Karmlele (Frank-Millett line)	4	1%
	TOTAL	266	100%

TABLE 11
LIST OF CHINOOK NATION ANNUAL MEETINGS, 1951 TO 1967

Year	Date	Location
1951	June 3	Skamokawa
1952	June	Skamokawa
1953	June 13	Skamokawa
1954	June 5	Skamokawa
1955	June 4	Bay Center[69]
1956	June 2	Skamokawa
1957	June 8	Skamokawa
1958	June 18	Skamokawa
1959	June 13	Skamokawa
1960	June 18	Skamokawa
1961	June 10	Skamokawa
1962	June 10	Skamokawa
1963	June	Skamokawa
1964	June 10	Skamokawa
1965	June 6	Skamokawa
1966	June 25	Skamokawa
1967	June 10	Skamokawa

Table 11 lists the annual meetings of Chinook Nation, only. This list of annual, general meetings is not inclusive of all the general meetings held, since both sets of Chinook leaders held meetings during some of these years. For example, Petition Exhibit #400 includes an invitation to attend the CT, Inc. annual meeting on June 20, 1954, in Bay

[69]It is not clear why the attorney's records have Bay Center as the meeting place. The Chinook Nation minutes for that year do not state the place where the meeting was held.

Center. Other meetings were also held in Skamokawa, some of which were attended by the attorney, and are reflected in his expense account (Petition Exhibit #123). There were also meetings with members to obtain testimony in South Bend, Raymond, Cathlamet, and Bay Center.

On January 30, 1965, a special meeting of the Chinook Tribe of Indians (a.k.a. Chinook Nation) was held at Skamokawa for the purpose of voting on whether or not to apply for a loan from the United States. The vote was 55 to 0, authorizing the Business Council to apply for the loan. Another vote of 32 to 0 to apply for a loan of $20,000. The resolution is signed by John Kent Elliott and Frank Quigley, and the Acting Superintendent, James Kaston? (Petition Exhibit #130). The application was signed by Elliott (Chairman), Quigley (delegate), and Anna Koontz (secretary). On October 23, 1965, the Chinook Nation called another special meeting, where it was voted 44 to 0 to accept the loan of $20,000. Members of the Business Council who were authorized to sign for the loan were Carolyn (Rubens) Peterson (daughter of Louise Elliott) and John Kent Elliott.

On October 2, 1962, George Felshaw (Superintendent of the Western Washington Agency) wrote to "all tribal governing bodies" concerning the Washington state government's change of policy regarding Indians fishing without a state-issued license (Petition Exhibit #312). The petition maintains that the Chinook Indians were included as one of the addressees, but this is not directly in evidence in the text of the letter. The Chinook are referred to in the letter as one of several "non-treaty tribes," along with the Chehalis, Cowlitz, Muckleshoot, and Nooksack. Indians in non-treaty tribes were required to fish with a state-issued license. Treaty tribes were allowed to fish without such a license.

In the late 1960's, a new leader emerged for some of the Chinook Indians still living in Western Washington. His name was Adolph Sund. He was born on November 13, 1904, and graduated from Ilwaco High School in 1924. After his graduation he became a "tramp athlete"; by 1931, he quit sports and returned to Chinook, Washington to fish for a living. He was not officially elected chairman until 1970, but he provided some leadership on behalf of the Chinook Indians as early as 1968. A newspaper article dated October 1968 indicated that Sund had been collecting money to purchase a foghorn for Jetty A, at the mouth of the Columbia River. "The project was sponsored by members of the Chinook tribe. Adolph Sund of Ilwaco and other members circulated petitions requesting the fog horn" (anonymous article, dated October 18, 1968; the newspaper is not noted; BAR anthropologist's field data). Stephen Meriwether (Adolph Sund's nephew and CIT Secretary in 1970) also stated that the desire to build a long house surfaced at an October 1968 meeting of Chinook descendants (Fox 1970; Petition Exhibit #71).

CHINOOK INDIAN TRIBE, INC. AND THE MAINTENANCE OF SOCIAL COMMUNITY: 1970 TO 1996

The petitioner chose to make a geographical argument to demonstrate that they had maintained a social community from 1953 to the present. The 1987 Petition Narrative provided an analysis of residence for the people listed on their 1953 list of applicants. The Petition Narrative noted that in 1953 there were 976 members, and 722 of them (73.7%) lived in the Chinook aboriginal area (1987 Petition Narrative, 215). By "aboriginal area," the petition means the towns that were found within the limits of the lands covered by the 1851 Tansey Point Treaties, in southwest Washington and northwest Oregon. The 1987 Petition Narrative included a current (1987) membership list which included 1,203 names. Of these, 1,165 were living members in 1981. The narrative noted that 65% of the people on the list lived in "close proximity" to the aboriginal area homeland of the Chinook Indian Tribe (1987 Petition Narrative, 221). By "close proximity" the narrative means the towns in Pacific and Wahkiakum Counties, Washington, and along the Columbia River in Oregon, which is a vast area.

Several membership lists have been submitted by the petitioner from 1981 to 1995. This report confines itself to a comparison of the 1981 and 1995 lists only. For a comparison of the lists from 1981, 1983, 1987, and 1995, readers may refer to the genealogist's report. The 1981 Petition Narrative included a membership list with only 323 members (this number excludes seven duplicate names on the 1981 list). This is obviously much smaller than the lists of 1953 (976 applicants for membership) and 1987 (1,165 living members; the increase between 1981 and 1987 was largely the result of a newspaper recruitment campaign in 1982 and 1983).

The number of family groups that are under represented on the 1981 list, compared to the 1953, 1987, and 1995 lists, is significant. One of the most noticeable characteristics about the 1981 list of members is that it only included a few descendants of the Elliotts (Ducheney). In fact, few people with Ducheney ancestry were included on the 1981 list. Other prominent families that were under represented on the 1981 list include the Goodells (Ero) of Dahlia, and the Johnsons (Pickernell) of Bay Center/South Bend. Also absent from the 1981 list were most of the descendants of Ketalutsin Scarborough, Kate Walkowsky, Mary Garretson, Mary Marshall-Hawks, Elizabeth Millet Springer-Baricho-Ellis, and Coboway, the Clatsop Chief; all of these Chinook ancestors have descendants on the 1995 list, and most have descendants on the 1953 list of membership applicants. None of these family lines have ever contributed large numbers of descendants to the petitioner or its precursor groups, however. Another characteristic of the 1981 list is the greater percentage of descendants whose families are from Pacific County from Bay Center. Specifically, the Chinook ancestors Esther Millet and Annie Lola Hawks Clark account for 27 percent of the 1981 membership. Both of these women's families were based in Bay Center, in northern Pacific County. Most of the descendants from the Askalwilsh line on the 1981 member list are representatives of the Mechals family line.

Prominent surnames from this family on the 1981 list include Mechals, Anderson, Cowels, Fisher, Guse, Meriwether, Mullen, Sund. All of these families were based in Ilwaco/Chinook (southern Pacific County). The Askalwilsh descendants account for 40% of the membership on the 1981 list (see Table 12, below, which compares the 1981 and 1995 membership lists).

The petition assumes there is continuity between the Chinook Tribes (CT, Inc., which existed from 1953 to 1958) and the Chinook Indian Tribe (CIT) which was started in 1970 by Adolph Sund. That is obviously not true, based on BAR's analysis of the 1953 list of applicants for membership and the 1981 membership list. First, the lists are radically different in terms of the number of people who applied for membership with the CT, Inc. in 1953 and the number of members submitted to the BAR by the CIT petitioner in 1981. Second, they are different in character; that is, entire family lines that accounted for a significant portion of the members in 1953 were excluded from the 1981 list. This could be a result of the continuing animosity between the Chinook Indian descendants living in Pacific County (those based in Bay Center) and those living in Wahkiakum County (especially the Elliott family). It could also be a result of the fact that the Chinook Indians in Wahkiakum County and those in Pacific County were not socially connected to each other in 1981. Sund's organization, which started to pursue Federal recognition in 1976, and submitted the original petition narrative in 1981, primarily consisted of members from Pacific County. With the exception of a few Ero and Ducheney descendants, there were no Wahkiakum County Chinook Indian descendants on the 1981 membership list.

The 1987 Petition Narrative states that in 1981 the BAR raised the concern that some of the people on the 1981 membership list did not have identifiable Chinook Indian ancestry (1987 Petition Narrative, 311). As a result of this concern, the petitioner applied for an ANA grant, which it used to update its membership list. From 1982 to 1983, the petitioner placed ads in several local newspapers to try to locate Chinook descendants. They also initiated a research project to demonstrate that all of their members were descended from Lower Chinook Indians identified as having lived in 1851, especially using the statements about ancestry collected in 1906 by Charles McChesney as he prepared an annuity roll for the Chinook Indians.

The Genealogist's Report includes an analysis of the changes in the CIT membership list from 1981 to 1983. This report evaluated the consistency of the 1981 membership list with that submitted in 1987 as part of the CIT's revised petition. Like the 1983 membership list, it reflects the fact that the campaign to locate Chinook descendants through the newspaper ads was successful, since the membership list in 1987 was much larger than the one submitted in 1981. Another significant change is that by 1987, there had been a formal reconciliation between the Chinook Nation (Ducheney/Elliott and Ero families) and the Chinook Indian Tribe. The reconciliation was memorialized in a joint resolution, signed by representatives of both groups in 1982, that stated the Chinook Nation had only served as the Chinook Indians' representative for land claims purposes,

and had never functioned as the Chinook Indians' government per se. After the resolution was signed more Ducheney/Elliott family and Ero family descendants were added to the membership list. One of the results of this is that the families and individuals on the 1987 list are consistent with the 1953 list of membership applicants.

The Chinook provided the BAR with an updated membership list in 1995. In terms of family lines and descendance, it is consistent with the list submitted in 1987. According to the BAR's analysis of the 1995 Chinook membership list, the Chinook Indians have dispersed even more widely since they put together their 1953 membership applicants list. Table 7 shows that the petitioner has about 1,040 adult members (see footnote to Table 7). There are about 632 adult Chinook Indians in Washington State, 222 in Oregon, and about 186 adults living out of state or for whom there was no known address.

The percentage of the petitioner's members who in 1995 were living in places where there were Chinook villages that existed until about 1920 confirms the decline of those places as residential concentration points for Chinook descendants. For example, in 1995, in Bay Center (former site of the Indian village at Goose Point; Goose Point apparently ceased to exist as a separate Indian village around 1920), there were 33 Chinook adults, and in Dahlia, there were 17 Chinook adults. This represents slightly less than five percent of the 1995 Chinook adult membership (50 of 1,040).

When Pacific and Wahkiakum Counties are considered as a whole, 22 percent of the petitioner's members live within what was the Chinook Indians' (including the Lower Chinook, Kathlamet, Wahkiakum, Wheelappa, and Shoalwater Bay Indians) territory at the time of their 1851 Treaty (231 of 1,040). Another five percent are living in Clatsop County, Oregon (the traditional area of the Clatsop Indians at the time of their 1851 Treaty).

TABLE 12: 1981 AND 1995 MEMBERSHIP LISTS AND DESCENT FROM CHINOOK ANCESTORS

ANCESTOR	1981 List		1995 List		In 1995, Some Members Have Multiple Lines of Descent,* Including Descent From:
	Number N=323	Percent of Total	Number N=978*	Percent of Total	
Tonwah (Pickernell family)	9	3	63	6	Askalwilsh; Queanequash (through Bob Silackie); George Taltrich; Esther Millet
Askalwilsh (including the Aubichon/Petit family)	130	40	290	30	Tonwah; Cahlast; Comcomly I; Katatama (Mary Fernandez-Pisk-Taltrich-Wells; Ida Strong Petit; George Taltrich; Elizabeth Millet Springer-Baricho-Ellis
Cahlast (Pellard)	3	<1	52	5	Comcomly I
Comcomly (incl. Agnes Ducheney Elliott and Caroline Matell Charley)	25	8	165	17	
Ketalutsin Scarborough	0	0	26	3	Elizabeth Millet Springer-Baricho-Ellis
Kate Ahmoosemoose Walkowsky	0	0	9	1	
Tom Hawks	51	16	87	9	Tonwah; Maggie Skamock; Walouse "Mary" Lewis; George Skamock; Queanequash (through Bob Silackie)
Maria Milne-Richard-Telzan	4	1	32	3	
Koholowish Johnson (through Myrtle Johnson Woodcock only)	1	<1	11	1	
Mary Garretson	0	0	3	< 1	
Mary Marshall-Hawks	0	0	4	< 1	
Elizabeth Millet Springer-Baricho-Ellis	0	0	32	3	Ketalutsin Scarborough

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ANCESTOR	1981 List		1995 List		In 1995, Some Members Have Multiple Lines of Descent,* Including Descent From:
	Number N=323	Percent of Total	Number N=978*	Percent of Total	
Sam Millet and Esther Millet	37	11	35	4	Yahwisk (through Tyee John); Katatama "Mary" Fernandez-Pisk-Taltrich-Wells
Coboway	0	0	17	2	
Grace Tibbetts Sortor	4	1	3	< 1	
LaFromboise (Rosa LaFromboise Souvigner's non-Chinook descendants)	16	5	86	9	
Couseau (through Lucy Heck only)	0	0	4	< 1	
Uncertain Ancestry: for 1981, includes DeMacon (16) and Belleque (11) descendants; for 1995, includes LaBonte (10) and Weston (12) descendants	43	13	59	6	
TOTAL	323	100	978	100	

*The database submitted by the petitioner included a total of 1, 622 records. Eliminated for purposes of this analysis were 301 members known to be under 18 years of age, 56 former members who were deceased but are still on the list, 225 persons for whom no birth date was recorded, and 62 for whom there was no address.

The petitioner has published a newsletter at various times from 1970 to the present (copies are in the BAR files from 1978 to 1986 and from 1994 to the present). Currently it is sent to all members. The Chinook annual meeting is usually attended by a relatively large number of participants. The potlatch attended by the BAR anthropologist in April 1995 was attended by 200 to 250 people, mostly members of the petitioning group (BAR Anthropologist's Field Data 1995). Annual meetings have drawn over 100 voting adults in 1994, 1995, and 1996. For example, during a recall vote on the council chairman at the 1996 annual meeting, 159 adults cast votes (Chinook Tillicums 1996, Winter). Information like this could potentially be used to establish the maintenance of social community for the CIT's membership from 1970 to the present. But it is too sparce at the present time to conclude that there is a social community. It is also not adequate to establish a pattern of continuity from historic times to the present.

A few Chinook members mentioned to the BAR anthropologist that they visited with relatives and acquaintances at Taholah, Quinault Reservation. Tim Tarabochia, Chinook chairman, stated that he visited with other Chinook Indians at Quinault because he lived there during the 1970's. Among them, he included Nina Charley Bumgartner, Mike Mail, and Irene Charley Shale (Nina's sister). Mr. Tarabochia attended meetings of the Indian Shaker Church while he lived at Taholah, and stated that he continues to go to Indian Shaker meetings, even as far away as Mud Bay. Anna Mae Strong also remembered visiting at Taholah with Nina Charley Bumgartner (BAR Anthropologist's Field Data 1995).

Jean Shaffer (elected to the council in 1994) said that she was born in Renton, WA, but her mother always taught her that she was an Indian. Jean's mother was Shirley Jean Jette Culjack-Nelson, a descendant of the Jette family. Ms. Nelson's aunt, Anna Jette Jackson, married the Quinault tribal chairman, and lived on the reservation. Ms. Nelson took her children to Taholah to visit Ms. Jackson. Ms. Shaffer also stated that she had visited with other Indians at Moclips. Anna Jette and another of her ancestors, James Sinclair Weston, had been active in the Northwest Federation of Indian Tribes earlier this century. Ms. Shaffer said that she traveled a lot in recent years to attend Northwest Coast Indian events such as bone games (slahal). After college she had worked with STOWW on the Snohomish and Snoqualmie petitions and had begun taking more interest in Chinook affairs in the past five to six years (that is, since 1990; BAR Anthropologist's Field Data 1995).

The BAR anthropologist attended a potlatch held by the Chinook petitioner to honor their elders. The potlatch was held in the gymnasium at the old Chinook grade school, in Chinook, Washington, where the petitioner has its office. There were approximately 200 to 250 individuals present, most of them members of the Chinook petitioner, though some were non-Indian spouses and newspaper reporters and some individuals were visiting from other Indian tribes (Puyallup, for example). The BAR anthropologist counted about 175 people sitting down at the beginning of the meeting and more people eventually came in and stood around the sides of the gymnasium. The meeting was

opened by Tim Tarabochia, Chinook chairman, with an Indian Shaker prayer and song. About one-fourth of the crowd joined in the prayer and song, suggesting some level of shared cultural competence (BAR Anthropologist's Field Data 1995).

During the lunch break the BAR anthropologist spoke to several Chinook elders. Oma Woodcock Singer noted that the crowd was somewhat larger than the one that typically gathers for the annual meeting each June. Ben Reed stated that he attended meetings of the Chinook Indians before 1930 as a child. He said that the Chinook Indians held meetings in the home of Myrtle Woodcock and Emmett Oliver. He also attended some meetings in Oysterville, but could not remember the name of the person who hosted the meetings there. Mr. Reed served on the Chinook council during the 1970's, and his daughter, Leda Reed Anderson was on the council in 1995 (BAR Anthropologist's Field Data 1995).

After the lunch break, the following elders were given Pendleton blankets in recognition for their contributions to the group: Benjamin Reed, Winifred Basch, Martha Ero Stephan, Oma Woodcock Singer, George Lagergren and Millie Van Orsdol Lagergren (husband and wife, both Chinook descendants), Betsy Herrold Trick, Charlotte Herrold Davis, and Catherine Herrold Troeh (sisters). Gifts were also distributed for everyone present (BAR Anthropologist's Field Data 1995).

One Chinook descendant (a Pickernell-Williams family descendant) drove all the way from Lummi Reservation to attend the potlatch with his family. He said that the Chinook had never held their own potlatch before, but that he had attended annual meetings in the past. He said his mother had signed him up as a member of the Chinook Indians 40 years ago (that is, during the 1950's Chinook Nation-CT, Inc. enrollment; BAR Anthropologist's Field Data 1995).

There are a few other indications that the Chinook Indians continue to interact across family lines in a limited fashion. For example, several Chinook informants stated the Franks and Lortons of Bay Center have an annual picnic in Bay Center each summer. The picnic includes a baseball game with teams from each family. According to Ralph Lorton, the picnic between the two families still occurs each summer, and is held at Bush Pioneer Park (BAR Anthropologist's Field Data 1995). This park is the former site of the Indian village at Goose Point. The Chinook newsletter included a note that the Franks beat the Lortons at the inter-family baseball game in 1995 and 1996 (Chinook Tillicums, Summer 1995 and 1996).

There is no evidence of continued visiting on a daily or weekly basis among CIT members in Bay Center. Anna Mae Strong said that she sees her Chinook neighbors in Bay Center occasionally when she drives by, but they do not visit each other regularly. George and Millie Lagergren named a number of Chinook Indians living in Bay Center: Annabelle Hawks Farrell, Sammy Pickernell, the Franks and Lortons (two separate families, but always mentioned together in the same breath by all informants). A few of

the Lagergrens' own children and siblings also live nearby. But several of the old Bay Center families, they said, have now moved away. Several families, like the Corwins, moved to Taholah on the Quinault Reservation, so they could receive medical benefits. They also mentioned the Clark family and the Ogilvies as families that once had a large number of descendants living in Bay Center; but this is no longer the case (BAR Anthropologist's Field Data 1995).

Several informants also referred to conflict between members of the Tarabochia and Stephan families. Both families are descendants of George Ero and are based in Wahkiakum County. They are also both traditionally fishing families. One informant alleged that in recent years the feud between the families had resulted in damage to some of their fishing equipment (boats, nets, etc.). In April 1995, the tension was readily apparent between Tim Tarabochia, chairman, and Edna Stephan Miller (who at that time was the office secretary), while the BAR anthropologist was in the field. Don Mechals stated that the Stephans and Tarabochias had been "at war with each other, like the Hatfields and McCoys" (BAR Anthropologist's Field Data 1995).

Some Chinook informants suggested that they had faced discrimination in the past on account of their Indian heritage. This may have been the case in the past (for example, see interviews with Charles and Don Mechals, Elmer Wilson, Jr., Jean Culjak Shaffer, Anna Mae Strong). Sometimes the discrimination that these informants mentioned was from their own non-Indian parents, which seems to be more of an issue of personal prejudice than social discrimination. There is no clear evidence to support the assertion that the Chinook Indians continue to be discriminated against at present.

The tribal chairman, Tim Tarabochia, claimed that the logging that had been done over Ero cemetery, and other incidents related to that property, demonstrated that the Chinook Indians were being discriminated against. Jim Wishon, Deputy Sheriff for Wahkiakum County beginning about 1985, stated that there were three separate cemeteries in the vicinity of Dahlia, one for each of the following Chinook families: Ero, Jones, and Elliott. The Elliott cemetery, according to Mr. Wishon, was the only one that was actively being maintained at present. The BAR anthropologist asked Mr. Wishon if he knew of any pervasive, systematic discrimination against the Chinook Indians. Mr. Wishon said no, but he also stated that he had never known anyone in the area to log over non-Indian cemeteries. He also noted that the court case regarding Ero cemetery had been moved to Cowlitz County for the appointment of an independent prosecutor. When asked if he knew any Chinook Indians in the area, he said he knew there were Elliotts, Eros, and Stephans living in the vicinity of Dahlia. He also said that he had learned about them being Chinook Indians since the conflict over the cemetery began. Mr. Wishon is not a native of Washington state (BAR Anthropologist's Field Data 1995).

CHINOOK POLITICAL LEADERSHIP AND ACTIVITIES FROM 1970 TO 1996

Before beginning an analysis of the data regarding modern political leadership for the Chinook petitioner, it will be helpful to provide an overview of the way the evidence was presented in the petition. In its presentation of information on the maintenance of political authority, the 1987 petition narrative, and the 1994 supplement to the Petition ("Chinook Indian Tribe: Continuing Exercise of Tribal Political Authority, 1987-94"), tend to focus on the petitioner's external activities and interactions with other entities (Federal, State, and county government agencies (e.g., the BIA; state agencies managing fish and wildlife and cultural resources); inter-tribal organizations (e.g., Small Tribes of Western Washington [STOWW]; Affiliated Tribes and Allottees of Quinault Reservation; Northwest Federation of American Indians); and recognized and unrecognized Indian tribes. There is virtually no information in the petition regarding the internal political processes of the petitioner's organization. Because of the lack of focus on internal political processes, the petition also does not discuss how broad or deep support is for the actions taken by the petitioner's council, information which is necessary to show the exercise of political authority.

In the petition, there is also a tendency to characterize actions of individuals or groups of individuals with Chinook ancestry as tribal action; that is, the petition assumes that these were actions in which the Chinook Indians took an active interest because they addressed issues that were important to the membership as a whole. Sometimes this characterization of events is not supported by the evidence; it is nothing more than an assertion by the petitioner. In at least one case, the Wahkiakum Band fishing case (filed 1979; decided 1981), the lawsuit started out as the concern of a few Wahkiakum County Chinook descendants, Lawrence and Eugene Goodell (brothers), Martha and Dan Stephan (mother and son), but was eventually supported by the Chinook council (they discussed it at their meetings, decided to enter the suit and solicited money for the legal defense; Chinook meeting minutes).

In Table 26 of the 1987 Petition Narrative (267-268), there is a list of "elected leaders" for the petitioner from 1925 to 1987. The evidence indicates that many of these individuals may have provided leadership for a brief time on a single issue and nothing more. For some of the people on the list, there is little evidence that they provided leadership for the petitioner's group as a whole on any issue. The petition also gives the impression that there was only one leadership group, CIT, in existence from 1970 to the present, and fails to address directly the continued existence of Chinook Nation.

The "Reactivated Chinook Council": 1970 to 1982

In 1970, several Chinook descendants began a new organization which claimed to be the successor of the CT, Inc., which had been established in 1953 and become dormant in the

late 1950's. The 1970 organization is the one that started to pursue Federal recognition in 1976 and submitted the 1981 and 1987 petitions, as well as subsequent supplements to the petition. In the discussion on modern social community above, the analysis of the membership lists submitted by the CT, Inc. in 1953 and the petitioner in 1981 demonstrated that there was serious discontinuity between these organizations in terms of membership and presumably in those participating in the organizations' activities, in spite of the petitioner's claim of continuity. The small membership list submitted in 1981 raises the question of the changing character of the group over which the petitioner claims their leaders exercised authority from 1970 to the present. It is possible that the leaders from 1970 to 1981 may have provided leadership for those on the 1981 membership list (a small subset of the 1987 membership list). But, without additional evidence, it is not reasonable to assume that they had any authority over the Ducheney/Elliott family from Wahkiakum County during that period (who were not included as members until after 1982). It would seem that the membership list of 1981 would have included more of the Elliotts, for example, if they had really been part of the CIT's social network. If they were not part of their social network, they were not under the CIT leader's leadership. One caveat to the conclusion of this analysis is that a number of Chinook people may have been participating in the CIT in the 1970's who were not included on the 1981 membership list. This is true for Richard Basch, who served on the Chinook council in the 1970's (and currently), and Louise Elliott Meyer (Kent Elliott's sister), who also stated she served on the CIT council after 1973. It is very curious that Richard Basch, who is not on the 1981 membership list, stated that he was one of the Chinook Indians who brought the 1981 petition for acknowledgment to Washington, DC. Also missing from the 1981 list, but known to be participating by the 1970's were descendants of the Johnson family from Bay Center (Gary Johnson had served on council) and the Goodell brothers from Altoona (litigants in the Wahkiakum Band fishing case, which started in 1979). It is difficult to understand why these people were left off the membership list in 1981, and it raises the question of whether or not a significant number of individuals who were actively participating with CIT in the 1970's were left off the 1981 list, and whether or not they were socially and politically connected to the petitioner or some other entity.

Another difference between CT, Inc. of the 1950's and the CIT of 1970 is that the leadership of the CIT was not based in Bay Center, but in the towns of Ilwaco and Chinook. From 1970 to the present, there have been a number of chairmen and other purported leaders from the Petit family line. These have included Adolph Sund, his sister Dolores Sund Guse, Stephen Meriwether (Dolores' son), and Don and Charles Mechals (brothers). There have been two chairmen with ties to Bay Center since 1970, Ralph Lorton and Carleton Rhoades, but neither of them served for a long period of time. The current chairman, Tim Tarabochia, is a descendant of George Ero and Elizabeth LaFromboise (both Chinook descendants).

According to meeting minutes, dated April 10, 1970, "The first meeting of the reactivated Chinook Council was called to order . . . ." Betsy Herrold Trick called the meeting to order. Ms. Trick had been the secretary of the CT, Inc. in 1957. Those elected to office

were Adolph Sund of Ilwaco, Chairman; Lewis Hawkes of Bay Center, Vice-Chairman; Stephen Meriwether of Ilwaco, Secretary; Catherine Herrold Troeh (Betsy's sister; Secretary of CT, Inc. in 1953, according to a letter dated October 21, 1953; Petition Exhibit #130) of Seattle, Seattle Area Secretary. Others elected to the council were Robert (Brick) Taylor, Dolores Sund Guse, and Jack Petit, Jr., all from Ilwaco. From subsequent meeting minutes, it is apparent that Robert Taylor was named the treasurer for the group. The first item mentioned in the meeting minutes is the importance of joining Small Tribes of Western Washington (STOWW). It was decided to schedule monthly council meetings, in order to allow time to prepare for the STOWW meetings. This suggests that STOWW was an impetus for the "reactivation" of the council. In fact, Stephen Meriwether stated that STOWW had started meeting with Adolph Sund about reorganizing the Chinook council as early as 1968 or 1969. But, he said, staff changes at STOWW slowed down the progress toward reactivating the council (BAR Anthropologist's Field Data 1995).

In a letter to Catherine Troeh, Stephen Meriwether wrote about the second meeting of the newly formed organization:

> After the minutes were presented, Francis McCrory [a descendant of George Charley], guest speaker, delivered a speech on the Quinault real estate situation. Mr. McCrory lobbied for signers of Ms. Helen Mitchell's papers, giving power of attorney to Wilkinson, Cragun, and Barker. Mr. McCrory's talk was followed by brisk questioning, which angered the Taholah people into storming from the hall (letter dated May 29, 1970; Exhibit #138).

There is no indication who the "Taholah people" were. They were probably residents of Quinault Reservation, since Taholah is the principal settlement on that reservation. It is not known if these individuals were Chinook descendants who were also members of Quinault Nation. It is also possible that they were Quinault Indians with no Chinook ancestry.

In August, 1970, the CIT sponsored a salmon bake. There is no information regarding the number of Chinook descendants who attended this public event, or what families were represented there. One of the purposes of the salmon bake was to raise money for the construction of the proposed long house/museum. Betsy Herrold Trick, the Acting Secretary for CIT in February, 1955, helped coordinate the salmon bake. Her sister, Catherine Herrold Troeh gave a talk at the salmon bake supporting the museum idea (Petition Exhibit #99). The museum was never built, but having a place to adequately store and display artifacts has continued to be a concern to the petitioner. Stephen Meriwether said that the salmon bakes continued for three or four years, and then they were discontinued. He said there were a number of factors behind this. One was that Ilwaco, a fishing village, entered a serious economic depression which turned it into a

ghost town. Also because of the fishing rights court cases, the state of Washington became progressively less supportive of unrecognized Indian groups.

