MAKAH ECONOMY CIRCA 1855 AND THE MAKAH TREATY --
A CULTURAL ANALYSIS

INTRODUCTION

This report contains background data on Makah culture in the 1800's, an analysis of Makah trade during the period just prior to the 1855 treaty, and comments concerning the treaty negotiations and provisions seen from an anthropological point of view. The report demonstrates:

1. that Makah culture in the 1850's (both prior to and after the Treaty) depended upon extensive trade based on a commercial maritime economy,
2. that Governor Stevens appreciated the commercial nature and value of the Makah marine hunting and fishing economy and at the Treaty assured the Makah of government aid in developing these pursuits, but that,
3. cultural differences prevented the Stevens party from fully comprehending the property rights which the Makah asserted when they signed the Treaty. The Makah understood the Treaty in one way; the whites understood it in another.

The first two points above are in direct conflict with one of the findings of fact by the Indian Claims Commission, Docket No. 60, Makah Indian Tribe v. United States of America, decided April 15, 1969. Finding No. 21 reads in part

> (3) The reserving of Makah fishing rights at usual and accustomed places under the 1855 Treaty was founded upon the need of the petitioner tribe to maintain its then subsistence economy which was based primarily upon the immediate products of the sea, and in no sense was this treaty provision a guarantee of future commercial fishing rights.

In my opinion the Makah economy in 1855 could in no way be described as a subsistence economy and the government explicitly guaranteed the Makah commercial fishing rights. Since my opinions are in opposition to the finding of the Indian Claims Commission, it is necessary to examine the evidence on which these conflicting views are based. I have not read the entire transcript of anthropological testimony which the Claims Commission heard. From the references to exhibits, it appears to me that (a) I have used the same sources as the anthropologists who testified before the Claims Commission, but I have analyzed the materials therein in ways which they have not, and (b) I have used additional historical documents and anthropological sources to which they apparently did not refer. Most important among these are: a narrative of a shipwrecked Russian crew member who lived with the Makah in 1809, Samuel Hancock's published account of his residence at Neah Bay in 1852, unpublished diaries and letters of George Gibbs, one of the treaty negotiators, unpublished letters and diaries of James G. Swan who resided among the Makah from 1862 to 1866, published newspaper articles by Swan, an unpublished manuscript on Makah ethnogeography by T. T.

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Waterman based on field work between 1917 and 1920, a business broadside by Captain William Webster published in Port Townsend in 1853, a letter of Governor Stevens dated January 1854, and contemporary newspapers for the period 1852-1860.

The third point discussed in this report, that there was demonstrable cross-cultural miscommunication at the Makah Treaty, has not, I think, been analyzed in any depth before.

Fourth, post-treaty events and developments which have affected Makah ecology and economy are briefly noted in order to indicate alterations from aboriginal patterns. The relative importance of the various fisheries has changed considerably as a result of influences beyond Makah control. Of specific interest here, the salmon fisheries have become more important as whaling, sealing, and halibut fisheries have declined.

THE CULTURAL POSITION OF THE MAKAH

At the time of the Treaty of Neah Bay, in January 1855, the northwestern portion of what is now Washington State was inhabited by the ancestors of the Indians who still reside there, the present day Makah Indian Tribe. The native population in 1855 resided in five permanent winter villages located along the southern shore of the Strait of Juan de Fuca and south from Cape Flattery along the Pacific Coast. In earlier historic times, there were apparently a larger number of villages supporting a population several times larger than the 500-800 people reported in the mid-1850's.

The people of this area became known to the whites by various names. They were called Makah by their eastern neighbors along the

strait, the Clallam, and it is the Clallam name for them which appeared on their treaty. They were also variously known as the Classet, a Nootkan name, Kwenetchechat, a local name, and Cape Flattery Indians, among others. We shall refer to them here as Makah, the name which has become established both in anthropological and legal usage.

The Makah differ from all other Indians in Washington State in language and in certain aspects of their culture. The Makah language belongs to the Nootkan language family and the Makah are the only Nootkan speakers in the United States. The other Nootkan speaking peoples reside along the inlets and west coast of Vancouver Island on the north side of the Strait of Juan de Fuca and the Pacific shore. The Makah are the most southerly representatives of the Nootkan language family and presumably represent an off-shoot of the main branch. More extensive archaeological knowledge is needed to specify the time at which migration across the Strait occurred, but all evidence to date, archaeological, ethnological, and linguistic, as well as native tradition derive the Makah from a parent Nootkan origin on Vancouver Island.

Aboriginally and at the time of the treaty, the Makah had close cultural ties with their Nootkan-speaking relatives on Vancouver Island. Their closest ties in terms of intermarriage, trade, and ceremonial relationships were with Nootkans across the Strait, rather than with their Salishan and Chemakum-speaking neighbors in Washington.

Population, Villages, and Fishing Sites

The Makah differed from the Coast Salish peoples of the Straits and Puget Sound region in that they regularly moved from their winter villages to specific summer fishing villages, known locally as "warmhouses." People from a given winter village moved to a particular summer village consistently year after year. For example, residents of the winter village of Baadah summered at Kiddecubbut; people from Waatch used Achawat as their summer fishing village, and people from Tsooyess and Neah went to Tatoosh Island. A house owner owned two houses, one in the winter village and one in the summer village. When he moved from one residence to the other, he frequently moved the roof boards from the winter house and used them at the summer location.

This pattern of Makah residence was imperfectly understood by the treaty commission at the January 26, 1855 Treaty of Neah Bay. The confusion is evident in the lists of Makah villages made by George Gibbs, a member of the treaty commission. Gibbs listed winter and summer villages indiscriminately and in his record of the treaty proceedings identified the chiefs who spoke sometimes by their winter village and sometimes by summer village. One consequence of this confusion was that when the Makah said at the treaty talks that they wished to retain their fishing sites, they were not understood. Governor Stevens thought they required a single village for their residence, not realizing that they each had two permanent villages.

The earliest enumerations of Makah villages date from the mid-1850's and 1860's although the names of individual villages appear sporadically in the logs of exploring vessels in the 1790's. In an unpublished manuscript containing notes collected between 1853 and 1858, George Gibbs (National Anthropological Archives manuscript #714) listed eight Makah villages as follows:

> Osett
> Tsoo-yess
> Wa-atch
> Hatch-ah-wat
> Tche-da-kom-it "Classet"
> Neeah and Kleh-sid-ats-oos 2 western villages in Neah Bay
> Bah-da eastern village in Neah Bay

Gibbs' Hatch-ah-wat is the Ahchawat noted by Swan in 1863 as a summer village. Swan resided among the Makah from 1862 through 1866 and his characterization of the nature of occupation is based on first hand knowledge. Gibbs' information was partly collected outside Makah territory and partly during a brief visit at the time that the treaty was negotiated at Neah Bay in January 1855.

