
The Treaty of Point Elliott Assembly Lesson

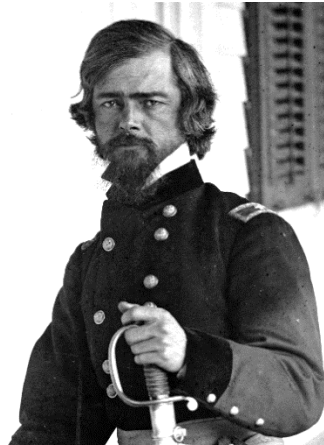
By: Lena Jones, HCC Curator
Tulalip News, syəcəb

This project correlates to the exhibits of Consistent Leadership, Treaty Sections, Sovereignty, and the temporary exhibit, The Power of Words

10th Grade



Patkanim



Governor Stevens



Bonaparte (Sna-talc)

Student's Section:

difəx^w łushuyləp (This is what you folks will do.):

1) Song (Optional)

In Coast Salish teachings, all good work begins with a song or prayer. The class can sing a song before the lesson begins.

- A song is considered a gift. It can be any song the students, or some of the students, or even one of the students is willing to share. Sing or listen to the song.

2) Assembly

Read the following four accounts of the Treaty of Point Elliott assembly and treaty signing in 1855. Complete the questions in the chart noting the different perspectives.

POINT ELLIOTT TREATY

Clinton Snowden, "The Point Elliott Treaty," History of Washington. The Rise and Progress of an American State. New York: Century History Company, 1909. Volume III p. 276-77.

(After the completion of the work of the Medicine Creek Treaty governor Isaac I. Stevens dispatched Simmons, Shaw, Cushman, Cock and Ford to assemble the remaining tribes of the Nisqually Nation at Point Elliott for a second council.).

This was assembled on January 12th and continued until the 21st. No special difficulty was encountered in the negotiations, but nearly 2,300 Indians were present, and many speeches were made. The governor first explained the purpose of the council as before, and was followed by Colonel Simmons, who spoke the Chinook Jargon, a language which they nearly all understood, and by Secretary Mason.

The Indians then sang a mass, after the Catholic form, and recited a prayer, after which the treaty was read and interpreted sentence by sentence by Colonel Shaw. When the reading was concluded the chiefs were invited to express their opinions, and to suggest any modifications they might wish to have made.

Seattle, chief of the Duwamish tribes, Patkanim, the chief of the Snoqualmies, who had been present at, and is supposed to have planned the attack on Fort Nisqually in which Wallace was killed a few years earlier, Chow-it-hoot, Goliah and others expressed themselves, generally approving what was proposed, and when all had finished the treaty was signed, first by Governor Stevens, and then by the chiefs, headmen and witnesses as before.

This treaty provided for the payment of \$150,000 in annuities and \$15,000 for improving the reservations and removing the Indians to them, and for two reservations of two sections each, one near Port Madison, and one on the east side of Fidalgo Island; also for one comprising the peninsula at the southeastern end of Perry Island, and another occupying the delta formed by the Lummi, or Nooksack River.

A special reservation of a whole township, of thirty-six sections, was also made on the north side of the Snohomish River at its mouth, "for the purpose of establishing thereon an agricultural and industrial school, and with the view of ultimately drawing thereto, and settling thereon, all the Indians living west of the Cascade Mountains in said territory.



POINT ELLIOTT COUNCIL

Kent D. Richards, "The Point Elliott Council," Isaac I. Stevens, young man in a hurry. Provo: Brigham Young University, 1979. p. 202-204.



. . . In mid-January many of the Indians began to gather at Point Elliott. The Snohomish and Snoqualmie Indians welcomed newcomers with impressive ceremony as they lined up on the beach in single file and greeted each man with the sign of the cross. After dark there was continuous singing and preaching, and George Gibbs commented, "They did very well as regards tune and in the open air their hymns or rather canticles have quite a good effect."

"The Indians are all at present in an exceedingly pious frame of mind and are evidently brushing up their religion for a grand display on the Governor's arrival." On January 17 the Duwamish Indians made their appearance, and four days later Stevens arrived. Gibbs drew up a draft incorporating the same general provisions as the Medicine Creek treaty with the reservations based on investigations Gibbs had made the previous week.

Of 3,000 Indians covered by this treaty about 2,300 were on the treaty grounds; those missing were mainly children and old people-and the Nooksack Indians, who were not contacted because of cold weather and frozen rivers. On January 22 the council began with the four chiefs whom the whites considered most important seated in the front rank: Seattle (Duwamish League), Patkanim (Snoqualmie), Goliah (Skagit), and Chow-its-hoot (Lummi).

The subchiefs were seated next and the rest were grouped behind without specific order. Stevens, as usual, opened the council with an address. He began, "My Children! You are not my children because you are the fruit of my loins, but because you are children for whom I have the same feeling as if you were the fruit of my loins. You are my children for whom I will strenuously labor all the days of my life until I shall be taken hence."

The father-child analogy became a favorite with Stevens, and he stressed it in subsequent councils on the Sound. Whatever reactions the Indians may have had, it is the key to understanding Stevens' view of the Indians. He believed that they, like children, had not yet reached the status of adulthood with its rights and responsibilities, and that they needed care and guidance until they achieved full growth and maturity.

He did not assume that they were inherently inferior, but that they had not yet reached the full potential of human development. Also, like children, they should obey their father which meant that good behavior should be rewarded and bad conduct punished. As at Medicine Creek, Stevens carefully explained the desires of the "Great Father," the provisions of the treaty, and the necessity to send the treaty to the nation's capital for final approval before it could take effect.

After the governor finished, each of the four chiefs spoke, and all indicated their approbation. The commissioners went through the treaty item by item, and before evening the document had been signed. The next morning the governor's men distributed presents while Chief Seattle in return presented a white flag to Stevens and declared, "Now by this we make friends and put away all bad feelings if we ever had any. We are the friends of the Americans. All the Indians are of the same mind. They look upon you as our father. We will never change our minds."

POINT ELLIOTT TREATY, ANCESTRAL COMMITMENT, A Longhouse Perspective



In Coast Salish societies, it was appropriate to welcome visitors to your land or your place. Our ancestors had well developed diplomatic and political traditions for all matters. They recognized one another as distinct nations and honored one another by respecting one another and one another's beliefs.

The treaty signing event was held in January, a holy time for our people, when we share words of encouragement, sing our beautiful spirit songs, and offer prayers for our communities.

In Coast Salish culture, our elders tell us all good things begin with a song or prayer. When done so, the Spirit is with us. To our ancestors, when the treaty signing was opened with a prayer and song, it symbolized the sacredness of the process. In this manner, with the presence of the Sacred as a witness, it reflected a serious matter; and our teaching is that all must put aside their differences and work toward good.

While many understood the Chinook Jargon language, it was a trade language and had a limited vocabulary. The treaty was translated from English to Chinook Jargon, then from Chinook Jargon to the languages of the people. Ancestral languages of the people who attended included Northern Lushootseed, Southern Lushootseed, Twana, Halkomelem, Northern Straits Salish, with various dialects among the language groups. Our stories tell us when the Creator was spreading languages, he liked this area so much, he tossed the remaining languages he had here and stayed.

When Governor Stevens asked the leaders to speak, in the eyes of our ancestors, it was affirming the process and the assurance of the agreements made. In Coast Salish cultures, when people are asked to speak, it is bearing witness to the event, symbolizing the significance and allowing them to be the eyes and ears of the land. It is their job to carry the message back to their communities and later to recall what they've seen and heard in the event.

When gifts were given, it was finalizing the event and avowing the good will and good faith of the agreement in the eyes of our ancestors.

Done and witnessed in this manner, our ancestors felt the promises were meant to be kept for all time. It became a sacred commitment according to our culture, more akin to a covenant.

Lena Jones, MaOM, HCC Education Curator

We didn't have laws. We had teachings.