In meeting minutes, dated August 27, 1970,[70] the Chinook Indians considered a letter from Attorney E.L. Crawford, "concerning the final award of $48,692.05 to the Chinook Indians in the Claims Case. Some discussion followed, most feeling running that this settlement was inadequate and should be pursued further." This suggests that the Chinook Indians' had not been actively pursuing their land claim case in the years immediately preceding 1970, though it quickly became a concern which has persisted to the present for the Chinook council.

At a council meeting held in November, 1970, the CIT had a third and final reading of their constitution, and it was approved. The minutes do not indicate who was present to approve the constitution.[71] During most of the 1970's, council meeting minutes do not reflect whether persons other than council members were present or not. For this reason it is not apparent that the council communicated with the Chinook Indians as a whole, or if Chinook members communicated their wishes to the council. The council voted to send copies of the constitution and by-laws to Everett (BIA agency office), Portland (BIA area office), and Washington, DC (BIA central office).

In November of 1970, at the council meeting of the Chinook Indians, Helen Mitchell, president of the Quinault Allottees Committee, made a presentation "on the history of logging disputes on the Quinault Reservation and a progress report on a recent law suit brought against various logging concerns on the Quinault" (Petition Exhibit #138). This shows that the non-Quinault Indians who were allotted on Quinault Reservation were still fighting what they felt were unfair logging practices on the Quinault Reservation. This is still a concern among the petitioner's members who are allotted, or have shares in allotments, on Quinault Reservation to the present day (BAR Anthropologist's Field Data 1995).

On February 26, 1971, there was a CIT council meeting with only three council members present: Stephen Meriwether, Dolores Guse, and Adolph Sund (Guse and Sund were brother and sister, and Meriwether is Guse's son). The three of them voted to add Elmer Wilson, Jr. and Gary Johnson to the tribal council, with the motive of increasing representation for Chinook Indians in Astoria and Raymond/South Bend, respectively.

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[70] In the petition exhibit the word "August" is scratched out and the document is hand-dated "November," which is undoubtedly correct, since the amount of the award was not known in August.

[71] A subsequent vote at this meeting was noted on a motion to contact the Oregon Historical Society regarding the skull of Chief Comcomly. The vote was 4 to 0, which suggests the possibility that only four people were present.

In Table 13, below, there is a list of officers for the two Chinook leadership groups in 1971. There is no information available at this time that allows the BAR to determine if these individuals were also members of the Quinault Nation in 1971, though it is known that several of them were allotted on the Quinault Reservation. The list of officers for the Chinook Nation indicates that there is continuity of elected leaders. There are no "area officers" listed as there were in the 1950's. In the early 1970's, there is no evidence that the Chinook Nation leaders concerned themselves with anything other than the land claim issue. That seems to be the only issue around which its members met, acted, and contributed money. Both groups of leaders (CIT and Chinook Nation) were oriented around specific families. The Chinook Indian Tribe's leaders included several descendants of one branch of the Petit family: Adolph Sund, Dolores Guse, and Stephen Meriwether. Gary Johnson and Elmer Wilson, Jr. were still both on the Chinook Council in 1995 and 1996, as Vice-Chairman and Secretary-Treasurer,[72] respectively. The Chinook Nation's leadership was still drawn primarily from the Elliott family: Frances Sohol and Anna Koontz[73] were the daughters of

TABLE 13
OFFICERS FOR THE TWO CHINOOK COUNCILS IN 1971

Chinook Indian Tribe		Chinook Nation	
Adolph J. Sund	Chairman	Kent Elliott	Chairman
Stephen Meriwether	Secretary	Wilfred D. Petit	Vice-Chairman
Robert Taylor	Treasurer	Anna Elliott Koontz	Secretary-Treasurer
Dolores Guse	Director	Frances Elliott Sohol	Phone Contact
Gary C. Johnson	Director		
Elmer Wilson, Jr.	Director		

Sources: Petition Exhibit #138; letter from Stephen Meriwether to CIT Council, dated May 10, 1972, Petition Exhibit #147; letter from Stephen Meriwether to John Arthur Brown, dated June 2, 1971, Petition Exhibit #155

Charles G. Elliott (brother of Grant Elliott); they are, therefore, Kent Elliott's cousins. Wilfred D. Petit was the son of Frederick Paul Petit, and is not related to the Elliotts by

[72]In June 1996, Elmer Wilson was replaced as Secretary-Treasurer.

[73]Anna Elliott Koontz died on January 3, 1996.

blood (though there is a collateral kinship connection - see the BAR Genealogist's Report).

In a November 19, 1971 letter, Stephen Meriwether wrote to members of the tribal council, which now also included Richard Basch, a Clatsop descendant and STOWW housing director. Meriwether indicated that there was a consensus among the council members that there was not enough business to justify monthly council meetings, and that "the Chairman and several other council members" had decided to meet only three times per year, unless some special need arose. The letter noted that the members of the executive council (Chairman, Secretary, and Treasurer) were empowered to act for the council (Petition Exhibit #138).

By September 1972, the CIT hired several of their members as tribal staff. This was made possible by a grant from the Emergency Employment Act. These included Ruby Mullen (business manager), Barbara Harden (cultural arts director), Ethel Mullen (social service coordinator), and Robin Taylor (maintenance coordinator). At the council meeting held on September 1, 1972, the council discussed whether the Clatsops should be treated by STOWW as a tribe separate from the Chinook Indians, or remain part of CIT. Winifred Basch (a Clatsop descendant, mother of Richard Basch) was present at the meeting. The Basches expressed their desire to remain part of the Chinook organization (meeting minutes, Petition Exhibit #138). Attendance at the council meetings seems to have been low, since the council decided to rotate the meeting place to different locales within the traditional Chinook territory with the expressed motive of increasing participation.

On June 8, 1974, Chinook Indian descendants affiliated with the petitioner's organization met to discuss the Chinook land claim settlement with BIA representatives. Representatives of both the Chinook Nation and the CIT were present. At this meeting, the Chinook descendants rejected per capita payment as a means of resolving the land claim. The nature of this meeting will be explored in more detail below in the section concerning the land claim. At a subsequent meeting of the CIT council (separate from the Chinook Nation), on April 17, 1976, the council voted to reject the same offer, and communicated this to the BIA (1987 Petition Narrative, 291).

At the April 17, 1976 CIT council meeting, STOWW was authorized to look into beginning a law suit to pursue the fishing rights retained by the Chinook Indians, and to research a petition for Federal acknowledgment. The Chinook Indians gathered the statements of several Chinook Indians who had continued fishing in the Columbia River, Willapa Bay, and other locations without a license. Several of the Chinook Indians noted that they had fished since 1975 with a state commercial license because of the Boldt decision, which had concluded that Western Washington was not included in the US v Washington case (for statements, see Petition Exhibit #148). While they held blue (Indian identification) cards for fishing since the 1950's as members of Quinault Nation, these Chinook Indians were fishing as individuals or in family groups. There is no

evidence that they were still fishing as a band, as some of the Shoalwater Bay Indians had in the 1920's under George Charley.

Two committees were established at the general meeting of April 17, 1976. Nominated for the Chinook Fisheries Committee were Dan Stephan (Rosburg), Eugene Goodell (Astoria), Wesley Frank (Bay Center), Ferrill LeRoy Johnson (South Bend), Norris Petit (South Bend), and Larry Goodell (Astoria). Nominated for the Recognition Committee were Carleton L. Rhoades, Donald E. Mechals (Chinook), Elmer Wilson, Jr. (Astoria), Charles F. Mechals (LaPush), Barbara Harden (Raymond), and Dolores Guse (Ilwaco; see Petition Exhibit #138). Once again, it is noted that many of these people were allotted on Quinault Reservation, but it is not known if they were considered to be members of Quinault Nation. By June, 1976, Keith Hillsbery and Joe Tarabochia were added to the fisheries committee. The Chinook Indians decided to join in supporting Lawrence "Larry" Goodell, who was arrested for fishing without a state license (Chinook Newsletter, March, April, and August 1979; Petition Exhibit #196). The newsletter article requested donations to defray the legal costs of Mr. Goodell. Goodell lost the case originally, but won the right to fish in Oregon as an Indian, without a license, on appeal. The fisheries committee continued to operate between 1980 and 1983, as evidenced by committee meeting minutes submitted by the petitioner (1987 Petition Narrative, 294; Petition Exhibit #242).

On May 21, 1976, H. Gregory Austin, Solicitor, Department of the Interior, notified the Chinook council that he would not allow any delays in the disbursement of the money awarded the Chinook Indians based on Docket #234. He stated that a per capita payment was the only acceptable means for disbursing the money. The solicitor refused to release the money on anything other than a per capita basis because the Chinook organization was not federally recognized as an Indian tribe (Petition Exhibit #141). The money, however, has still never been disbursed; it is still held in trust by the BIA. In 1995, Chinook Secretary-Treasurer Elmer Wilson, stated that the account now amounted to about $2 million. The reasons for the failure to disburse the money will be discussed in a section on land claims below.

In 1976, Dolores Guse was featured in a newspaper article discussing Ilwaco Town Council's support for Federal recognition for the Chinook Indians. The article also noted that the Pacific County Commission had already voted in favor of the Chinook's recognition (see Petition Exhibit #135, letter dated September 7, 1976). The commission's decision came in response to a letter from her son, Stephen Meriwether, who was away attending seminary at the time (Anonymous, Chinook Observer, September 14, 1976; Petition Exhibit #132). There is also a letter from the Special Assistant to the Governor of Washington supporting their recognition (letter dated September 20, 1976, William R. Jeffries to "Dear Sir," Petition Exhibit #134). The Federal Acknowledgment Project was announced on June 16, 1977. The Chinook council, along with other unrecognized Indian groups from western Washington, submitted comments on the proposed regulations.

In 1978, Carleton Rhoades, who had been recently elected as the Chinook Chairman, made several "proposals" through newspaper articles. The proposals suggested doing away with the BIA and Indian reservations, calling for land for Indian tribes that had been left landless by the United States Government, etc. For doing this, Rhoades was severely criticized by the Chinook Indians for putting forward these views without authorization from the council (Chinook Newsletter, October 1978). The council passed a resolution stating that Rhoades was only expressing his own point of view, not that of the Chinook Indians collectively. In November, Rhoades did not attend the monthly council meeting. By December 1978, Don Mechals, who had been the Vice-Chairman, was serving as the Chinook Chairman (Chinook Newsletter, December 1978; Petition Exhibit #196). It is not clear from the newsletter accounts if Rhoades resigned or was forced to leave the office, or how Mechals was chosen to succeed Rhoades. In the May 1979 newsletter, there was an announcement that at the annual general meeting, to be held on June 9th at the Chinook school, there would be an election held for the positions of Chairman, and two council members. The June newsletter states that the general meeting was actually held June 16th in Bay Center, and there is no mention of electing the tribal chairman, though the assembly did elect two council members. There is no mention of how many people were present at the meeting. Mechals appointed Dick Basch to follow Arnold Troeh, who resigned as Vice-Chairman. Dick Basch stated that Mr. Troeh had become upset because the Chinook Indians did not adopt his stance against pursuing recognition (BAR Anthropologist's Field Data 1995).

The Formal Resolution of Conflict Between the Chinook Nation and CIT

In 1982, leaders of the Chinook Indian Tribe and the Chinook Nation signed a joint resolution which clearly designated the CIT as the successor of the Chinook Tribe and stated that the Chinook Nation had only existed for the purpose of pursuing the Chinook land claim. As seen from analysis of data from the 1950's, Grant Elliott, founder of Chinook Nation, focussed on the land claim, which was apparently his inspiration for starting the organization. But the Chinook Nation did sometimes portray itself as more than just a land claims organization, and did consider other issues than land claims in its meetings. Nevertheless, in 1982, the Chinook Tribe became the sole Chinook organization.[74] Some informants stated that this was done so that the Chinook Indians could present a united front to the Federal Government, improving their chances for acknowledgment. In one statement to the BAR anthropologist, a member of Chinook Nation said that as early as 1973 the Nation was no longer holding meetings, and she

[74]The historian's report notes the existence of another Chinook organization, the Wahkiakum Band of Chinook Indians. Only one letter was submitted as one of the petition exhibits regarding the Wahkiakum Band. Tim Tarabochia wrote the letter in 1983, in which he claimed to be part of the Wahkiakum Band, and he stated that it was separate from the Chinook Indian Tribe. However, there is no evidence that indicates there were other officers or members of this supposed organization. Also, there are no meeting minutes or other evidence that would indicate there was a Wahkiakum Band "organization" at all.

started attending meetings of the CIT. Stephen Meriwether shared a newspaper article, dated January 6, 1983, regarding the Chinook reunification. The article indicated that the two organizations had the same membership but different leaders, and that they were reunifying for Federal recognition. The article stated that there were about 800 members in the group. Mr. Meriwether added that the lawyers for Docket #234 returned to the CIT the records the lawyers had compiled on the case; the records were not returned to the Chinook Nation. At that time, the lawyer told Meriwether that he was giving the papers to the CIT council because the Chinook Nation would not last.

Political Issues from 1970 to 1996

The Chinook Indians have confronted a number of political issues from 1970 to the present. The following discussion describes these issues, and where possible highlights evidence that these issues were of importance to the petitioner's membership as a whole. Often the evidence for this is lacking in the petition.

The Chinook Land Claim

On November 4, 1970, the Indian Claims Commission awarded the Chinook and Clatsop descendants $48,692.05. On December 18, 1970, the Chinook Nation held a meeting in Cathlamet, Washington, under the leadership of Kent Elliott. At that meeting, they voted to appeal the Indian Claims Commission's decision (Petition Exhibit #99). About 100 Chinook and Clatsop descendants, including Stephen Meriwether, secretary of the CIT were present at the meeting (Anonymous 1970l; Petition Exhibit #99). The Chinook Indians' attorneys appealed the case to the Court of Claims on January 7, 1971. Nearly one year later, on December 3, 1971, the Court of Claims dismissed the Chinook Indians' appeal of the Indian Claims Commission's award. The Portland Area Office was notified of this decision in a letter dated December 7, 1971 (Guy W. Lowell, Chief, Tribal Claims Section, Division of Tribal Operations; Petition Exhibit #141).

The money was appropriated by Congress on October 31, 1972. About this time, Adoph Sund must have written a letter requesting information about the settlement because, on November 2, 1972, John B. Benedetto (acting superintendent Western Washington Agency), advised Sund that he did not know what had been done on the case since December 7, 1971. He advised Sund to get in touch with the Elliotts (specifically, Kent Elliott or Anna Elliott Koontz) to see if they had any information.

In April, 1973, there was a meeting of the Chinook Nation at Skamokawa. The purpose of the meeting was to discuss the possibility of asking Congress to give the Chinook Indians a better land settlement. Kent Elliott presided. Apparently the response was favorable, since around $175 was collected to promote the effort (Petition Exhibit #102). Louise Elliott Meyer stated that she returned to the Chinook area in 1973, after living away for a number of years. She said the Chinook Nation was no longer holding

meetings, and that she started attending the meetings of the CIT at Ilwaco. She said that she had even served on the council there for a while (BAR Anthropologist's Field Data 1995).

David Paul Weston, a BIA employee, held a hearing with the Chinook Indians on June 8, 1974, at Skamokawa, Washington. The purpose of the meeting was to discuss the proposal of "the Chinook Council," concerning what to do with the judgment funds. Weston stated that the proposal had been formulated on May 11, 1974. There are no records related to the May 11, 1974 meeting. We do not know what council they were talking about, who participated in the May 11 meeting, if the membership as a whole participated in some way, etc. The council was probably that of the Chinook Nation, since the meeting was held in Skamokawa and Weston referred to letting "Mr. Elliott" (presumably Kent Elliott[75]) know about the Interior Department's final recommendation to Congress with regard to the disposition of the funds. The council had suggested three priorities: 1) paying off all debt related to the claims case; 2) reserving $5,000 to lobby for the ratification of their treaty; 3) to distribute the remainder on a per capita basis (meeting transcript, page 10; Petition Exhibit #392).

One of the first issues that was raised was the publicity for the meeting. Some people said they had not heard anything about it until the last minute. One person noted that the people from Skamokawa had not been informed until very late, though Anna (Elliott) Koontz noted that an announcement had been in all the local papers. She said if the people had not heard about the meeting, it was because they did not read the paper. Some expressed their concern that other people might want to have their say who had not heard about the meeting. This evidence raises some doubt about the maintenance of bilateral communication between the leaders and the membership.

Even 20 years after the original leadership dispute, some of the people from Bay Center still had strong feelings about the Elliott family which were expressed in this forum. In response to concerns about the small amount of the judgment and the failure of the Chinook Nation lawyers to obtain a better settlement despite several appeals, Theodore (Ted) Prior (born 1925, Chinook Indian; his family lived in the Nemah and Bay Center, in Pacific County) spoke of how he did not trust the Chinook Nation leaders (Petition Exhibit #392, meeting transcript, p. 22).

At the meeting held by Weston, several Chinook Indians voiced their concern that the amount of money awarded, $48,692.05, would be nearly worthless if it were paid out on a per capita basis (transcript of the meeting, Petition Exhibit #392). In this, the Chinook Indians did not agree with the recommendation of the Chinook Nation council, that the money be paid out per capita. They were especially concerned about the financial needs of future Chinook leaders. Some suggested that the money be placed in a scholarship

[75]Kent Elliot was very ill at the time of the BAR anthropologist's site visit. He died on April 20, 1996.

fund. Some felt that some of the money should be used to pursue ratification of their treaty, as the council had recommended. Several other grievances were aired, having to do with the Chinook Indians' frustration with the Bureau of Indian Affairs and the Quinault Reservation. Weston continually tried to keep the audience on track. He prefaced the meeting, and interjected several times along the way, that the purpose of the meeting was for individuals to voice their opinions with regard to the disbursement of the money. Yet the Chinook Indians tried several times to speak as a collective. For example, some of the Chinook Indians attempted to turn the hearing into a business meeting, with people making motions, calling for a vote, and otherwise calling for collective action.

Ted Prior was the first to suggest that the Chinook Indians refuse per capita payments. Instead, he suggested letting the amount grow so that the younger Chinook Indians might benefit from it more in the future:

> Myself -- my opinion is that I think that we should refuse it; we shouldn't even consider it until they consider the amount of money that was taken off of this property [instead of compensating at 1851 values]. And if the Government don't want to do it, then let it sit there. One of these days, maybe some of our children will get some benefit out of it. But right now, we are not going to receive -- absolutely nothing -- absolutely nothing. I mean, to me, it's senseless. I think we made a trip for absolutely nothing. Thank you. (applause). (Petition Exhibit #392, meeting transcript, p. 19).

A letter dated June 20, 1974, from John B. Benedetto to the Director of the Portland Area Office, suggested that the Chinook Indians did not want a per capita payment, since the amount would be very small. "Individuals in the group also indicated a strong feeling that these funds should be invested, the interest proceeds therefrom [sic] utilized for scholarship purposes. It is, therefore, recommended that these funds be invested, the interest derived, utilized annually for scholarships, the procedures to be determined by the Tribal membership" (Petition Exhibits #141 and #392). In his letter, Benedetto made no mention of the suggestion to use some of the money for the purpose of lobbying to have their 1851 treaty ratified. The suggestion of using the money for scholarships was resisted by the BIA for reasons that were never explicitly stated in any of the available correspondence. Perhaps the resistance was an attempt to avoid taking the money into trust for the Chinook Indians because they were not a recognized tribe.

The Chinook held a general meeting on April 17, 1976, at Bay Center. The meeting was called to order by Stephen Meriwether, who was still the secretary of CIT The first issue discussed at the meeting was dispersal of the land claim settlement. The Everett Agency Office of the BIA had written to them indicating that its recommendation two years earlier had been that the money, estimated between $28,000 and $42,000, be spent on "annual education scholarships."

> A lengthy discussion of the claim case award followed. It was suggested that perhaps we should refuse to accept this award in case it might jeopardize any future move to gain recognition for the Chinook Tribe. When asked whether the award would be distributed regardless of any official move to refuse it, Frank LaFontaine [sic, La Fountaine; an attorney, employed by STOWW] said that he believed yes, the award would be distributed. Frank LaFontaine reported that in most cases of awards to non-recognized tribes, such as the Chinooks, the awards have been distributed on a per capita basis to tribal members and their descendants (Petition Exhibit #141).

A motion that the Chinook Indians refuse the distribution on a per capita basis passed unanimously. They decided to ask the Secretary of the Interior to delay his decision on how to distribute the money until the Chinook Indians could devise their own plan (resolution, dated April 17, 1976, Bay Center; Petition Exhibit #141). Two suggestions advanced at the Bay Center meeting were to ask for the money in a lump sum to help strengthen the organization, or to use the money to purchase land for the Chinook Indians and to build a meeting place. At the same meeting, the Chinook Indians heard a presentation by Ferrill Johnson (Chinook Indian; the father of Gary Johnson, who was then, and is presently, a Chinook council member) and Dan Van Mechelen (non-Chinook, Vice-Chairman, Quinault Allottees Committee) regarding the Quinault Allottees "Committee" (now Quinault Allottees Association), the history of Quinault Reservation, and the lack of equality on the reservation.

In 1984, the BIA once again presented the Chinook Indians with the idea of individual payments as a form of disbursing the money from the land claim. On August 16, 1984, John Weddell, Tribal Operations Officer in the Portland Area Office, wrote to Donald Mechals, as Chinook Chairman, saying that he wanted to speak to the beneficiaries of the Chinook Indians land claims settlement about special legislation that had been proposed for the disbursement of the funds. Weddell had written to Mechals because he knew that many of the beneficiaries belonged to his organization. He also advised Mechals that the money in the account, after deducting attorney's fees and other expenses, and including interest, had now grown to approximately $100,000. Because the Clatsop and Chinook Tribes were not recognized, Weddell stated the ordinary disbursement came in the form of per capita payments. With an estimated 3,000 potential beneficiaries, the per capita payment would amount to around $35 for each beneficiary. Because the deadline had passed for submitting a plan for the use and distribution of the money, special proposed legislation had been written so that the money could be disbursed (Petition Exhibit #393).

On August 20, 1984, Ralph Lorton (a descendant of Tom Hawks, an 1851 treaty signer), the actual Chinook Chairman at that time, responded with a letter accepting the invitation to meet on September 19, 1984. Lorton stated that he would try to find a meeting place in the Naselle region, since that was centrally located (Petition Exhibit #394). The meeting

was actually held on September 29th (letter dated November 8, 1984, Wilford Bowker to Ralph Lorton; Petition Exhibit #395). The CIT council continued to oppose the per capita distribution. The money has still not been distributed at this time.

Also in 1984, Ralph Lorton, as chairman of the CIT council attended a meeting of the Oregon Commission on Indian Affairs. He provided testimony aimed at convincing the state to not recognize the Tchinouk (of southwestern Oregon) as an Indian tribe. Their leader, Karlene Parazou McKenzie also had made claims that the Tchinouk had rights to share in the distribution of funds from the Chinook land claims case (Docket #234). The Department of the Interior denied acknowledgment to the Oregon Tchinouk petitioner on March 17, 1986. The Tchinouk were also never recognized by the Oregon Commission on Indian Affairs.

Federal Acknowledgment as a Political Issue

On April 24, 1971, the CIT hosted a meeting with STOWW and the Quinaults, to hear a presentation by the Pitt River Indians of California (Exhibit #100; anonymous 1971e). The meeting concerned the Pitt River Indians' claim of aboriginal land rights. There were some Chinook Indians that agreed with the somewhat more radical approach of the Pitt River Indians' to recognition by the Federal Government. Basically the Pitt River Indians did not believe they needed recognition from the Federal Government. Instead they were considering simply asserting their land rights which, according to their point of view, had never been extinguished.

When asked about political controversies and conflict in the 1970's, several informants mentioned that in the late 1970's the Chinook Indians were divided over whether or not to pursue Federal recognition. Stephen Meriwether said that there were two groups of Chinook Indians on this issue. He characterized the group which was opposed to pursuing Federal recognition as younger and more idealistic (including Eugene Goodell, Dolores Guse, and the Franks). Dick Basch mentioned Ben Reed and Arnold Troeh as being among those who did not want to pursue acknowledgment. The basic philosophy of this group was that they had never been "unrecognized," and they had never been adequately compensated for the land that they tried to cede to the United States in 1851; therefore, they did not need to ask for anything from the Federal Government. Some of these Chinook Indians believed they would be best served by going directly to the United Nations for recognition, since the Federal Government would never acknowledge their existence as a tribe. Homer Settler, an Indian attorney, advised the CIT that they should pursue "aboriginal rights" to their land, since they had never lost aboriginal title to it. It is possible that the 1996 "claim" placed on Long Island, in Willapa Bay, by the Chinook council in the form of a resolution and posting of signs, was the result of activism on the part of Chinook Indians who support this point of view (resolution passed on August 10, 1996; Chinook Tillicums, Summer 1996).

Mr. Meriwether characterized the other group, which favored pursuing recognition, as being older and more practical. They said that simply claiming aboriginal title to their land would not help the CIT obtain scholarships for the children to attend college or other potential benefits that might come from the Federal Government. Mr. Meriwether said that this group included Adolph Sund, Elmer Wilson, Lewis Hawks, and Cliff Snider. Don Mechals stated that one CIT member who eventually advocated pursuing recognition from the Federal Government was Catherine Troeh, Arnold Troeh's mother. Mechals noted that she originally opposed pursuing Federal recognition, but changed her mind or accepted the consensus position after listening to the debate in council. After she changed her position, she insisted that Homer Settler be the one to draft the letter of intent to petition. The Mechals brothers, Don and Charles, were in favor of pursuing recognition through the Department of the Interior. Mr. Basch stated that he was a "fence sitter" on the issue, never really taking sides, though Don Mechals identified Dick Basch as one of the people who supported the aboriginal rights position. If Basch was opposed to it at one time, he must have changed his mind, because he said that he was one of the individuals responsible for bringing the 1981 petition for Federal acknowledgment to Washington, DC (BAR Anthropologist's Field Data 1995).

On April 17, 1976, CIT held a meeting at the grade school in Bay Center to discuss the possibility of pursuing Federal recognition and to discuss fishing rights after the Boldt decision (Petition Exhibits #103 and 147). Frank La Fountaine of STOWW was the featured guest speaker. The first draft of the petition for acknowledgment was presented to the Chinook Indians under date of August 10, 1976 (letter of Frank La Fountaine to Raymond Cross, Attorney at Native American Rights Fund; Petition Exhibit #140).

Continuing Conflict with the Quinault Nation Over Logging and Inheritance

In 1979, members of the CIT sent delegates (Don Mechals, Elmer Wilson, and Ruby Mullen) to meetings of the Salvage Board, concerning logging practices that were allegedly cheating Quinault allottees out of their full compensation (Chinook Newsletters, June and August 1979; Petition Exhibit #196). Employees of the Bureau of Indian Affairs held a briefing for "Landowners of the Quinault Reservation" at the Chinook Office in 1981. At least 28 Chinook Indians were present at that meeting (Chinook newsletter February 1981; Petition Exhibit #196). Ray Maldonado invited the CIT's leaders to participate in the Taholah Unit Task Force as representatives of Chinook Indian allottees on Quinault Reservation. This correspondence was addressed to Don Mechals, as the CIT council chairman. Mr. Mechals is a Quinault Reservation allottee. The task force was formed to come up with a plan for managing the logging on that unit that was acceptable to the Quinault Nation, Quinault Reservation Allottees (not all of whom are Quinault Nation members), and the BIA (letter dated April 24, 1981, Maldonado to Donald Mechals; Petition Exhibit #294).

Notwithstanding the fact that the Chinook Indian Tribe's petition for Federal acknowledgment was pending at the Department of the Interior at this time, some of the

correspondence from the BIA field offices appears to refer to the Chinook Indian Tribe on par with other tribes (October 19, 1981, Petition Exhibit #297; November 4, 1981, Petition Exhibit #298). However, other correspondence clearly distinguishes the tribal representatives to the proposed Board from the representatives of the allottee groups (Petition Exhibit #302). In the correspondence which distinguished allottee groups from tribes, the CIT was placed among the latter (Petition Exhibits #295 and 296). For example, the Quinault Indian Nation's position paper regarding the formation of the Board to get allottee input notes that:

> The Board, consisting of representatives of the Hoh, Quileute, Shoalwater, and Chehalis tribes and Cowlitz and Chinook allottees groups will conduct its activities on the principle of government-to-government relations . . . .
>
> The Board will become effective when any three of the Hoh, Quileute, Shoalwater, and Chehalis tribes and the Cowlitz and Chinook allottee groups formally pass a resolution authorizing participation (letter, dated September 2, 1981, from Quinault Indian Nation to Dolores Guse, Business Manager, Chinook Indian Tribe; Petition Exhibit #295).

In the end, the Forestry Advisory Board never became a reality.

In addition to logging, another concern in recent years has been the inheritance of parcels on Quinault Reservation which belong to Indians of Chinook descent. There is a three percent escheat rule in effect on Quinault Reservation, which is based upon the Land Consolidation Act. This law became effective on January 12, 1983. The law provided that any parcel of land on the reservation which falls below three percent "Quinault ownership"[76] automatically escheats ("goes to") to the Quinault Nation. For example, if there are 100 people who share heirship in an 80-acre tract, and less than three percent of them are members of the Quinault Nation, that land escheats to the Quinault Nation. The Chinook Indians who have allotments on Quinault Reservation are angered by this provision. Many of the younger Chinook Indians, who stand to inherit property from their elders, are not allowed to do so because they do not meet the membership qualifications for Quinault Nation (see 1984 amicus curiae brief of the Chinook Indian Tribe, Petition Exhibit #286; also BAR Anthropologist's Field Data 1995).