Gibbs' Tche-da-kom-it is probably a different rendering of Kiddekubbut, listed by Swan as a summer village in his 1863 list.

Gibbs' Kle-sid-ats-oos may be another rendering of "Classet." The entry is interesting in that it specifies three villages at Neah Bay. In a notebook entry of 1857, Gibbs wrote

> The two houses at Neah bay, apart from the others are called Kleh-sid-ats-oos. The eastern village, Beh-da.

Swan reported only two villages at Neah Bay in 1861, Baada and Neeah. By 1863 Swan said that Baada had joined with Neeah, leaving a single settlement there. It seems clear that the two western villages reported by Gibbs were either an error on his part, or had merged by 1861.

Swan (1868:2-3) provides the only early information on the number of houses in all the respective winter villages and he gives the population by village for 1863 as follows:

Neeah & Baada combined	15 houses	241 people
Waatch	9 "	126 "
Tseuss	8 "	99 "
Hosett	15 "	188 "

This information was recorded a decade after a serious smallpox epidemic and cannot be taken to reflect pre-epidemic conditions. As of 1863, if houses were of equal size in a village (which is unlikely), the average number of people per house would range somewhere between 12 and 16. This seems exceedingly low. Even the total figures relating to census data are confusing. Swan says that the 1863 figures were arrived at by visiting each winter village while the people were there. The 1863 total is 654. His diary entry for November 1, 1859, lists a rather larger number but appears to be an estimate as all the figures are rounded off to even numbers:

220 men 300 women 200 children 100 slaves Total 820

Census report for subsequent years down to the turn of the century all record around 500-700 Makah more or less. They lived in the four villages Neah, Waatch, Tsuess, and Ozette, gradually moving into Neah Bay until in 1920 there were only seven people resident at Ozette. According to Colson (1953:78), the people from the out-lying villages built houses next to one another as they moved into Neah Bay, thus maintaining their distinctiveness. From her description, it would seem that the in-moving groups formed wards in the village at Neah Bay.

Several of the eighteenth century accounts mention a large

village on Tatoosh Island. This was a summer village to which some people from each of the winter villages resorted. T. T. Waterman, who collected information from the Makah in 1919-1921, was told that the bulk of the Tatoosh population went over to the village of Waatch when the stormy weather began and the fishing season was over. People used the island as a seasonal location to be closer to the fishing grounds. See Waterman's Map 1 (Bureau of American Ethnology manuscript #1864) enclosed herewith.

Waterman lists a number of sites identified to him as former village sites, or places where houses stood. These are extracted from his unpublished manuscript (see below). The numbers correspond to those on map 2 enclosed herewith. Maps 1 and 2 are from his manuscript. Waterman (Bureau of American Ethnology manuscript #1864) lists 215 Makah place names. Reproduced here are those of living sites and fishing sites.

27. A place where a village was buried, according tradition, by a cave-in of the cliff, Qw^{3}etL^{3}a´sEk, "landslide."

28. A place above the village, Hitadaka´sûk, "on the hillside." A house formerly stood here.

30. A place where a house stood on a promontory, AbE´kLtas, "house on the tip end of something."

35. Village on the beach at Cape Alava, UsE´$^{3}_{4}$L. This is said to be connected with u´sîs, "toward the mouth of something," referring to the situation of the town close to the mouth of the river. It has been spelled Ozette by the whites. The name of the town has been applied to the Ozette River, and Ozette Lake. It is hard to land here at low water.

36. A place out on the rocks in front of Ozette village, WEwa´akataxo´s, "place where one catches perch." The people had a pen or inclosure built of rocks. Perch were trapped here by the falling tide.

66. An old village site, Ki´ExtEtc¹dsEb¹L, "giving alarm." A tradition recounts that a head-man here had a house with a great door. This door when opened made a loud noise to inform the inmates that someone was entering. Hence the name.

87a. A pair of sea rocks, tatcu´. This is said to be derived from K³atcu´, "hair-seal." They went here to hunt these animals.

91. A promontory called Point of the Arches, Ca´ca¹s, "where smelts go on the beach." Numbers of these fish get ashore here in the summer.

94. A place on top of the cliff, Kwa´kwaks, "house right on the edge of a bluff."

101. A little harbor, a good landing place, where people lived at times, Taq³w´a³at, (ta, "a pole," qw³a³atc, "breaking off"). The name arises, they say, from the fact that people used to pole out through the surf.

104. Southern end of the Sooes Village beach, Kokots³iksEt, "where one gets black mussels." This shellfish, Ko tsup, is small, grows on piles, has thin shells, and is very sweet to the taste.

107. A village site, Ts¹u¹yEs, "a depression with water in it," "a water-hole." The Indians are said to have bathed in it, to make themselves strong. The word tsu´c¹tL means "to dig." The name given this place by the whites, Sooes (also Suyes and Suez) is a mere transcription of the Indian term. The inhabitants usually called the place U´s¹s, "river," from the nearby river. This stream is nowadays called the "Sooes", the town, which was originally the name of the village.

125. An old village, wa³a´tc³. (Wa³¹tc is said to mean "to sleep.")

127. The western group of houses in Waatch village, Os¹´s, "main part."

140. An old village site occupying a low place, hemmed in with cliffs, hatc³awa´at, "lots of surf; big surf." The Indian word has given rise to the name Arch-a-wat, by which it is known on modern maps. The site faces the broad Pacific without any protection. Hence the name.

159. A place on the shore line, k^{3}axyuxwEdEbt. The name is said to mean "where numbers of different kinds of fish are taken."

165. An old village, q^{3}1d1'q^{3}abt, "little water." This site is often referred to as "Warm House." The name has been borrowed by the map-makers for a nearby promontory, Kydikabbit Point. On the maps this town-site is referred to as "Clisseet Village." The explorer Vancouver nearly always in his writings refers to this vicinity, including the Cape, as "Classet." The word "Classet" as a matter of fact is for TL^{3}1si't, which was the name of a head-man of former days, probably of the days when Vancouver sailed into these waters.

180. The village of Neah, with its creek, Di' :a. I am unable to suggest any meaning for this term. It is one of a few in the region which obstinately resist etymology.

189. An old village site, bii'da. I was not able to get a translation of this term. There was a small creek of excellent water here, and a large number of Indian houses. On the Coast and Geodetic Survey charts this village is called Baaddah.

189a. A place on the hill above the preceding, a:ba:do'as, "center of a point," "backbone of a ridge." An Indian house formerly stood here.

The above sites are those which Waterman specifically mentions as living sites or fishing locations. I have circled them in red on his map #2 for easier reference. I have marked in green certain other sites recorded by Waterman on his map #2 but not noted by him to be fishing areas. Identification of these sites as fishing locations is derived from archaeological evidence, historical documentation, and ethnographic sources.