Eugene Harry, Malahat Elder, HCC Lecture Series, 2016

Anybody. All people. All cultures. We have such diverse peoples living in this country, in our communities. How do we best learn to live together? Well, you keep your promises first. From there, you learn to live together.

Darrell Hillaire, Lummi Elder, HCC Film Series, 2015

All are related. Our elders tell us the Europeans are our brother – basically our younger brother, and we have to help him understand how to take care of the earth and understand that, in this universe, all things are connected and everything is spiritual.

Spencer Martin, Methow Elder, HCC Lecture Series, 2012



POINT ELLIOTT TREATY'S 150TH BIRTHDAY: A CAUSE FOR CELEBRATION

By Sherry Guydelkon, Tulalip See-Yaht-Sub, January 19, 2005

According to the historical record, 4,992 native people took part in the negotiation of the Point Elliott Treaty in 1855. The treaty was signed on January 22nd, one hundred fifty years ago this month.

The Governor of Washington Territory, Isaac Stevens, had sent word to the Indians of northern Puget Sound that he would meet with them towards the end of January to discuss a treaty of friendship. By mid-January, Snohomish and Snoqualmie people began gathering at Point Elliott. As others arrived – Swinomish, Lummi, Duwamish, and so on – the Snohomish and Snoqualmie people lined up on the beach to greet them.

By this time Puget Sound Indian tribes, weakened by new diseases and aware of the fates of tribes in the east who had tried to fight off white invasions, knew it was useless to refuse to deal with the U.S. government. White settlers were already moving onto their land, and the most they could hope for was payment for land taken and the opportunity to be left alone on the land that was left.

Years later Tulalip tribal elder William Shelton would recall that the people who traveled to Point Elliott in 1855 went with hearts open to the whites and with full confidence that they would be allowed to get food and would not starve. "My father was present at the treaty signing," said Shelton. "He often has told me about the pow-wow – the negotiations, which had to be done through two interpreters. One translated the white man's language into Chinook jargon and another interpreter translated the jargon into the various tribal languages." Since Chinook jargon, a sort of code language used originally by fur traders, consisted of only about 500 words, the process was guaranteed to be hopelessly unsatisfactory, but that did not concern Governor Stevens. He had no interest in understanding the wishes of the Indian people anyway.

Stevens, who had received orders from Washington, D.C., to make treaties with all of the Indians in what is now Washington State, arrived with a draft treaty in hand, determined to gain as much Indian land for the United States as possible by concentrating tribes in as small an area as he could get away with.

Stevens believed that Indians must be removed from the path of American progress, and that their removal could be done in a benevolent way. He knew what was best for the tribes of Washington, he said, and that was to put them on small reservations where they could learn to farm (which he believed was more civilized than hunting and fishing) and where they could receive the education necessary to become integrated into white society. Stevens, who saw himself as a stern but just father to the Indians, allowed the headmen to speak, but in the end he did what he had planned to do all along.

Why the treaties were important to the U.S.

In the 1840's, the U.S. government did not believe that it had a secure hold on the territory that is now Washington State. With British and Russian settlements cropping up on the Canadian and Alaskan coastline, the U.S. felt an urgent need to keep them from encroaching on U.S.-claimed soil, by encouraging American citizens to settle there.

Consequently, in 1850, Congress passed the Oregon Donation Land Act, which offered free land to settlers who would move to the northwest (Oregon Territory included what is now Washington State). At that point, the U.S. government was in the awkward position of offering free land to settlers without first buying it from the Indians. The treaties were intended to buy land already taken by white settlers and to make more land available for settlement. As had been the case from colonial times, the U.S. government was more interested in settling the west than it was in protecting Indian land rights.

The Negotiations

When the Council began at Point Elliott on January 22, 1855, the four chiefs that the whites considered to be the most important were seated in the front row: Chief Sealth (Seattle) who represented the Duwamish, Chief Patkanim who represented the Snohomish and Snoqualmies, Chief Goliah who represented the Skagits, and Chief Chow-its-hoot who represented the Lummi. The sub-chiefs were seated next, and then the rest of the people.

"You understand well my purpose," said Governor Stevens, "and you want now to know the special things we propose to do for you. We want to place you in homes where you can cultivate the soil, raising potatoes and other articles of food and where you may be able to pass in canoes over the waters of the sound and catch fish, and back to the mountains to get roots and berries.

"The lands are yours and we swear to pay you for them. We thank you that you have been so kind to all the white children of the great Father (President) who have come here from the east. Those white children have always told you that you would be paid for your lands, and we are now here to buy them.

"My children, I believe that I have got your hearts, you have my heart. We will put our hearts down on paper, and then we will sign our names. I will send that paper to the Great Father, and if he says it is good it will stand forever."

Many lofty speeches were made by both sides, but in the minds of the U.S. representatives there was little room for true negotiation. They knew what they wanted, and their purpose was to convince the Indians to sign the treaty document that they had already drafted.

In the end, the upper Puget Sound tribes, who had for centuries lived comfortably through the efficient use of the abundant fish, game and plants that were native to their homelands, were forced to sign away most of their land and control over their lives.

What the Tribes lost

Tulalip Agency Superintendent Charles M. Buchanan wrote in 1915, "This treaty established the Tulalip Agency and its reservations – Tulalip, Lummi, Swinomish and Port Madison. And by this treaty the Indians of Tulalip Agency ceded to

the white man all of the land lying between the summit of the Cascades, the western shore of Puget Sound, Point Pully or Three-Tree Point, and the international boundary line. This area includes all the land lying in the counties of Snohomish, Skagit, Whatcom, Island, San Juan, most of King and a part of Kitsap – the very choicest and most valuable portion of the State of Washington.

Other things given up included: independence from the U.S. government, the ability to declare war on whites or on other tribes, the right to purchase or consume alcohol on the reservation, the taking and keeping of slaves, and the right to trade with the Indian nations on Vancouver Island.

What the Tribes kept or gained

The treaty established four reservations – Tulalip, Lummi, Swinomish and Port Madison. Later the Muckleshoot reservation was added. These amounted to the following number of acres. Tulalip – 22,459 acres, Lummi – 12,543 acres, Suquamish – 7,168 acres, Port Madison – 7,284 acres, and Muckleshoot – 3,714 acres.

In exchange for the land, the tribes received a settlement of \$150,000 to be paid over 20 years. Because it was Stevens' intent to pay for the land taken as much as possible with goods and services and not cash, tribes were also promised that they would be furnished with an agricultural and industrial school, a doctor, farmers, blacksmiths and carpenters.

The treaty also provided for the right of taking fish at usual and accustomed grounds and stations in common with all citizens of the Territory; of erecting temporary houses for the purpose of curing; and of hunting and gathering roots and berries on open and unclaimed lands.

The treaty minutes show that many Puget Sound native people were most fearful of losing their fisheries, but Governor Stevens repeatedly assured them that they would have the right to go to the place they had always used. At that time, the federal government did not foresee any conflicts between the guarantee of continuing fishing rights for the Indians and the growing population of Washington Territory. The settlers were coming to farm, not fish, and were content to let the Indians provide fish for local consumption. Non-Indians did not become fishing competitors until the late 1870's.

Education provisions were often included in Indian treaties because both sides wanted them included, but for conflicting reasons. The federal government planned to use schools to change little Indian children into carbon copies of little white children, thus eliminating the "Indian problem". Indians, on the other hand, viewed education as a means by which Indian children could learn how to understand and deal with the non-Indian world around them.

Perhaps the most important thing that Indian treaties have done is to recognize the tribes' inherent sovereignty. Sovereignty is the power of a group of people to govern themselves. Indians were not given sovereignty by treaties – they already had the power to govern themselves. However, since the U.S. government defined treaties as binding, legal agreements between sovereign nations, when they made treaties with Indian nations, they legally recognized those nations as sovereign.

There is much legal confusion about the amount of sovereignty an Indian nation can have when its members are also citizens of the United States. But tribal governments, tribal courts, tribal police, tribal taxation, tribal zoning, tribal casinos, tax-free trust land are all indications that federal courts recognize the tribes' right to at least a certain amount of self government.