In the 1986 heirship proceeding of James Herbert Scarborough (died on October 15, 1983), "an unallotted Lummi Indian,"Administrative Law Judge Robert C. Snashall, "in accordance with Title II, Indian Land Consolidation Act, Section 207" vested in the United States "in trust for the Chinook Indian Tribe" the rights of certain persons

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[76]The 1975 Quinault Nation constitution defines "member" as (a) any person of 1/4 Quinault, Queets, Hoh, Chinook, Chehalis, or Cowlitz blood of one of the named tribes or combined, not a member of any other federally recognized Indian tribe, (b) any person adopted into the Nation by a majority vote of the General Council.

CHINOOK ALLOTMENTS belonging to the following Indians of Chinook descent: Elizabeth Springer; James Julius [and his non-Chinook wife, Susan Julius];[77] Kate Brignone Noon; Antone Brignone; and Nora Scarborough Brignone (Petition Exhibit #424, #425, #426). This order above modified on April 15, 1986, providing for escheat to be to the United States in trust for the Quinault Indian Nation. This modification drew protests from the CIT, which argued that its lack of federal recognition was not dispositive of the matter (letter of Don Mechals, dated May 8, 1986; Petition Exhibit #426). The amended order, correspondence and/or briefs concerning the modification were not provided by the petitioner (see Estate of Peter Alvin Ward, 19 IBIA 196 (1991), regarding the issue of the Indian Land Consolidation Act and the Quinault Reservation.

Cultural Preservation and Protection of Sacred Sites

One of the main interests of the CIT since the early 1970's was the establishment of a museum to display artifacts associated with Chinook culture and history (see Petition Exhibits #145, #180, and #181). One suggestion that was given serious consideration was building the museum in the form of a traditional Northwest Coast Indian plank house. CIT council members, and some CIT members, have expressed concern over the preservation of traditional history and culture from the 1970's to the present. In the 1970's and 1980's, two major proponents of this were Stephen Meriwether and his mother Dolores Guse (Petition Exhibits #189 and 191).

In July 1971, Stephen Meriwether, as secretary of CIT began fighting with the Favel House Museum to regain Comcomly's skull (Exhibit #100; Anonymous 1971h). The controversy over the skull continued until 1972 (see letters dated May 22, 1972 Miller to Meriwether, and Meriwether to Miller, dated June 10, 1972; Petition Exhibit #147) when the skull was returned to the Chinook Indians for reburial.

The protection of Indian grave sites is a concern to some of the members of the CIT. In July 1978, the Chinook Indians complained about a trailer park that was built over an Indian burial ground on Point Ellice (Petition Exhibit #185). Also in August 1978, Douglas Davis, Chairman of Shoalwater Bay Indian Tribe, wrote to Carleton Rhoades, Chinook Chairman, seeking the Chinook Indians' support for a planned survey of burial and other archaeological sites around Willapa Bay (Petition Exhibit # 188). There is no evidence that the Chinook Indians actually supported the survey. In 1980, the Chinook council (including Donald Mechals, Chairman; Dick Basch, Vice-Chairman; Elmer Wilson, Jr., Secretary-Treasurer; Tim Tarabochia, Council Member), wrote to Clatsop County, Oregon, requesting that 12 acres of land near Warrenton be given ("returned") to CIT, on the grounds that it was a Clatsop burial ground.

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[77] nee Susan Quatanna, a Cowlitz Indian. Susan died 3 December, 1913. James Julius' second wife, Annie Gill, was also a Cowlitz Indian.

Since that time, the Ero family cemetery has been the focus of Chinook protests concerning logging over the burial sites and other forms of desecration. For example, according to an article in the Chinook Observer, the Chinook Indians requested that an independent prosecutor be assigned to a case in which the Indians were protesting the desecration of the Ero grave site beside the Columbia River in Wahkiakum County (Wold 1994). A letter dated January 20, 1994, from Michelle Aguilar, Governor's Office on Indian Affairs to Timothy Tarabochia, also reflects the Chinook Indian's interest in the protection of their ancestors' graves (BAR Anthropologist's Field Data 1995). In 1995, the Chinook chairman, Tim Tarabochia, took the BAR anthropologist on a tour of this area. The anthropologist interviewed a sheriff's deputy from Pacific County concerning conflict between the Chinook Indians and the current land owners. During the tribal council meeting attended by the BAR anthropologist, a member of the Jones family spoke about the need to protect their family's burial ground, requesting CIT support for their efforts (BAR Anthropologist's Field Data 1995).

The Chinook Indians' concern about grave site protection was mentioned to the BAR anthropologist in several conversations with Chinook leaders, including council members Gary Johnson and Tim Tarabochia, in both formal and informal interviews. Johnson currently leads the council's cultural preservation committee, and has stated that one of the reasons the Chinook Indians want to be acknowledged is so that they can receive artifacts through the Native American Grave Protection and Repatriation Act. It was Tim Tarabochia's understanding that, as an unrecognized Indian group, the CIT could not claim artifacts found within Chinookan aboriginal territory under NAGPRA.[78] Ike Whitish, Chairman of the Shoalwater Bay Indian Tribe, stated that the Shoalwater Bay Indians would help the Chinook Indians reclaim artifacts and burial goods, if they were not acknowledged by the Federal Government, by acting as a middleman (BAR Anthropologist's Field Data 1995).

Elmer Wilson provided guidance to the Washington state government concerning Chinook attitudes toward the proposed logging of red cedar on Long Island (letter not dated, Elmer Wilson, Chinook secretary, Petition Exhibit #318; the letter is hand-dated December 1985; 1987 Petition Narrative, 300; see also BAR Anthropologist's Field Data, interview with Elmer Wilson). According to Mr. Wilson's letter to his member of Congress, the Chinook Indians considered Long Island to be a sacred site. By tradition, it was the land where cedar trees grew from which the Chinook Indians made their canoes, and each of these trees was sacred. Long Island has since become part of a National Wildlife Reserve. On August 10, 1996, the Chinook Council passed a resolution claiming that Long Island was the property of the Chinook people, since they had never given up aboriginal title to the land (Chinook newsletter, Summer 1996).

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[78]Unrecognized Indian groups can make a claim for the return of artifacts under NAGPRA, if they can show that they descend from a tribe. If a recognized tribe makes a claim on the same artifacts, however, the recognized tribe receives preference.

Gary Johnson, a current CIT council member, has been providing leadership for the Chinook Indians to participate in archaeological excavations at Cathlapootle,[79] the reconstruction of the Chinook language (in cooperation with anthropological linguist Dell Hymes), and other cultural preservation concerns. That cultural preservation was an important issue for many Chinook Indians is reflected in the election of a new Chinook chairman, Tim Tarabochia, in 1994. Several informants told the BAR anthropologist that the previous chairman, Donald Mechals, had been a good leader in terms of pursuing the Chinook Indians' concerns over logging on the Quinault Reservation, but that he had been too single-focussed in that regard. They felt that he had not provided enough leadership in other areas like cultural preservation, which was an area that Tim Tarabochia felt strongly about (BAR Anthropologist's Field Data 1995).

Aboriginal Fishing and Land Rights

Other issues that were of importance to Chinook individuals from the 1920's to the present were aboriginal fishing rights and commercial fishing. The Chinook Indians established their own fisheries committee in the 1970's. Tim Tarabochia stated that in the 1970's the Quinault Nation tried to enlist fishermen with Chinook ancestry (probably those who were Quinault members) to help them establish their off-reservation fishing. They contacted Eugene Goodell, Dan Stephan, David Frank, Sr. and Jr., Ed Boldt, and the Tarabochias. Dan Stephan confirmed the interest of the Quinault Nation in gaining the assistance of Chinook fishermen. To Tarabochia's list, Mr. Stephan added Calvin Frank, Carl Lorton, Pearl Bert, Larry Goodell, Chrissy Boldt, and Jack Reinertsen as Chinook Indians who were solicited by the Quinaults to help them start their off-reservation fishing. The petitioner also sought participation in the state fisheries commission and an Indian fisheries training program. They considered purchasing Sea Resources, Inc., in Ilwaco, in order to start a charter fishing company. Even though they did not initiate the lawsuit, the Chinook Indians participated in the Wahkiakum Band's fishing suit and supported it financially. Meetings regarding the Wahkiakum Band's lawsuit were held in the Chinook office and at the home of Lawrence Goodell in Altoona (BAR Anthropologist's Field Data 1995).

In the early 1970's, several off-reservation Chinook fishermen, who were members of Quinault Nation, formed their own organization, which they called "Quinook Resources." There is no evidence in the petition that this organization was formally related to either of the Chinook councils that continued to exist in the early 1970's. Officers in the organization included Co-chairmen Ferrill LeRoy Johnson (Bay Center) and Norris "Muggs" Petit (Bay Center), and Secretary-Treasurer Daniel Stephan (Altoona). The two co-chairmen wrote a letter to Judge Boldt on October 9, 1974, which stated the intention of "various members of Quinook Resources" to bring civil action against the Quinault Tribal Council for their failure to accept the rights of off-reservation Quinault members to

[79]An Upper Chinook Indian site.

fish under the 1855 treaty (Petition Exhibit #316). It appears that this organization may have started after the Quinault Nation's efforts to enlist Chinook fishermen to establish their off-reservation fishing failed, though none of the BAR anthropologist's informants stated this. There is no evidence indicating that there were other members of the organization, or other Chinook Indians who participated with the officers of the organization. There is no evidence to suggest that Quinook Resources persisted for more than a year.

On January 4, 1984, Tim Tarabochia, then a Chinook council member, along with his brother, Ron Tarabochia, and uncle, Larry Goodell, were arrested for fishing in the Chehalis River without a license (Norstadt 1984a). The three were testing the theory that they had the same rights to fish in the Chehalis River as did the Quinault Indians. The Quinault Indians were opposed to the Chinook Indians fishing in the Chehalis. The Grays Harbor District Court Judge rendered a decision that agreed with the Chinook Indians (Norstadt, 1984b), stating they had treaty rights to allotments on the Quinault Reservation and received the same fishing benefits as the Quinault Indians, under the treaty signed in 1855.

Relationship with Shoalwater Bay Indian Tribe

The relationship between the Chinook Indians and the Shoalwater Bay Indians was commented on in the council meeting minutes of July 24, 1970. During a question and answer session with Roy George, STOWW chairman, Mr. George suggested that the Shoalwater Bay Indians should apply for membership in STOWW separately from the Chinook Indians. The meeting minutes state that Betsy Trick said she thought the Chinook Indians "would have to save them [the Shoalwaters] from termination as was done three other times. It was brought out that the Shoalwaters have always been considered as a branch of the Chinooks" (CIT meeting minutes, dated July 24, 1970; Petition Exhibit #138). The statement about the Shoalwater Bay Indians always having been considered a "branch of the Chinooks" is not exactly true, although the Indians living at the north end of Shoalwater Bay were sometimes labelled "Chinook Indians" since the late 1800's, and many of them did have Chinookan ancestry.

The minutes indicate that STOWW certainly thought of the Shoalwater Bay Indians as a separate tribe. The minutes suggest that while Betsy Trick thought the Shoalwater Bay Indians were a "branch" of the Chinook Indians, she also believed they had been a separate, if weak, entity. It is not clear from the minutes if any Shoalwater Bay Indians were present at the Chinook council meeting. But by the end of the meeting, it was assumed by Roy George that the Chinook Indians were "representing" the Shoalwater Bay Indians in STOWW. At a council meeting on September 25, 1970, there was a motion by Betsy Trick to put Myrtle Landry (a Shoalwater Bay Indian, descendant of George Charley) on the council, subsequent to Dolores Guse's resignation. No second to the motion is mentioned in the minutes, and it is not in evidence that she ever participated in council meetings after that.

The Shoalwater Bay Indians apparently hired their own attorney to represent them when the Pacific County District Attorney tried to intervene on the Shoalwater Reservation.

> Betsy [Trick] reported that she had just thwarted an attempt by the Pacific County District Attorney and the lawyer for the Shoalwaters to bring law and order to the Shoalwater Bay Reservation. According to Betsy the D.A. based his case on an opinion from the Solicitor General's office that Public Law 280 does not apply to unorganized tribes. Many felt that transcripts of this case should be obtained and that we go on record in support of the Shoalwaters.

These minutes indicate that the Shoalwater Bay Indians were being dealt with as a separate entity from the CIT by the state. Based on the meeting minutes alone, it is impossible to discern why Mrs. Trick was involved in the situation on Shoalwater Bay Reservation. She was not allotted there, and her family has no known historical connection there.

The Shoalwater Bay Indian Tribe is currently recognized by the Federal Government and provides medical services and employment to some of the petitioner's members (BAR Anthropologist's Field Data 1995). The Shoalwater Bay Indian Tribal council has passed a resolution supporting recognition of the Chinook Indians, as did the Quilleute council (BAR Anthropologist's Field Data 1995). In 1995, Ike Whitish, the Chairman of the Shoalwater Bay Indian Tribe, said that the Shoalwater Bay Tribe had 151 members, with about 90 of them (60%) living on the reservation. Whitish stated that his tribe would find some way to incorporate the Chinook Indians into the Shoalwater Tribe if the Chinook Indians were denied recognition by the Federal Government. Ike Whitish cited two membership requirements for the Shoalwater Bay Indian Tribe in 1995. First, all members must descend from someone who lived on the reservation in 1936. Second, members have to have at least one-quarter Indian blood (BAR Anthropologist's Field Data 1995). In fact, the membership provisions of the 1982 Constitution of the Shoalwater Bay Indian Tribe include as members: all persons on the membership roll of the Tribe as of the effective date of the Constitution (Art. II Section 1(a)); all children of any tribal member (Art. II, Section 1(b)(1) & (2)); all other persons of 1/4 degree or more Indian blood enrolled by the General Council (Art. II Section 1(b)(3); and all persons whose names appear on the official voters list for purposes of voting on the election in which the residents of the Reservation rejected the provisions of the IRA.

POLITICAL LEADERSHIP IN 1994 AND SINCE: STRUCTURE AND PROCESS

During his field visit, the BAR anthropologist conducted 18 semi-structured interviews with 24 individuals (in several cases, more than one person was interviewed at a time). Twenty-two of the interviewees were Chinook Indian descendants and two were non-

Indians. Two of the Chinook descendants are not members of the petitioning group (Ike Whitish, Chairman, Shoalwater Bay Indian Tribe; Helen Sanders, Chehalis Indian). Of the 20 Chinook Indians interviewed, nine were male and eleven were female. Eleven of the people lived in Pacific or Wahkiakum County, and nine lived elsewhere. Included among the 20 Chinook Indians were five former council members, five current council members, and ten non-council members. At least 17 other individuals (most of them were members of the petitioning group) were spoken to informally. Most of the information for this section of the anthropological report is based on the field notes and interview tapes of the BAR anthropologist.

In 1995, at the time of the BAR anthropologist's field visit, the petitioner had the following elected leaders: Tim Tarabochia, Chairman (elected June 1994); Dick Basch, Vice-Chairman; Elmer Wilson, Jr., Secretary-Treasurer; Cliff Snider, Councilman; Darlene Brueher, Councilman; Leda Anderson, Councilman; Fred Lagergren, Councilman; Gary Johnson, Councilman; Jean Shaffer, Councilman. Together, these nine individuals comprised the Chinook Indian council in 1995. The council members serve three-year terms. One third of the council members' positions come up for reelection each year. Dick Basch stated that the number of council members was increased from seven to nine about 1992 or 1993. There were some council members who were opposed to it, but they were defeated. During an informal gathering at the home of Dr. Stephen Beckham, researcher for the Chinook petitioner, it appeared that the council members knew each other fairly well (BAR Anthropologist's Field Data 1995).

In addition to holding council seats, several council members also provide leadership for specific committees. The committees in 1995 included the following: cultural affairs (Gary Johnson); business (Fred Lagergren); communications (Jean Shaffer); social (Dick Basch, with four members); enrollment (Tim Tarabochia, with four members); planning (Jean Shaffer). According the Mr. Tarabochia, some of these committees had existed for only about two years, and several had been initiated since he was elected chairperson in 1994 (BAR Anthropologist's Field Data 1995).

As already described earlier in this report, the cultural affairs committee, under the leadership of Gary Johnson, is very active. This committee was previously led by Cliff-Snider, who retired from the council in 1995. The cultural affairs committee is involved in a number of projects ranging from restoration of the Chinook language to protection of sacred sites to consulting with archaeologists surveying and excavating near their ancestral territory (BAR Anthropologist's Field Data 1995).

The business committee, under the leadership of Fred Lagergren, was working on a business development plan in April 1995, and was expected to make a report at the annual meeting in June 1995. The business committee oversees the bingo business at Long Beach that provides the petitioner with some of its operating capital (BAR Anthropologist's Field Data 1995).

The communications committee, which was led by Jean Shaffer in 1995, is responsible for publishing the Chinook newsletter, entitled Chinook Tillicums. This was previously done by Dolores Guse in the 1970's and early 1980's. In 1994, the newsletter was started up again on a quarterly basis under the direction of Ms. Shaffer. In 1995, the mailing of the newsletter cost around $675 per mailing. It goes to all of the petitioner's members, as well as to other Indian tribes. In 1995, the Chinook Indians had recently begun experimenting with using a telephone tree as a means of maintaining communication with its members.

The planning committee was also being led by Jean Shaffer in 1995. Before her election in 1994, Ms. Shaffer had helped devise a "Tribal Comprehensive Plan." It was adopted by the Chinook council in August 1994. According to Tim Tarabochia, the process for developing the plan took about two to three months. Ms. Shaffer stated that she called Dick Basch in December 1993 and offered to help the Chinook prepare the plan. The council approved her proposal to devise the plan, and Leda Reed Anderson, Dick Basch, and Gary Johnson all agreed to help her. Ms. Shaffer held meetings in Olympia, Washington in April and June 1994, to gather information from members regarding the plan. She stated that her leadership in devising the tribal plan helped her win the 1994 election for the council seat held by Charles Mechals. Mr. Mechals had served as a council member for 17 years. Ms. Shaffer described herself as a relative newcomer to Chinook politics, and said that she often gets calls from people on both sides of an issue who try to sway her. She said for example, that she had been once been warned: "Watch out for the Skamokawa people; soon they'll be wanting to hold all the meetings down there" (i.e., at Skamokawa; BAR Anthropologist's Field Data 1995).

In 1995, and since, the Chinook petitioner's council holds monthly meetings. When they are held in Bay Center, the participation by non-council members is much higher than when the meetings are held at the tribal office in the town of Chinook. Don Mechals, former chairman, complained that the newest council members never used to attend the CIT meetings. Jean Shaffer was specifically mentioned in this regard. Mechals stated they had only met Ms. Shaffer within the past year, at a celebration of the anniversary of the establishment of the territorial provisional government for Oregon. He also complained that the new council was holding monthly meetings that lasted from 11 a.m. to 8 p.m. and attributed this to their lack of experience. Mr. Mechals noted that Cliff Snider, one of his supporters, would probably not run again for his council seat in June 1995, inferring that Mr. Snider was disaffected by the new leadership. In fact, Mr. Mechals was correct in his prediction, as Mr. Snider chose not to run for re-election in 1995 (BAR Anthropologist's Field Data 1995).

Other CIT informants were more complimentary of the new council's approach to leadership, considering it an improvement over the meetings that used to be held under Mechals' chairmanship, which were characterized as less participatory and less democratic. George Lagergren, for example, stated that the Chinook Indians became very discouraged in the 1970's because they received such a small settlement for their land

claim. He credited Don Mechals with helping to revive the Chinook organization. But he also stated that Mechals only held council meetings on a quarterly basis, with an additional annual meeting. With meetings held so rarely, Mr. Lagergren felt the Chinook people generally were not very well-informed between annual meetings. Mr. Lagergren expressed his opinion that the new council (the one elected June 1994) was the best organized ever, and was doing a better job at broadening and equalizing participation. "They work well together, working for the benefit of the tribe" (BAR Anthropologist's Field Data 1995).

Changes in the Political Process Since 1994

The following section discusses a few important changes in the political process of the CIT and issues that the CIT have dealt with since 1994. Among them are changes in enrollment procedures, participation in council meetings, the election of new leadership on the Chinook council, and the struggle for control of Chinook Indian Bingo. There is also a description of a Chinook council meeting attended by the BAR anthropologist in April 1995.

Enrollment Procedures

The enrollment committee's function was previously carried out by Edna Miller, who was the petitioner's office secretary for many years (she said she had been secretary for nine years in 1995). It was her responsibility to verify that all applicants were descended from a Chinook ancestor in one of the 20 or so ancestor files in the petitioner's office before placing their names on the membership list. Before 1994, Edna Miller added people to the membership list and sent out membership cards based on her personal knowledge of an individual's background.

Mrs. Miller stated that the 1983 enrollment process may have excluded some of the Elliott family descendants, even though they had always identified as Chinook Indians. She expressed her belief that a number of Elliotts had still not applied for membership, even though they were eligible to do so. Tim Tarabochia admitted that "enrollment was done a little loosely in the past" (BAR Anthropologist's Field Data 1995). There is some supporting evidence for Miller's contention that some of the Elliotts had been left off the CIT membership list. After the BAR anthropologist interviewed Jim Wishon (Deputy Sheriff, Wahkiakum County) in his home, Henry Elliott, Jr., a young man of college age, approached Tim Tarabochia for information about applying for membership with the CIT. He stated that his father had put off applying for him, but now he was hoping to apply for Indian college scholarships (BAR Anthropologist's Field Data 1995).

In 1987, revised membership requirements were adopted at the Chinook Indians' annual meeting. The requirements were: (1) descent from someone on one of three lists (Roblin, McChesney Roll, or the Annuity Roll of 1914) and (2) one-quarter Indian blood.

Don Mechals stated that the one-quarter Indian blood requirement had been suggested by their ethnohistorian, Dr. Stephen Beckham, because "that's what they like back there" [by "they," he intended the BIA in Washington, DC]. The BAR anthropologist asked the tribal chairman, Tim Tarabochia, what the standard for "full-blood" was, and he said there really was none, that the quarter blood requirement was met through self-reporting, and no verification was done (BAR Anthropologist's Field Data 1995). The actual membership requirements in the CIT's 1987 constitution state that members who are adopted into the tribe must have 1/4 Indian blood; thus this provision is not a prerequisite for all members.

In 1995, the Chinook Indians were revising the enrollment procedure. In the past year there had been complaints about people not being on the member list who should have been there. This topic came up in the council meeting (held in Bay Center, April 1995) that was attended by the BAR anthropologist, when Adolph Sund's daughter complained that her children were not on the list. Tim Tarabochia said that the enrollment committee had established a new procedure for Mrs. Miller to follow. First, applicants had to fill out a form. Second, the application was supposed to be placed in the "pending file," until it was acted upon by the committee. Third, the enrollment committee was to review all of the applications. Fourth, the applicants who meet the criteria in the view of the committee would be certified by the council. Before 1994, Mrs. Miller certified that people met the requirements for membership and distributed membership cards accordingly. The 1994 supplement had been approved (certified) by the Chinook council. Mr. Tarabochia stated there had only been one adoption of a non-Chinook to his knowledge, that of an individual who was adopted in the 1980's because he was a friend of some of the Indians from Bay Center. He reportedly is a Mohawk Indian descendant from New York state.

Participation in Monthly Council Meetings

Edna Stephan Miller and Dan Stephan (sister and brother) stated that the annual Chinook meetings in June do not allow for people to vote by proxy: a person must be present to vote. Nominations are made from the floor during the annual meeting and the person nominated must also be present to express their willingness to run for a council seat. An individual is not allowed to go out and gather votes and present them as a block. Don Mechals, former CIT chairman, stated that the CIT used to have $4 per year mandatory dues. He said, however, that the council was not enforcing the dues paying policy in 1995.

Jean Shaffer stated that about 70 people had attended the monthly council meeting that was held in Bay Center in January 1995, and that there had been about 50 people at the council meeting at Bay Center in February. Both Ms. Shaffer and Mr. Tarabochia noted that meetings in Bay Center were typically better attended than those held at the headquarters in the town of Chinook. Dick Basch also said that around 50 to 70 people attend the meetings of the council when they are held in Bay Center. Additionally, he

stated that about 20 to 25 individuals attend the monthly meetings held at the grade school in Chinook. The regional divisions in the group are still apparent, considering the recent disagreements that have surfaced in council meetings regarding where to build the Chinook offices if the petitioner is acknowledged as an Indian tribe by the Government. Some of the petitioner's members prefer Bay Center or Skamokawa as the location for their offices, others prefer Chinook or Ilwaco.

They noted that attendance at the monthly meetings for the past five years had improved significantly. During the 1970's the meetings were held at the Chinook office. Dick Basch said that about 30 to 35 people participated in the monthly council meetings in the 1970's, although the minutes do not reflect participation, nor were sign-in sheets available. The Stephans suggested that the interest in attending meetings in the 1970's was lower because of lack of space. Dick Basch suggested that the lower rate of participation in the 1980's (averaging between 15 and 35 participants) was due to the fact that Don Mechals was almost solely focussed on issues related to allotments on Quinault Reservation, and most of the people did not want to spend so much time talking about that.

Election of Tim Tarabochia as Chairman and Attendance at Annual and Monthly Council Meetings

In June 1994, at the Chinook annual meeting, an election was held for three council seats, including chairman. Tim Tarabochia reported the following election results:[80] Tim Tarabochia (42 votes), Don Mechals (30), Leda Reed Anderson (12 or 14 votes), and John Mail (4 votes). With that election a new chairman, Tim Tarabochia, was voted into office after approximately 18 years of leadership by Don Mechals. According to the BAR anthropologist's Chinook informants, a number of issues contributed to Mr. Mechals defeat.

When asked why Tarabochia was elected instead of Mechals, Edna Stephan Miller downplayed any controversy. She stated that Don Mechals had wanted to continue as chairman through the end of the recognition process, and that there was no real dissatisfaction on the part of the membership with regard to his leadership. It should be noted that Mrs. Miller continued to be loyal to Mr. Mechals even after he lost the June 1994 chairmanship election to Tarabochia. The friction between her and Tim Tarabochia was noticeable during the anthropologist's field visit, and soon after that visit, Mrs. Miller was replaced as the office secretary. According to Mrs. Miller, Don Mechals had been chairman for 18 years, with the exception of one year when Ralph Lorton defeated him. That year (1984) there was a three-way split among the voters, for Don Mechals, Tim Tarabochia, and Ralph Lorton. Tarabochia threw his support to Mr. Lorton, so

[80]These numbers are estimates based on the memory of Tim Tarabochia, not on any contemporary written sources.

Lorton won. Eventually Lorton did not complete his three-year term because of health reasons (BAR Anthropologist's Field Data 1995).

Regarding Don Mechals, Tim Tarabochia stated that there was little political support for him from Bay Center or the Goodell family line. It was Mr. Tarabochia's opinion that the Mechalses have the political support of the Stephans and other Mechalses (including the Fishers who live near Westport, Washington). He noted that Cliff Snider and Elmer Wilson are also still supportive of Don Mechals. According to Tarabochia, Don Mechals was reluctant to work on fishing rights. In council meetings, his body language and everything indicated that he was against it [i.e., pursuing fishing rights]. He was also not an enthusiastic supporter of protecting sacred sites (e.g., the 1994 case of the hiking trail that was planned to go past a former Indian village site at Bayview Cannery, in Wahkiakum County). Tarabochia stated that it was the will of the council and the people that pushed both of these issues forward. Mechals went ahead with it, but reluctantly (BAR Anthropologist's Field Data 1995).

The election of Tarabochia has continued to be somewhat controversial in 1996. At the annual meeting in June 1996, the membership considered a recall vote against both Tarabochia and Jean Shaffer, which was initiated by Linda Amelia. Both received votes of confidence from the members present. With regard to Mr. Tarabochia, the vote was 44 in favor of removal from office and 115 against removal. The vote for Ms. Shaffer was 35 in favor of removal and 104 against. Ms. Shaffer was then required to provide evidence that she had applied for membership in 1978, which she did according to the Chinook newsletter (Chinook Tillicum, Winter 1996). At the same meeting, the following persons were elected to the council. Tony Johnson replaced Elmer Wilson as Secretary-Treasurer (Wilson was a long-time supporter of Don Mechals). Ralph Lorton (chairman for a short time in 1984) was elected to the council, and Darlene Brueher was re-elected to the seat she already held.

At the May 1996 council meeting, the Chinook council voted to establish a new Fisheries Committee. The following people were named to the committee: LeRoy Johnson, Ben Reed, Ed Davis, George Lagergren, David Tarabochia, and Tim Tarabochia. This followed a presentation by a Washington State fisheries employee on fish hatcheries in the local area, particularly at Nemah. The purpose of the committee, according to the Chinook newsletter, is to obtain their allocation of the state's fish for subsistence and ceremonial purposes.

Enrollment procedures continued to be controversial in 1996. According to the Chinook Newsletter, the CIT council added 68 members to their membership list in May 1996, based on a recommendation from the Enrollment Committee. A list of these new members has not been provided to the BAR. In August 1996, the council's Enrollment Committee recommended a one-year moratorium on adding new members. The full council disagreed with this recommendation, and asked the committee to present another proposal which would include a fuller work plan to resolve enrollment issues.