The Waterman data were collected some sixty-five years after the Makah treaty. Many of the living sites and some of the fishing locations recorded by Professor Waterman are mentioned in documents dating from pre-treaty and treaty times. Some of the sites were noted by Spanish, English and Russian voyagers to the area in the

late eighteenth century and the early years of the nineteenth century. In the 1850's and 1860's several Americans resided at Neah Bay and their accounts provide further corroboration for data later recorded by Waterman.

In 1941 the Makah Tribal Council prepared a list of Makah fishing places from information supplied by members of the tribe. This list (see appendix 1) contains information about in-shore and off-shore locations which do not appear on Waterman's map. He evidently inquired only about locations on land. Where they overlap, the 1941 data on land sites substantially corroborate Waterman's information.

The Waterman maps locate traditional sites attested to by archaelogical evidence, mentioned in historical documents dating from the late eighteenth century through the treaty era, and still regarded as important by Makah Indians in 1941.

Special Features of Makah Environment and Makah Trade

There were two very special features of the Makah environment which require our notice. First was the existence of a seemingly inexhaustible supply of halibut to which the Makah had access by virtue of (a) ownership of lucrative fishing banks respected by competing tribes, (b) a highly developed technology capable of efficiently harvesting the resource, and (c) intensive processing and marketing of the finished product. The halibut was so intensively fished and utilized that it not only was processed and marketed wholesale; it supplanted salmon as the food staple in this area. Swan (1868:6-7) discussed this at some length:

> The reason why the roofs of the houses are so different from those of the Chihalis and Chinooks, at the Columbia river, is that they are used to dry fish upon. Now, the Chinooks and Chihalis, as well as all the tribes on the sound and coast, store great quantities of fish for their winter's use; but the fish they dry are salmon, which require to be cured in the smoke and protected from the sun and rain. Consequently, the tribes above mentioned use pitched roofs, or roofs much more elevated than those of the Makahs. But the staple of the Makahs is halibut, which, to be properly cured, is cut into thin slices and dried, if possible, in the open air without smoke; the best portions being those that have kept white and free from any color. As the climate is very humid, it is rare that a season is propitious for the curing their fish; so they have their roofs as flat as possible, and during fair weather, in the fishing season, not only are these covered with the slices of fish, but quantities are hung on horizontal poles fastened across the ends of the uprights that form the side fastenings to the houses. The appearance of one of the lodges on a fine day in summer when plenty of fish are drying is that of a laundry with clothes out bleaching. When the weather threatens to be rainy, the occupants proceed to the roof, and by removing several boards, they can stow away their provender in a very few minutes, and again replace it in the open air on the return of fair weather.

The second feature was the unavailability of good quality cedar in the Cape Flattery area. In aboriginal and early historic times cedar was an indispensable and basic material in Northwest Coast cultures. Houses were made of cedar planks, canoes were fashioned out of cedar logs, storage containers were kerfed and bent cedar boxes and cedar baskets, and clothing was made of shredded cedar bark and woven cedar. Ceremonial masks were carved of cedar. The Makah imported most of these items and especially such basic necessities as their large canoes and house materials from Vancouver Island. Swan (1868:4) wrote

> The houses of the Makahs are built of boards and planks, split from the cedar. These are principally made by the Indians of Vancouver Island, and procured by barter with them. There is very little cedar about Cape Flattery, and such as is found is small and of inferior quality.

Speaking of canoes, he noted that the large ocean-going canoes were imported from Nootkans across the Strait.

> . . . The largest and best canoes are made by the Clyoquots and Nitinats on Vancouver Island; the cedar there being of a quality greatly superior to that found on or near Cape Flattery. Canoes of the medium and small sizes are made by the Makahs from cedar procured a short distance up the Strait or on the Tsuess River (Swan, 1868:35).

The Makah were able to import their basic needs such as housing materials and the ocean-going canoes used for sea-mammal hunting and ocean fishing because of the peculiarly rich resources available to them in their ocean territories, primarily halibut and whale. Dried halibut and processed whale oil were traded to their Nootkan relatives for cedar products. They were thus able to maintain a flourishing culture of classic Northwest Coast type even though they lacked one of the basic raw materials -- good quality cedar. Colson (1953:4-5) has put it aptly:

> The Makah were primarily a seafaring people who spent their lives either on the water or close to the shore, seldom venturing more than a few miles inland. Most of their subsistence came from the sea where they fished for salmon, halibut, and other fish, and hunted for whale and seal. The excess over what they needed for consumption within the village was traded to other tribes in return for many of the raw materials and some of the finished articles used in the daily and ceremonial life of the village. There was little in their material culture <u>therefore</u> (italics mine, B.S.L.) to differentiate them from other tribes about them.

The Makah were also involved in a much wider trade with non-Nootkans up and down the coast. Swan (1868:30-31) reported

> TRADE.--The Makahs, from their peculiar locality, have been for many years the medium of conducting the traffic between the Columbia River and Coast tribes south of Cape Flattery, and the Indians north as far as Nootka. They are emphatically a trading, as well as a producing people; and in these respects are far superior to the Clallams and other tribes on Fuca Strait and Puget Sound. Before the white men came to this part of the country, and when the Indian population on the Pacific coast had not been reduced in numbers as it has been of late years, they traded largely with the Chinooks at the mouth of the Columbia, making excursions as far as the Kwinaiult tribe at Point Grenville, where they met the Chinook traders; and some of the more venturesome would even continue on to the Columbia, passing through the Chihalis country at Gray's Harbor and Shoalwater Bay. The Chinooks and Chihalis would in like manner come north as far as Cape Flattery; and these trading excursions were kept up pretty regularly, with only the interruption of occasional feuds and rivalries between the different tribes, when the intercourse would be suspended, or carried on by means of intermediate bands; for instance, the Chinooks would venture up as far as Chihalis, or perhaps Kwinaiult; they would go as far as the Kwilleyute, and these last in turn to Cape Flattery. After a while peace would be restored, and the long voyages again resumed. The Makahs took down canoes, oil, dried halibut, and hai-kwa, or dentalium shells. The large canoes were almost invariably made on Vancouver Island; for, although craft of this model are called "Chinook" canoes, very few in reality, except small ones, were made at Chinook, the cedar there not being of suitable size or quality for the largest sizes, and the best trees being found on the Island. The Makahs in return received sea-otter skins from Kwinaiult; vermilion or cinnabar from the Chinooks, which they in turn had procured from the more southern tribes of Oregon; and such articles of Indian value as might be manufactured or produced by the tribes living south of the cape. Their trade with the northern Indians was for dentalium, dried cedar bark for making mats, canoes, and dried salmon; paying for the same with dried halibut, blubber, and whale oil. Slaves also constituted an important article of traffic; they were purchased by the Makahs from the Vancouver Island Indians, and sold to the coast Indians south.