How has the Point Elliot Treaty held up in court?

The courts have played the most significant role in the interpretation of Indian treaties. Under the U.S. Constitution, treaties made by the United States are the supreme law of the land. The federal courts have generally held that Indian treaties are treaties in the constitutional sense and thus *are* the supreme law of the land. That means that if a state law does not agree with what is said in an Indian treaty, the treaty trumps state law.

And regardless of the fact that the Point Elliott Treaty is 150 years old, it is as legally binding today as it was when it was ratified by Congress in 1859.

The Boldt Decision is perhaps the most well-known example of a Point Elliott Treaty right being upheld in federal court. The courts agreed with Puget Sound tribes that the treaty promised Indians the right to half of the salmon in their usual and accustomed areas, regardless of Washington State laws and regulations which limited Indian catches.

Treaties are monumentally important documents to Indian peoples because they provide a legal basis around which Indian nations can protect their reservation lands; their rights to minerals, water, hunting, fishing and gathering areas; and their rights to self-government.

Many non-Indians believe that treaties should be abolished and that Indians should just be mainstream Americans with no more or less rights than any other Americans. But treaty Indians know how much they gave up for their special rights, and they know that it is their treaty rights that allow them to remain Indians, following in the footsteps of their ancestors, looking out for one another from birth to death.



Gathering at the beach in Mukilteo. Photo by Tulalip Church of God Pastor B. Adam Williams.

If you did not already have a copy of the Point Elliott Treaty, you have one now (see below). Read it. Keep it. Cherish it. It is a gift from your ancestors to you.

Treaty of Point Elliott, 1855

Articles of agreement and convention made and concluded at Muckl-te-oh, or Point Elliott, in the territory of Washington, this twenty-second day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, head-men and delegates of the Dwamish, Suquamish, Sk-kahl-mish, Sam-ahmish, Smalh-kamish, Skope-ahmish, St-kah-mish, Snoqualmoo, Skai-wha-mish, N'Quentl-ma-mish, Sk-tah-le-jum, Stoluck-wha-mish, Sno-ho-mish, Skagit, Kik-i-allus, Swin-a-mish, Squin-ah-mish, Sah-ku-mehu, Noo-wha-ha, Nook-wa-chah-mish, Mee-see-qua-guilch, Cho-bah-ah-bish, and other allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes, and duly authorized by them.

ARTICLE 1.

The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows: Commencing at a point on the eastern side of Admiralty Inlet, known as Point Pully, about midway between Commencement and Elliott Bays; thence eastwardly, running along the north line of lands heretofore ceded to the United States by the Nisqually, Puyallup, and other Indians, to the summit of the Cascade range of mountains; thence northwardly, following the summit of said range to the 49th parallel of north latitude; thence west, along said parallel to the middle of the Gulf of Georgia; thence through the middle of said gulf and the main channel through the Canal de Arro to the Straits of Fuca, and crossing the same through the middle of Admiralty Inlet to Suquamish Head; thence southwesterly, through the peninsula, and following the divide between Hood's Canal and Admiralty Inlet to the portage known as Wilkes' Portage; thence northeastwardly, and following the line of lands heretofore ceded as aforesaid to Point Southworth, on the western side of Admiralty Inlet, and thence around the foot of Vashon's Island eastwardly and southeastwardly to the place of beginning, including all the islands comprised within said boundaries, and all the right, title, and interest of the said tribes and bands to any lands within the territory of the United States.

ARTICLE 2.

There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: the amount of two sections, or twelve hundred and eighty acres, surrounding the small bight at the head of Port Madison, called by the Indians Noo-sohk-um; the amount of two sections, or twelve hundred and eighty acres, on the north side Hwhomish Bay and the creek emptying into the same called Kwilt-seh-da, the peninsula at the southeastern end of Perry's Island, called Shais-quihi, and the island called Chah-choo-sen, situated in the Lummi River at the point of separation of the mouths emptying respectively into Bellingham Bay and the Gulf of Georgia. All which tracts shall be set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribes or bands, and of the superintendent or agent, but, if necessary for the public convenience, roads may be run through the said reserves, the Indians being compensated for any damage thereby done them.

ARTICLE 3.

There is also reserved from out the lands hereby ceded the amount of thirty-six sections, or one township of land, on the northeastern shore of Port Gardner, and north of the mouth of Snohomish River, including Tulalip Bay and the before-mentioned Kwilt-seh-da Creek, for the purpose of establishing thereon an agricultural and industrial school, as hereinafter mentioned and agreed, and with a view of ultimately drawing thereto and settling thereon all the Indians living west of the Cascade Mountains in said Territory. Provided, however, That the President may establish the central agency and general reservation at such other point as he may deem for the benefit of the Indians.

ARTICLE 4.

The said tribes and bands agree to remove to and settle upon the said first above-mentioned reservations within one year after the ratification of this treaty, or sooner, if the means are furnished them. In the mean time it shall be lawful

for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied, if with the permission of the owner.

ARTICLE 5.

The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands. Provided, however, That they shall not take shell-fish from any beds staked or cultivated by citizens.

ARTICLE 6.

In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of one hundred and fifty thousand dollars, in the following manner -- that is to say: For the first year after the ratification hereof, fifteen thousand dollars; for the next two year, twelve thousand dollars each year; for the next three years, ten thousand dollars each year; for the next four years, seven thousand five hundred dollars each years; for the next five years, six thousand dollars each year; and for the last five years, four thousand two hundred and fifty dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may, from time to time, determine at his discretion upon what beneficial objects to expend the same; and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

ARTICLE 7.

The President may hereafter, when in his opinion the interests of the Territory shall require and the welfare of the said Indians be promoted, remove them from either or all of the special reservations hereinbefore made to the said general reservation, or such other suitable place within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of such removal, or may consolidate them with other friendly tribes or bands; and he may further at his discretion cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indian, and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

ARTICLE 8.

The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE 9.

The said tribes and bands acknowledge their dependence on the Government of the United States, and promise to be friendly with all citizens thereof, and they pledge themselves to commit no depredations on the property of such citizens. Should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, of if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and the other Indians to the Government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on other Indians within the Territory the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE 10.

The above tribes and bands are desirous to exclude from their reservations the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE 11.

The said tribes and bands agree to free all slaves now held by them and not to purchase or acquire others hereafter.

ARTICLE 12.

The said tribes and bands further agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in their reservations without consent of the superintendent or agent.

ARTICLE 13.

To enable the said Indians to remove to and settle upon their aforesaid reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of fifteen thousand dollars to be laid out and expended under the direction of the President and in such manner as he shall approve.

ARTICLE 14.

The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for a period of twenty years, an agricultural and industrial school, to be free to children of the said tribes and bands in common with those of the other tribes of said district, and to provide the said school with a suitable instructor or instructors, and also to provide a smithy and carpenter's shop, and furnish them with the necessary tools, and employ a blacksmith, carpenter, and farmer for the like term of twenty years to instruct the Indians in their respective occupations. And the United States finally agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of said school, shops, persons employed, and medical attendance to be defrayed by the United States, and not deducted from the annuities.

ARTICLE 15.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

Issac I. Stevens, Governor and Superintendent. (L.S.)

Seattle, Chief of the Dwamish and Suquamish tribes, his x mark. (L. S.)

Pat-ka-nam, Chief of the Snoqualmoo, Snohomish and other tribes, his x mark. (L.S.) Chow-its-hoot, Chief of the Lummi and other tribes, his x mark. (L. S.)

Goliah, Chief of the Skagits and other allied tribes, his x mark. (L.S.)

Kwallattum, or General Pierce, Sub-chief of the Skagit tribe, his x mark. (L.S.)

S'hootst-hoot, Sub-chief of Snohomish, his x mark. (L.S.)