Chinook Indian Bingo

Petition Exhibit #305 contends that the bingo operation cn Long Beach Peninsula, WA is owned and operated by the tribe. In the past few years, since Tim Tarabochia was elected chairman, there has been controversy over the ownership and control of the bingo hall. This was a topic of conversation during the BAR anthropologist's field visit. For example, Edna Stephan Miller stated that about seven people had given the money to establish the enterprise. This included Mrs. Miller, Martha Ero Stephan (her mother) and Dan Stephan (her brother). They each contributed about $1,000. Dick Basch said that he contributed some start-up money also. Don Mechals put up the lion's share, contributing about $9,000, according to the Stephans (Don Mechals stated that he had contributed about $25,000 total to the bingo operation). The Chinook began to share an impression that Don Mechals was profiting too much from the business. Mrs. Miller stated that when there was a profit from the bingo hall, most of the money went to Mechals, but only because he had put up most of the money. Dick Basch was one of the Chinook council members who pressed Don Mechals for more information on the revenue from the bingo operation, and he noted that Mr. Mechals was still angry with him over that (BAR Anthropologist's Field Data 1995).

In 1994, Tim Tarabochia successfully used the concern of the petitioner's members over the bingo revenue as an issue in the chairmanship election. At the time of the election, there was a rumor that Don Mechals had inappropriately received $25,000 in bingo revenue. In November 1994, the Washington State Gambling Commission audited the bingo business. While the state made some suggestions about the handling of money by the business, Mr. Mechals was cleared of any wrongdoing. The Chinook council finally voted to buy out the loans Mr. Mechals had borrowed for the business.

By 1995, the council's business committee had arranged for the CIT to be paid a minimum of $1,000 per month out of the bingo revenue first, and then to pay the expenses. The business committee ordered that business costs be cut, if necessary, to ensure the tribal office received its share of profits. A recent edition of Chinook newsletter described a vote of the council which reasserted its ownership of the business (that it was not the private business belonging to a few individual Chinook Indians) . In 1996, the bingo business continued to be controversial. The Chinook council decided to terminate the manager and bookkeeper who had been hired under Don Mechals.

Some CIT members have voiced concern that the bingo business is too high of a priority in council meetings. Ben Reed, according to Don Mechals, has said that what he really needs is housing, and he needs it immediately. Mr. Reed says he cannot understand why the council spends so much time on the bingo issue. A similar opinion was recently stated in the Chinook newsletter (Chinook Tillicums 1996, Winter).

Casinos and Indian Gaming

One Chinook council member stated that the petitioner was offered $25 million from a Las Vegas gaming concern for the option to build a casino post-recognition. The Chinook Indians refused the offer. The attorney for the CIT, Dennis Whittlesy recently met with the petitioner's council and offered his assistance in finding a reputable gaming organization to help them start a casino, if the council chose to pursue that issue. The CIT members did not mention Indian gaming as a significant political issue to the BAR anthropologist during his field visit. In recent editions of the Chinook newsletter, however, Indian gaming is an issue that was addressed in several letters to the editor. (Chinook Tillicums 1996)

Description of a Chinook Council Meeting

The BAR anthropologist attended one of the petitioner's council meetings on April 8, 1995. The meeting was held at an old church in Bay Center. At the beginning of the meeting, there were 41 adult members present, plus eight of the nine council members. A few others drifted into the meeting, and some of the older Chinook men never entered the sanctuary where the meeting was actually being held. They remained in the kitchen or talked outside the building. There were also eight children present at the meeting, and a few guests, including the BAR anthropologist, a Quinault member who has since been accepted for membership by the CIT, and a woman who was hoping to discover what tribe she belonged to. Before the meeting began the BAR anthropologist talked with several members of the petitioning group that he had already met during his week in the field. Some of them brought him more information to answer questions he had raised during interviews. The only council member not present was Richard Basch. He had been present for the potlatch the previous Saturday, and had stayed in town long enough for an interview with the BAR anthropologist.

The meeting began at 11 a.m. with the reading of the minutes from the previous council meeting. The minutes reflected that John J. (adopted by the CIT in 1984) had been reprimanded for representing himself in public as a Chinook leader or spiritual man. After the reading of the minutes, one person discussed the United Nations route to recognition (demonstrating that pursuing Federal acknowledgment may still be a controversial issue among the members).

After these opening comments, the various council committees made their reports. Communications Committee chairperson, Jean Shaffer said that announcements regarding the potlatch had been sent to members in the general western Washington and Oregon area. The Business Committee report was given by Fred Lagergren. Mr. Lagergren reported that the bingo manager had been instructed to send $1,000 per month to the tribal office, to submit position descriptions for all employees, and to report on the number of employees during the various seasons (one criticism had been that the manager had continued to employ her own daughter, even after the tourist season had stopped).

Elmer Wilson, council member, called for an informal discussion of the possibility of using money from Docket #234 to construct a tribal meeting place. He also asked the petitioner's members present to communicate their wishes to the council on this subject. The Membership Committee reported that they now had 1,252 people on their official membership list.

After a break for lunch, the meeting resumed. The next business item was the Ero-Boldt cemetery, which is also called the Dahlia cemetery. The council discussed the need to address the damage done by Mr. Estes, the previous private owner of the land who had logged over the graves of several Chinook ancestors. There were two representatives of the Jones family, Cattrall and Robert Jones (father and son). Robert Jones stated that his family also had a burial ground near Ero cemetery, and that Cattrall Jones' father was buried there in 1937. He requested that the Chinook council do something to protect their grave site as well.

After discussing the grave sites issues, the council designated Jean Shaffer to be their delegate to the upcoming meeting of the Affiliated Tribes meeting in Spokane. She inquired about being reimbursed for her expenses. The council also discussed excavations at the Cathlapootle site. Council members expressed their concern that the site was several miles from the nearest road which might make it subject to violation by artifact scavengers.

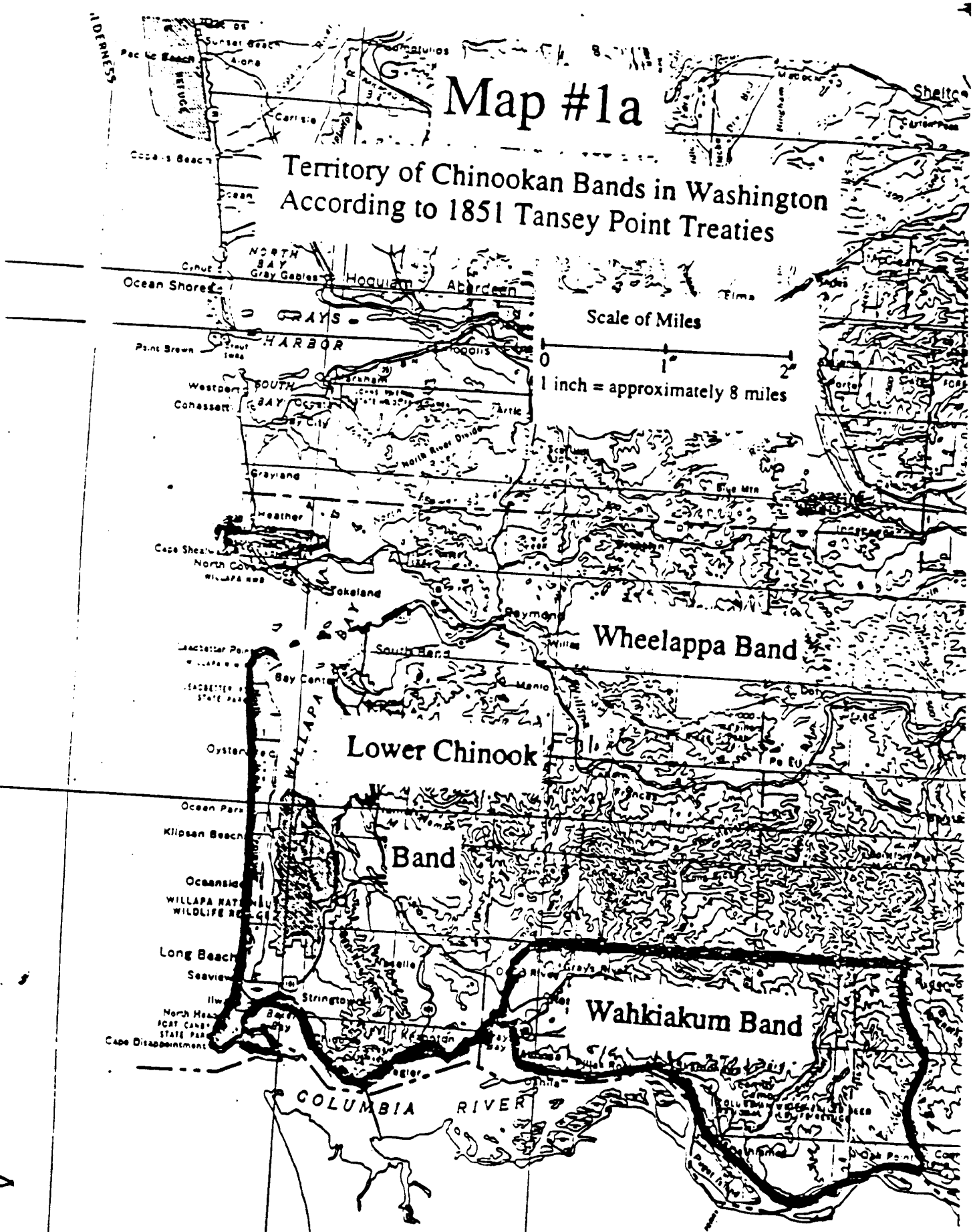
The council then took up the issue of the Yakima Indian Tribe's recent attempts to expand its fishing territory down the Columbia River, into traditional Chinook territory. For example, they had been fishing off Long Beach peninsula. The council said that the Federal Government had been allowing the Yakima to fish in Chinook territory. They expressed their concern that the Chinook Indians, being unrecognized, might lose what they considered their right to fish at their usual and accustomed fishing grounds. Ben Reed, a Chinook elder, responded: "Who gave the Federal Government the right to give away our fish? They're OUR fish! They [the Federal Government] didn't bring those fish out here with them." Then, regarding theYakima, "Who are they to intrude on our territory?"

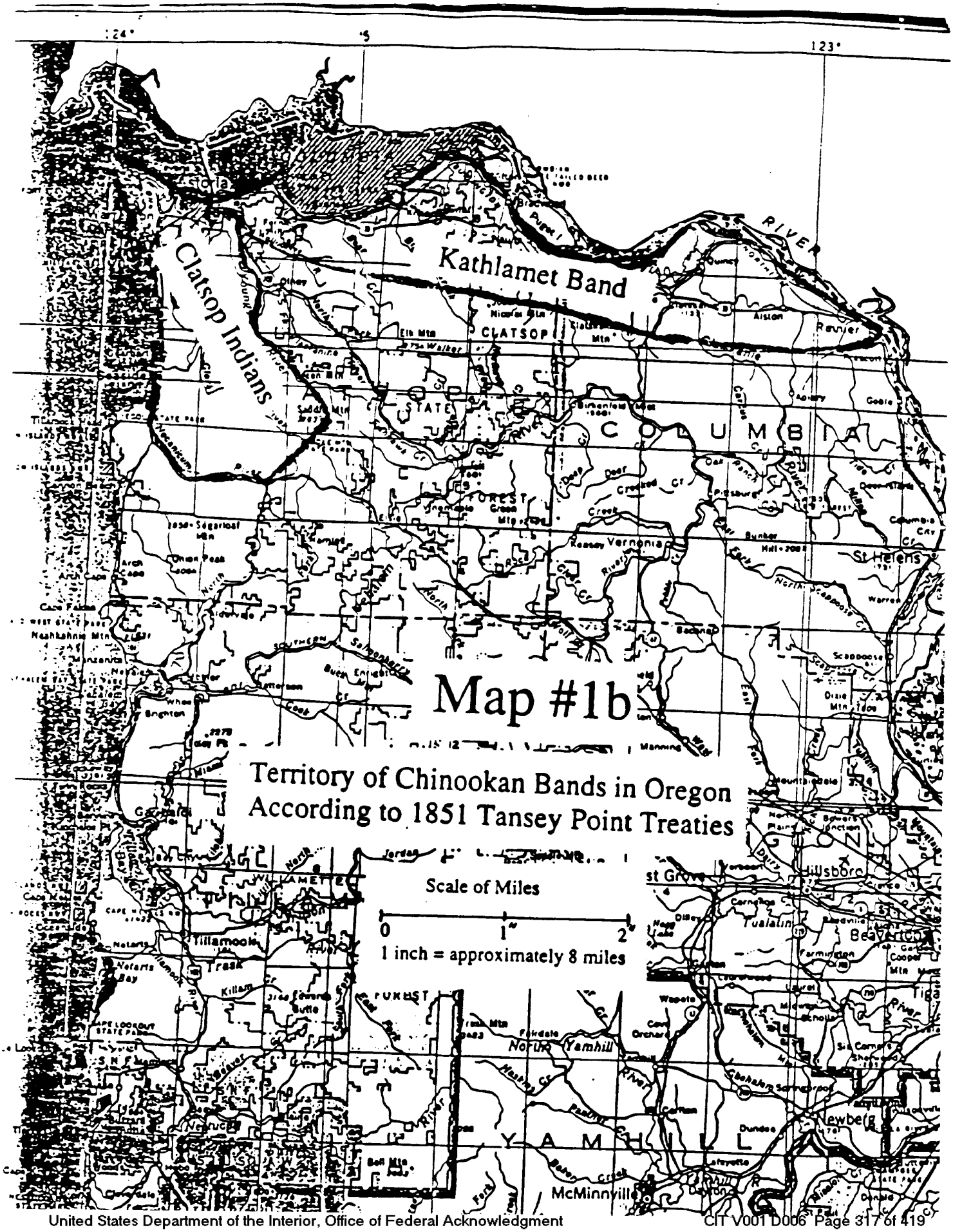
When the meeting ended in the late afternoon, some of the members stayed behind to talk to each other. One of those who remained after the meeting was Carleton Rhoades, who suggested some potential sources of information on the 1950's and 1960's to the BAR anthropologist. He also provided some information about himself during that period as an example of why some Chinook Indians may have been living away from the Pacific and Wahkiakum Counties. This would have affected their ability to participate in CIT meetings.

Participation with Quinault Nation and Other Tribes

Some of the Chinook Indians continue to participate in meetings of the Quinault Nation. One brother and sister stated that they attend meetings of the Quinault Nation and vote in their elections. They said they do this to protect their land rights on the reservation, but they have always kept a separate identity from the Quinault Nation. They maintained that they are seriously discriminated against by the Quinault Nation leadership because they are off-reservation members. They also stated that they do not receive health care benefits or notices of upcoming meetings. When they visit on the reservation, they feel their presence is unwelcome. They also stated that individual Quinaults will solicit their support at election time, with promises of support as Chinook Indians, but that these promises are never acted on. Several other Chinook informants commented on their relationship to Quinault Nation. Some said they were allotted but were never enrolled. Others said they were enrolled with Quinault Nation, but never participate in the Nation's council meetings or annual meetings (BAR Anthropologist's Field Data 1995).

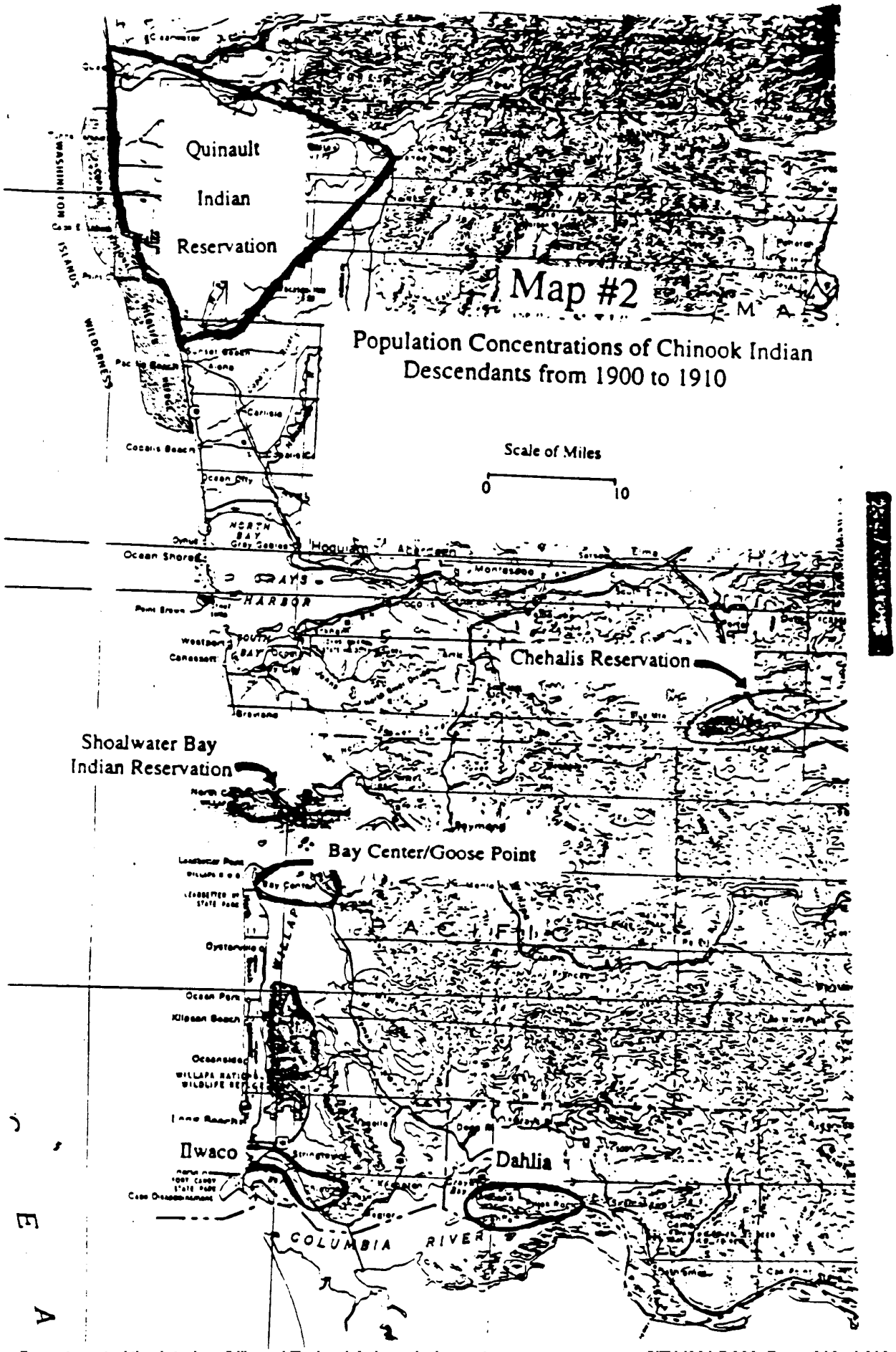
There are at least two CIT members who have children on other tribal rolls; these include the rolls of Puyallup Tribe and Turtle Mountain Chippewa Tribe. The children of these two Chinook members are on the other tribal rolls because of their Indian spouses. As far as is known, the children are not dually enrolled with the petitioner.

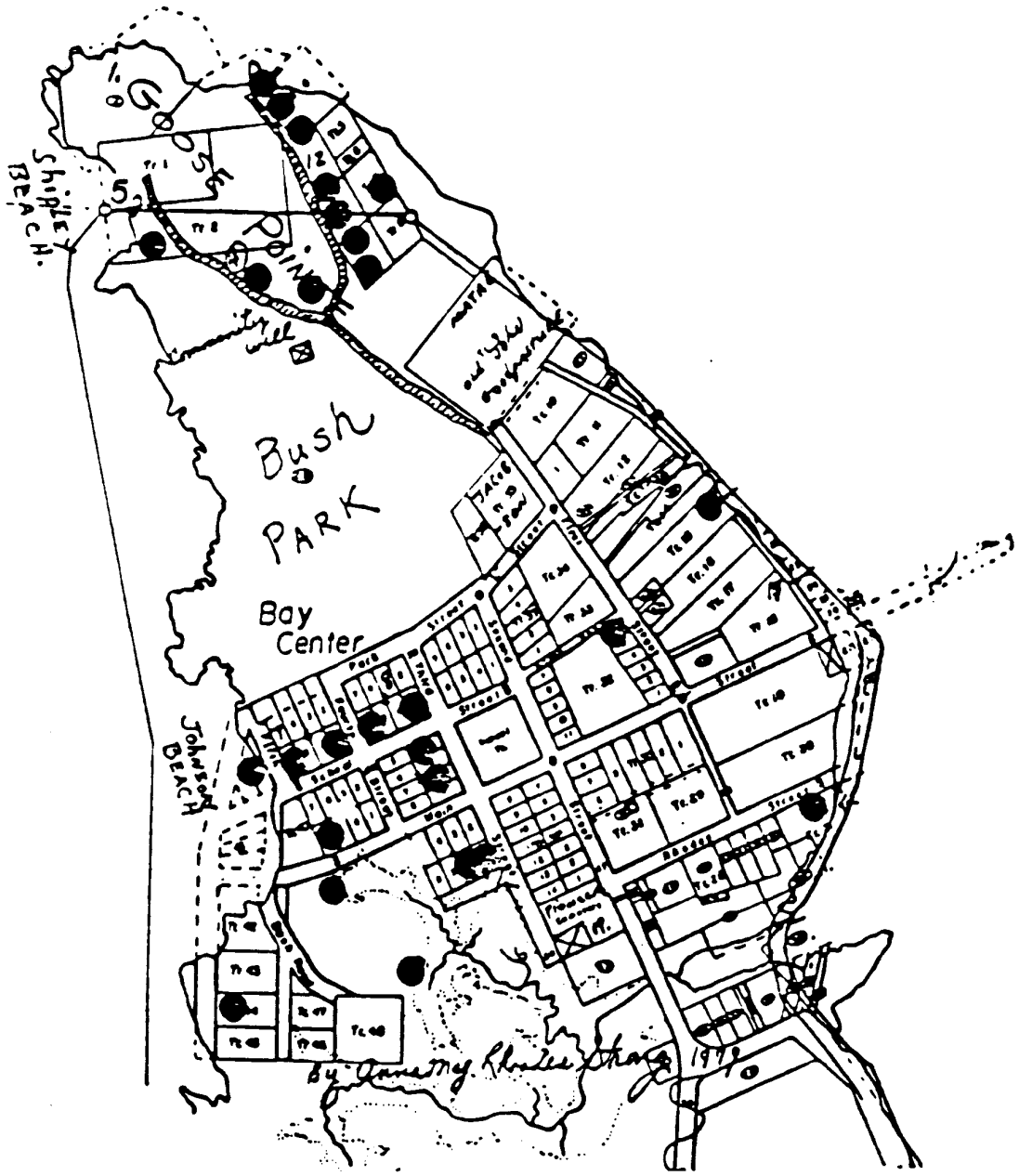

Map #1a
Territory of Chinookan Bands in Washington
According to 1851 Tansey Point Treaties
Scale of Miles
0
1
2
1 inch = approximately 8 miles
Wheelappa Band
Lower Chinook
Band
Wahkiakum Band
COLUMBIA RIVER
GRAYS HARBOR
Ocean Shores
Hoquiam
Aberdeen
Westport
Cohassett
Grayland
Tokeland
Raymond
South Bend
Ocean Park
Klipsan Beach
Long Beach
Seaview
Stringtown
Cape Disappointment
WILLAPA BAY



Map #1b

Territory of Chinookan Bands in Oregon According to 1851 Tansey Point Treaties


Quinault
Indian
Reservation
Map #2
Population Concentrations of Chinook Indian
Descendants from 1900 to 1910
Scale of Miles
0
10
Chehalis Reservation
Shoalwater Bay
Indian Reservation
Bay Center/Goose Point
Ilwaco
Dahlia
COLUMBIA
RIVER

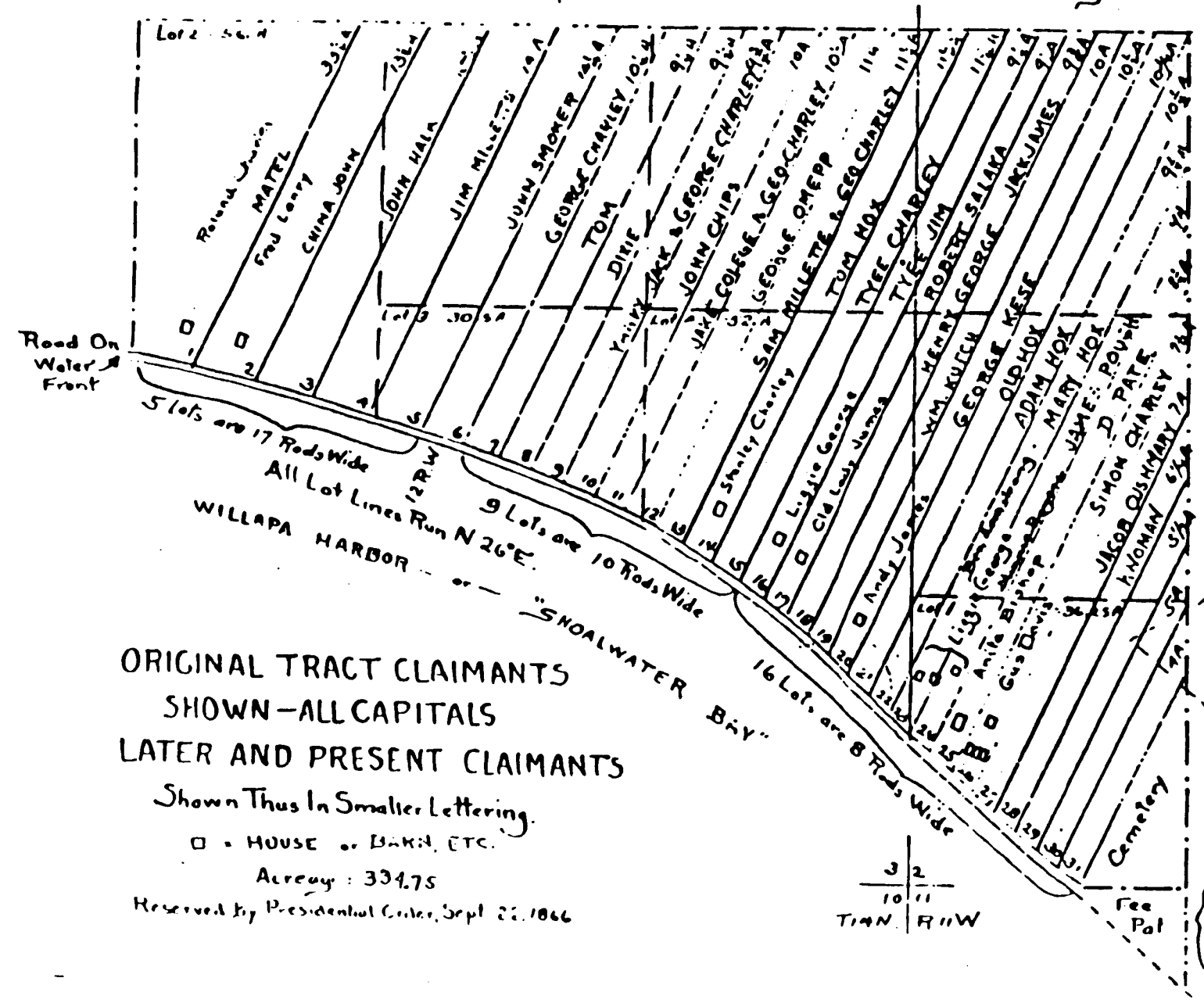


Map #3 BAY CENTER, ca. 1915

Source: Strong 1979, with emphasis added.

Map #4

"Georgetown" or Shoalwater Bay Indian Reservation, Washington.



ORIGINAL TRACT CLAIMANTS
SHOWN—ALL CAPITALS
LATER AND PRESENT CLAIMANTS
Shown Thus In Smaller Lettering.
□ = HOUSE or BARN, ETC.
Acreage : 334.75

This Plat With Exception Shown Part of Lot 1 Still Was Part of the Reservation As Shown At Left But Later All Of Lot 1 Was Fee Patented.

Corrected 9/6/38
JAN 4-12-38

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APPENDIX A
1851 TANSEY POINT TREATY SIGNERS[81]

US government participants: Anson Dart, Superintendent; H.H. Spalding, Indian Agent; J.L. Parish Sub-Indian Agent; N. DuBois, Secretary; GW Child, cook; Mr. Raymond, Interpreter.

I. Clatsops (Aug. 5, 1851): 1. Tostow; 2. Catala; 3. Twilts; 4. Tichiahah; 5. Winawox; 6. Washington; 7. Watlekani; 8. Skotchlochie; 9. Dunkle; 10. Hulleh; 11. Waucaukie
Territory ceded: "Beginning at the western extremity of Point Adams, at the mouth of the Columbia River, and running thence southerly along the coast of the Pacific Ocean to the mouth of a certain stream south of what is called Tillamook Head, which stream is called by the Indians Yock-lev-pah-ta; thence easterly up and along said stream to its source; thence east to the summit of the Coast Range of Mountains; thence northerly to the Swall-lockas or Saddle Mountain; thence northerly to the head waters of the Nietle or Lewis and Clark's River; thence down and along said river to Young's Bay; thence westerly along said Bay; thence westerly along said Bay and the southern Shore of the Columbia River to the place of beginning."