Makah trade as of the early 1860's based on material extracted from Swan is summarized in Table 1. This table has been constructed especially for this report and is derived from data scattered throughout Swan's 1868 publication and his earlier articles. Although Swan's observations date only from 1859 at which date he became interested in the fisheries at Neah Bay, many if not all of the items in the table must have been traded for many years prior to Swan's arrival among the Makah. For example, the absence of large cedar of good quality and the consequent import of house planks and ocean-going canoes is not likely to have commenced abruptly in 1855. Moziño (1972:65), discussing Nootka Sound in 1792, mentions native trade as far south as Neah Bay and lists canoes as one of the trade items. Most of the items in Table 1 are native goods traded among Indians, rather than introduced European goods. This suggests that the trade is not a recent development. Import of ceremonial items such as masks implies some antiquity because masks were not imported as curios, but as part of a coherent ceremonial complex. The fact that so many of the items were necessities of everyday life argues against an interpretation that this was a recent trade stimulated by contact with European trading vessel.

In the late eighteenth and early nineteenth centuries and doubtless for hundreds of years before, the Makah engaged in two kinds of trade with neighboring Indians along the Strait of Fuca and along the Pacific coast. In the first instance, the Makah exported large surpluses of a limited number of marine products produced and processed in Makah territory. These were: whale oil, dried blubber, dried halibut, and dried herring eggs. This small inventory of exports was exchanged for a wide

Table 1. MAKAH TRADE AS RECORDED 1859-1866 BY JAMES G. SWAN

IMPORTS

From Vancouver Island Nootkans

ocean-going canoes
yew paddles

cedar house planks
painted tamanowas boards

wooden chests
water boxes

pine bark blankets
dried cedar bark for making mats

alder, maple, and cottonwood masks

haliotis shell nose pendants
dentalium

medicine

dried salmon
dog fish oil

From Quileute and Quinault

camas

pipe clay
ochre

From Clallam

bullrush and flag sleeping mats

Provenience Unspecified

grass mats
ash baskets

European Goods

blankets
guns
beads
pots
kettles
pans

EXPORTS

To Vancouver Island Nootkans

dried halibut

dried herring eggs

dried blubber

whale oil

To Whites

dried halibut

smoked salmon

whale oil

dog fish oil

cedar bark mats

furs

variety of native goods including both necessities and luxury items of aboriginal life. Secondly, the Makah acted as middlemen deriving wealth by importing goods for resale elsewhere. Canoes, slaves, and dentalium shell (a form of native currency) were imported from Nootkans on Vancouver Island for sale to the Clallam farther up the Strait and to the Quileute and Quinault to the south.

When European ships began visiting the Cape Flattery area in the eighteenth and early nineteenth centuries, they regularly put in at Neah Bay to replenish their stocks of fresh and dried fish as well as to trade for furs. In addition, they purchased "train oil" (oil extracted from blubber, seal, cod, etcetera) which was used for machinery lubrication. Boit's log from the "Columbia," September 30, 1792 just after leaving Neah Bay notes

> The Indians brought a few skins and plenty of fish and some train oil which last article we much wanted.

The Hudson Bay Company established Fort Langley on the Fraser river in 1827 and Fort Nisqually in 1833. The Makah visited both of these trading posts, bringing sea otter skins and beaver skins. As the market for whale oil and dogfish oil increased in the 1840's and 1850's, the Makah brought oil for sale and imported additional quantities from Nootkans of Vancouver Island to sell to the whites. Oil purchased from the Indians was a major export of the Hudson's Bay Company. The oil was used locally for machinery lubrication in milling operations and was used domestically for lamps.

When settlement in Puget Sound created a market for cedar bark mats in the 1850's, the Makah imported the raw materials from Vancouver Island and wove mats for sale to the settlers.

Commerce with the whites was simply an extension of the aboriginal situation in which the Makah traded local products for items not available in Makah territory and in which the Makah imported goods specifically for export trade.

Marine products constituted the bulk of the export trade both to other Indians and to the whites. Considering the range and value of the native imports, it is clear that the Makah must have processed enormous amounts of halibut, whale oil, blubber, and herring eggs. In addition to that which they consumed themselves and sold to other Indians in order to buy native goods, they produced a considerable surplus for sale to whites. In the September 11, 1852 issue of The Columbian, it is noted that 20,000 gallons of whale and fish oil had been purchased from the Indians at Cape Flattery that season.

In addition to the trade with other Nootkans, with Coast Salish, and with whites, there was considerable trade among the different Makah villages. Among the Makah, as with other Nootkans, ownership rights to important resource areas such as halibut banks, salmon streams, stretches of coastline, cranberry bogs and stands of cedar were inherited or acquired as marriage gifts. Such rights were extremely valuable. They were jealously guarded and were publicly validated and reaffirmed at potlatches and other ceremonials. Colson (1953:191) gives the Makah term for such rights as tupat^{h}. Drucker (1951:258) recorded the term topatı among Vancouver Island Nootkans for territorial rights which could be transferred at weddings.

Densmore (1939:3) gives this summary statement in a preface to her report on field work with the Makah in 1923 and 1926:

> The boundaries of the territory belonging to the Makah were clearly understood in the old days, this territory including both land and water. The old people valued the water more than the land and opposed fishing by other tribes of Indians. The Makah claimed the water of Puget Sound up to Port Crescent, thence by a straight line south to Swift Shore, beyond which were the whaling grounds; from Swift Shore the line went south to a place between Ozette village and the Quileute reservation, then straight from there to Ozette Lake and thence back to Port Crescent, this imaginary line encircling their territory. Within this tribal territory there was land and water which was owned by individuals and was a source of personal wealth. Some fishing places were better than others and were owned by wealthy men. The rule of inheritance was the same with a fishing or hunting ground as with personal property. The Makah even had shoreline rights, and if a whale came ashore on a man's shore-line it was regarded as his property. One advantage of the potlatch was that it gave the host an opportunity to describe the exact boundaries of his land, especially along the shore. Tracts of land with cedar trees were also valuable and were inherited in a family, the trees being used in making canoes. The land occupied by the Makah was Cape Flattery, bordering on the Pacific Ocean and the Strait of Juan de Fuca. They also claimed Tatoosh Island.

Trade among the Makah villages was important because strategic resources were to be found only in certain localities and only people with inherited rights to those resources could use them. Although the areas were said to belong to individual owners, in practice these were usually household heads whose housemates shared in usufruct rights.