Snah-talc, or Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)

Squash-um, or The Smoke, Sub-chief of the Snoqualmoo, his x mark. (L.S.)
See-alla-pa-han, or The Priest, Sub-chief of Sk-tah-le-jum, his x mark. (L.S.)
He-uch-ka-nam, or George Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)
Tse-nah-talc, or Joseph Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)
Ns'ski-oos, or Jackson, Sub-chief of Snohomish, his x mark. (L.S.)
Wats-ka-lah-tchie, or John Hobtsthoot, Sub-chief of Snohomish, his x mark. (L.S.)
Smeh-mai-hu, Sub-chief of Skai-wha-mish, his x mark. (L.S.)
Slat-eah-ka-nam, Sub-chief of Snoqualmoo, his x mark. (L.S.)
St'hau-ai, Sub-chief of Snoqualmoo, his x mark. (L.S.)
Lugs-ken, Sub-chief of Skai-wha-mish, his x mark. (L.S.)
S'heht-soolt, or Peter, Sub-chief of Snohomish, his x mark. (L.S.)
Do-queh-oo-satl, Snoqualmoo tribe, his x mark. (L.S.)
John Kanam, Snoqualmoo sub-chief, his x mark. (L.S.)
Klemsh-ka-nam, Snoqualmoo, his x mark. (L.S.)
Ts'huahntl, Dwa-mish sub-chief, his x mark. (L.S.)
Kwuss-ka-nam, or George Snatelum, Sen., Skagit tribe, his x mark. (L.S.)
Hel-mits, or George Snatelum, Skagit sub-chief, his x mark. (L.S.)
S'kwai-kwi, Skagit tribe, sub-chief, his x mark. (L.S.)
Seh-lek-qu, Sub-chief Lummi tribe, his x mark. (L.S.)
S'h'-ch eh-oos, or General Washington, Sub-chief of Lummi tribe, his x mark. (L.S.)
Whai-lan-hu, or Davy Crockett, Sub-chief of Lummi tribe, his x mark. (L.S.)
She-ah-delt-hu, Sub-chief of Lummi tribe, his x mark. (L.S.)
Kwult-seh, Sub-chief of Lummi tribe, his x mark. (L.S.)
Kwull-et-hu, Lummi tribe, his x mark. (L.S.)
Kleh-kent-soot, Skagit tribe, his x mark. (L.S.)
Sohn-heh-ovs, Skagit tribe, his x mark. (L.S.)
S'deh-ap-kan, or General Warren, Skagit tribe, his x mark. (L.S.)
Chul-whil-tan, Sub-chief of Suquamish tribe, his x mark. (L.S.)
Ske-eh-tum, Skagit tribe, his x mark. (L.S.)
Patchkanam, or Dome, Skagit tribe, his x mark. (L.S.)
Sats-Kanam, Squin-ah-nush tribe, his x mark. (L.S.)

Sd-zo-mahtl, Kik-ial-lus band, his x mark. (L.S.)

Dahtl-de-min, Sub-chief of Sah-ku-meh-hu, his x mark. (L.S.)

Sd'zek-du-num, Me-sek-wi-guilse sub-chief, his x mark. (L.S.)

Now-a-chais, Sub-chief of Dwamish, his x mark. (L.S.)

Mis-lo-tche, or Wah-hehl-tchoo, Sub-chief of Suquamish, his x mark. (L.S.)

Sloo-noksh-tan, or Jim, Suquamish tribe, his x mark. (L.S.)

Moo-whah-lad-hu, or Jack, Suquamish tribe, his x mark. (L.S.)

Too-leh-plan, Suquamish tribe, his x mark. (L.S.)

Ha-seh-doo-an, or Keo-kuck, Dwamish tribe, his x mark. (L.S.)

Hoovilt-meh-tum, Sub-chief of Suquamish, his x mark. (L.S.)

We-ai-pah, Skaiwhamish tribe, his x mark. (L.S.)

S'ah-an-hu, or Hallam, Snohomish tribe, his x mark. (L.S.)

She-hope, or General Pierce, Skagit tribe, his x mark. (L.S.)

Hwn-lah-lakq, or Thomas Jefferson, Lummi tribe, his x mark. (L.S.)

Cht-simpt, Lummi tribe, his x mark. (L.S.)

Tse-sum-ten, Lummi tribe, his x mark. (L.S.)

Klt-hahl-ten, Lummi tribe, his x mark. (L.S.)

Kut-ta-kanam, or John, Lummi tribe, his x mark. (L.S.)

Ch-lah-ben, Noo-qua-cha-mish band, his x mark. (L.S.)

Noo-heh-oos, Snoqualmoo tribe, his x mark. (L.S.)

Hweh-uk, Snoqualmoo tribe, his x mark. (L.S.)

Peh-nus, Skai-whamish tribe, his x mark. (L.S.)

Yim-ka-dam, Snoqualmoo tribe, his x mark. (L.S.)

Twooi-as-kut, Skaiwhamish tribe, his x mark. (L.S.)

Luch-al-kanam, Snoqualmoo tribe, his x mark. (L.S.)

S'hoot-kanam, Snoqualmoo tribe, his x mark. (L.S.)

Sme-a-kanam, Snoqualmoo tribe, his x mark. (L.S.)

Sad-zis-keh, Snoqualmoo, his x mark. (L.S.)

Heh-mahl, Skaiwhamish band, his x mark. (L.S.)

Charley, Skagit tribe, his x mark. (L.S.)

Sampson, Skagit tribe, his x mark. (L.S.)

John Taylor, Snohomish tribe, his x mark. (L.S.)

Hatch-kwentum, Skagit tribe, his x mark. (L.S.)

Yo-i-kum, Skagit tribe, his x mark. (L.S.)

T'kwa-ma-han, Skagit tribe, his x mark. (L.S.)

Sto-dum-kan, Swinamish band, his x mark. (L.S.)

Be-lole, Swinamish band, his x mark. (L.S.)

D'zo-lole-gwam-hu, Skagit tribe, his x mark. (L.S.)

Steh-shail, William, Skaiwhamish band, his x mark. (L.S.)

Kel-kahl-tsoot, Swinamish tribe, his x mark. (L.S.)

Pat-sen, Skagit tribe, his x mark. (L.S.)

Pat-teh-us, Noo-wha-ah sub-chief, his x mark. (L.S.)

S'hoolk-ka-nam, Lummi sub-chief, his x mark. (L.S.)

Ch-lok-suts, Lummi sub-chief, his x mark. (L.S.)

Executed in the presence of us --

M. T. Simmons, Indian agent.

C. H. Mason, Secretary of Washington Territory.

Benj. F. Shaw, Interpreter.

Chas. M. Hitchcock.

H. A. Goldsborough.

George Gibbs.

John H. Scranton.

Henry D. Cock.

S. S. Ford, jr.

Orrington Cushman.

Ellis Barnes.

R. S. Bailey.

S. M. Collins.

Lafayettee Balch.

E. S. Fowler.

J. H. Hall.

Rob't Davis.

Governor Stevens and Government Representatives	Seattle and Indigenous Representatives
What was his/their View of Treaty Indigenous People	What was their View of Treaty Government People
What solemnized the treaty	What solemnized the treaty
What was motivation for treaty	What was motivation for treaty
What was lost	What was lost
What was gained	What was gained/retained

3) Reflect

The leaders of the Indigenous groups had difficult decisions to make concerning the future of their families and groups, hopeful they would maintain health, could live peacefully with U.S. citizens, and could support their families and people as they had always done. Going back in time with language being understood, write a couple paragraphs about what you would say to one of the representatives of the tribes at the Treaty of Point Elliott signing. Explain the current condition of his tribe and the region after more a century and a half from the signing of the treaty, the positive things and things that still can be improved.

4) Research

Look up one of the Point Elliott Treaty signers online. Research how they came to be at the Point Elliott Treaty assembly and if they did any further work in the area. (Note the information of the Indigenous signers is limited.) Write a paragraph or two on the life and times of the treaty signer.