II. Naalem Band of Tillamooks (Aug. 6, 1851): 1. Wauclahan; 2. Wautakkam; 3. Dunkal; 4. Wyana; 5. Tuckooah; 6. Tatinse; 7. Watlecase; 8. Teewiest; 9. Seanow; 10. Swelinse; 11. Wyaleta; 12. Esahtin; 13. Oclallah; 14. Wykukil; 15. Oskalowis; 16. Skallah; 17. Oskay;
Territory ceded: "Beginning at the mouth of a certain stream called the Yocklespahta and running thence along the coast of the Pacific Ocean in a southerly direction to a certain point of rock south of the Naalem River, which point of rocks is claimed as the southwest corner of lands belonging to said band; thence east to the summit of the Coast Range of Mountains; thence northerly following said range of mountains to the southern boundary of land lately claimed by the Clatsop Tribe of Indians; thence westerly following said southern boundary of the Clatsops to the headwaters of the Yocklespahta; thence down and along said streams to the place of beginning"

III. Lower Band of Tillamooks (Aug 7, 1851): 1. Jim; 2. Charley; 3. Wilson; 4. Wallockies; 5. Yahconquaon; 6. Sheshee; 7. Sykue; 8. Yulcasawitta; 9. Cahwichas
Territory ceded: "Beginning at the point of rocks claimed as the Southwestern corner of land lately owned by the Naalem Band of Tillamooks on the coast of the Pacific Ocean running thence southerly along said coast to the south side of the first headland north of the Neastocks River; thence east to the summit of the Coast Range of Mountains; thence northerly along the summit of said range to the southern boundary to the place of beginning."

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[81]based on Exhibit #9 of Chinook petition, minutes from the Tansey Point treaty session.

IV. Waukikum Band of Chinook Indians (Aug. 8, 1851): 1. Skumahquea; 2. Klahan; 3. Wallasah; 4. Slallahle; 5. Stucallahwa; 6. Walhalsh; 7. Tah-we-os; 8. Waketose
Territory ceded: "Beginning at the mouth of a certain stream called the Lahbacluthe which empties into the north side of the Columbia River at the west end of Gray's Bay, running thence up and along the Columbia to the mouth of a certain stream called the Neuc-tuc-hae which empties into the Columbia on the north side, above Oak Point, thence, northerly along said Neuc-tuc-hae to its head-waters thence north to the summit of the highlands between the Columbia and Chehalees rivers, thence following the summit of said highlands westerly to a point opposite or directly north of the head waters of the said Lahbacluthe, thence south to said headwaters and following said last named stream to the place of beginning."

V. Konnaac Band of the Chinook Tribe of Indians (Aug. 8, 1851): 1. Wahsulsul; 2. Sycumicks; 3. Tahmy ninnus; 4. Quakah; 5. Atiwheel; 6. Oswallicks; 7. Qualappa
Territory ceded: "Beginning at the mouth of the Neuc-tuc-hae creek on the north side of the Columbia River and running thence up and along the said river to the mouth of the first stream that enters the Columbia above the Cowlitz river; thence up the Cowlitz and following the highland parallel with said river to what is called the Tooshop; thence west to the northeast bounds of lands lately claimed by the Waukikum band of the Chinook; thence southerly following the eastern boundary of said lands of the Waukikum Band to the place of beginning."

VI. Kathlamet Band of the Chinooks (Aug. 8, 1851): 1. Totillicum; 2. John; 3. Kaisht; 4. Moses; 5. Kaliep; 6. Wahotsuck; 7. Lahoho
Territory ceded: "Beginning at the point of land on Young's Bay called Ah-pin-pin, running thence northerly and easterly following the southern shore of the Columbia River, up to Hunts Mill; thence south on the west line of lands of the Konnaack band of Chinooks to the northern boundaries of lands of the Klatskania band of Chinooks, thence westerly following said northern boundary and the northern boundary of lands formerly claimed by the Nuc-que-clah-we-nuck Band of Indians. Also, all the Islands in the Columbia River opposite the above described land."

VII. Lower Band of the Chinook Tribe (Aug. 9, 1851): 1. Cumcumley; 2. Kulchute; 3. Ahmoosemoose; 4. Quewish 5;.Selahwish; 6. Wahkuck; 7. Chakinpon; 8. Tychahwin; 9. Narcotta; 10. Yahmants; 11. Huckswell; 12. Kahluckmuck; 13. Elaspah; 14. Schoo; 15. Wahqueon; 16. Chacolitch; 17. Sukumtyee; 18. Kaase; 19. Kahdock; 20. Yahwisk
Territory ceded: "Beginning at the mouth of a certain stream entering Gray's Bay on the north side of the Columbia River which stream forms the western boundary of the lands ceded to the United States by the Waukikum band of Chinooks, running thence northerly on said western boundary to lands of the Wheelappa band of Indians thence westerly along said lands of the Wheelappa band to the Shoalwater Bay, thence southerly and easterly following the Coast of the Pacific Ocean and the northern shore of the Columbia to the place of beginning."

VIII. Klatskania Band of Chinooks (Aug. 9, 1851)
13 people represented by 2 chiefs: 1. Tuckamaack; 2. Winnawah
Territory ceded: "Beginning at a point opposite the mouth of the Cowlitz river, on the southern shore of the Columbia and running thence easterly following said southern shore to the west bound of lands owned by the Capoose band of Indians; thence southerly following said lands of the Capoose band to the north bounds of lands claimed by the Twality band of Calapooya Indians; thence westerly following said north bounds to lands lately owned by the Tillamook Indians; thence northerly following the eastern boundary of the Tillamooks and Nuc-que-clah-we-nucks and Konaacs to the place of beginning."

IX. Small remnant of a Band called the Nucque-cluh-wenucks (Aug 7, 1851): 1. Chief Wallooskee
Territory ceded: "Beginning at the western extremity of Ahwahpinpin Point near Astoria and running thence easterly parallel with the Columbia River to a point directly south of Kathlamet Point; thence south to a point directly east of Swallahlockas or Saddle mountain; thence west to the said Saddle mountain, thence northwesterly following Lewis and Clark's River to its mouth; thence northerly along the shore of Young's Bay and Columbia River to the place of beginning."

X. Wheelappas and Quillequeoquas (Aug. 9, 1851):
Quillequeoquas - 1. Moaast
Wheelappas - 2. Tosetum; 3. Pahanoo; 4. Alapast
Territory ceded: "is bounded on the north by lands owned by the Chehales Tribe of Indians, on the east by lands of the Cowlitz band of Indians, on the south by lands of the Waukikum and Lower bands of Chinooks and on the west by the ocean and Shoalwater Bay."

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GENEALOGY TECHNICAL REPORT

CHINOOK INDIAN TRIBE

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SUMMARY OF EVIDENCE

Historical documents, such as journals and early Catholic Church records from the 1790's through the 1851 Treaty era, identified Chinook villages, families, and individuals of Chinook descent. Federal and territorial censuses from 1850 to 1920 identified ancestors of the petitioner living in the area of Pacific and Wahkiakum counties, Washington and French Prairie in Marion County, Oregon, as Indians and, in many cases specifically as Chinook, Clatsop, Tillamook, or descendants of other bands of Chinook Indians. In the early 20th century, annuity rolls, Indian or reservation censuses, and schedules of unenrolled Indians identified individuals and families of Chinook descent.

The Chinook Indian Tribe, Inc. (CIT) submitted a petition for Federal acknowledgment as a tribe of American Indians under 25 Code of Federal Regulations Part 83 in 1981, and a revised petition in 1987. Included in the petition were membership lists dated 1953, 1981, 1983, 1987, 1994, and 1995 which they identified as being accurate and complete. The 1987 and 1994 lists were supplements to the 1983 list. The membership list certified by the CIT council on July 8, 1995, included the member's name, maiden name, gender, birth day, mailing address, ancestors, and notes up-dating the records. There were 1,566 names of living members on the 1995 membership list.

The evidence submitted with the Chinook Indian Tribe, Inc. petition for Federal acknowledgment and uncovered during the acknowledgment process clearly supported the claim that about 85 percent of the petitioner's membership descended from either the Lower Band of Chinook, Kathlamet Band of Chinook, Wahkiakum Band of Chinook, Willapa Band of Chinook, or the Clatsop Tribe of Indians, who treated with the Federal Government in 1851. Approximately 82 percent of the CIT descends from the Lower Band of Chinook. The records also show that there was considerable marriage between the bands and within the Lower Band of Chinook, resulting in multiple Chinookan lineages for the modern CIT.

The Clatsop and the Kathlamet Band of Chinook were among the tribes and bands of Western Oregon over which Federal supervision was terminated by the Act of August 13, 1954 (*Statutes* 1954). The evidence shows that about 3 percent of the CIT descends from the Clatsop Tribe alone, and does not have other Chinookan ancestry . The evidence shows that CIT members who descend from the Kathlamet Band of Chinook also descend from Lower Band or Wahkiakum Band of Chinook ancestors, with the possible exception of 2 percent of the membership who descend from the children of Elizabeth Springer who did not marry other Chinookan descendants. However, those who have Kathlamet ancestry alone, resided in Washington State and are not impacted by the Western Oregon Termination Act.

There is conflicting evidence regarding the possible Chinook ancestry of Rose LaFramboise: however, if she is not of Chinook descent, she was closely related (her sister and a half-brother married Chinook descendants) to Chinook families. The evidence indicates that she, and her descendants lived in close proximity to and were closely associated with other Chinook families since the 1870's. Rose's parents lived among the Chinook since the 1850's and her descendants were members of the CIT and the Chinook Tribes, Inc. in the 1950's. Descendants of Rose LaFramboise account for about 15 percent of the 1995 CIT membership.

The petitioner's constitution does not address the issue of dual enrollment in federally recognized tribes. At least 5 percent of the petitioner's members are enrolled in the Quinault Tribe. However, the vast majority of the petitioner's members are not members of any acknowledged North American Indian tribe.

INTRODUCTION

Early European and American explorers, beginning with Robert Gray and Lt. William Boughton in 1792, recorded their contacts with the Chinook Indian villages in the vicinity of the Columbia River. The Lewis and Clark expedition arrived at the mouth of the Columbia in the fall of 1805; camping on both sides of the Columbia near both the Chinook and the Clatsop Indians for almost five months (Petition 1987, 4). William Clark's journal recorded that there were "about 400 Souls" inhabiting small villages along the rivers and ponds north of the Columbia River (Lewis and Clark 1905, 3:229-230).

Fort Astor, outpost of the Pacific Fur Company, was established on the Oregon side of the Columbia River in 1811 (Petition 1987, 4). The Hudson's Bay Company was well established in the Oregon Country by 1838 when Catholic priests arrived from Canada to tend to the spiritual needs of Hudson's Bay Company "engagés" (employees) and their families. The Catholic Church Records of the Pacific Northwest (Munnick, Warner 1972, 1979) identified many marriages between the "engagés" and Indians from local tribes, interior tribes, and the "métis"/"métisse"[1] population. Chinook (in various spellings), Clatsop, Chehalis, Kathlamet, and Tillamook were among the many tribes and bands mentioned in these early records. In 1851, Superintendent of Indian Affairs Anson Dart began negotiating treaties with the Indians on the lower Columbia River. The Clatsop and several bands of Chinook Indians were named in the negotiations. The resulting Tansy Point Treaties were never ratified by Congress (Petition 1987, 14-15).

[1]Harriet Duncan Munnick defined "métis" and "métisse", as "meaning mixed-blood," and "indicating not only Indian-white, but Iroquois-Western Indian, Hawaiian-Indian, as well as various mixtures of all"(Munnick, Warner 1972, Preface).

(See the historical and anthropological technical reports for more details on the early history.)

The Chinook Indian Tribe, Inc., Chinook, Washington, (CIT or petitioner in this report) claims tribal descent from the historical tribe of Chinook Indians. This genealogical technical report is based on the documentation submitted in the petition, the materials sent by the CIT in response to two "obvious deficiency" reviews, and data collected by BIA researchers both during field visits to Washington and Oregon in 1995 and at various archives and libraries in the Washington, DC area.

I. DESCENT FROM THE HISTORICAL TRIBE

It is neither possible nor necessary under 25 CFR Part 83.7 (e) to identify all of the Chinook Indians who were living at the time of first contact and then trace all of their descendants to the modern day. However, it is possible to start with the members of the modern Chinook Indian Tribe and trace their ancestry back to 1851, the treaty era, and in some cases to Chinook Indians living at the era of first sustained contact, about 1811. It appears that the CIT used both methods (tracing lines forward in time from ancestors living at the time of the treaty and back in time from the modern membership) when it prepared and updated its membership list in the 1980's.[2]

The early 19th century journals and church records referred to in the introduction clearly identified a historical tribe or several historical bands of Chinook Indians existing in the first half of the 19th century. These records frequently named specific individuals as Clatsop Indians, Chinook Indians, or as members of various bands of Chinook Indians. Other significant records compiled in the early 20th century identified Chinook Indians who were living at the time of the treaties and/or their descendants. These records, which identify the ancestors of the petitioner as Chinookan Indians include church records, the 1906 and 1913 McChesney Rolls, the 1914 annuity roll, and the 1919 Roblin Roll.

Church Records

The very nature of the baptism, marriage, and burial records in defining the individual's relationship to the church, through having received the necessary sacraments, also

[2] A CIT membership enrollment project conducted by Dr. Stephen Dow Beckham in 1982-1983 created reference files relating to 22 families identified as Chinookan in such historical records as the Catholic Church records, the rolls of Washington and Oregon Indians compiled by Charles E. McChesney, Supervisor of Indian Schools, in 1906 and 1913, and the Schedule of Unenrolled Indians [of Washington] compiled by Charles E. Roblin, Special Indian Agent, in 1919. The enrollment project did not identify all Chinook or Clatsop Indians who were living in 1851, but appears to have focused on those who had descendants in the 20th Century Chinook organizations.

identified their family relationships ("child of", "wife of," etc.) or ethnic origins ("a woman of the country," "Chinook," "child of infidel parents," etc.), thus distinguishing them from someone of a similar name or origins (Munnick & Warner 1972, 1979).

Descendants from other tribes such as Cascades, Cayuse, Chehalis, Iroquois, Red River, Okananagan, Rogue River, and the métis population married ancestors of the CIT both prior to and after the 1851 treaty (Munnick & Warner 1972, 1979). Thus there was a métis population in Oregon Territory (today Washington and Oregon) in the mid-19th century that included descendants of several different Indian tribes from throughout the Pacific Northwest, Canada, and the Eastern United States who married into the native population along the Columbia River. The Catholic Church records from the 1830's through the 1880's showed that the métis families frequently interacted with one another through marriage and by serving as godparents to each others' children as well as acting as witnesses to marriages and burials. The métis also acted as godparents to Indian children and adults who were baptized and as witnesses to marriages between Indians. Indians also served as godparents and witnesses to métis and other Indians (Munnick & Warner 1972, 1979). The published Catholic Church records for St. Paul, Stellamaris, and Vancouver missions identify the following CIT ancestral families: Ahmoosamoose, Aubichon, Bailey, Ducheney, Ero, LaFramboise, Luscier, Martineau, Scarborough, LaBonte, and Weston, as well as Coboway and other Clatsop or Chinook ancestors (Munnick & Warner 1972, 1979).

McChesney Rolls 1906, 1913

Some of the most significant records of the 20th century that identified Chinookan people who were living at the time of the 1851 treaty were the rolls compiled by Charles E. McChesney, former Supervisor of Indian Schools. These rolls were important because they included the names of individuals who were living in 1851, many of whom where still living in 1906 and 1913. Approximately 85 percent of the CIT membership descends from at least one progenitor identified on the McChesney rolls. Because of intermarriage between different families or bands, some CIT members may have more than one identifiable line of Chinookan descent.

In 1906 McChesney compiled a "Roll of the Lower Chinook Tribe of Indians Alive August 9, 1851, When the Treaty Was Made with the United States, and the Heirs of Those Who Have Died Since that Time." This enumeration and the 1913 supplement, also compiled by McChesney, were enumerations prepared by the Bureau of Indian Affairs in response to the Indian appropriation act which stated:

> That the Secretary of the Interior be . . . authorized and directed to investigate the number of Clatsop Indians of Oregon and Washington, Tillamook Indians of Oregon, Lower band of Chinook Indians of

> Washington, and Kathlamet band of Chinook Indians of the State of Oregon, or their heirs, who can be identified as belonging to said tribes at the time of executing certain agreements dated August fifth, August seventh, and August ninth, in the year eighteen hundred and fifty-one, and report his findings to Congress at its next session (McChesney 1906, 1).

According to this document, McChesney was directed to go to the reservations in Oregon and Washington where the Indians resided "and elsewhere, as might be necessary, to make the investigation" (McChesney 1906, 1). McChesney based the 1906 roll on 115 statements by the claimants, of "all that could be ascertained in the various cases" (McChesney 1906, 1). Many of the statements of individuals not only identified their own family lines, but confirmed or clarified the testimonies of other claimants regarding their ancestry. McChesney also acknowledged that:

> I was fortunate in finding two old people at Bay Center, Wash., who remember the Lower Chinook and some of the other tribes before 1851, and who still retain in their old age much of their mental vigor, and I found them of great assistance (McChesney 1906, 3).

The 115 statements, McChesney's notes and conclusions, and the post-office addresses of the persons enrolled were all a part of McChesney's report.

McChesney identified as many as 111 Chinookan progenitors living in 1851. This number does not include the children of adults who were living in 1851, but only the progenitor of the family lines. Of the 111 progenitors, 50 were Lower Band of Chinook, 29 were Clatsop, 13 were Wheelappa [Willapa] Band of Chinook, 11 were Kathlamet Band of Chinook, and 8 were Wahkiakum Band of Chinook (McChesney 1906, 1913; BIA 1914; Also see the BIA Historical Technical Report for additional analysis of the McChesney reports). According to McChesney, only 57 of the Chinookan progenitors had living descendants in the 20th century. Again, the Lower Band of Chinook had the largest representation with 29 progenitors having living descendants at the time of the McChesney rolls.

1914 Annuity Rolls

Annuity payment rolls in 1914 for the Lower Band of Chinook, the Willapa Band of Chinook Indians, and the Wahkiakum Band of Chinook Indians of Washington, and the Clatsop Tribe of Oregon and Kathlamet Band of Chinook Indians of Oregon, which appear to be based on the 1913 McChesney roll, were used to distribute funds appropriated by Congress in land claims suits. The annuity rolls listed the names of individuals living at the time of the 1851 treaty, their birth and death dates, gender, records where their names appear, the names and birth dates of their living descendants,

and the descendant's relationship to the ancestor (BIA 1914). Except for Rose LaFramboise, all of the 1995 CIT progenitors received annuities in 1914. Therefore, about 85 percent of the CIT membership had at least one ancestor on the 1914 Annuity Pay Roll.

Roblin Roll 1919

In 1919, Special Indian Agent Charles E. Roblin, in conjunction with examining a large number of applications for allotments on the Quinault Reservation, compiled a "Schedule of Unenrolled Indians" who could not be enrolled at Quinault, but were determined to be "unattached and homeless Indians who have not heretofore received benefits from the government" (BIA 11/27/1916, 5). Roblin's Roll listed 261 unenrolled Chinook Indians, 26 Shoalwater Bay Indians, and 3 Clatsop Indians (Roblin 1919, 63-70, 110, 121).

The 261 individuals identified as unenrolled Chinook Indians by Roblin in 1919 were listed in family groups which identified the heads of families and their descendants. (Excluding names of two deceased descendants and two duplicates of names on the list). The Chinook families and number of members in each family identified were: Arquette (3), Duncan (2), Ero (30), LaDue (1), Manson (13), Petit [Aubichon] (11), Picknoll [Pickernell] (30), Poirier (17), Rondeau [Ducheney] (114), Scarborough (4), Seguin (9), Springer [Mallet] (10), Watson (6), and Weston (11). Roblin listed the descendants of Mary Ann Marchena Marshall Hawks (18), Helen M. Hannagen Wilson (3), and the Woodcock descendants of Jane Koholwish Johnson (4) as unenrolled Shoalwater Bay Indians. Three members of the Zenaide Gregoire Durette Meyers family were the only representatives of unenrolled Clatsop Indians on Roblin's schedule. The Manson, Poirier, Watson, Hannagen, and Gregoire, ancestral lines were not included in the list produced by Beckham in the 1982-1983 CIT enrollment project, nor do they have descendants on the modern CIT membership lists.

Descendants of Julian Ero, Sophie Durival LaFramboise (through one of her five children, i.e. Nellie Reinertsen), Amelia Aubichon Petit, Julia Ann Pickernell Green Russell, Mary Rondeau Ducheney (through four of the eight children identified on the Roblin Roll), and Edwin/Edward Scarborough and his half-sister, Mary Scarborough Hayes were on the 1995 CIT membership list.[3] Julian Ero had 17 descendants on the Roblin Roll and his half-sister Sophie Durival LaFramboise had 13 descendants on the Roblin Roll. Julian and Sophie both had descendants on the 1995 membership list, as did

[3]Although Mary was called "Scarborough" she appears to have been the daughter of Paley Temaikamae (Anne Elisabeth), who later married James Scarborough. Since James Scarborough was not Chinook, the common line of Chinook descent was through the Paley Temaikamae who was the mother of Edwin/Edward and Mary.

another Ero ancestress, Margaret Ero Pickernell, who was a full-sister of Julian. Margaret had 30 descendants listed in 1995. Eleven members of Amelia Aubichon Petit's family were on the 1919 Roblin Roll and in 1995 there were 149 Petit descendants on the roll as well as 109 other Aubichon descendants who were not the children of Amelia Aubichon and Amable Petit II. The 30 Pickernells on the 1919 Roblin Roll were all descendants of Julia Ann Pickernell Green Russell, whereas in 1995, the 217 Pickernells on the CIT membership list included 179 descendants of three other Pickernell siblings. In 1919, the 114 descendants of Mary Rondeau Ducheney made up 43 percent of the unenrolled Chinook descendants on Roblin's roll. In 1995, approximately 20 percent (320 out of 1,566) of the CIT membership are descendants of Mary Rondeau Ducheney. Edwin/Edward Scarborough, his half-sister Mary Scarborough Hayes and her two children were listed as unenrolled Chinook Indians in 1919; in 1995 there were 35 Scarborough descendants on the CIT membership list.

Four children of Myrtle Johnson Woodcock, the granddaughter of Captain James Johnson and a Chinook woman named Jane Koholwish, were listed by Roblin as unenrolled Shoalwater Bay Indians. There are 12 Johnson-Koholwish descendants in the 1995 CIT membership.

The Roblin Roll was limited to unenrolled Indians who descended from various historical tribes. It was not a census of all Indians nor was it a list of the members of various tribes. The Roblin Roll did not include the names of descendants who were enrolled or allotted on the reservations, thus it was a very limited list of Chinook descendants. Because of its limitations, only eight of the CIT progenitors were listed on the Roblin Roll: Petit [Aubichon], Ero, Pickernell, Rondeau [Ducheney], Scarborough, Springer [Mallet], Mary Ann Marchena Marshall Hawks, and Woodcock [Jane Koholwish Johnson]. Almost 80 percent of the 1995 CIT membership descends from these eight families. Again, because of intermarriage between Chinook descendants, some CIT members descend from more than one of the families on the Roblin Roll (Ducheney/Aubichon and Ero/Pickernell, for example).

These four rolls, compiled by agents of the Federal Government, not only identified some of the Chinook who were living at the time of the 1851 treaties[4], but also their ancestors and many of their [the treaty-era Chinook] children and grandchildren who were living in the early 1900's. Testimonies and affidavits taken in conjunction with these rolls added substantial information about Chinookan family lines or individuals, both living and dead. Since the rolls were created based on descent, they included individuals who were less than full-blood Chinook Indians. On the other hand, the rolls were not complete and

[4]A number of the Chinook who were living in 1851 were still alive when McChesney and Roblin compiled their rolls.

did not identify everyone who descended from Chinook Indians.

Like the later lists of descendants who were entitled to allotments or annuities that were prepared by the Federal government, the Catholic Church records also identified family relationships and tribal origins (McChesney, 1906, 1913; Roblin 1919). Although the two types of records were prepared for different purposes and at different times, the end result is the same: many members of the historical Chinook tribe and their descendants were clearly identified.

Identifying the Historical Tribe

While presumably none of the government lists, the church records, or the contemporary journals name all of the Chinook Indians who were alive at the time of first sustained non-Indian contact, or at the time of the 1851 treaties, the combination of sources does reveal a significant segment of the historical Chinook population. (See the Anthropological Report for additional analysis of the Chinook population at the time of sustained non-Indian contact and at the time of the treaties. See the Historical Report for the analysis of Chinook family lines in the historical tribes based on the McChesney rolls of 1906, 1913, and 1914 and the Roblin Roll of 1919.)

Many of the historical Chinook and Clatsop do not have descendants in the CIT. This is not a problem for the petitioner. The objective of a petitioner for Federal acknowledgment is not to start with the historical tribe and trace all of its descendants through time to the present day, but to start with the current membership, as defined by the petitioner's own governing document(s) and trace the living membership back through time to the historical tribe. This report focuses on how the current CIT membership descends from [traces back to] the historical tribes or bands.

The 1984 CIT constitution states that the membership consists of descendants of the Lower Band of Chinook, the Kathlamet, Wahkiakum, Willapa bands, and the Clatsop Tribe of Indians who were living at the time of the August 1851 treaties.[5] This appears to imply that the petitioner considers all of the bands to be the ". . . historical Indian tribe or from historical Indian tribes which combined . . . ." However, the Federal Government treated each of the bands in 1851 as a separate entity, not as one tribe. The evidence appears to show that the Lower Band of Chinook was the principal entity and that members of the other bands married into it. This genealogical report also attempts to identify the specific band or tribe from which the members descends. Those treaty Indians who were still living in 1906 and 1913, and the heirs of those who died since 1851 were listed by McChesney in "rolls of Lower Chinook, Kathlamet, Clatsop, and

[5]The petitioner's membership criteria is based on the assumption that the CIT evolved from the Lower Band of Chinook and from the various other bands which married into or otherwise closely associated with it.

Tillamook Indians who made treaties in 1851" for the purpose of distributing Indian appropriations (McChesney 1906. 2). The 1987 CIT membership ordinance cites the Roblin. McChesney. and 1914 annuity rolls for confirming the descent of new members.

Between November 1982 and February 1983. Dr. Beckham prepared a "base record" of Chinook ancestors who were living at the time of the 1851 treaties. According to Dr. Beckham.

> I prepared these files to reconstruct several generations of families who were antecedents to those enrolled in or eligible for enrollment in the Chinook Indian Tribe. My instruction from the tribal council was to work up data on families identified by Dr. Charles McChesney and Charles E. Roblin as members of the Chinook Indian Tribe. This meant in the case of the McChesney records, that I did not prepare files on individuals who sought enrollment but were rejected by Chinook tribal elders in their affidavits in 1906 and thus were not enrolled by McChesney (Beckham 1996). [Emphasis in the original.]

Beckham organized the records into groupings of family trees with common ancestors. The results were 22 files of Chinook family records called: CHINOOK INDIAN TRIBE FAMILY HISTORY BLUE TAB FILES ("Blue files"). Each "Blue file" contained a number of family group sheets identifying the parents, children, Chinook lineages, and many birth and death dates. Other Indian and non-Indian lineages were also noted on the forms. Citations to McChesney, Roblin, the census. Quinault Allotments, and other historical documents were recorded on each family group sheet. The records of families that married into the primary family were filed with the appropriate principle ancestor "Blue file." For example, the Aubichon "Blue file" includes records for the Petit, Luscier. Pellissier, and Bertrand families and the Ero (Heroux)- Durival "Blue file" includes LaFramboise, Goodell, Stephan, etc. families. The CIT staff continues to use the "Blue files" to verify the lineages of new applicants (BAR 1995a).

The following is the list of names that appear on the "Blue files." The names in parenthesis represent some of the surnames of individuals who married into the Chinook or Clatsop families; however, other surnames also appear on the actual family group sheets within the folders.

1. AHMOOSAMOOSE-WOLKOWSKY
2. ARCOUET or ARQUETTE
3. AUBICHON (Petit, Luscier, Pellissier, Bertrand)
4. BAILEY

5. CLIPP-CULTEE[6]
6. DUCHENEY-PREBLE-KELLY (Peers, Elliott, Fitzpatrick, Envart, Ward)
7. ERO/Heroux - DURIVAL (LaFramboise, Goodell, Stephan, etc.)
8. HAWKS [Huckswelt]
9. JOHN
10. JOHNSON (Woodcock, Singer)
11. LaBANTE [LaBonte]
12. LaFRAMBOISE (Souvenier, Quigley)
13. LUCIER [Luscier] (E.)- MASON
14. MALLETT [Millett] (Bristow, Brignone, Baricho, Springer, Luscier, Foss)
15. MAREHENU (Martineau) - MARSHALL, HAWKS
16. PELLAND [Pellard]
17. PICKERNELL [Picknoll] (Sweeney, Green, Russell, Bouten)
18. SCARBOROUGH - AM-E-A-WAUK (Mason, Thrush, Hayes, Baldridge, LaClair, St. Germain, Brignone)
19. SEQUIN
20. WESTON (Sinclair/St. Clair, Culjak, Jackson)
21. SORTER
22. MISCELLANEOUS [Hallett, Tolquist/Telzan, Lewis/Jack, Comcomley, As-kal-wilsh/Oswalicks, Tonwah/Redhead, Wonio/Jackson, Narcotta/Jones, George, Pisk, Mary Wells, Jessie Williams, LaDue, Duncan, Metell]

Many of the names in the Miscellaneous folder were also found in other files. The names in parenthesis are not inclusive; other families married into the Chinook lines and many of those other names also appear on the family group sheets in the folders. Not all of the lines identified in the enrollment project currently have descendants in the CIT.