People from Ozette and Waatch villages owned rights on the halibut banks northwest of Tatoosh Island. They used the island as a summer village and dried halibut and salmon there. Some of the Ozette people moved up to Ozette Lake in the latter part of the year to take salmon there. Inhabitants of the Neah Bay villages used Kiddekubut as their summer village and in the fall moved to camps up the Strait to take advantage of the salmon runs in the streams and rivers draining into the Strait.

Although halibut provided the mainstay of the Makah fish food, salmon were highly valued because they added variety to the diet and because it was possible to fish in the Strait and streams and lakes when ocean fishing was impossible because of weather conditions. People from Pacific coast villages who did not own fishing rights in the Strait area would trade halibut for salmon. People who owned rights in different salmon streams traded salmon for salmon in order to obtain several varieties. Not all streams provided the same species of salmon. The only sockeye available to the Makah were in Ozette River and Ozette Lake. Sockeye were highly desired for their flavor. Dog salmon, or chum, were available in the Lyre and Hoko rivers. They were in demand because they are lean and have better keeping qualities and are more easily dried than salmon with more fat such as the coho which could be trolled for in the Strait throughout the year. Coho were eaten fresh; whereas chum were smoked for winter stores.

Gibbs mentions seeing dried salmon stored at Neah Bay during his visit at the treaty negotiations in January 1855. His notebook entry reads in part as follows:

> The houses at Neah bay are now (Jan. '55) on a much smaller scale than before the last visit of the small pox. . . . Each house is occupied by several families, their respective portions being separated by a partition of two or three feet high. A raised platform runs around them, on which the inhabitants sit, sleep and cook, above are shelves and poles on which their property is placed and a more miscellaneous assortment could hardly be found in a pawnbrokers -- Seal skins full of oil, baskets of dried halibut and salmon, apparatus for whaling, paddles, piles of mats, articles from vessels wrecked on the coast.

The importance of the fall salmon fishery is documented by the fact that Makah and Clallam fought over fishing rights on the streams

draining into the Strait of Fuca. James G. Swan made a canoe trip from Neah Bay to Port Townsend with Makah Indians in November 1859. The Makah told him that they had killed some Elwah (Clallam) Indians at a river called Clochudit which empties into Crescent Bay. This had occurred some years previous to his visit (probably shortly before treaty times) and resulted when the Elwha refused to let the Makah catch salmon in their river (Swan 1971:90).

The Lyre River is farther west than Clochudit and, according to T. T. Waterman, it also lies within Clallam territory. Waterman (Bureau of American Ethnology manuscript #1864) noted that the Makah owned some sort of fishing rights in that river.

> The next stream eastward has on our maps the curious name of Lyre River. I have no idea how this name arose. The stream is the outlet of a very fine body of water, inclosed by the Olympics, known as Lake Crescent. The name of the river in Indian is Ku hu bu, which term also I am unable to explain.
>
> The Makah had some sort of a claim which I do not understand to fishing rights on this river. They sometimes camped here in the autumn to take dog-salmon.

The distances between the Lake Ozette fishery, the halibut banks lying northwest of Tatoosh Island, and the Lyre River fishery illustrate why it was necessary for the Makah to range widely over their territory to utilize its varied resources. The fact that some of these resources, fall salmon runs, for example, became available at about the same time in different locales, made it profitable for groups of Makah to disperse in various directions, harvest the fish in their domain, and then to trade their surplus supplies.

The Makah were using a seine to take fall salmon on the Hoko River as early as 1866. In his diary record for September 25, 1866, Swan entered the following

> Captain John and others took the seine to Hoko today to fish for salmon.

Two days later, the diary mentions

> John returned from the Hoko with about 100 salmon which his party had taken in the seine.

Swan also mentioned an Indian giving him a salmon he had just killed at Sikiu River in November 28, 1859, but neither the species nor the method of taking is noted.

There are several entries in the diaries referring to spearing of salmon in Neeah brook in 1862. According to Swan this was an uncertain source of supply. He remarked on November 15, 1862

> Peter's Dick speared a fine salmon this morning some distance up the brook at Neeah. It was the dog tooth species. This is the first salmon I have ever known or seen taken in that brook although Indians tell me occasionally run up during the prevalence of high tides and freshets in the fall.

A month later salmon were still in the brook. Swan noted on December 17, 1862

> Indians caught several salmon in the Neeah Brook this morning. They were of the dog tooth species.

The possibility of taking fresh salmon at Neah brook during November and December must have been a tremendous advantage for the people of Neah Bay. In the previous year Swan had noted tremendous surf at Neah Bay and on December 19, 1865 he remarked that it was more than a month since the Indians had caught anything but a few perch and rockfish.

While the taking of fall run salmon in the rivers was clearly of vital importance to the Makah, it is clear that most of their salmon were taken by trolling in the summer. Trolling areas were in the ocean, Strait and in Neeah Bay itself.

Gibbs commented in a notebook entry sometime between 1855 and 1857 writing of the Makah

> Each has his own trade. One set takes halibut, another salmon -- a third whales alone -- or at least this is in great measure the case - Salmon are taken by trolling. (Summer Salmon) This fishery commences in May. They don't take many fall Salmon.

Swan's diary entries confirm the importance of the summer salmon fishery. For example, an entry dated June 28, 1865 notes the

> Indians very busy catching salmon off the entrance to the bay.

Of particular interest are his notations regarding the date of appearance of the large-scaled silver salmon or tsowtl. In 1863 they arrived about June 14 and in 1864 the spring or silver salmon started running August 4.

The Makah were able to take fresh fish for food in sheltered waters at almost any time during the year. Despite this, they harvested and preserved vast surpluses of fish to trade with other Makah, with other Nootkans, with their Coast Salish neighbors, and in historic times, with the whites. The Makah have always, as far back as knowledge about them goes, engaged in large scale commercial fisheries, as producers, processers, and traders.

TREATY NEGOTIATIONS

It is my opinion, based on my understanding of Makah culture patterns and on a reading of the available official documents, that the Stevens party and the Makah had quite different understandings of what was agreed upon at the Treaty of Neah Bay. The difference in understandings is directly attributable to two causes: first, the inadequacy of Chinook jargon as a medium of communication for treaty purposes; and second,

mutual unfamiliarity with culturally different concepts of tenure and ownership rights. The Makah asserted property rights related to their fisheries which were not understood by the Stevens party and which the Indians thought were secured to them.

1. The language of communication

The Indians who were party to the treaty could neither read, write, nor speak in English. Since they were not literate in English their understanding of the treaty as a written document had to be conveyed verbally. Since none of the Makah spoke English, the adequacy of translation or interpretation is critical in evaluating how and what the Makah understood.