Teacher's Section:

difəx^w ɫushuyləp (This is what you folks will do.):

1) Song (Optional)

In Coast Salish teachings, all good work begins with a song or prayer. The class can sing a song before the lesson begins.

- A song is considered a gift. It can be any song the students, or some of the students, or even one of the students is willing to share. Sing or listen to the song.

2) Assembly

Read the following four accounts of the Treaty of Point Elliott assembly and treaty signing in 1855. Complete the questions in the chart noting the different perspectives.

POINT ELLIOTT TREATY

Clinton Snowden, "The Point Elliott Treaty," History of Washington. The Rise and Progress of an American State. New York: Century History Company, 1909. Volume III p. 276-77.

(After the completion of the work of the Medicine Creek Treaty governor Isaac I. Stevens dispatched Simmons, Shaw, Cushman, Cock and Ford to assemble the remaining tribes of the Nisqually Nation at Point Elliott for a second council.).

This was assembled on January 12th and continued until the 21st. No special difficulty was encountered in the negotiations, but nearly 2,300 Indians were present, and many speeches were made. The governor first explained the purpose of the council as before, and was followed by Colonel Simmons, who spoke the Chinook Jargon, a language which they nearly all understood, and by Secretary Mason.

The Indians then sang a mass, after the Catholic form, and recited a prayer, after which the treaty was read and interpreted sentence by sentence by Colonel Shaw. When the reading was concluded the chiefs were invited to express their opinions, and to suggest any modifications they might wish to have made.

Seattle, chief of the Duwamish tribes, Patkanim, the chief of the Snoqualmies, who had been present at, and is supposed to have planned the attack on Fort Nisqually in which Wallace was killed a few years earlier, Chow-it-hoot, Goliah and others expressed themselves, generally approving what was proposed, and when all had finished the treaty was signed, first by Governor Stevens, and then by the chiefs, headmen and witnesses as before.

This treaty provided for the payment of \$150,000 in annuities and \$15,000 for improving the reservations and removing the Indians to them, and for two reservations of two sections each, one near Port Madison, and one on the east side of Fidalgo Island; also for one comprising the peninsula at the southeastern end of Perry Island, and another occupying the delta formed by the Lummi, or Nooksack River.

A special reservation of a whole township, of thirty-six sections, was also made on the north side of the Snohomish River at its mouth, "for the purpose of establishing thereon an agricultural and industrial school, and with the view of ultimately drawing thereto, and settling thereon, all the Indians living west of the Cascade Mountains in said territory.



POINT ELLIOTT COUNCIL

Kent D. Richards, "The Point Elliott Council," Isaac I. Stevens, young man in a hurry. Provo: Brigham Young University, 1979. p. 202-204.



. . . In mid-January many of the Indians began to gather at Point Elliott. The Snohomish and Snoqualmie Indians welcomed newcomers with impressive ceremony as they lined up on the beach in single file and greeted each man with the sign of the cross. After dark there was continuous singing and preaching, and George Gibbs commented, "They did very well as regards tune and in the open air their hymns or rather canticles have quite a good effect."

"The Indians are all at present in an exceedingly pious frame of mind and are evidently brushing up their religion for a grand display on the Governor's arrival." On January 17 the Duwamish Indians made their appearance, and four days later Stevens arrived. Gibbs drew up a draft incorporating the same general provisions as the Medicine Creek treaty with the reservations based on investigations Gibbs had made the previous week.

Of 3,000 Indians covered by this treaty about 2,300 were on the treaty grounds; those missing were mainly children and old people-and the Nooksack Indians, who were not contacted because of cold weather and frozen rivers. On January 22 the council began with the four chiefs whom the whites considered most important seated in the front rank: Seattle (Duwamish League), Patkanim (Snoqualmie), Goliah (Skagit), and Chow-its-hoot (Lummi).

The subchiefs were seated next and the rest were grouped behind without specific order. Stevens, as usual, opened the council with an address. He began, "My Children! You are not my children because you are the fruit of my loins, but because you are children for whom I have the same feeling as if you were the fruit of my loins. You are my children for whom I will strenuously labor all the days of my life until I shall be taken hence."

The father-child analogy became a favorite with Stevens, and he stressed it in subsequent councils on the Sound. Whatever reactions the Indians may have had, it is the key to understanding Stevens' view of the Indians. He believed that they, like children, had not yet reached the status of adulthood with its rights and responsibilities, and that they needed care and guidance until they achieved full growth and maturity.

He did not assume that they were inherently inferior, but that they had not yet reached the full potential of human development. Also, like children, they should obey their father which meant that good behavior should be rewarded and bad conduct punished. As at Medicine Creek, Stevens carefully explained the desires of the "Great Father," the provisions of the treaty, and the necessity to send the treaty to the nation's capital for final approval before it could take effect.

After the governor finished, each of the four chiefs spoke, and all indicated their approbation. The commissioners went through the treaty item by item, and before evening the document had been signed. The next morning the governor's men distributed presents while Chief Seattle in return presented a white flag to Stevens and declared, "Now by this we make friends and put away all bad feelings if we ever had any. We are the friends of the Americans. All the Indians are of the same mind. They look upon you as our father. We will never change our minds."

POINT ELLIOTT TREATY, ANCESTRAL COMMITMENT, A Longhouse Perspective



In Coast Salish societies, it was appropriate to welcome visitors to your land or your place. Our ancestors had well developed diplomatic and political traditions for all matters. They recognized one another as distinct nations and honored one another by respecting one another and one another's beliefs.

The treaty signing event was held in January, a holy time for our people, when we share words of encouragement, sing our beautiful spirit songs, and offer prayers for our communities.

In Coast Salish culture, our elders tell us all good things begin with a song or prayer. When done so, the Spirit is with us. To our ancestors, when the treaty signing was opened with a prayer and song, it symbolized the sacredness of the process. In this manner, with the presence of the Sacred as a witness, it reflected a serious matter; and our teaching is that all must put aside their differences and work toward good.

While many understood the Chinook Jargon language, it was a trade language and had a limited vocabulary. The treaty was translated from English to Chinook Jargon, then from Chinook Jargon to the languages of the people. Ancestral languages of the people who attended included Northern Lushootseed, Southern Lushootseed, Twana, Halkomelem, Northern Straits Salish, with various dialects among the language groups. Our stories tell us when the Creator was spreading languages, he liked this area so much, he tossed the remaining languages he had here and stayed.

When Governor Stevens asked the leaders to speak, in the eyes of our ancestors, it was affirming the process and the assurance of the agreements made. In Coast Salish cultures, when people are asked to speak, it is bearing witness to the event, symbolizing the significance and allowing them to be the eyes and ears of the land. It is their job to carry the message back to their communities and later to recall what they've seen and heard in the event.

When gifts were given, it was finalizing the event and avowing the good will and good faith of the agreement in the eyes of our ancestors.

Done and witnessed in this manner, our ancestors felt the promises were meant to be kept for all time. It became a sacred commitment according to our culture, more akin to a covenant.

Lena Jones, MaOM, HCC Education Curator

We didn't have laws. We had teachings.

Eugene Harry, Malahat Elder, HCC Lecture Series, 2016

Anybody. All people. All cultures. We have such diverse peoples living in this country, in our communities. How do we best learn to live together? Well, you keep your promises first. From there, you learn to live together.

Darrell Hillaire, Lummi Elder, HCC Film Series, 2015

All are related. Our elders tell us the Europeans are our brother – basically our younger brother, and we have to help him understand how to take care of the earth and understand that, in this universe, all things are connected and everything is spiritual.

Spencer Martin, Methow Elder, HCC Lecture Series, 2012



POINT ELLIOTT TREATY'S 150TH BIRTHDAY: A CAUSE FOR CELEBRATION

By Sherry Guydelkon, Tulalip See-Yaht-Sub, January 19, 2005

According to the historical record, 4,992 native people took part in the negotiation of the Point Elliott Treaty in 1855. The treaty was signed on January 22nd, one hundred fifty years ago this month.