One other ancestor who does not have a "Blue file," Clatsop Chief Coboway, has 18 descendants (about 1 percent of the membership) in the modern CIT. Perhaps Beckham did not create a "Blue file" for Coboway because he was not Chinook, but was from one of the Western Oregon tribes over which Federal supervision was terminated by the Act of August 13, 1954 (*Statutes* 1954). (See the Historical Technical Report).

It should also be noted that, although the "Blue file" labels name certain family lines, the actual "family group records" in the folders show additional progenitors and collateral family lines. For example, the Aubichon "Blue file" has information relating to the Petit,

[6]Clipp and Cultee are not the same family or tribe. The names appear on the same folder because John Clipp (Chehalis/Chinook) first married Lucy Tsolix (Clatsop/Lower Chehalis); after their divorce, Lucy Tsolix Clipp married Joseph Cultee (Clatsop.) See Catherine George's statement #16, McChesney, 1906 and the "Blue file."

Luscier. Pellissier. Bertrand. Krimbel. Nagle. Tellier. Service. Mechals. Colbert. Sweeney. Strong. Kofoed. Mercier. Boutin. Sund. Prior. Lagergren. and Price families who married into the principle Aubichon family.

It should also be noted that some of the names listed on the "Blue files" are not necessarily the names of the original Chinook progenitor. Many are the surnames of the earliest European or Canadian ancestor who married a Chinook woman. For example. Alexis Aubichon, a Canadian engagé of the Hudson's Bay Company. married Marie Anne Elmermach (Elvimaux), a Chinook woman who was the daughter of As-kal-wilsh (Oswallicks) and Arkansee. Alexis and Marie Anne Elmermach Aubichon were the parents of six daughters. at least five of whom lived to be adults and have children of their own. The descendants of the Chinook woman Marie Anne Elmermach are identified by the name of her non-Indian spouse, Alexis Aubichon.

In a similar case, Chief Comcomly had a daughter Margaret who married Louis Rondeau. Margaret Rondeau's daughter married Rocque Ducheney, a Iroquois-Canadian, and had a large number of descendants who are identified by the Ducheney name. Coo-oo-loo-wish, or Jane Koholwish,[7] a Chinook/Quinault woman who married Captain James Johnson, has descendants who are identified by the Johnson name. There is a "Blue file" for the Ducheney family and a separate ancestry sheet for Comcomly in the Miscellaneous "Blue file."

Persons applying for membership in the CIT complete ancestry charts and individual history charts which identifies their parents. siblings, and ancestors. These membership records are in folders with red labels identifying the member's name ("Red files"). At least one of the progenitors identified on the "Red file" ancestry charts connects to a Chinookan or Clatsop ancestor identified in the "Blue files". Thus. CIT applicants and members can show their descent from the Chinookan ancestors identified in the historical records.

The BIA reviewed all of the "Red files," checked the sources available to this office that were cited on the "Blue files," as well as other historical documents to confirm the ancestry of the CIT membership. BIA research uncovered some errors on the petitioners' 1995 list of ancestral lines. For example, the ancestral name "La Bonte" was included in one family's list of ancestors. However, BIA's review of the "Red files" did not show any "LaBonte" ancestors for that particular family. In another case, "Ducheney" was included in a large family's list of ancestors, when in fact the ancestral family was "Aubichon," and "Ducheney" was a collateral relative. In other cases, individuals had

[7]One descendant said that Coo-oo-loo-wish was a daughter of Comcomley; however, this has not been verified by any other source (Petition 1987, membership records [1953], Percy G. Johnson).

ancestors who were not cited on the 1995 list, especially if the 1995 member descended from more than one Chinook ancestral line. One family that was descended from both the Aubichon/Petit and Pickernell lines only listed "Petit" for their Chinook ancestor. In still other instances on the 1995 list, the "Ancestors" column was blank, but the individuals were clearly children, siblings, or other near relatives of persons who did have named ancestors.

In order to prepare an accurate accounting of the descent of the modern membership, the BIA made annotations, corrections, additions, and deletions to the "Ancestors" column on a copy of the 1995 CIT membership list. Based on this research, the BIA made a few corrections and annotations in order to accurately identify the Chinook or Clatsop lineages] of the CIT membership. The information in this report is based on the BIA's analysis of the historical records and the CIT's membership records.

The following table shows the various historical records that were used by Dr. Beckham to verify the lineages of the families in the "Blue files." This table does not include BIA analysis of the records.

TABLE 1
SOURCES USED FOR ESTABLISHING CHINOOK ANCESTRY
As Identified by the CIT In the "Blue Files"

FILE NAME	ROBLIN 1919	McCHESNEY 1906, 1913	QUINAULT ALLOTMENT	FEDERAL CENSUS	INTERVIEWS 1979, 1983	CATHOLIC CHURCH RECORDS	OTHER
Ahmoosa-moose	✔	✔	✔	✔			
Arcouet	✔					✔	
Aubichon	✔	✔	✔	✔	✔	✔	✔
Bailey			✔		✔	✔	
Clipp-Cultee		✔	✔				
Ducheney	✔	✔	✔	✔	✔	✔	✔
Ero/ Heroux	✔	✔	✔	✔	✔	✔	✔
Hawks	✔	✔	✔	✔	✔	✔	✔
John		✔					
Johnson	✔	✔	✔	✔		✔	
LaBante		✔					✔
LaFram-boise				✔	✔	✔	
Luscier	✔					✔	
Mallett	✔	✔	✔	✔		✔	
Marchenu		✔					
Pelland	✔	✔	✔	✔			
Picker-nell	✔	✔	✔	✔	✔		✔
Scarbor-ough	✔	✔	✔	✔		✔	
Sequin	✔						
Weston	✔	✔	✔				
Sorter		✔					
Misc.	✔	✔		✔	✔	✔	✔

As can be seen from this chart, only a limited number of sources were used by the petitioner to verify Chinook ancestry in most families. However, some lines such as Aubichon, Ducheney, Ero, and Hawks used them all. The BIA genealogist ascertained that other sources could be used to supplement the records listed or to identify additional ancestors. For example, the CIT "Blue file" on the Luscier family cites only the Roblin Roll and the Catholic Church records as the sources for proving Chinook ancestry. However, the Luscier family can also be found in the McChesney rolls of 1906 and 1913 and on the Federal Census records from 1860 to 1910.

The BIA genealogist also checked additional sources to confirm information and lineages presented in the "Blue files." In at least one significant instance, the BIA found conflicting information which casts doubt on the Chinook ancestry of one of the "Blue file" lineages, that of Rose LaFramboise Souvenir.

Ancestry charts in the LaFramboise/Souvenir "Blue file" and some of the CIT membership records in the "Red files" identify Rose, born November 20, 1870, as the daughter of Jeromie LaFramboise (the son of a Canadian named Francois LaFramboise and his second wife Denise Dorion, a métis woman of French and Cayuse/Sioux descent), and Louise Petit (the daughter of Amable Petit and the Chinook woman, Susanne Tawakon). Other "Red file" ancestry charts show Rose as the daughter of Francois LaFramboise and Louise Petit. If either of these lineages is correct, Rose LaFramboise descendants would have a Chinook ancestral line through Susanne Tawakon. Yet a third set of CIT "Red files" identify Rose LaFramboise as the daughter (not the granddaughter) of Francois LaFramboise and Denise Dorion. If this lineage is correct, the descendants of Rose LaFramboise would not have a Chinook ancestor since Francois was French Canadian and Denise was métis with Cayuse/Sioux ancestry. The petitioner did not provide evidence to support any of the three lineages cited.

Other records support the "Red files" which identified Rose as the daughter of Francois LaFramboise and Denise Dorion. The Catholic church records identified Jeremie LaFramboise, born February 7, 1855, as the son of Francois LaFramboise and Denise Dorion (Munnick and Warner 1972). This Jeremie LaFramboise would have been 14 at the time of Rose LaFramboise's birth. Amable and Susanne Tawakon Petit's daughter Louise Philomene was born in 1855 and would also have been only 14 at the birth of Rose LaFramboise. In 1860, Francoise, Denise, Joseph, age 11, (son by the first marriage), Isabell, age 3, and Esther, age 1), lived near Fort Vancouver, Clark County, Washington. There was no 5 year old boy named Jeremie in the household, nor was Jeremie LaFramboise found elsewhere in the 1860 census (Census 1860a). It may be that this child died young.

Notations on the ancestry chart compiled by Beckham during the 1982 enrollment project states that Rosa Bell, age seven months lived with her "grandparents" Francois and Denise LaFramboise on the 1870 federal census. However, the 1870 census[8] does not state family relationships and Denise, the second wife of Francois was still of child-bearing age. The ages of the children in the household were evenly spaced, indicating they could have all been the children of Francois and Denise. There was a two year old "Jerome" in the household, clearly he was not the father of Rosa Bell, who was seven months old, born December 1869. No 14/15-year-old Jeremie LaFramboise (born 1855) was found on the 1870 census. However, in 1885, the Territorial census recorded a household in Brookfield, Wahkiakum County, Washington which appears to be that of Francois LaFramboise. The census taker used initials only in recording the residents, but the ages and birth places correspond with those of Francois and his two sons Jerome and Francois (Huerd 1994, 100).[9] The two year old Jerome in 1870 would have been about 17 or 18 years old in 1885.

The Rose LaFramboise who married Xavier Souvenir in December 1882 would have just turned 13 years old when she married. She was 16 years old on the 1885 Territorial Census and 18 years old on the 1887 Territorial census. Her age was consistent with that of the seven-month-old child named Rosa Bell in the Francois LaFramboise household in 1870. There was no evidence that there were two different girls, both named Rose LaFramboise.

Of course, the 1870 and earlier census records alone are not proof of parentage or other family relationships. In the case of Rose LaFramboise, records regarding appeals of BIA judgments provided additional information. Large genealogical charts were drawn by a BIA enrollment officer to list the heirs eligible for claims distributions in the Western Oregon Judgment Fund, 1955-1959. One such chart showed the descendants of Susanne Tawaka (Tawakon) Petit (BIA 1957-1960, Susanne Tawaka). Included was her daughter

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[8]F. Laflamboy, (m) 51, white, born in Canada; Dennanes (f) 35, IM ["Indian-Mixed blood" population was identified as "IM" by the Wahkiakum County census taker], born Washington Territory (W.T.); Isabell (f) 13, IM/W ("W" was written over "IM" for all children in this household); Esta (f) 11, IM/W, W.T.; Adaline (f) 9, IM/W, W.T.; Frances [sic](m) 7, IM/W, W.T.; Seslia (f) 4, IM/W, W.T.; Jerome (m) 2, IM/W, W.T.; Rosa Bell (f) 7/12, born Dec., IM/W, W.T.; Pete Dushany (m) 54, white, born in Canada (Census 1870a, p.1, Fam. #1).

[9]F[rancois] Laflambois, 73, WM [white male], S[ingle], CN [Canada]; M. [Moses] Laflambois, 14, "IM", W.T.; G [Gerome,Jerome or Jeremie] Laflambois, 18, "IM", W.T.; F[rancois/Frank] Laflambois, 21, "IM", W.T. (The printed abstract of the 1885 census was used for this analysis. The original of the census should be reviewed to confirm the compiler's interpretation of the census taker's handwriting.) In this published abstract, "I/M" stands for "Indian/Male" and "I/F" for "Indian/Female."

Louise Philomene, born 1855, who married Anton Deniople (or Adamapple) and had one daughter, Mary. No mention is made of any other spouse or children of Louise Philomene Petit Deniople. Neither Rose LaFramboise Souvenir nor any of her children were listed as heirs of Susanne Tawaka Petit (BIA 1957-1960: Susanne Tawaka).

The Catholic Church records show Louise Petit, the infant daughter of Amable and Susanne Petit, was baptized on January 13, 1853, and buried on August 8, 1854 in St. Paul's Parish. These same church records show Louisa Philomene Petit was born to Amable and Susanne Petit on February 6, 1855, and married to Anton A. Deniople (or Adamapple) on August 27, 1875 (Munnick and Warner 1979, 70a, 86). There are no references in the published church records to a child born to Louise Philomene Petit and Jeremie LaFramboise or Francois LaFramboise.

It appears that the young children in the Francois LaFramboise household (whether they were his own children or his grandchildren) were "farmed out" to other homes or sent to orphanages after the death of Denise Dorion between 1870 and 1880. Rose LaFramboise, age 9 years, and Moses LaFramboise, age 8 years, were listed as "homeless" and living in the House of Providence in Vancouver, Washington on the 1880 census (Census 1880c). Additional research among the original Catholic Church records for baptisms, death or burial records, and other orphan's records, the Orphanage of the House of Providence, Vancouver, Washington, and other records cited in the "Blue file" for the LaFramboise/Souvenir family may help to clarify Rose LaFramboise's parentage and early history. While it is not impossible for a Jeremie LaFramboise and Louise Petit to have been the parents of Rose LaFramboise, it is equally likely that Jeremie and Rose were brother and sister rather than father and daughter. At this time, the petitioner has not submitted evidence acceptable to the Secretary to conclude Rose LaFramboise had Chinook ancestry.

However, the LaFramboise/ Souvenir descendants appear to have maintained a close association with other Chinook families since 1870 and their names have appeared on the Chinook organizations' membership lists since the 1950's. This acceptance could be based on (1) Rose, a woman of métis descent, was either the half-sister or niece of Joseph LaFramboise and his Chinook wife, Sophie Durival; (2) her sister, Isabell LaFramboise was the first wife of Edwin Scarborough, a Chinook descendant; (3) the Rose LaFramboise family lived in proximity of Joseph and Sophie LaFramboise and other Chinook families[10] near Cathlamet, Washington, and her parents and siblings lived near

[10]In 1870, there were 7 other families identified as "Indian" or "IM" within the next 25 households visited by the census taker. Chinook families named Birney, Hallet, Scarborough, and possibly Jackson, were among the neighbors of the LaFramboise (Census 1870a, p.1-2). In 1871, Edwin Scarborough married Isabell LaFramboise who died in 1873 without

other Chinook descendants Cathlamet from as early as 1860; (4) Rose LaFramboise's immediate family, grandchildren, and even some great grandchildren were born in and continued to live in the Cathlamet area in the remnant of a Chinook community insofar as it existed after 1880; and (5) since the 1950's, LaFramboise/Souvenir descendants have been on the Chinook membership lists.

There were at least 31 Rose LaFramboise descendants on the 1953 applicants list; however, her family was not mentioned in the 1919 Roblin Schedule of Unenrolled Indians or in the McChesney rolls. Approximately 230 CIT members (15 percent) descend from Rose LaFramboise. The petitioner should provide either evidence of Rose LaFramboise's Chinook ancestry in order to demonstrate that her descendants meet the CIT's own membership requirements, or that her descendants have been exercising the adoption provision in accordance with the constitution .

The evidence also makes it apparent that the CIT does not limit membership to just the descendants of the "Blue file" families. The primary example being the descendants of Chief Coboway of the Clatsop tribe, who are members of the CIT, yet there is no file for Coboway in the "Blue files." Conversely, some of the "Blue file" names (Arquette, Clipp, LaBonte, Eteinne Luscier, Seguin, etc.) have few, if any, descendants on the modern CIT rolls.

All of the evidence (early Catholic Church records, Roblin Roll, McChesney rolls, the 1915 annuity roll, and other sources examined by the BIA such as census records and BIA judgment fund records) indicates that all of the petitioner's progenitors (with the possible exception of Rose LaFrambois Souvenir noted above) descended from the Chinook bands or the Clatsop tribe. Approximately 85 percent of the petitioner's membership descends from at least one of the historical Chinook bands or tribes, including about 3 percent who descend from the Clatsop tribe. The 15 percent who do not appear to descend from a Chinook ancestor belong to the family of Rose LaFramboise Souvenir. In most cases, the CIT progenitor can be associated with a specific band or tribe.

CIT members who descend from the Lower Band of Chinook Indians are from Ahmoosamoose, Aubichon, Ducheney, Ero/Durival, Bailey, Hallet, Hawks, John, Johnson, Marehenu/Marshall/Hawks, Pellard, Pickernell, Scarborough, Weston/Sinclair, Comcomley, As-kal-wilsh, Tonwah/Redhead, Pisk, Metell, Narcotta/Jones, and Mary Wells lines (McChesney 1906, 1913; Petition 1987, "Blue files"). The descendants of the Lower Band of Chinook account for 82 percent (1,283 of the 1,566 members) of the CIT

issue (Petition 1987, Scarborough "Blue file"). Based on the 1870 census, Isabell and Rose appear to be sisters.

membership.[11] The Clatsop descendants of LaBonte, Sorter, and Coboway number 41, or about 3 percent of the CIT membership (McChesney 1906, 1913; Petition 1987, "Blue files"). The 65 Tolquist descendants (about 4 percent of the 1995 membership) are descendants of the Willapa Band.[12]

Using only the 1914 annuity payroll, it would seem that the Wahkiakum Band is represented in the 1995 membership by the descendants of Sam Mallett (65 members or about 4 percent) (McChesney 1906, BIA 1914; Petition 1987, "Blue files"). Sam Mallett's wife, Esther Mallett, and mother-in-law, Karmele, were also listed as descendants of the Wahkiakum Band of Chinook (BIA 1914); therefore, their children clearly have Wahkiakum ancestry. The Kathlamet Band is represented in the 1995 CIT membership by the descendants of Elizabeth Klowsum Springer Baricho, who was Sam Mallett's half-sister, George Skamock, Mary Wells, and her son, William Bailey (McChesney 1906, BIA 1914; Petition 1987, "Blue files"). The Skamock, Wells, and Bailey descendants also have Lower Band of Chinook ancestry because of intermarriage. About 7 percent (108 persons) of the 1995 CIT membership have Kathlamet Band ancestors. At least three of Elizabeth Springer's grandchildren married Lower Band of Chinook descendants (Petition 1987 "Blue files" and "Red files"). This means that based on Elizabeth Springer's 1914 annuity roll designation, perhaps as many as 34 of her descendants (2 percent of the 1995 membership) may only have Kathlamet Band ancestry (BIA 1914, Petition "Blue files and "Red files").[13] However, if Sam Mallett was also Kathlamet, the number of descendants would increase to about 173 (11 percent); if Elizabeth Springer was Wahkiakum, there would be no CIT members with strictly Kathlamet ancestry.

Evidence from other sources makes the split in the 1914 roll between Sam Mallett as Wahkiakum and Elizabeth Springer as Kathlamet less clear. These sources have conflicting information regarding the ancestry and band or tribal descent of Sam Mallett and his half-sister, Elizabeth Klowsum Springer Baricho. In 1906, Sam and Elizabeth

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[11]The descendants who had more than one Lower Band of Chinook ancestral lines (such as Ducheney/Luscier and Aubichon/Luscier, George Skamock/John Hawks, and Margaret Ero/John Pickernell) were only counted once.

[12]Maria Tolquist Milne Richard Telzan (a.k.a. Maria Telzan) was the daughter of a Willappa woman and Clatsop man; her grandson, Algin McBride, married Nina Evermont, the great-granddaughter Telzan, a Clatsop. Maria's last husband, Thomas Telzan was the son of Telzan. The family is frequently referred to in the CIT files as the Telzan family.

[13]These Kathlamet descendants were in Washington State, not Oregon and were not under the Western Oregon Termination Act.

identified themselves as half-brother and sister to each other. Sam Mallett stated that he and Elizabeth were the children of Klowsum. On the other hand, Elizabeth said that her father was Klaloo, and that Klowsum was her uncle. Therefore, Elizabeth and Sam would have had the same mother, not the same father. Sam Mallett also identified James Mallett as his half-brother, and that they had the same father, Klowsum, but different mothers. Both Sam and Elizabeth deposed that they and their fathers were of the Kathlamet Band (McChesney 1906). The only consistent information given by Sam and Elizabeth was that they were half-brother and sister and that James Mallett was also their half-brother.

When the annuity payments were distributed in 1914, Sam Mallett was paid ". . . on account of Payment to the Waukikim [sic] Band of Chinook Indians of Washington . . ." and Elizabeth Springer was paid ". . . on account of Payment to the Kathlamet Band of Chinook Indians of Oregon . . ." (BIA 1914). McChesney listed James Mallet, and his son Jason, as the heirs of "Klesum" [Klowsum] of the Kathlamet Band (BIA 1914).

It is not clear why McChesney identified Sam and Elizabeth with two different bands in 1914 when their own 1906 affidavits claimed Kathlamet. However, the BIA's review of the Indian population schedules of the Federal census also revealed conflicting identifications of tribal origins (Census 1900a, p.137A-B; Census 1910a, p. 300A, 301A, 302B). The following chart uses the census records, the McChesney rolls, Sam Mallett's 1902 testimony before the U.S. Court of Claims, and the 1914 annuity payroll to show how these three individuals identified their tribe [band] and their parents' tribes through the years.

MALLETT and SPRINGER ORIGINS by BAND

1900 CENSUS	INDIVIDUAL's TRIBE	FATHER's TRIBE	MOTHER's TRIBE
Sam Mallett	Wahkiakum	Wahkiakum	Willapa
Elizabeth Springer	Wahkiakum	Wahkiakum	Cowlitz
Jason Mallett*	Wahkiakum	Wahkiakum	Newamish [sic]
1902 TESTIMONY			
Sam Mallett	Wahkiakum	Wahkiakum	Willapa (Shoalwater Bay)
1906 McCHESNEY			
Sam Mallett	Wahkiakum	Kathlamet	Not Stated
Elizabeth Springer	Kathlamet	Kathlamet	Not Stated
Jason Mallett	Kathlamet	Kathlamet	Not Stated
1910 CENSUS			
Sam Mallett	Chinook/Chehalis	Chinook	Chehalis
Elizabeth Springer	Chehalis/Chinook	Chinook	Chehalis (Shoalwater was crossed-out)
Jason Mallett	Chinook	Chinook	Chinook
1914 ANNUITY ROLL			
Sam Mallett	Wahkiakum	Kathlamet	Not Stated
Elizabeth Springer	Kathlamet	Kathlamet	Not Stated
James Mallet	Kathlamet	Kathlamet	Not Stated
Jason Mallett	Kathlamet	Kathlamet	Not Stated

*Nephew of Sam and Elizabeth, his father James was their half-brother, another son of Klowsum. Jason Mallett is included to try and help clarify band/tribal descent of the three siblings.

From these records, we see that the individuals themselves testified on different occasions that they were Wahkiakum or Kathlamet. In 1900 and 1910 they either self-identified, or the census enumerator identified them as Wahkiakum and Chinook/Chehalis mixture. On both censuses, all three individuals listed their birthplaces as Washington and the

birthplaces of their parents as Washington. This suggests that the Klowsum family of the Kathlamet Band of Indians was probably living north of the Columbia River in what is now the state of Washington as early as 1830. If they were correct about the birthplaces of their parents' generation, then Klowsum and his siblings were probably in Washington before 1810. These records tend to support the view that members of the Kathlamet Band had moved north of the Columbia and married into the Wahkiakum Band to such a degree that their descendants recognized both bands equally. Therefore, the percent of Wahkiakum or Kathlamet descent alone is almost impossible to calculate. On the other hand, the combined percent of Kathlamet and Wahkiakum would include all of the descendants of Sam Mallett and Elizabeth Springer, or 128 persons (8 percent) on the 1995 CIT membership list.[14]

The Lower Band of Chinook has the highest percent (82) of members on the 1995 CIT memberships list. If Rose LaFramboise Souvenir is found to descend from Louise Petit [an Aubichon descendant], then an additional 258 members (a total of 1,541 or 98 percent) of the CIT descend from the Lower Band of Chinook. Not all of the individuals who were identified as descendants of the Willapa, Wahkiakum, and Kathlamet bands or Clatsop tribe by McChesney have descendants in the CIT, but a few remnants of those bands have either married into or were otherwise closely associated with the Lower Band.

II. GOVERNING DOCUMENTS

The petitioner provided copies of two constitutions. One ratified on June 21, 1980, is described as ". . . the present governing document of the Chinook Indian Tribe." (Petition 1987, 10:1, Ex.522; CIT 6/12/1981, 131-134). The petition submitted in 1987 also included a copy of a constitution dated June 16, 1984, with the introduction that "This is the tribal constitution under which the Chinook Indian Tribe governs itself in 1987" (Petition 1987,10:1, Ex.537).

Current Governing Document

The 1984 constitution has a "declaration of purpose" which stated that it will "replace and supersede [sic] all other constitutions, corporations, organizations, or associations here-to-fore adopted by our tribe" (Petition 1987, 10:1, Ex.537). This constitution was developed after the 1982 reconciliation of the Chinook Tribes, Inc. and the Chinook Nation. It is assumed that although elsewhere in the petition the 1980 constitution is referred to as the governing document, the 1984 constitution is in fact the current governing document.

[14]Because some CIT members in 1995 can trace their ancestry to more than one band or tribe, the total number of descendants when counted by band is greater than the number of members in the 1995 CIT.

The preamble of the 1984 constitution states:

> We, the members of the Chinook Indian Tribe, Inc., in order to assure order within the tribal community, to enhance the cultural, social, and economic well-being of all Chinook Indian tribal members; to protect the natural resources of the Chinook Indian Tribe's lands and waters; to facilitate political and legal relationships with external governments, so [sic] ordain and establish this constitution (Petition 1987, 10:1, Ex.537).

The 1984 constitution describes the territory of the Chinook Indian Tribe, membership criteria, adoption procedures, the governing body, election of officers, duties of the officers, and defines general assembly (membership) meetings. Minutes of the general assembly and elections for June 16, 1984, show that the motion to adopt the constitution was carried by a vote of 107 to 30 (Petition 1987, 10:1-10, Ex.537).

Section 2 of the 1984 constitution said that the tribal council would adopt an ordinance for establishing procedures and proof required for enrollment in the tribe (Petition 1987, 10:2, Ex.537). Three years later, on June 20, 1987, a membership ordinance was passed. (Petition 1987, 10:1a, Ex. 536). (See the section on Membership Criteria in this report for a full description of this document.)

Previous Governing Documents

Reference was made in the 1987 membership ordinance to "the rules of 1906" and the 1906 constitution; however, neither document was submitted with the petition nor located by BIA researchers during the evaluation process. The "rules of 1906" may in fact refer to inclusion on the 1906 McChesney roll.

The Petitioner also provided a copy of a constitution and by-laws for the Chinook Tribes, Inc., dating to 1953[15] and the 1953 articles of incorporation for the Chinook Indian Tribe, Inc. The petition also included the constitution and by-laws of the Chinook Nation which were adopted April 3, 1954. A letter from the acting secretary of the Chinook Tribe to the Commissioner of Indian Affairs in 1953 included a brief administrative history of the Chinook Tribes, Inc. and the Chinook Nation, which was also referred to as the "Skamokawa group" under the leadership of John Grant Elliott (Larsen 1953). The letter

[15]In a letter dated December 14, 1953, Charles E. Larsen stated that a meeting of the officers for the Chinook Tribe was called for May 3, 1953, "In due course of time we adopted a Constitution and By-laws, incorporated under the laws of the State of Washington, and have filed our papers with the Portland Area Office" (Larsen 1953, C.T. n.d. [ca. May 3, 1953]).

also referred to the election of the Chinook Tribe officers on May 3, 1953, and of Chinook Nation officers on June 13, 1953.

Chinook Tribes Inc., 1953

The 1953 Chinook Indian Tribe, Inc. Articles of Incorporation stated that the objectives and purposes of the corporation were:

> To engage in a mutual undertaking to promote charitable, educational and benevolent purposes on behalf of all Indians who are descendants of the original Chinook Tribe: to promote and establish a close acquaintance and comradship [sic] among Tribal members; to further study the history of the Chinook Tribe and to investigate all social, economic and legal problems of the said Tribe; to protect said Tribe, its territories, and its individual members against any disturbance or encroachment by anyone whomsoever, and to oppose and protect any violations of the said Tribal rights, and to enforce any of its claims whether against the United States Government, the state of Washington or any person whomsoever (C.T.[16] n.d.).

Other objectives were to acquire land, goods, and money (through loans or mortgages) in order to execute the business of the corporation.

The 1953 articles of incorporation were signed by Roland Charley (son of George Charley and Caroline Metell), Paul Petit, Jack Petit, Catherine Troeh (all three were cousins and Aubichon/Petit descendants), Charles Larson (grandson of Elizabeth Springer), Lewis Hawks (son of John and Victoria/Annie Hawks), and his nephew Claude Waine.

The preamble to the 1953 Chinook Tribes, Inc. constitution contained much of the same language found in the articles of incorporation.

> We, the members of the Chinook Tribes, Incorporated, in order to give our Tribe a more complete organization; to establish a closer acquaintanceship among members; to promote the study of the history of our ancestors; to investigate the present social, economic and legal problems problems [sic] affecting the Tribes; to establish and enforce our ancient rights and to prevent any encroachment upon these rights by any person whomsoever, do hereby adopt this Constitution and By-laws (C.T. n.d., Preamble).

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[16]The name of the organization in the articles of incorporation was: Chinook Indian Tribe, Inc., however the name in the Constitution was: Chinook Tribes, Inc.

Article 1 of the 1953 constitution dealt with membership.

> Section 1: The membership of the Chinook Tribes, Inc., shall consist of all persons of Indian blood who submit satisfactory evidence that they are descendants of Indians of the Cathlamet Band of Chinooks, the Wahkiakum Band of Chinooks, the Willapa Band of Chinooks, the Lower Band of Chinooks, and the Clatsop Tribe of Indians, or other affiliated tribes who were living at the time treaties with the Chinooks were made in 1851.
> Section 2: A membership roll shall be compiled by the Secretary and said roll shall include the names of all Indians claiming to be descendants of the above mentioned bands of Chinooks and Clatsop Tribe, or other affiliated tribes (C.T. n.d., Art. 1).