According to the official record of documents relating to the negotiation of the Treaty of Neah Bay, Governor Stevens and his party had the assistance of a Klallam Indian (Captain Jack) who spoke the Makah language. Klallam is a Salish language; Makah belongs to a completely different linguistic stock called Nootkan. The order of difference between Klallam and Makah is like that between English and Finnish. Knowledge of one affords no help in understanding the other. We do not know how well Captain Jack spoke Makah nor do we know whether he communicated with the Stevens party in English or in Chinook jargon. The latter is more likely, but in either case, he then translated into Makah of which his mastery is of unknown quality.

The official record also states that two Makah signers of the treaty spoke Chinook. Chinook here refers to Chinook jargon rather than the Chinook language spoken on the Columbia river. Chinook

jargon was a pidgin or lingua franca used for trade purposes between Indians and whites or between Indians who spoke mutually unintelligible languages. Its limited vocabulary (a few hundred words) and simple grammar were adequate for trade and barter purposes, but utterly inadequate to convey foreign concepts of tenure and tenancy in a legal document such as a treaty.

Under the circumstances, it is important to know just how the written treaty was translated into Chinook jargon and interpreted to the Indians. Surprisingly, there seems to be no official record of the Chinook version of any of the treaties Stevens negotiated in western Washington. The official records do include a translation into Chinook by B. F. Shaw of a speech Governor Stevens gave in English at the Point Elliott Treaty and a speech made in Chinook by Shaw, who was the official interpreter at all the treaties in western Washington. Both of these Chinook texts convey very simple ideas of greeting and friendship and do not touch the real concerns of the treaty-making at all. They give little clue as to Mr. Shaw's mastery of Chinook jargon -- which on the available textual evidence may have been minimal. If we had a record of the Chinook translation of an one of the treaties, it would be possible to demonstrate directly how inadequate the jargon was for the job. The official record, unfortunately, is silent. We are told merely that "The Treaty was then read to them, interpreted clause by clause and explained." I suppose an alternative test would be to ask the government to provide a Chinook text that could adequately convey the meaning of the treaties, a task I believe any competent linguist would declare impossible. Whatever was understood in Chinook then had to be translated into Makah.

2. Indian-white mutual unfamiliarity with foreign concepts of tenure and ownership rights

It seems clear to me that at the treaty negotiations the Makah asserted property rights which were not understood by the whites because those kinds of rights were unknown to whites at that time. Even today these rights are known only to people who happen to be concerned with Nootkan ethnology.

At the time that the treaty was signed, no whites resided among the Makah and they enjoyed a reputation for being fierce and difficult. Part of this reputation was earned by their custom of seizing all goods and ships that wrecked on their coast and claiming them for their own. Worse yet, they equally seized and claimed as their booty any survivors of these ship-wrecks. This behavior was evidence to the whites of the cupidity and savagery of the Makah. Actually, it was the exercise of well-defined property rights among the Nootkan peoples (of which the Makah are the southernmost and only representative in the state of Washington).

We may discuss this perhaps as the law relating to ownership of flotsam and jetsam. From time immemorial the waves of the Pacific have beat upon the shores of Cape Flattery bearing exotic treasures from unknown lands and distant ships. Throughout Nootkan territory on both sides of the Straits of Juan de Fuca, beach ownership was carefully demarked as to boundary lines. Where a village of several long houses was situated along the shore, each house-owner had ownership rights to anything the tides or waves deposited on his section of beach. Old men who were past their prime physically would station themselves

on the beach propped up against a wooden backrest, or the wall of a house, and spend the day talking with their cronies, perhaps occupied at some sedentary task, watching the sea to call out and claim for the house-owner anything of value that drifted in with the tides. With the coming of the fur-trade and the voyages of exploration, ship-wrecks occurred with increasing frequency off the northwest coast. The Nootkans simply carried on their age-old claims to whatever washed up on their beaches. Hence their view of ship-wrecked sailors as booty.

I suppose this kind of property right might be likened to our notion of salvage rights. As I understand it, a ship adrift belongs not to the owner, but to the first vessel to get a line on her to tow her ashore. With the Nootkans, the issue was upon whose beach property the booty came to rest.

Stranded whales were a particularly valuable item which from time to time washed ashore. These might be whales which had been wounded at sea by a hunting party, but which had gotten away. They belonged not to the unsuccessful hunters, but to the owners of the beach on which the whale came ashore.

One of the Makah headmen tried to assert this property right at the treaty but he was not understood. According to the official record of the treaty proceedings, the headman, Tse-Kaw-wooth said that "If whales were killed and floated ashore, he wanted for his people the exclusive right of taking them. . . ." Governor Stevens replied by saying "Whoever killed the whales was to have them if they came ashore." The Governor's statement presents a clear case of cross-cultural non-communication.

Another kind of property right which the Makah asserted at the treaty talks relates to ownership of ocean tracts. In the official record of the treaty proceedings, one of the entries reads:

> Tse-Kaw-wooth - He wanted the sea - That was his country.

Tse-Kaw-wooth was the leading man of the Ozette village and was chosen by Stevens as head chief for the Makah at the time of the treaty. From later reports we know that the Ozette owned important fishing rights on the halibut banks northwest of Tatoosh Island. It seems likely that these were what Tse-Kaw-wooth was asserting rights to at the treaty.

Drucker (1951:247) has described Nootkan ownership concepts as follows:

> The Nootkans carried the concept of ownership to an incredible extreme. Not only rivers and fishing places close at hand, but the waters of the sea for miles offshore, the land, houses, carvings on a house post, the right to marry in a certain way or the right to omit part of an ordinary marriage ceremony, names, songs, dances, medicines, and rituals, all were privately owned property.

The Stevens party were familiar with the concepts of foreshore and riparian rights, but the notion of offshore rights comprising privately owned sections of ocean extending many miles from land was a foreign concept and one which the whites clearly did not comprehend at the treaty talks.

The boundaries of privately owned sea territories were described by reference to natural landmarks such as mountain peaks, points of land, islands, rocks, and so on. The Cape Flattery area and the Pacific coast extending south to Cape Alava provide a number of distinctive

natural landmarks which the Makah used to define their sea properties. Waterman's maps 1 and 2 included with this report provide some idea of the number of named points along the shore and foreshore. In addition to these, Colson (1953:42) notes that:

> The mountains of Vancouver Island are used by fishermen as landmarks for locating the fishing grounds, and they bear Makah names known to the older men.

Drucker (1951:249) gives an example of how sea locations were marked:

> The area on the map was a favorite halibut fishing place in the former chief's territory. It was located by crossing two ranges, a north-south one formed by tsawunape (ts) and a prominent point on Nootka Cone (nc), and an east-west one formed by two peaks on Flores Island.