The Governor of Washington Territory, Isaac Stevens, had sent word to the Indians of northern Puget Sound that he would meet with them towards the end of January to discuss a treaty of friendship. By mid-January, Snohomish and Snoqualmie people began gathering at Point Elliott. As others arrived – Swinomish, Lummi, Duwamish, and so on – the Snohomish and Snoqualmie people lined up on the beach to greet them.

By this time Puget Sound Indian tribes, weakened by new diseases and aware of the fates of tribes in the east who had tried to fight off white invasions, knew it was useless to refuse to deal with the U.S. government. White settlers were already moving onto their land, and the most they could hope for was payment for land taken and the opportunity to be left alone on the land that was left.

Years later Tulalip tribal elder William Shelton would recall that the people who traveled to Point Elliott in 1855 went with hearts open to the whites and with full confidence that they would be allowed to get food and would not starve. "My father was present at the treaty signing," said Shelton. "He often has told me about the pow-wow – the negotiations, which had to be done through two interpreters. One translated the white man's language into Chinook jargon and another interpreter translated the jargon into the various tribal languages." Since Chinook jargon, a sort of code language used originally by fur traders, consisted of only about 500 words, the process was guaranteed to be hopelessly unsatisfactory, but that did not concern Governor Stevens. He had no interest in understanding the wishes of the Indian people anyway.

Stevens, who had received orders from Washington, D.C., to make treaties with all of the Indians in what is now Washington State, arrived with a draft treaty in hand, determined to gain as much Indian land for the United States as possible by concentrating tribes in as small an area as he could get away with.

Stevens believed that Indians must be removed from the path of American progress, and that their removal could be done in a benevolent way. He knew what was best for the tribes of Washington, he said, and that was to put them on small reservations where they could learn to farm (which he believed was more civilized than hunting and fishing) and where they could receive the education necessary to become integrated into white society. Stevens, who saw himself as a stern but just father to the Indians, allowed the headmen to speak, but in the end he did what he had planned to do all along.

Why the treaties were important to the U.S.

In the 1840's, the U.S. government did not believe that it had a secure hold on the territory that is now Washington State. With British and Russian settlements cropping up on the Canadian and Alaskan coastline, the U.S. felt an urgent need to keep them from encroaching on U.S.-claimed soil, by encouraging American citizens to settle there.

Consequently, in 1850, Congress passed the Oregon Donation Land Act, which offered free land to settlers who would move to the northwest (Oregon Territory included what is now Washington State). At that point, the U.S. government was in the awkward position of offering free land to settlers without first buying it from the Indians. The treaties were intended to buy land already taken by white settlers and to make more land available for settlement. As had been the case from colonial times, the U.S. government was more interested in settling the west than it was in protecting Indian land rights.

The Negotiations

When the Council began at Point Elliott on January 22, 1855, the four chiefs that the whites considered to be the most important were seated in the front row: Chief Sealth (Seattle) who represented the Duwamish, Chief Patkanim who represented the Snohomish and Snoqualmies, Chief Goliah who represented the Skagits, and Chief Chow-its-hoot who represented the Lummi. The sub-chiefs were seated next, and then the rest of the people.

"You understand well my purpose," said Governor Stevens, "and you want now to know the special things we propose to do for you. We want to place you in homes where you can cultivate the soil, raising potatoes and other articles of food and where you may be able to pass in canoes over the waters of the sound and catch fish, and back to the mountains to get roots and berries.

"The lands are yours and we swear to pay you for them. We thank you that you have been so kind to all the white children of the great Father (President) who have come here from the east. Those white children have always told you that you would be paid for your lands, and we are now here to buy them.

"My children, I believe that I have got your hearts, you have my heart. We will put our hearts down on paper, and then we will sign our names. I will send that paper to the Great Father, and if he says it is good it will stand forever."

Many lofty speeches were made by both sides, but in the minds of the U.S. representatives there was little room for true negotiation. They knew what they wanted, and their purpose was to convince the Indians to sign the treaty document that they had already drafted.

In the end, the upper Puget Sound tribes, who had for centuries lived comfortably through the efficient use of the abundant fish, game and plants that were native to their homelands, were forced to sign away most of their land and control over their lives.

What the Tribes lost

Tulalip Agency Superintendent Charles M. Buchanan wrote in 1915, "This treaty established the Tulalip Agency and its reservations – Tulalip, Lummi, Swinomish and Port Madison. And by this treaty the Indians of Tulalip Agency ceded to

the white man all of the land lying between the summit of the Cascades, the western shore of Puget Sound, Point Pully or Three-Tree Point, and the international boundary line. This area includes all the land lying in the counties of Snohomish, Skagit, Whatcom, Island, San Juan, most of King and a part of Kitsap – the very choicest and most valuable portion of the State of Washington.

Other things given up included: independence from the U.S. government, the ability to declare war on whites or on other tribes, the right to purchase or consume alcohol on the reservation, the taking and keeping of slaves, and the right to trade with the Indian nations on Vancouver Island.

What the Tribes kept or gained

The treaty established four reservations – Tulalip, Lummi, Swinomish and Port Madison. Later the Muckleshoot reservation was added. These amounted to the following number of acres. Tulalip – 22,459 acres, Lummi – 12,543 acres, Suquamish – 7,168 acres, Port Madison – 7,284 acres, and Muckleshoot – 3,714 acres.

In exchange for the land, the tribes received a settlement of \$150,000 to be paid over 20 years. Because it was Stevens' intent to pay for the land taken as much as possible with goods and services and not cash, tribes were also promised that they would be furnished with an agricultural and industrial school, a doctor, farmers, blacksmiths and carpenters.

The treaty also provided for the right of taking fish at usual and accustomed grounds and stations in common with all citizens of the Territory; of erecting temporary houses for the purpose of curing; and of hunting and gathering roots and berries on open and unclaimed lands.

The treaty minutes show that many Puget Sound native people were most fearful of losing their fisheries, but Governor Stevens repeatedly assured them that they would have the right to go to the place they had always used. At that time, the federal government did not foresee any conflicts between the guarantee of continuing fishing rights for the Indians and the growing population of Washington Territory. The settlers were coming to farm, not fish, and were content to let the Indians provide fish for local consumption. Non-Indians did not become fishing competitors until the late 1870's.

Education provisions were often included in Indian treaties because both sides wanted them included, but for conflicting reasons. The federal government planned to use schools to change little Indian children into carbon copies of little white children, thus eliminating the "Indian problem". Indians, on the other hand, viewed education as a means by which Indian children could learn how to understand and deal with the non-Indian world around them.

Perhaps the most important thing that Indian treaties have done is to recognize the tribes' inherent sovereignty. Sovereignty is the power of a group of people to govern themselves. Indians were not given sovereignty by treaties – they already had the power to govern themselves. However, since the U.S. government defined treaties as binding, legal agreements between sovereign nations, when they made treaties with Indian nations, they legally recognized those nations as sovereign.

There is much legal confusion about the amount of sovereignty an Indian nation can have when its members are also citizens of the United States. But tribal governments, tribal courts, tribal police, tribal taxation, tribal zoning, tribal casinos, tax-free trust land are all indications that federal courts recognize the tribes' right to at least a certain amount of self government.

How has the Point Elliot Treaty held up in court?

The courts have played the most significant role in the interpretation of Indian treaties. Under the U.S. Constitution, treaties made by the United States are the supreme law of the land. The federal courts have generally held that Indian treaties are treaties in the constitutional sense and thus *are* the supreme law of the land. That means that if a state law does not agree with what is said in an Indian treaty, the treaty trumps state law.

And regardless of the fact that the Point Elliott Treaty is 150 years old, it is as legally binding today as it was when it was ratified by Congress in 1859.

The Boldt Decision is perhaps the most well-known example of a Point Elliott Treaty right being upheld in federal court. The courts agreed with Puget Sound tribes that the treaty promised Indians the right to half of the salmon in their usual and accustomed areas, regardless of Washington State laws and regulations which limited Indian catches.