No mention was made of dual membership issues, adoption, blood degree, residence, or other requirements for membership. The 1953 constitution did not state how the secretary was to create a membership roll or determine eligibility for membership, only that the person submit "satisfactory evidence."

The adults 18 years or older who paid the annual dues were entitled to vote. Annual dues for adults were two dollars and for children 17 years and younger, they were 50 cents (Chinook Tribes 1953, Art. V, 32).

Chinook Nation, 1954

The 1954 Chinook Nation constitution did not define membership beyond stating that:

> The membership shall consist solely of recognized Willapa, Cathlamet, Clatsop, Wahkiakum, and Chinook bands and their descendants (C.N. 4/3/1954, Art. II).

The organization's objective, as stated in the constitution was to achieve recognition from the Federal Government, to settle claims, and to "promote better relations among all bands and members of the said Chinook Nation" (C.N. 4/3/1954, Art. I.)

The duties of the Chinook Nation tribal council included investigating the qualifications of persons who claimed Chinook ancestry to determine if they were eligible for membership in the Chinook Nation (C.N. 4/3/1954, Bylaws).

The Chinook Nation charged an enrollment fee of $3.00 for adult members 16 years and older and $1.00 for those under 16 years of age. Annual dues were $1.00 per year for adults 16 years old and over (C.N. 4/3/1954, Art. VII; C.N. 4/3/1954 Bylaws).

The current CIT leadership claims that there was considerable overlap in membership between the Chinook Tribes, Inc. and the Chinook Nation. However, there is no record currently available that can be clearly identified as a Chinook Nation membership roll. Therefore, a thorough comparison of the membership is not possible at this time.

Chinook Indian Tribe, Inc., 1972

In November 1972, the Chinook Indian Tribe, Inc. incorporated in the state of Oregon, stating word-for-word the same purposes for incorporation as did the 1953 Chinook Tribes, Inc. (CIT 11/28/1972). The articles of incorporation lapsed and are not now in force. The 1972 articles of incorporation were signed by Stephen A. Meriwether, Robert B. Taylor, Dolores Sund Guse, and Adolph J. Sund, all of Ilwaco, Pacific County, Washington. Dolores and Adolph were sister and brother, and Stephen Meriwether was Dolores' son (Aubichon/Petit descendants). Robert B. Taylor was born in Portland, Oregon; his direct Chinook ancestry was not included in his 1956 membership record.

Chinook Tribes, Inc., 1980

The 1980 Chinook Tribes, Inc. constitution called for an annual general meeting to be held within the boundaries of the Lower Band of Chinooks and council meetings to be held quarterly in January, April, July, and October. Special meetings for the general membership would be called by the chairman or by four council members. Notification of the special meetings were to be published in the newspapers at least 10 days prior to the event (CIT 6/21/1980, Article II, Sec.3).

Article I of the 1980 constitution stated:

> The membership of the Chinook Tribes, Inc., shall consist of all persons of Indian blood who submit satisfactory evidence that they are descendants of Indians of the Cathlamet Band of Chinooks, the Wahkiakum Band of Chinooks, the Willapa Band of Chinooks, the Lower Band of Chinooks and the Clatsop Tribe of Indians, who were living at the time treaties with the Chinooks were made in 1851 (CIT 6/21/1980, Article I, Sec.1).

Section 2 of the membership article states that the secretary will compile the membership roll of all Indians claiming to be descendants of the above named bands of Chinook and Clatsop Indians (CIT 6/21/1980, Article I, Sec.2.). There were no guidelines given as to how the roll would be compiled or verified as accurate.

The Chinook Nation acknowledged the "governmental authority" of the Chinook Indian Tribe, Inc. in a 1982 joint resolution. The "central purpose" of the resolution was ". . . the immediate clarification of the respective positions of the two groups in light of the pending petition of the CHINOOK INDIAN TRIBE, INC. . . . " (Chinook Indian Tribe,

Inc. and Chinook Nation 1982). (See the Historical and Anthropological Technical Reports.) The CIT did not submit a Chinook Nation membership list or applications of Chinook Nation members for membership in the CIT. At this time, the BIA does not know if members of the Chinook Nation had to apply for CIT membership or if they were "automatically" accepted.

III. MEMBERSHIP CRITERIA

Section 1 of the 1984 constitution, which is the current governing document, is almost identical to the membership criteria in the prior 1980 constitution:

> The membership of the Chinook Indian Tribe, Inc., shall consist of all persons who submit satisfactory evidence that they are descendants of Indians of the Cathlamet band of Chinook; the Wahkiakum band of Chinooks, the Willapa Band of Chinooks, the Lower Band of Chinooks, and the Clatsop Tribe of Indians, who were living at the time treaties were negotiated with Anson Dart, superintendent of the Oregon Agency 1851 and/or the Treaty of Olympia in 1855 (Petition 1987, 10:2, Ex.537).

On June 20, 1987, at the annual general meeting of the CIT, a membership ordinance was passed which further clarified how the membership would be determined. This ordinance provides:

> Chinook Tribal membership shall consist of all who are enrolled before August 1st, 1987 under the rules of 1906 or the revision of 1984, and their descendants [sic]. New members after that date must document descent from person(s) listed on one of the following:
>
> 1. Roeblin [sic] Roll,
> 2. McChesney Roll,
> 3. Annuity payment Roll of 1914;
>
> and also 1/4, one quarter degree Indian blood from the Clatsop Tribe of Chinooks and/or the Chinook bands known as Cathlamet, Wahkiakum, Willapa and Lower Band of Chinooks.
>
> This replaces the following section 2: from the 1984 revision of the 1906 constitution:[17]

[17]As far as can be determined at this time, there was no 1906 constitution. None was submitted with the petition or uncovered during the research process. This section may be referring to the McChesney

> Section 2: The Chinook tribal council shall adopt an ordinance establishing procedures and proof required for enrollment (Petition 1987. 10:1a Ex.537).

It is unclear as to how the CIT determines blood quantum for new members who are not descendants of persons on the 1987 membership list. or how closely they follow that particular criterion for membership. The Chinook ancestors of the present CIT began marrying non-Indians as early as the 1820's. Although some Chinook descendants married other Indians or other persons of similar métis descent, few of the members have 1/4 or more Chinook or Clatsop blood degree. By 1919, this pattern of continual out-marriage and marriage within the métis descendants group was reflected in the blood degrees noted by Charles Roblin. Slightly fewer than one half of the unenrolled Chinook Indians (137 of 261) named on the Roblin Roll had 1/4 or more Indian blood. Fourteen of the 26 names on the Shoalwater Bay list had 1/4 or more Indian blood and one of the three names on the schedule of unenrolled Clatsop Indians had 1/4 Indian blood (Roblin 1919, 63-70, 110, 121). Because the Roblin Roll was a schedule of "unattached" Indians, it did not include many of the Chinook Indians who were already allotted on reservations; therefore, it reflects only a portion of the population of Chinook descendants.

The CIT apparently limits the imposition of the 1/4 blood degree to new family lines, and does not impose the 1/4 blood degree stipulation on descendants of those who were members in 1987. The 1994 and 1995 membership rolls do not identify the member's blood degree; therefore, as far as can be determined at this time, all of the names on the 1994 and 1995 membership lists are descendants of the 1987 membership. The Federal regulations for acknowledgment of tribes do not impose a blood quantum requirement. It is the petitioner's prerogative to determine its own membership criteria.

The 1995 membership list had a category listing the ancestors of the members. However, the ancestors listed were not limited to the ancestral names identified on the "Blue files," but included the surnames of families who married into the Chinook lines in recent generations. For example, one member's ancestors were identified as "Ariss, Axford, Hawks;" however, Hawks was the only "fullblood" Chinook progenitor; Ariss and Axford were non-Chinook who married Hawks descendants. In other instances, the ancestor was identified as "Rosa," or "Amelia," presumably meaning Rose LaFramboise Souvenir and Amelia Aubichon Petit; however, there was Frank Amelia who married one of the Mallet descendants; therefore, "Amelia" could also have identified an entirely different family line.

There was no consistent format for recording ancestors' names on the 1995 membership

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roll.

roll. In order to create a more accurate assessment of the origins of the CIT membership, the BIA genealogist annotated and corrected a copy of the 1995 membership list, using a more standard format for identifying the individual's ancestors. The corrected list added names of ancestral lines if one or more families had intermarried and only one family line was shown on the original CIT list. In a few instances, there appeared to have been errors in transcribing the information from the "Red files" to the CIT's computerized membership list. The BIA corrected those entries to match the data in the "Red files."

ADOPTION

The 1984 CIT constitution has an adoption provision which states:

> The Chinook tribal council may by majority vote recommend to the General Assembly, the adoption of individuals into the tribe under the following categories:
> (A) verified tribal affiliation (by tribe and/or B.I.A.)
> (B) unverified tribal affiliation
> Recommendation for adoption must first come to the tribal council from the enrollment committee. Then it is put before the General Assembly (Petition 1987, 10:2, Ex.537).

The adoption provision does not state if the children of an adoptee will also be considered members of the group, or if the adoptee has all of the rights and privileges of the general membership. At least one person, an Indian not of Chinook ancestry, has been adopted by the CIT.

IV. MEMBERSHIP LISTS and DESCENDANCY ROLLS

The petitioner submitted copies of lists of those persons it considered to be members (membership lists), which were created in 1953, 1981, 1983, 1987, 1994, and 1995. A "Chinook roll received from Indian Office 10-7-29" with the "Post Office addresses of the seven tribes of Indians appropriated for by the Act of Congress, approved August 24, 1912, (Public No. 355)" contains 109 names of Wheelappa, Lower Chinook, Clatsop, Tillamook Indians (CIT 4/10/1996). Although the 1929 list is not a Chinook membership list, ten or eleven names on the 1929 list also appeared on the 1953 membership list.

1953

Three documents were submitted with the petition and in subsequent mailings from the CIT that appear to be the same Chinook Tribes, Inc. membership list dating to 1953, but presented in slightly different formats. The names on each record are almost identical, except for one missing page with the names beginning with the letter "A" and the

inclusion of 12 names that begin with the letter "B" that do not appear on the other two lists ("Applicants for Enrollment with the Chinook Tribe" Petition Exhibit 138, "Enrollment of Chinook Tribe" Petition materials, and Undated List in Petition materials).

A copy of the "Applicants for Enrollment with the Chinook Tribe" was sent to the Western Washington Agency where it was stamp-dated July 23, 1953. This list of 976 names, including 421 minors, appears to be the most complete of the 1953 membership documents. It contains the applicant's name, the letter "M" for minor, and address. All of the surnames that begin with the letter "A" are together and numbered (1-43), but are not strictly in alphabetical order, and so on through the alphabet (72 "B's," 60 "C's," etc.). There are eight hand-written names at the end of the typed list that begin with the letter "H." Not all of the names on the list have addresses, but the majority do. It appears that one address is given for the head of the house, but is not listed for all the individuals within the household. However, some addresses have ditto marks indicating that the [presumed] children of the head are at the same address. Since the format for recording addresses is inconsistent, the analysis of the data is limited. Of the 976 names on the list, 197 had addresses in Washington State, 110 had addresses in Oregon State, and 43 had California addresses. (See the Anthropological Report for additional analysis.)

An undated list that appears to be a second version of the 1953 roll is entitled "Enrollment of Chinook Tribe." A subheading states "M indicates minors. Names not listed as per Webster." This list of 981 names contained the members' names, address, and an "M." Almost every individual had at least a city and state address.

A third list, untitled and not dated, appears to record the same names as are on the other two lists, with the exception that there are no "A" surnames and there is one page of "B" surnames (12 names) that does not appear on either of the other two lists.
Beginning as early as 1953, the Chinook Tribes, Inc. began compiling enrollment files. According to the letter accompanying copies of these files submitted with the CIT petition:

> Compiled by Myrtle Woodcock and Betsy Trick, using forms suggested by the BIA, these files were submitted with the 1952 Constitution, also in the form suggested by the BIA . . . (CIT 7/15/1994).[18]

The CIT petition included copies of the membership records compiled in the 1950's when

[16]No record was found at this time to confirm who suggested the format for the membership applications.

the Chinook were preparing a roll for potential Indian Claims Commission awards. The files appear to be arranged more or less alphabetically by the name of the 1953 CIT applicant. One or several family records were in each folder.

The majority of the files contained at least one chart entitled, "Record of Person Claiming to be Descendent [sic], from Indian Ancestor to Person Claiming" (Descent Chart). This was a simple chart which began with the "Indian ancestor" and listed each succeeding generation to the 1953 applicant. In some cases, the Indian name as well as the English name of the Indian ancestor was given. The person identified as the Indian ancestor was not necessarily a full-blood Chinook (or other Indian), but may have been half, quarter, or other blood degree. There were no dates or places on this chart and the spouse of the direct line ancestor was not always listed. There were no supporting documents, such as birth records, marriage certificates, or affidavits to confirm these lineages.

A large number of the 1953 membership files contained "Family Information and Ancestry" charts (Ancestry Chart) showing the applicant, his/her spouse, parents, paternal grandparents, maternal grandparents, and great grandparents or other information concerning the applicant's Indian ancestry. These charts included names, dates, places, family relationships, and other valuable information such as if the parties were married by "Indian custom" or by "Law."

A "Questionnaire for Enrollment in [the] Chinook Tribe" (Questionnaire) consisted of a list of 37 questions about the applicant and his/her ancestry. This form provided a significant amount of information about the residences, allotments, and ancestry of the applicant. Almost all of the questionnaires bear 1953 dates.

In 1956, the secretary of the Chinook Tribes, Inc. sent a letter to the members requesting they update their records by listing any changes of address, births, or deaths in the family. Several of the 1953 membership files included copies of the 1956 requests for updates.

Some of the 1953 membership folders have Descent Charts, Ancestry Charts and Questionnaires; other files have only the Descent Chart or the 1956 letter. One file alone may not have sufficient information to properly identify the Chinook connections, but files of siblings, parents, grandparents, and cousins all together provided a substantial amount of information on the Chinook families.

The information found on the Descent Charts, Ancestry Charts, and Questionnaires was entered into a computerized genealogical program by the BIA, in order to create a picture of the membership and family relationships of the CIT membership in the 1950's. Almost all of the 1953 members could then be connected to individuals who were identified as part of the historical Chinook bands or Clatsop tribe or to descendants of Chinook

Indians. Despite conflicting information in some of the files, a reasonably accurate picture of Chinook descendants living in the early 1950's was created from these files.[19]

The BIA prepared an annotated list of Chinookan ancestors using the 1953 Chinook Tribe enrollment files. (See Appendix A.) The names of the earliest Chinook progenitors were determined by reviewing all of the 1953 files and noting individuals who were identified by their descendants as "full-blood," "half-blood," or "quarter-blood" Chinook or Clatsop, etc. BIA then compared the names of the 1953 ancestors who were listed as more than "quarter-blood" to the names on the McChesney and Roblin rolls to clarify blood degree, family relationships, and to confirm the band or tribe of origin.

The BIA then compared the annotated list to the names in the "Blue files," to determine which of the ancestral families of the 1995 membership were represented in the 1953 membership. The La Bonte, Seguin, Etienne Luscier, Clipp, Arquette, Marehenu-Marshall, and Weston ancestral lines in the "Blue files" were not named as ancestors in the 1953 enrollment records. Those same lines have few, if any, representatives on the 1995 membership list. It appears that those family lines have not had close social ties with the 1950's groups of Chinook descendants or with the petitioner.

Some of the 1953 ancestors, such as Cultee, Whookshwith, Wheesnup, and Stoddard do not have descendants in the 1995 membership of the CIT. It is not known if the descendants of these families "died out," or are members of other federally recognized tribes. Other 1953 ancestors such as Salikie, Frank, and Pete have descendants who married into other Chinook ancestral lines and are on the 1995 list.

At least 193 names on the 1953 membership list were also on the 1995 CIT membership list. Ancestral lines which had representatives in the 1953 membership, but did not have descendants on the 1995 CIT membership list were: Cultee (18 members in 1953), Marion "Laquinsh" Stoddard (16 members in 1953), and Lewis (13 members in 1953). There were at least 43 descendants of the Clatsop Chief Cobaway in 1953, whereas there were only 18 in 1995.

1981

The CIT submitted a membership list of 330 names, which was certified by the council, with their petition for acknowledgment on May 1, 1981. The list of names was arranged in alphabetical groupings (all of the surnames beginning with the letter "A" were together, "B" surnames together, etc.) There appears to have been some duplication of names when five women appeared on the 1981 list both by their maiden names and their

[19]Dates on the applications range from 1951 to 1956, with the vast majority having 1953-1954 dates.

married names and one man's name and one woman's name were listed twice. After eliminating the duplicates, there were 323 names on the 1981 list. There were no addresses, ages, or family relationships stated.

1983

The CIT began to update its membership list with an ANA-funded enrollment project in 1982. Legal notices announcing enrollment in the Chinook Indian Tribe were placed in six area newspapers beginning the first week of November 1982. According to the petition:

> The tribe also sent letters to tribal members informing them of the project and announced the enrollment process in the tribal newsletter. The enrollment project ran from November 10, 1982, through February 8, 1983. Present members reaffirmed their desire to enroll by filling out an enrollment mailing card. New members had to submit ancestry charts as part of the project.
>
> The 1982-1983 enrollment project resulted in the updated and documented tribal roll submitted in April, 1987, . . . The tribe has 1,203 enrolled members, of whom 23 have died since the winter of 1982-1983. Each enrolled member is linked to the tribe in 1851 by an ancestry chart (Petition 1987, 311).[20]

The 1983 Chinook Tribal Enrollment list had 634 names,[21] including those of the 23 members who were referred to as having "died since the winter of 1982-1983" (Petition 1987, 311); therefore, there were 611 living members in 1983. The 1983 list had only the person's name (and maiden name) and address (town and state). There were no family relationships, ages, or birth dates. However, by comparing the names on the 1983 list to the 1995 list, it was possible to count the number of individuals who were under 18 years of age in 1983, and determine that there were 106 minors on the 1983 list.

1987

A document entitled "Supplementary Roll" was submitted in July 1987 which completed

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[20]The 1,203 was the number of members on the combined 1983 and 1987 lists, including deceased members and 15 illegible names. BIA research determined that the actual number of living members in 1987 was 1,164.

[21]The names listed were numbered 1 to 649; however, 15 names were either erased, left blank, or were otherwise illegible. There were actually 634 names on the roll minus the names of 23 deceased persons, or 611 living members.

the 1983 membership roll. There were 553 names on the 1987 supplementary roll. The format was the same as the 1983 list (name, maiden name, city and state) and the numbers assigned to the names began with 650 and continued through 1,203. There was an asterisk after the names of individuals who were listed on their parent's form. Of the 553 names, 426 were marked as having been listed on the parent's form. Not all of the 426 individuals were minors. By comparing the 1987 list with the names and birth dates on the 1995 list, it was determined that 155 individuals on the 1987 supplementary roll were minors (under age 18) in 1987. Therefore, 271 names on the 1987 supplementary roll were adult children of adult members of the CIT.

The 1987 revised petition submitted to the BIA referred to a membership of 1,203, which was the number of names on the combined 1983 and 1987 list (Petition 1987, 311). However, this number included the names of 23 deceased persons and 15 illegible entries. The actual number of members on the combined 1983/1987 lists was 1,164.

On November 1, 1988, the BIA sent the CIT a detailed report of their review of the revised petition. In this report the CIT was informed that the membership list did not provide "certain essential information previously requested," namely, the complete current address and the birth date of each member (Interior 1988).

1994

After several letters and telephone calls, the BIA received on June 28, 1994, the "Chinook Tribal Roll" and the "1994 Supplement to the Roll" which had been certified by the Chinook Tribal Council (BIA 5/2/1989, BAR 1994, CIT 6/28/1994.) The 1994 Supplement to the Roll contained 150 names, 50 of whom were minors. The entire 1994 membership list was comprised of the 1983, 1987, and 1994 supplementary lists for a total of 1,314 members. The 1994 roll included each individual's name, age, and complete address. The roll had hand-written annotations stating the ancestral line of descent or family connection. Some of the annotations were to recent family connections rather that the Chinook ancestor; however, the information was complete enough to conduct a full review of the petition.

1995

The membership list certified by the tribal council on July 8, 1995, included notations showing some of the ancestors of members and references to updates on the records. With the exception of additions of minor children or adults who had inadvertently been omitted from the 1994 roll and corrections to birth dates and residences, the 1994 and the 1995 membership lists are essentially the same. There were 1,622 names on the 1995 roll, including 56 names of deceased members, for a total of 1,566 living members. This number included some duplication of names. In the interest of time, and since there did not seem to be a significant number of duplications, BIA made no attempt to count the

exact number of possible duplicate entries.

On July 20, 1995, the petitioner submitted a copy of its membership roll dated July 8, 1995, in electronic database form with accompanying hard copies showing the membership in alphabetical order and by enrollment number. The electronic database proved incompatible with the programs that were then available at the BIA. This computer program has since been added to the BIA computers and some of the statistics used in this report were generated from the diskettes sent by the CIT. On November 21, 1995, the CIT sent a copy of the same membership roll saved as an "ASCII File" on diskette. The data was then converted by the BIA to a DBase IV format for convenience in preparing some of the reports. Statistics for this report were created using all of the known membership lists.

The following table compares the various membership lists.

TABLE II
Chinook Indian Tribe Membership Lists

YEAR	1953	1981	1983	1987 Supplementary Roll	1994 Supplement to Roll	1995
Number of Adults	555	262	505	398	100	1,213
Number of Minors	421	61*	106*	155*	50*	353**
TOTAL	**976**	**323**	611	553	150	**1,566**
			1,164		**1,314**	

*The number of minors on the 1981, 1983, 1987, and 1994 lists were approximated by counting the individuals on the 1995 list whose names matched names of individuals who were under 18 years of age in 1981, 1983, 1987, and 1994, and whose names appeared on the respective membership lists.

**The number of minors on the 1995 list was approximated by counting the number of individuals who were born between January 1976 and September 1994 when the 1995 roll was completed. BAR did not attempt to determine if any of the individuals who did not have birth dates recorded on the 1995 roll were minors.

The total for the year 1987 was the combined totals of the 1983 list and the 1987 "Supplementary Roll." The total for the 1994 membership list was the combined totals for the 1983 list, the 1987 "Supplementary Roll," and the 1994 "Supplement to the Roll" as submitted by the petitioner, minus the number of known deceased members. The table clearly shows the increase in membership after the 1982-1983 enrollment project.

Comparing the 1981 Petitioner's Membership to the 1995 CIT Membership

By comparing names on the 1981 list to the 1995 membership list, the BIA determined that 264 (82 percent) of the 323 names on the 1981 list "matched" names on the 1995 list. Eighteen of the names on the 1981 list were identified as "deceased" on the 1995 roll. Therefore, 246 persons (76 percent) of the names on the 1981 membership list were also living members in 1995. Approximately 18 percent of the 1981 membership (58 names), are not accounted for on the 1995 roll.

The BIA conducted research to determine who these individuals were. Of the 58 names not accounted for, 16 were members of the DeMacon family and 12 were members of a Belleque family. Neither family has any known representatives in the 1995 CIT membership. Both DeMacon and Belleque descend from Genevieve St. Martin (born about 1814), the daughter of a "Tchinouk woman/woman of the country" and Joseph St. Martin, an employee of the Hudson's Bay Company (Munnick and Warner 1972, 1979). Neither DeMacon nor Belleque names appeared on the Roblin or McChesney rolls, or the 1953 "Applicants for Enrollment with the Chinook tribe." There is no explanation at this time as to why these two families appeared on the 1981 roll but not before or after.

Three individuals on the 1981 list have surnames that do not appear on the 1995 list and there is no clear connection at this time between these three individuals and any of the known 1995 CIT families. The remaining 26 names (8 percent of the 1981 membership) have the same surnames as other Chinook families on the 1981 list, and are probably children, siblings, or other near relatives of individuals on the 1981 list; however, exact relationships were not determined for this report. There is no explanation at this time as to why they are no longer members.

On the other hand, slightly less than 17 percent of the 1995 membership (264 names out of 1,566 names) appear to have been on the 1981 list. At least 1,095 members[22] in 1995 were born in 1981 or earlier and could potentially have been members in 1981. In order to determine the relationship of the 1995 membership to the 1981 membership, the BIA conducted research to compare the two lists.

The following chart shows the breakdown in age groups of individuals on the 1981 list and the 1995 list. Since the 1981 list did not have birth dates or ages, the birth dates for this chart were extrapolated from information on the 1995 membership list for the names that matched the 1981 names.

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[22]The exact number cannot be determined since 272 of the names on the 1995 membership list do not have birth dates listed. Some of the 272 names were those of deceased members.

TABLE III

Birth Years	Number on 1981 List	Number on 1995 List
Birth dates Not Available[23]	49	272
1900-1909	1	13
1910-1919	13	40
1920-1929	22	70
1930-1939	18	95
1940-1949	32	158
1950-1959	40	228
1960-1969	49	262
1970-1979	32	229
1980-1981	6	---
1980-1989	--	211
1990-1994	--	44
Total	**262**	**1,622**

Approximately 61 individuals (about 19 percent) on the 1981 list were children under the age of 18. Although the 1981 list included young children, the percent of minors on the 1981 list was not representative of the percent of minors in the population. This was demonstrated when the BIA compared the number of individuals on the 1995 membership who were born between January 1963 and May 1981 (number of minors in 1981 = 431) to the number of minors on the 1981 list, which was 61. All told, there were least 1,095 members on the 1995 list were born before 1981, yet only 262 names appeared on the 1981 membership list.

The 1982-1983 enrollment project obviously contributed to the large increase in the group's membership from 1981 to 1987. The BIA's next step was to determine if the enrollment project added families who were not represented on the 1981 list to the membership, or added the children, grandchildren, siblings or other near relatives to the already existing membership. A study comparing names and the ancestors on the 1995 membership list with the names on the 1981 membership list revealed increases in membership for some family descendants, decreases in the membership of other family lines, and "shifts" within the various family lines. The ancestral lines, with the exception of Coboway and the Belleque/DeMacon family, were the same Chinook ancestors identified in the "Blue files." There was some intermarriage between Chinook families which accounts for some individuals being included as descendants in more than one ancestral line. For this reason the total number of descendants by ancestral lines will not

[23]Includes names of members who were listed as deceased on the 1995 list.

match the total number of individuals on the 1981 or 1995 lists. The following table was created from the annotated 1995 CIT membership list (BAR 1996).

TABLE IV
CIT DESCENT BASED ON THE 1981 AND 1995 MEMBERSHIP LISTS

ANCESTRAL LINE	1981 LIST	1995 LIST
Ahmoosamoose	0	14
Arquette	0	0
Aubichon [Askalwilsh]	111	258
Includes:		
Petit	(59)	(149)
Prior/Luscier	(42)	(80)
Pellisser/ Bertrand	(2)	(7)
Ducheney/Luscier[24]	(8)	(22)
Bailey	0	9
Clipp	0	0
Cultee	0	0
Ducheney [Comcomly]	25	320
Includes:		
Luscier/Aubichon	(8)	(22)
Peers	(5)	(93)
Elliott/Rubens	(11)	(196)
Fitzpatrick	(1)	(9)
Ero/Durival	6	270
Includes:		
Goodell } Ero/	(5)	(55)
Stephan } LaFrambois	(4)	(18)
Lanning } /Durival	(0)	(11)
Shaw/Zolner} [Askalwilsh	(0)	(30)
Hathaway } & Kiwasha]	(1)	(19)
Jones }	(1)	(20)
Margaret Ero [Askalwilsh & Tonwah]	(11)	(30)
Reinertsen [Askalwilsh]	(4)	(87)

[24]The Aubichon and Ducheney families share common descendants in the Luscier (Peterson, Straus, Vinson) line. The mutual descendants are counted in both ancestral line in this report. See Luscier/Aubichon in the Ducheney ancestral line.

ANCESTRAL LINE	1981 LIST	1995 LIST
Hawks/Hawkes	48	144
John/Johns	36	59
Johnson [Koholowish]	1	12
LaBonte	0	20
LaFramboise (Rose) *Includes:* Souvenir Quigley Linquist	15 (12) (3) (0)	230 (123) (93) (14)
Luscier (Eteinne)	0	0
Mallett *Includes:* Sam Mallet [Tlolox] Elizabeth Klowsum (Springer/Baricho)	41 (37) (4)	128 (65) (63)
Marehenu/ Marshall/ Hawks	0	6
Pellard	0	11
Pickernell [Tonwah] *Includes:* Sweeney Green/Russell Bouten/Petit (Mechals/Sund) Petit Margaret Ero[25] [Askalwilsh & Tonwah]	73 (0) (4) (46) (M=19;S=27) (12) (11)	217 (11) (38) (64) (M=28;S=36) (74) (30)
Scarborough [Ketalutsin]	0	35
Seguin	0	0
Weston/Sinclair	0	12
Sorter	4	3

[25]Margaret Ero was the daughter of Urbain Ero and Emelie Chinook [Askalwilsh line] and the aunt of George Ero who married Elizabeth LaFramboise. Margaret Ero married John Pickernell, the son of John Edmond Pickernell and Emmaline Redhead [Tonwah]; therefore, some of the Pickernell descendants also have Askalwilsh ancestry through Margaret Ero.