We do not have maps of the sea tracts claimed by the various Makah leading men at the time of the Makah treaty and apparently it is too late now to chart such information with any certainty. Nevertheless, it is clear that property concepts among the Makah agree in essence with those described in greater detail for the Nootkans across the Strait.

POST TREATY DEVELOPMENTS

In aboriginal times the Makah enjoyed a high standard of living as a result of their marine resources and extensive maritime trade. With the advent of Europeans to the area, new markets developed, Makah marine pursuits were intensified, and Makah wealth increased. The upswing continued until about 1870 when further developments reversed the trend.

These later developments resulted in a diminution or loss of certain maritime resources formerly available to the Makah and over which they enjoyed virtually exclusive rights. Among the most important factors have been loss of ocean fisheries through international commercial competition, overfishing, and subsequent regulation of time and method of taking through international conventions and state regulations. Inshore fisheries at Neah Bay have been drastically altered by harbor development and particularly by the construction of the breakwater. Other factors relating to lumbering, pollution, and man-made alterations in watercourses have also had effect.

The net result has been two-fold: (1) a drastic reduction in the species and numbers of fish available to the Makah for domestic consumption and for trade; and (2) with the loss or diminution of other fisheries resources, salmon have become relatively more important than they were in aboriginal times.

CONCLUSIONS

1. Makah wealth, power and maintenance of Northwest Coast culture patterns were achieved by and dependent upon a thriving commercial maritime economy which was well established prior to 1855.

Before presenting the reasoning upon which this conclusion is based, let me specify what is meant here by "Northwest Coast culture."

Prior to white contacts, the Indians of the north Pacific coast in the area from southeastern Alaska to northern California shared basic cultural similarities that set them apart as an identifiable and distinctive unit in native North America. Anthropologists denote

this as the "Northwest Coast culture area." Although there were differences within the culture area in physical type, languages, and cultures, basic patterns were shared.

The Northwest Coast culture area was characterized by, among other things, dependence on salmon as the staple food and high development of woodworking based on the availability and splitting characteristics of cedar. The area had one of the highest population densities in native North America north of Mexico and a rich and complex culture. This is unusual in an area dependent upon a wild food economy. Drucker (1965:13-14) has discussed this last point succinctly.

> Studies in culture history the world over have shown that only where man can produce storable surpluses of a basic foodstuff, thereby relieving himself at regular intervals from a day to day food quest, can cultures be elaborated to higher levels. As a rule, leisure has been a concomitant of the invention or introduction of agriculture. The North Pacific Coast is unique among areas where men lived on the so-called "hunting and gathering" level in that the inhabitants developed a rich culture, and this circumstance can be traced directly to the nature and abundance of the area's basic food source, the salmon.

Later Drucker (1965:22-23) comments

> One of the distinctive features of North Pacific Coast culture was the utilization of one of the area's chief natural resources -- wood. Woodworking was developed to an extent unrivaled elsewhere in native North America. The Indians used principally the red cedar, and in the south, redwood, both of which are soft and tractable, with long, straight, easily opened cleavage planes, and other even-grained woods such as yellow cedar and alder.

From the time that they were first seen by Spanish and English explorers through the mid-1850's, the Makah were consistently described

as having a typical Northwest Coast culture. Archaeological research in the Cape Alava area indicates that the rich culture noted by early observers was of some antiquity. The point is of considerable interest because although the Makah had access to and used salmon, it was not their staple food. Further, the cedar available to them was of inferior quality and their larger canoes, the planks for their houses, as well as many other items needed for day to day living were imported from neighboring areas. In other words, the Makah sustained their typical Northwest Coast culture by importing the material aspects of it -- mostly as finished manufactured products.

They were able to do this because of their access to and ownership of a unique and valuable resource -- the halibut banks peculiar to their territory. The halibut was so valuable to the Makah that it replaced salmon as the staple food, and so abundant that they were able to buy the very canoes with which they earned their living, their house planks, sleeping mats, cooking vessels, storage containers and many other items. The nearest parallel would be the Makah commercial fisherman today who purchases his boat ready-made, the milled lumber for his house, his pots and pans, and other necessities in exchange for his income derived from fishing.

Makah life and culture today is sustained largely by finished products imported from outside the Makah area. The same was true in aboriginal times.

Archaeological evidence, historical accounts, and ethnographic research all agree that the Makah not only sustained a Northwest Coast culture; they were wealthy and powerful as contrasted with most of their neighbors. Their extensive trading contacts can in no way be

seen as permitting them to eke out an existence in an ecological niche unsuited to Northwest Coast culture. Rather, their trade not only permitted them to import their material goods wholesale; it permitted them to live in a style not attained by their Salishan and Chemakum neighbors.

In early historic times, after the founding of Astoria, the Makah were key middle-men in a trade from the northern and central Northwest Coast to the Columbia river. In addition, Makah themselves sometimes came as far south as Chinook territory to trade. The "Chinook canoe," so-called because the type first was observed by whites on the Columbia, was actually of Nootkan manufacture.

To sum up, the Makah maintained from time immemorial a thriving economy based on commerce. They exported vast amounts of processed halibut and from the proceeds imported both the necessities and the luxuries of aboriginal Nootkan culture.

2. The treaty commissioners (a) were aware of the commercial nature and value of the Makah maritime economy and (b) promised the Makah that the government would assist them to develop their maritim industries.

(a) While many white settlers in Washington territory were undoubtedly aware of the extent of trade among Indian groups, all settlers in the Puget Sound area had to be aware of that part of the Indian trade which obtained between Indians and whites because it was vital to pioneer existence as well as to pioneer industry. The Indians supplied fish to the whites for local consumption and for

export. Indian-processed dogfish oil was consumed in vast quantities in the milling operations of the lumber industry and was used domestically for lamps.

Simmons and Shaw, who acted as official government agents at the treaty, had each resided in Puget Sound for a decade prior to the treaty and had contact with the Makah. In 1847 they were among others who formed the Puget Sound Milling Company at Tumwater. Simmons was the largest shareholder and was elected superintendent. As they were long term residents engaged in the sawmill business, I find it a necessary conclusion that these men had an appreciation of the Makah marine resources and Makah commerce.

Certainly more recent immigrants to the region were able to gain such an appreciation. Captain William Webster, after some twenty years in Australia and New Zealand, arrived in Port Townsend in 1851. Two years later he had printed a business broadside for distribution in the eastern states, Europe, the Far East, and various Pacific ports. The circular (Webster 1853:320) read, in part,

> At the entrace of the Straits de Fuca, and on the large fishing banks that lie off from ten to thirty miles from the coast, there are great quantities of whales. The Indians take from two to three thousand barrels of oil per annum, in their rude way, and they dispose of the greater part of it to the traders, in exchange for clothing, &c. They also catch great quantities of cod and halibut on the different banks.