Treaties are monumentally important documents to Indian peoples because they provide a legal basis around which Indian nations can protect their reservation lands; their rights to minerals, water, hunting, fishing and gathering areas; and their rights to self-government.

Many non-Indians believe that treaties should be abolished and that Indians should just be mainstream Americans with no more or less rights than any other Americans. But treaty Indians know how much they gave up for their special rights, and they know that it is their treaty rights that allow them to remain Indians, following in the footsteps of their ancestors, looking out for one another from birth to death.



Gathering at the beach in Mukilteo. Photo by Tulalip Church of God Pastor B. Adam Williams.

If you did not already have a copy of the Point Elliott Treaty, you have one now (see below). Read it. Keep it. Cherish it. It is a gift from your ancestors to you.

Treaty of Point Elliott, 1855

Articles of agreement and convention made and concluded at Muckl-te-oh, or Point Elliott, in the territory of Washington, this twenty-second day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, head-men and delegates of the Dwamish, Suquamish, Sk-kahl-mish, Sam-ahmish, Smalh-kamish, Skope-ahmish, St-kah-mish, Snoqualmoo, Skai-wha-mish, N'Quentl-ma-mish, Sk-tah-le-jum, Stoluck-wha-mish, Sno-ho-mish, Skagit, Kik-i-allus, Swin-a-mish, Squin-ah-mish, Sah-ku-mehu, Noo-wha-ha, Nook-wa-chah-mish, Mee-see-qua-guilch, Cho-bah-ah-bish, and other allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes, and duly authorized by them.

ARTICLE 1.

The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows: Commencing at a point on the eastern side of Admiralty Inlet, known as Point Pully, about midway between Commencement and Elliott Bays; thence eastwardly, running along the north line of lands heretofore ceded to the United States by the Nisqually, Puyallup, and other Indians, to the summit of the Cascade range of mountains; thence northwardly, following the summit of said range to the 49th parallel of north latitude; thence west, along said parallel to the middle of the Gulf of Georgia; thence through the middle of said gulf and the main channel through the Canal de Arro to the Straits of Fuca, and crossing the same through the middle of Admiralty Inlet to Suquamish Head; thence southwesterly, through the peninsula, and following the divide between Hood's Canal and Admiralty Inlet to the portage known as Wilkes' Portage; thence northeastwardly, and following the line of lands heretofore ceded as aforesaid to Point Southworth, on the western side of Admiralty Inlet, and thence around the foot of Vashon's Island eastwardly and southeastwardly to the place of beginning, including all the islands comprised within said boundaries, and all the right, title, and interest of the said tribes and bands to any lands within the territory of the United States.

ARTICLE 2.

There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: the amount of two sections, or twelve hundred and eighty acres, surrounding the small bight at the head of Port Madison, called by the Indians Noo-sohk-um; the amount of two sections, or twelve hundred and eighty acres, on the north side Hwhomish Bay and the creek emptying into the same called Kwilt-seh-da, the peninsula at the southeastern end of Perry's Island, called Shais-quihi, and the island called Chah-choo-sen, situated in the Lummi River at the point of separation of the mouths emptying respectively into Bellingham Bay and the Gulf of Georgia. All which tracts shall be set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribes or bands, and of the superintendent or agent, but, if necessary for the public convenience, roads may be run through the said reserves, the Indians being compensated for any damage thereby done them.

ARTICLE 3.

There is also reserved from out the lands hereby ceded the amount of thirty-six sections, or one township of land, on the northeastern shore of Port Gardner, and north of the mouth of Snohomish River, including Tulalip Bay and the before-mentioned Kwilt-seh-da Creek, for the purpose of establishing thereon an agricultural and industrial school, as hereinafter mentioned and agreed, and with a view of ultimately drawing thereto and settling thereon all the Indians living west of the Cascade Mountains in said Territory. Provided, however, That the President may establish the central agency and general reservation at such other point as he may deem for the benefit of the Indians.

ARTICLE 4.

The said tribes and bands agree to remove to and settle upon the said first above-mentioned reservations within one year after the ratification of this treaty, or sooner, if the means are furnished them. In the mean time it shall be lawful

for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied, if with the pe-mission of the owner.

ARTICLE 5.

The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands. Provided, however, That they shall not take shell-fish from any beds staked or cultivated by citizens.

ARTICLE 6.

In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of one hundred and fifty thousand dollars, in the following manner -- that is to say: For the first year after the ratification hereof, fifteen thousand dollars; for the next two year, twelve thousand dollars each year; for the next three years, ten thousand dollars each year; for the next four years, seven thousand five hundred dollars each years; for the next five years, six thousand dollars each year; and for the last five years, four thousand two hundred and fifty dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may, from time to time, determine at his discretion upon what beneficial objects to expend the same; and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

ARTICLE 7.

The President may hereafter, when in his opinion the interests of the Territory shall require and the welfare of the said Indians be promoted, remove them from either or all of the special reservations hereinbefore make to the said general reservation, or such other suitable place within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of such removal, or may consolidate them with other friendly tribes or bands; and he may further at his discretion cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to suc individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indian, and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

ARTICLE 8.

The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE 9.

The said tribes and bands acknowledge their dependence on the Government of the United States, and promise to be friendly with all citizens thereof, and they pledge themselves to commit no depredations on the property of such citizens. Should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, of if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and the other Indians to the Government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on other Indians within the Territory the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE 10.

The above tribes and bands are desirous to exclude from their reservations the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE 11.

The said tribes and bands agree to free all slaves now held by them and not to purchase or acquire others hereafter.

ARTICLE 12.

The said tribes and bands further agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in their reservations without consent of the superintendent or agent.

ARTICLE 13.

To enable the said Indians to remove to and settle upon their aforesaid reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of fifteen thousand dollars to be laid out and expended under the direction of the President and in such manner as he shall approve.

ARTICLE 14.

The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for a period of twenty years, an agricultural and industrial school, to be free to children of the said tribes and bands in common with those of the other tribes of said district, and to provide the said school with a suitable instructor or instructors, and also to provide a smithy and carpenter's shop, and furnish them with the necessary tools, and employ a blacksmith, carpenter, and farmer for the like term of twenty years to instruct the Indians in their respective occupations. And the United States finally agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of said school, shops, persons employed, and medical attendance to be defrayed by the United States, and not deducted from the annuities.

ARTICLE 15.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

Issac I. Stevens, Governor and Superintendent. (L.S.)

Seattle, Chief of the Dwamish and Suquamish tribes, his x mark. (L. S.)

Pat-ka-nam, Chief of the Snoqualmoo, Snohomish and other tribes, his x mark. (L.S.) Chow-its-hoot, Chief of the Lummi and other tribes, his x mark. (L. S.)

Goliah, Chief of the Skagits and other allied tribes, his x mark. (L.S.)

Kwallattum, or General Pierce, Sub-chief of the Skagit tribe, his x mark. (L.S.)

S'hootst-hoot, Sub-chief of Snohomish, his x mark. (L.S.)

Snah-talc, or Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)

Squash-um, or The Smoke, Sub-chief of the Snoqualmoo, his x mark. (L.S.)

See-alla-pa-han, or The Priest, Sub-chief of Sk-tah-le-jum, his x mark. (L.S.)

He-uch-ka-nam, or George Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)

Tse-nah-talc, or Joseph Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)

Ns'ski-oos, or Jackson, Sub-chief of Snohomish, his x mark. (L.S.)

Wats-ka-lah-tchie, or John Hobtsthoot, Sub-chief of Snohomish, his x mark. (L.S.)

Smeh-mai-hu, Sub-chief of Skai-wha-mish, his x mark. (L.S.)

Slat-eah-ka-nam, Sub-chief of Snoqualmoo, his x mark. (L.S.)

St'hau-ai, Sub-chief of Snoqualmoo, his x mark. (L.S.)

Lugs-ken, Sub-chief of Skai-wha-mish, his x mark. (L.S.)