ANCESTRAL LINE	1981 LIST	1995 LIST
Miscellaneous		
Hallet	0	9
Tolquist/Telzan	4	65
Lewis/Jack	0	0
Comcomley	0	1 See Ducheney
As-kal-wilsh	0	See Aubichon
Tonwah/Redhead	0	See Pickernell
Wonio/Jackson	0	0
Narcotta/Jones	0	See Marehenu
George Skamock	8	36 See Hawks
Pisk	0	2
Mary Wells	0	9 See Bailey
Williams/La Due	0	1
Duncan-Scovell	0	0
Metell	0	1
Coboway	0	18
Belleque/DeMacon	28	0

From this table we can see that certain Chinook ancestors (Arquette, Clipp, Cultee, Eteinne Luscier, Lewis/Jack, Wonio/Jackson, Seguin, Duncan-Scovell) identified during the 1982-1983 enrollment project, did not have descendants on the 1981 CIT membership list or on the 1995 CIT membership list. Although these ancestors were identified as Chinook, their descendants have not been associated with the petitioner.

Other Chinook ancestors such as Bailey [and his mother Mary Wells], Ahmoosamoose, LaBonte, Marehenu, Pellard, Scarborough, Weston/Sinclair, Williams/LaDue, Pisk, Hallet, Comcomley [except for his Ducheney descendants], Metell, and Coboway who did not have any representatives on the 1981 list, altogether had relatively few descendants on the 1995 CIT list (approximately 104 out of 1,566 or less than 7 percent). The Sorter family, who had four members on the 1981 list, had only three members on the 1995 list.

The data in Table IV also shows "shifts" in membership from 1981 to 1995 within the primary ancestral lines. For example, the Ducheney line encompasses the descendants of Rocque Ducheney and Marie Rondeau, the daughter of Louis Rondeau and Marguerite Tchinouk. Rocque and Marie Ducheney had seven children, four of whom have descendants in the CIT: (1) Lucie Agnes who married Jonathan Elliott, (2) Louis Ducheney who married Mary Ann Luscier (the daughter of another Chinook family, Antoine Luscier and Julie Aubichon), (3) Judith who married Henry Peers (the son of another Chinook woman, Ellen (Temi-Temi) Pellard/Pelland), and (4) Mary who married

John Fitzpatrick (Munnick and Warner 1972, 1979; Roblin 1919, Petition 1987, "Blue file.") After the death of Rocque Ducheney, Marie married Solomon Preble and had one son. Finally, Marie Rondeau Ducheney Preble married John Kelly and had three children. It appears that none of Marie Rondeau's children by Preble or Kelly have descendants in the CIT.

Five descendants of Judith Ducheney Peers and eight descendants of Louis and Mary Ann Luscier Ducheney were on the 1981 list; however, in 1995 there were 93 Peers descendants and 22 Ducheney/Luscier descendants on the CIT membership list. The Peers descendants made up 20 percent of the Ducheney family on the 1981 membership list, and Luscier/Aubichon descendants made up 32 percent of the Ducheney family on the 1981 membership list. However, in 1995 the Peers descendants represented 29 percent of the Ducheney family on the membership list and the Luscier/Aubichon descendants represented less than 7 percent of the Ducheney membership. The Fitzpatrick branch of the Ducheney family which had only one representative on the 1981 list and only nine members on the 1995 list, went from 4 percent of the membership in 1981 to less than 3 percent of the membership in 1995. The Elliott descendants in 1981 represented 44 percent of the Ducheney family on the membership list (11 out of 25 members). However, in 1995 there were 196 Elliotts on the membership list, representing 61 percent of the Ducheney family membership. These statistics show that while there was an overall increase in the number of Ducheney descendants on the 1995 roll, that the Elliott branch of the family had more than twice as many representatives on the 1995 list than any other branch of the family. In particular, whereas the Luscier/Aubichon and Elliott branches had relatively equal representation in 1981 (32 percent and 44 percent, respectively), there was a significant shift in the representation between the two branches in 1995 (7 percent versus 61 percent).

The Ero/Durival ancestral line showed significant increases in membership in all branches of its large family. To understand how membership in the different branches of this family changed between the 1981 membership list and the 1995 membership list, the following summary of the earliest progenitors is included.

Emelie Chinook (Ec-cle-sic), the daughter of As-kal-wilsh and the sister of Elmermach (Mary Anne) Aubichon, first married Urbain Ero (Heroux) and was the mother of (1) Margaret Ero, who married John Pickernell, the son of John Edmonds Pickernell and Emmaline Redhead (Tonwah), and (2) Julian Ero, who married Peggy Kiwasha, reportedly the daughter of Que-wish and granddaughter of Comcomley (Petition 1987, "Blue files;" McChesney 1906 Statement #27, #36, Petition 1987, membership records [1953 files]). In 1845, Emelie Ero married Pierre Durival (Dorval/Durval). They had at least three children. Therefore, the two Ero children and the Durival children were half-

brothers and sisters. Sophie Durival married Joseph LaFramboise[26] (Munnick and Warner 1972, 1979; McChesney 1906, 44-45; Petition 1987, "Blue files") and had eight children, including two daughters, Nellie LaFramboise, who married Nic Reinertsen, and Elizabeth LaFramboise who married George Ero, the son of Julian Ero and Peggy Kiwasha. Elizabeth LaFramboise and George Ero were half-first cousins since they had the same grandmother, Emelie Chinook, but different grandfathers. Therefore, the 14 children[27] of George and Elizabeth LaFramboise Ero were both the great-grandchildren of Emelie Chinook, through Sophie, and the great-grandchildren of Emelie Chinook through her son Julian Ero. The Ero/LaFramboise children also had a Chinook line of descent through their grandmother, Peggy Kiwasha Ero, wife of Julian Ero. On the other hand, although Elizabeth LaFramboise Ero and Nellie LaFramboise Reinertsen were full sisters, Nellie Reinertsen's children[28] did not have Ero/Kiwasha ancestry. The Reinertsen children had only one Chinook line of descent from Askalwilsh through Emelie Chinook Ero Durival.

The BIA analysis divided the large Ero/Durival ancestral line into three sub-divisions: (1) Ero/LaFramboise/Durival: the descendants of George and Elizabeth LaFramboise Ero, (As-kal-wilsh/Kiwasha lines), who were descended from Emelie Chinook through each of her two husbands, (2) Margaret Ero: the daughter of Emelie Chinook and Julian Ero, who married another Chinook descendant, John Pickernell (As-kal-wilsh/Tonwah lines), and (3) Nellie LaFramboise Reinertsen: the daughter of Joseph and Sophie Durival LaFramboise (As-kal-wilsh line).[29]

In 1981, there were 26 Ero/Durival descendants on the membership list. Eleven were Ero/LaFramboise/Durival descendants, eleven were Margaret Ero descendants, and four were Reinertsen descendants. The Ero/LaFramboise and Margaret Ero descendants each represented more than 42 percent (11 out of 26) of the Ero/Durival descendants on the 1981 membership list and the Reinertsen descendants represented more than 15 percent

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[26]Joseph LaFramboise was the son of Francois LaFramboise and Marie Marguerite, "of the Cascades." He does not have any known Chinook ancestors (Munnick and Warner 1972, 1979). Rose LaFramboise, was either the daughter or granddaughter of Francois LaFrambois and his second wife, Denis/Dana Dorion, a métis woman. Thus Rose was either the half-sister or niece of Joseph LaFrambois (Munnick and Warner 1972, 1979).

[27]The Ero/LaFramboise daughters married men named Goodell, Hathaway, Lanning, Shaw, Zolner [Zolliner], Stephan, Jones, and Boldt and each had large families.

[28]The two Reinertsen daughters married men named Holter, Wright, and Kalander.

[29]The CIT "Blue files" and the ancestor column on the 1995 membership list referred to descendants of Emelie Chinook Ero Durival as Ero, Durival, Reinertsen, LaFramboise/Ero, and Ero/Ero lines.

of the Ero/Durival family on the 1981 list. The pattern of family representations within the Ero/Durival line in 1995 was quite different from those representations in 1981.

In 1981, in the Ero/LaFramboise/Durival line, there were five Goodells (19 percent of the Ero/Durival family), four Stephans (15 percent of the Ero/Durival family), one Hathaway (4 percent of the Ero/Durival family), one Jones (4 percent of the Ero/Durival family), and no Lannings, Shaws/Zolners on the membership list. In 1995, in the Ero/LaFramboise/Durival line, there were 55 Goodells (20 percent of the Ero/Durival family), 18 Stephans (7 percent of the Ero/Durival family), 11 Lannings (4 percent of the Ero/Durival family), 30 Shaw/Zolners (11 percent of the Ero/Durival family), 19 Hathaways (7 percent of the Ero/Durival family), and 20 Joneses (7 percent of the Ero/Durival family). Although the Ero/LaFramboise/Durival line represented 42 percent of the Ero/Durival membership in 1981 and 57 percent of the Ero/Durival membership in 1995, we can see that families who had little or no representation in 1981 (Lanning, Hathaway, Shaw/Zolner, and Jones) were 80 members strong in 1995 (30 percent of the Ero/Durival family line).

There were 11 Margaret Ero descendants in 1981 (42 percent of the Ero/Durival family), but increasing to only 30 on the 1995 membership list (11 percent of the Ero/Durival membership). On the other hand, the number of Nellie Reinertsen descendants increased from 4 in 1981 to 80 in 1995; representing 15 percent of the Ero/Durival family membership in 1981 and 32 percent of the Ero/Durival family membership on 1995. In all, the Ero/Durivals made up 8 percent of the entire CIT membership in 1981 and 17 percent of the membership in 1995.

Another family which had a significant change in how it was represented on the 1981 and 1995 CIT membership lists is that of Rose (Rosa Bell) LaFramboise. Rose LaFramboise was the wife of Xavier Souvenir, a Canadian fisherman and laborer who lived near or in Cathlamet, Wahkiakum County, Washington. The Souvenirs had eight children, four of whom have descendants in the CIT: (1) Joseph Souvenir, born 1883, (2) Della May Souvenir, born 1885, who married Leonard Quigley, (3) Neva Souvenir, born 1893, who married Edward Linquist, and (4) Annie Leota Souvenir, born 1894, who married Edgar Quigley. There were 12 descendants of Joseph Souvenir representing 80 percent of the Rose LaFrambois descendants on the 1981 CIT membership list. In contrast, there were only three Quigleys and no Linquist descendants in 1981. In 1995, there were 230 descendants of Rose LaFramboise on the CIT membership list. Of the 230 Rose LaFramboise ancestral line, 123 (53 percent of the LaFramboise membership) were descendants of Joseph Souvenir. Forty percent of the LaFramboise membership were descendants of the two daughters who married Quigleys (93 out of 230 Rose LaFrambois descendants). Linquist descendants represented about 6 percent (14 out of 230) of the Rose LaFramboise ancestral line. The two Quigley lines and Linquist line which

represented only 20 percent of the Rose LaFramboise membership on the 1981 list. represented 47 percent of the Rose LaFramboise membership in 1995.

In addition to the "shifts" within various family lines. there were a number of significant increases in membership for some of the 1981 family lines. Table V shows the percent of increase in membership for each of the ancestral lines who had at least one representative on the 1981 list and the 1995 list.

TABLE V
PERCENT OF INCREASE IN MEMBERSHIP BY FAMILY

ANCESTRAL LINE	1981	1995	INCREASE IN MEMBERSHIP
Tolquist	4	65	1,525%
LaFramboise (Rose)	15	230	1,433%
Ducheney	25	320	1,180%
Johnson	1	12	1,100%
Ero/Durival	26	270	938%
George Skamock	8	36	350%
Aubichon	111	258	218%
Hawks/Hawkes	48	144	200%
Mallet	41	128	212%
Pickernell	73	217	197%
John/Johns	36	59	63%

The increases in membership in the various ancestral lines is caused by the natural birthrate, by the enrolling of children and grandchildren of individuals who were on the 1981 list, and by the enrollment project in 1982-1983, which added many more Chinook descendants.

V. ENROLLMENT PROCEDURES

The CIT 6/21/1980 constitution did not specify how the secretary would enroll members or determine how the applicants descend from the Chinook bands; however, the petition included blank copies of individual history and ancestry charts with a cover sheet that stated: "Membership Qualifications/1. Complete Ancestry form, tracing descendants back to 1915 [sic] annuity rolls" (CIT 6/12/1981, 136).

The CIT identified a goal of tribal enrollment as a part of an ANA grant. In 1984, the CIT held a 90-day enrollment period and published notices of enrollment in many newspapers in the region. The resulting roll was submitted with the CIT petition in 1987.

In conjunction with enrolling members, the council wanted to confirm the genealogies of the applicants (and members) from reliable sources (BAR 1995b). Except for the 1953 files, which were generated by the individual applicants and did not include documentation to confirm the lineages, the CIT did not have genealogical records in its possession to verify Chinook ancestry prior to the enrollment project.[30]

According to the 1984 constitution, the CIT membership would consist of individuals who submitted "satisfactory evidence" that they descended from one of the Chinook bands or Clatsop Tribe living at the time of the 1851 treaties. The specific types of "satisfactory evidence" were defined in the June 20, 1987, as being the McChesney Roll, the Roblin Roll and the 1914 annuities list.

Interviews with the tribal chairman and office staff in 1995 revealed some of the details of past enrollment procedures and the current practices. When asked how the CIT membership had grown and changed, the current chairman stated the previous secretary had a variety of filing systems and that records and applications for membership from the 1980's and earlier are still surfacing. For this reason, some persons who had been active in the CIT, and had even held offices in the council, appeared for the first time on the 1995 roll. Thus, the new 1995 membership roll showed an increase in the number of members (BAR 1995a).

In order to prepare a complete and accurate membership roll in 1995, the CIT published notices in the Chinook newsletter and individuals were asked to update information on family members. The CIT office staff also called members and wrote letters to parents with adult children for address changes, etc. Notations in the column labeled "Revision Notes" on the 1995 roll include comments such as "Info. From mother (83-0293); added new last name," "Her mother filed in 1982 and listed her also," or "New addr. from Feb95 mtg. Signup." The chairman reported that there had been a good response to the newsletter requests which, together with the information provided by family members and new births, also accounted for the increase in the membership between 1994 and 1995 (BAR 1995a).

Ancestry charts of CIT families and individual members, enrollment forms, and other records are kept in the "Red files." Minor children's records are in the parent's file. Members' files are periodically updated with address changes, changes in marital status, etc. CIT policy is that when children reach the age of 18, they have to reaffirm their membership, but for all intents and purposes they are considered members (BAR 1995a). Copies of the "Red files" for members on the 1994 roll were sent to the BIA during the

[30]See the previous discussion on the 1982-1983 enrollment project in "Identifying the Historical Tribe" in this report.

petitioning process. These records were used to help verify the ancestors on the 1995 membership list.

Persons applying for membership pick up Ancestry Charts and Individual History Charts at the tribal offices, fill them out, and return them to the CIT office for verification. Applicants are expected to trace their ancestry back to persons in the "Blue files" (BAR 1995a).

Each new application is compared with the "Red file" of the parent (or other close family members). One of the primary Chinook surnames found in the "Blue files" is recorded on the top of each application in the "Red files." The surname at the top of the file then directs the Chinook staff to the proper "Blue file" for verification of lineage to one of the historical Chinook families. The enrollment procedures appear to complement the requirement in the constitution that the membership descend from the Kathlamet Band of Chinooks, the Wahkiakum Band of Chinook, the Willapa Band of Chinooks, the Lower Band of Chinooks, and the Clatsop Tribe of Indians who were living at the time of the treaties in 1851.

Prior to the introduction of this system, the former secretary for the CIT had more or less determined who would be on the membership roll by reviewing the applications and giving out membership cards[31]. According to the CIT chairman, the council had recently re-instated an enrollment committee to oversee the enrollment process (BAR 1995a). This enrollment committee reviews applications throughout the year and recommends a "block of names" to the tribal council at least once a year. Thus, the council now has more input into the process and takes an active roll in confirming membership. The chairman did not say how many people were on the enrollment committee or how they were appointed or elected to their positions.

VI. POTENTIAL MEMBERSHIP

Many of the Chinook ancestors identified on the McChesney rolls, Roblin Roll, and 1914 annuities list had siblings who are not on the current CIT membership list and whose descendants are not on the CIT membership list. Hundreds of names could be added to the roll unless the one quarter-blood degree for new family lines is enforced. In practice, there seems to be a "maintenance of tribal relations" requirement being applied, though it

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[31]The chairman felt that there had been little or no input from the council or regard for the membership criteria as defined in the constitution with the previous secretary apparently making enrollment decisions based on her personal knowledge or preferences. For this reason, names of persons who were active in the CIT may not appear on the 1983, 1987, or 1994 membership rolls (BAR 1995a).

is not stated in the constitution or membership ordinance. Interviews with the CIT chairman and office staff revealed that the number of applicants has increased from 4-5 applicants to 15-20 applicants per month. This increase was attributed to the status of the petition for acknowledgment. The CIT chairman referred to some applicants as "Wannabees," implying that the membership committee and the council sorted the applications and denied membership to some (BAR 1995a). However, no evidence was submitted to show that the CIT actually refused membership to a documented Chinook descendant who was not a descendant of a person on the 1987 roll.

VII. DUAL ENROLLMENT

Neither the 1984 CIT constitution nor the 1987 CIT membership ordinance address the issue of dual enrollment. The CIT council is fully aware that some of the CIT members are also members of the Quinault Tribe. A list of 68 names (6 percent of the 1,165 CIT membership in 1987), who were also enrolled at Quinault, was included in the 1987 petition.

In 1966, the Quinault Enrollment Committee sent a copy of the Quinault Tribe membership roll to Tribal Operations, Western Washington Agency. The list was divided in two sections: (1) "Those whom the committee recognizes as Quinault members," [the "Proposed Quinault Membership Roll"] and (2) "those the committee has referred to the General council" [the List of Applicants Referred to General Council - Enrollment Committee does Not Have Sufficient Information on these Applicants with Which to Take Action] (Quinault Nation 1966). The letter said that both listings would be presented to the [Quinault] general council on June 4, 1966, including names that the committee had insufficient information on which to take action. However, a memorandum from Tribal Operations regarding the status of the 1966 membership rolls stated:

> On September 2, 1966 the Quinault Tribe approved the membership lists, as presented by the Enrollment committee and the Business committee. One list is for those applicants who were approved for Quinault membership . . . . the other list is for those applicants who were rejected . . . because of either non-recognition, non-residence and affiliation (BIA 9/6/1966).

For purposes of this BIA evaluation of dual enrollment, names on both lists (the names the committee recognized and the names the committee referred to the Quinault general council) were considered being on the Quinault roll. Approximately 68 of the names (7 percent of the 976 members) on the 1953 Chinook "Applications for Enrollment" were also on the 1966 proposed Quinault membership lists.

A comparison of the two 1966 Quinault listings and the 1993 Chinook Indian Tribe membership list showed that at least 31 members[32] of the CIT in 1993 were also members of the Quinault Tribe in 1966. In addition to the 31 names on the "Proposed Quinault Membership Roll," there were 22 names on the "List of Applicants Referred to General Council" that matched names on the 1993 CIT membership list. There was no record in the Agency files to show whether the Quinault general council accepted any or all of the names on the "List of Applicants Referred to General Council."

If the 22 names were approved by the general council, then approximately 53 persons on the CIT membership list were members of the Quinault Tribe in 1966. The BIA has no evidence at this time that these persons relinquished their Quinault membership to join the CIT.

The BIA does not have a 1995 or current membership list for the Quinault tribe; therefore, the 1995 CIT membership list was compared to a printout of "all people on agency file" prepared at the Olympic Peninsula Agency of the BIA and dated September 7, 1992. Approximately 82 out of the total 1,566 in the 1995 membership (5 percent) were listed as being members of the federally recognized Quinault Tribe (OPA 1992). From the three records cited above, we see that the percentage CIT members who were also enrolled members of the Quinault Tribe has remained relatively steady in the last 30 years.

Year	Chinook Membership	Also on Quinault	Percent
1953	976	68 (1966 lists)	7 %
1987	1,164	68 (Petition list)	6 %
1995	1,566	82 (1992 OPA list)	5 %

The exception to this pattern was the 1981 CIT membership list and the list of "Enrolled Chinook Members With Voting Rights on the Quinault Reservation," which was included with the 1981 Chinook petition (CIT 6/12/1981, 170). However, as was demonstrated earlier in this report, the 1981 membership list had considerably fewer members than the previous 1953 list, or the subsequent 1987 membership list. Although the 1981 list does not appear to be an accurate representation of the CIT membership, it was the list submitted with the petition and should also be evaluated in relation to the question enrollment on the Quinault Reservation.

Of the 323 names on the 1981 list, 50 (15 percent) were also enrolled at Quinault (CIT 6/12/1981, 170). Forty-eight of these Quinault enrollees are also on the 1995 CIT

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[32]The comparison did not include a line-by-line search of women whose maiden names may have appeared on the earlier Quinault lists.

membership list. The following chart shows which families and which bands had descendants enrolled both with the CIT and the Quinault Reservation in 1981:

BAND/TRIBE	1981 DUAL ENROLLMENT ANCESTRAL LINE	NUMBER ENROLLED
Lower Band/Wahkiakum	Mallet/John [all from the Frank family]	22
Lower Band/Willapa	Hawks	15
Kathlamet[33]	George Skamock	9
Lower Band	Aubichon [all from the Prior family]	6
Lower Band	Ero/Durival/LaFramboise	4
Willapa	Tolquist	2

The 68 names on the 1987 list of Quinault enrollees who were also on the CIT membership list were also analyzed to determine how the 1987 list compared to the 1981 list. The following chart shows which families and which bands had descendants enrolled both with the CIT and on the Quinault Reservation in 1987:

BAND/TRIBE	1987 DUAL ENROLLMENT ANCESTRAL LINE	NUMBER ENROLLED
Lower Band/Willapa	Hawks	24
Lower Band/Wahkiakum	Mallet/John [All from Frank family]	23
Lower Band	Ero/Durival/LaFramboise	13
Kathlamet	George Skamock	10
Lower Band/Clatsop	Pickernell	8
Lower Band/Kathlamet	Bailey/Mallet/John	5
Lower Band	Ducheney [Peers]	3
Lower Band	Aubichon	1
Lower Band	Pelland	1
Lower Band/Chehalis	Metell/Charlie	1

When comparing the two charts, we see that, from the evidence currently available, there were only a few changes in the families and bands who were dually enrolled in 1981 and

[33]Although George Skamock was of the Kathlamet Band of Chinook, a Western Oregon band which was terminated from Federal supervision in 1954, all of his descendants in the CIT also descend from the Hawks/Hawkes family which was Lower Band of Chinook.

1987. The Hawks and Mallet/John lines made up more than half of the dually enrolled in both years. The number of George Skamock's descendants, who were also Hawks descendants, remained about the same for both years (9 and 10). On the other hand, the Ero/Durival/LaFramboise family, with 4 in 1981 and 13 in 1987, tripled in the number of dually enrolled. The Tolquist line, which had 4 members on the 1981 CIT membership list, 2 of whom were dually enrolled, did not have any names on the 1987 list of dually enrolled.[34] Seventeen names on the 1987 list (25 percent) were not on the 1981, neither were their family lines on the 1981 list of dually enrolled. These family lines were: Pickernell, Pelland/Pellard, Bailey/Mallet/John, Ducheney, and Metell/Charlie.

Because of intermarriage between families such as Hawks and Skamock, and Pickernell and Ero, there was some duplication of names. Thus, when counted by band and family, the totals will not equal the number dually enrolled in Quinault and the CIT.

Although perhaps 5 percent of the CIT membership appears to be enrolled with a federally recognized tribe, the petitioner is principally composed of persons who are not members of any acknowledged North American Indian tribe.

[34]There were about 65 Tolquist descendants on the 1995 CIT membership list.

Appendix A

ANCESTORS OF THE 1953 CHINOOK TRIBE MEMBERSHIP
Taken from the 1953 Enrollment Records: BIA Annotations

There is no particular significance to the order in which the ancestors are listed below. Names of Chinook ancestral lines that are in the "Blue files" (either as the primary ancestral line on the label or other ancestral lines cited on the family group sheets) are in **BOLD** print.

1. Elmermack (Mary Ann/Almerich): Full Chinook, wife of Alex **Aubichon**, daughter of As-kal-wilsh and Arkansee
2. Emelie Chinook: Full Chinook, wife of (1) Urbain **Ero** and (2) Pierre **Durival**, daughter of As-kal-wilsh and Arkansee
3. William **Bailey**: Half Chinook, son of Mary (Celowin) West Wells; adopted by Dr. Bailey
4. Elizabeth/Ellen **Mallett**/Millett (Ah-hah-lah-so-ya, Yasista): Full Wahkiakum Chinook, sister of Sam Millet, married **Springer** and **Baricho**
5. Callust (Cahlast): Full Chinook, daughter Ellen married Alex **Pelland**/Pellard
6. Wahpooya (Wahpooza): Full Chinook, daughter Caroline **Metell** married George **Charley**; Wahpooya's grandson was Rolland Charley (Chehalis/Chinook)
7. Catherine **Hawks** (Cheatcht): Full Chinook
8. Annie **Hawks**: Chinook/Shoalwater-Chehalis, daughter of John Hawks and Nellie Secena
9. Mary Ann **Hawks**: Full Chinook
10. John Thalaukestenth **Hawks**: Full Chinook, son of Whookshwith and Gheesht
11. Celiast (Caliast, Celeast Hellen): Full Clatsop, daughter of **Cobaway**
12. Coo-oo-loo-wish: Full Chinook, married Captain James **Johnson** Charles **Cultee**: (Kularsen) Full Clatsop, born about 1830, father of Joseph and Howard Cultee
13. Charley **Cultee**: Clatsop/Chinook, son of Howard Cultee and Lena Pete
14. Lena Pete: Full Chinook, daughter of Cosmopolis Pete (Heside) and Nellie (Kahlalto) **John**. Nellie John was the daughter of Tyee John and sister of Sampson and Toney John
15. Howard **Cultee**: Full Clatsop, married Lena Pete, full Chinook
16. Robert **Salikie**: (Bob Saliky/Silackie), Full Clatsop, son of Queanequah **[Hawks, Pickernell, George Skamock]**
17. Marie Rondeau: Full Chinook, daughter of Comcomly, married

Rocque **Ducheney**

18. George **Ero**: Three-Quarters Chinook, son of Julian Ero (Half Chinook) and Peggy Kiwasha (Full Chinook), married Elizabeth LaFramboise, his half-first cousin

19. Elizabeth LaFramboise: One Quarter Chinook, daughter of Sophie **Durival** (Half Chinook) and Joseph LaFramboise (Métis), married George **Ero**

20. Frank Jocatan (Tca-kto **Frank**): Full Quinault, married Emma **Mallet**

21. Ella **Johns**: "Full Chinook," daughter of Tony Johns (Chinook) and Nellie Machise (Chehalis), married David **Frank**, Sr., son of Emma **Mallet** and Tca-kto Frank

22. Tony **Johns**: Full Chinook

23. Margaret **George**: Full Chinook, married Billie George (Full Skykomish)

24. Julia C. Robinson **Hallet** (Cluluck): Full Chinook, granddaughter of "Queen Sallie" and niece of Nah-ka-tee

25. Lucy Kanspocka Bill: Full Chinook, daughter of Wheelsnup Tyee **John** (Makam John): Quinault and Chinook, married Maria Wyticum (Mary) (Chehalis), father of Sampson Johns, Toney johns, Johnny Johns, Jonas Johns

26. George **Kiwasha** (Que-wish): Full Chinook, father of Peggy Kiwasha, possibly the son of Comcomley

27. Lincoln Jack **Lewis**: Full Chinook, married Hattie George

28. Bessie Walker: Full Chinook (or Chehalis), married John Hayden (Half Chinook)

29. Emma **Mallett**/Millet: Full Chinook, daughter of Sam Millet

30. Sam **Mallett**/Millet (Cloluh): Full Chinook, son of Clowsum

31. Rose Chenois Pape: Full Chinook

32. Mary Toltec Pysk (Mary Taltrich): Full Chinook, wife of George Taltrich who later married Celowin [Mrs. George West], mother of Rosa Taltrich/Toltec Pysk, wife of Alfred **Pickernell**

33. Kwahtsa-Luktl: Full Chinook (possibly George Taltric, see Mary Pysk) **[Pickernell]**

34. Susanne Tawakan: Half Chinook, daughter of Thomas Tawaka (Iroquois) and "a woman of the country"/Chinook, wife of Amable **Petit**

35. Ida Strong: Half Chinook, wife of James Amable **Petit**, daughter of Maggie (Full Chinook)

36. Lucy Ramsey: Half Chinook, daughter of Julia Haguet, **[Johnson? or Bailey?]**

37. Charles Wain: "Full Chinook," son of Joseph Wain (Quinault) and Eliza Meslas (Cowlitz) [other source says he is Chehalis], married Lottie **Hawks** (Chinook), (daughter of John Hawks?)

38. John **Pickernell**: Half Chinook, son of Emmaline Redhead (Tonwah) and John Edmonds Pickernell, married Margaret Ero (Half Chinook)
39. Whookshwith: Full Chinook
40. Wheesnup: Full Chinook
41. Laquinsh (Marion Stoddard): Full Chinook, mother of William Stoddard
42. Rose **LaFramboise**: "Indian," daughter of Francois LaFramboise (Canadian) and Denise Dorion (métis: Cayuse/Sioux and French Canadian), the half-sister of Joseph LaFramboise who married Sophie Durival, a Chinook woman. Married Xavier **Souvenir**.
43. **Cobaway**: Full Clatsop, no "Blue file," but there are descendants in 1953 and in 1995

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