S'heht-soolt, or Peter, Sub-chief of Snohomish, his x mark. (L.S.)

Do-queh-oo-satl, Snoqualmoo tribe, his x mark. (L.S.)

John Kanam, Snoqualmoo sub-chief, his x mark. (L.S.)

Klemsh-ka-nam, Snoqualmoo, his x mark. (L.S.)

Ts'huahntl, Dwa-mish sub-chief, his x mark. (L.S.)

Kwuss-ka-nam, or George Snatelum, Sen., Skagit tribe, his x mark. (L.S.)

Hel-mits, or George Snatelum, Skagit sub-chief, his x mark. (L.S.)

S'kwai-kwi, Skagit tribe, sub-chief, his x mark. (L.S.)

Seh-lek-qu, Sub-chief Lummi tribe, his x mark. (L.S.)

S'h'-chek-oos, or General Washington, Sub-chief of Lummi tribe, his x mark. (L.S.)

Whai-lan-hu, or Davy Crockett, Sub-chief of Lummi tribe, his x mark. (L.S.)

She-ah-delt-hu, Sub-chief of Lummi tribe, his x mark. (L.S.)

Kwult-seh, Sub-chief of Lummi tribe, his x mark. (L.S.)

Kwull-et-hu, Lummi tribe, his x mark. (L.S.)

Kleh-kent-soot, Skagit tribe, his x mark. (L.S.)

Sohn-heh-ovs, Skagit tribe, his x mark. (L.S.)

S'deh-ap-kan, or General Warren, Skagit tribe, his x mark. (L.S.)

Chul-whil-tan, Sub-chief of Suquamish tribe, his x mark. (L.S.)

Ske-eh-tum, Skagit tribe, his x mark. (L.S.)

Patchkanam, or Dome, Skagit tribe, his x mark. (L.S.)

Sats-Kanam, Squin-ah-nush tribe, his x mark. (L.S.)

Sd-zo-mahtl, Kik-ial-lus band, his x mark. (L.S.)

Dahtl-de-min, Sub-chief of Sah-ku-meh-hu, his x mark. (L.S.)

Sd'zek-du-num, Me-sek-wi-guilse sub-chief, his x mark. (L.S.)

Now-a-chais, Sub-chief of Dwamish, his x mark. (L.S.)

Mis-lo-tche, or Wah-hehl-tchoo, Sub-chief of Suquamish, his x mark. (L.S.)

Sloo-noksh-tan, or Jim, Suquamish tribe, his x mark. (L.S.)

Moo-whah-lad-hu, or Jack, Suquamish tribe, his x mark. (L.S.)

Too-leh-plan, Suquamish tribe, his x mark. (L.S.)

Ha-seh-doo-an, or Keo-kuck, Dwamish tribe, his x mark. (L.S.)

Hoovilt-meh-tum, Sub-chief of Suquamish, his x mark. (L.S.)

We-ai-pah, Skaiwhamish tribe, his x mark. (L.S.)

S'ah-an-hu, or Hallam, Snohomish tribe, his x mark. (L.S.)

She-hope, or General Pierce, Skagit tribe, his x mark. (L.S.)

Hwn-lah-lakq, or Thomas Jefferson, Lummi tribe, his x mark. (L.S.)

Cht-simpt, Lummi tribe, his x mark. (L.S.)

Tse-sum-ten, Lummi tribe, his x mark. (L.S.)

Klt-hahl-ten, Lummi tribe, his x mark. (L.S.)

Kut-ta-kanam, or John, Lummi tribe, his x mark. (L.S.)

Ch-lah-ben, Noo-qua-cha-mish band, his x mark. (L.S.)

Noo-heh-oos, Snoqualmoo tribe, his x mark. (L.S.)

Hweh-uk, Snoqualmoo tribe, his x mark. (L.S.)

Peh-nus, Skai-whamish tribe, his x mark. (L.S.)

Yim-ka-dam, Snoqualmoo tribe, his x mark. (L.S.)

Twooi-as-kut, Skaiwhamish tribe, his x mark. (L.S.)

Luch-al-kanam, Snoqualmoo tribe, his x mark. (L.S.)

S'hoot-kanam, Snoqualmoo tribe, his x mark. (L.S.)

Sme-a-kanam, Snoqualmoo tribe, his x mark. (L.S.)

Sad-zis-keh, Snoqualmoo, his x mark. (L.S.)

Heh-mahl, Skaiwhamish band, his x mark. (L.S.)

Charley, Skagit tribe, his x mark. (L.S.)

Sampson, Skagit tribe, his x mark. (L.S.)

John Taylor, Snohomish tribe, his x mark. (L.S.)

Hatch-kwentum, Skagit tribe, his x mark. (L.S.)

Yo-i-kum, Skagit tribe, his x mark. (L.S.)

T'kwa-ma-han, Skagit tribe, his x mark. (L.S.)

Sto-dum-kan, Swinamish band, his x mark. (L.S.)

Be-lole, Swinamish band, his x mark. (L.S.)

D'zo-lole-gwam-hu, Skagit tribe, his x mark. (L.S.)

Steh-shail, William, Skaiwhamish band, his x mark. (L.S.)

Kel-kahl-tsoot, Swinamish tribe, his x mark. (L.S.)

Pat-sen, Skagit tribe, his x mark. (L.S.)

Pat-teh-us, Noo-wha-ah sub-chief, his x mark. (L.S.)

S'hoolk-ka-nam, Lummi sub-chief, his x mark. (L.S.)

Ch-lok-suts, Lummi sub-chief, his x mark. (L.S.)

Executed in the presence of us --

M. T. Simmons, Indian agent.

C. H. Mason, Secretary of Washington Territory.

Benj. F. Shaw, Interpreter.

Chas. M. Hitchcock.

H. A. Goldsborough.

George Gibbs.

John H. Scranton.

Henry D. Cock.

S. S. Ford, jr.

Orrington Cushman.

Ellis Barnes.

R. S. Bailey.

S. M. Collins.

Lafayettee Balch.

E. S. Fowler.

J. H. Hall.

Rob't Davis.

Governor Stevens and Government Representatives Views	Seattle and Indigenous Representatives Views
What was View of Treaty Indigenous People Children, needed care and guidance	What was View of Treaty Government People Father, Friends, Younger brother, needed guidance
What ratified/solemnized the treaty Signature, Washington Congress	What ratified/solemnized the treaty Creator Witness, Speeches Avowing Good Faith
What was Motivation for treaty Land for American settlers, concentrate tribes, people to farm, offset British and Russian advancement with American settlement	What was Motivation for treaty People weakened by disease, heard of fate of people in the East, settlers encroaching, people wanted secure place
What was lost in treaty Awkwardness of approving land to citizens before guaranteeing it through treaty	What was lost in treaty Comfortable living, efficient use of abundant fish, game, and plants; homeland, vast areas of land, independence from U.S. government, ability to declare war, right to purchase alcohol, taking slaves, right to trade with Canada nations
What was gained from treaty Land for settlers, peace from groups in attendance; secure hold on territory in what is now Washington state	What was gained/retained from treaty Settlement funds of goods and services promised; agricultural and industrial school promised; doctor, farmers, blacksmiths, carpenters promised; fishing at accustomed grounds, hunting, gathering on open lands promised; sovereignty recognized

3) Reflect

The leaders of the Indigenous groups had difficult decisions to make concerning the future of their families and groups, hopeful they would maintain health, could live peacefully with U.S. citizens, and could support their families and people as they had always done. Going back in time with language being understood, write a couple paragraphs about what you would say to one of the representatives of the tribes at the Treaty of Point Elliott signing. Explain the current condition of his tribe and the region after more a century and a half from the signing of the treaty, the positive things and things that still can be improved.

4) Research

Look up one of the Point Elliott Treaty signers online. Research how they came to be at the Point Elliott Treaty assembly and if they did any further work in the area. (Note the information of the Indigenous signers is limited.) Write a paragraph or two on the life and times of the treaty signer.