Gibbs and Stevens were more recent arrivals in Washington Territory and apparently had little first hand contact with Makah and that not in Makah territory. Even so, both men were informed as to the Makah marine economy. In a report submitted in March 1854 by Gibbs to Capt. McClellan but ultimately meant for and approved by

Stevens, Gibbs (1853-4:429) wrote,

> . . . . The Makahs resemble the Northwestern Indians far more than their neighbors. They venture well out to sea in their canoes, and even attack and kill the whale, using for this harpoons pointed with shell, and attached by a sinew line to seal-skin floats. It is said that the year previous to the sickness, they took 30,000 gallons of oil. This was purchased chiefly by vessels.

Stevens was so impressed with the commercial value of the marine resources being utilized by the Makah, that he took it upon himself, as governor of the new Territory, to advise New England business interests of the potential. He wrote a letter dated January 8, 1854, exactly one year before the Makah treaty, noting in part,

> . . . . The waters too afford their share of wealth. The fisheries in her rivers, in the Columbia which she divides with Oregon, & in other streams entering into the Sound and the Pacific are boundless, and without, the banks lying off the coast and the inlets stretching between Vancouver's Island and the main, swarm with cod, halibut & other valuable species (Stevens 1854:332).

We have then, documentary evidence that Gibbs and Stevens knew about the Makah fisheries and whaling at least one year before the Makah treaty. We also have documentary evidence that access to such information was generally available. I find it an inescapable conclusion that Simmons and Shaw were also cognizant of the facts. Stevens, as governor, Gibbs as secretary, Simmons as Indian agent, and Shaw as interpreter, were the four official members of the party. The other four men who accompanied the party to Neah Bay and signed the Makah treaty as witnesses were C. M. Hitchcock (a medical doctor who was visiting as a tourist from San Francisco), E. S. Fowler, captain of the schooner which was chartered to carry the treaty party and treaty

presents from place to place, and two young men who were hired as commissaries to help set up and break camp and look after food and supplies. Whatever the awareness of these latter four witnesses to the treaty, I am confident that the four men who were actively involved in the negotiations understood the commercial value of the Makah fishery and the extent of Makah trade with whites.

I am less certain about the extent of knowledge held by these men regarding Makah trade with other Indians. Simmons and Shaw must have known in a general way, but possibly did not appreciate the full role of this trade by Makah of surplus marine resources to other Indian groups. Gibbs refers to Makah trade with Vancouver's Island in that same 1854 report submitted through McClellan to Stevens, but it is unclear whether he means trade with Indians on Vancouver Island or trade with the Hudson Bay Company at Victoria. Both, of course, took place and whichever he meant, it is evidence of a commercial and trade value to the Makah.

In sum, I am convinced that the treaty negotiators appreciated and were aware of the extensive and lucrative trade carried on by the Makah based solely on their marine resources. They were undoubtedly more aware of that aspect of the trade in which whites were involved, than of that exclusively among Indians. The part of the trade which was with whites was in itself sufficient to impress the governor and his party.

(b) Stevens found the Makah not much concerned about their land, apart from village sites, burial sites, and certain other locations, but greatly concerned about their marine hunting and fishing rights. Much

of the official record of the treaty negotiations deals with this. Stevens found it necessary to reassure the Makah that the government did not intend to stop them from marine hunting and fishing but in fact would help them to develop these pursuits. I can only interpret the language as promise of economic aid for commercial development. According to the records of the proceedings of the treaty commission,

> (Tuesday, January 30)
> Gov. Stevens informed them that so far from wishing to stop their fisheries, he intended to send them oil kettles and fishing apparatus.
>
> (Wednesday, January 31)
> . . . . The Great Father. . . knows what whalers you are, how you go far to sea to take whales. He will send you barrels in which to put your oil, kettles to try it out, lines and implements to fish with.

The treaty party landed at Neah Bay on the evening of Monday, January 29th. The record does not indicate that any discussions about the treaty took place the first evening. Discussions are reported on the Tuesday and the Wednesday. On the latter day the treaty was signed. On both the Tuesday and the Wednesday, Governor Stevens promised the Makah equipment to develop their oil extracting and fishing industries. I remarked earlier that, in my opinion, these promises can only be seen as related to commercial development. Why else would the Makah require barrels to put up the oil? They had watertight wooden boxes as well as other native containers for storage of oil meant for home consumption. Why would they need kettles to try out the oil, lines and fishing apparatus? As we have seen, the Makah had an intensive pre-treaty marine economy and an extensive trade based squarely upon it. The only conceivable inducement that Stevens'

promises at the treaty ground could offer was in terms of increased efficiency and expansion of this commerce. In this connection we may take note of a separate but related point. Governor Stevens' promise of kettles and fishing apparatus makes it clear that there was no intent that the Indians be restricted to aboriginal equipment and techniques.

I am aware that the articles of the written treaty do not mention barrels, kettles, and fishing apparatus, but the Makah were unable to read the treaty and had to rely on what they were told. I think it safe to assume that a verbal promise by the governor on the treaty ground had, in their view, more force than undecipherable marks on paper. In dealing with a treaty initiated by a literate party, written in foreign and technical language, and accepted by a party unable to read it and unfamiliar with that language, we must consider as an integral part of the treaty, those verbal explanations, interpretations, and promises made at the negotiation talks. Clearly, the official record of the treaty talks is incomplete. There must have been much more formal discussion than is preserved to us in the record. Furthermore, the record is left by one party to the treaty only and therefore is one-sided. This is not meant in any way to reflect upon the integrity or objectivity of the recorder, but rather to underline that his understanding of what was said would be different from that of an Indian recorder. Despite the incompleteness and bias of the record of negotiations, we must consider it a basic part of the treaty. In my opinion, the fact that Stevens promised the Makah chiefs oil kettles and fishing apparatus in the treaty talks and not in the written treaty is irrelevant. The verbal promise must have the same

force as the provisions of the written document. To believe otherwise is to accuse the representative of the federal government of fraud, which is unacceptable and probably unwarranted.

3. Government intent to aid the Indians in their whaling, sealing and fisheries continued after the treaty.

It seems clear that the promise of economic development aid made at the treaty talk continued to be the policy advocated by the representatives and employees of the federal government.

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

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

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

Michael Simmons, who was active in the treaty negotiations as Indian Agent, five years later as agent for Washington Territory in his annual report to the Superintendent of Indian Affairs, wrote of the Makah

> . . . . Halibut are taken in great quantities by this tribe, and I would recommend that, in addition to the farming operations that should be commenced on their reservation, houses for salting and drying these fish should be erected, and that they should be taught to cure them after the fashion of the whites. These fish command a good price and ready sale, and I think a lucrative trade in them can be established (Simmons 1860:195).

This policy was not advocated by Simmons alone, for it appears in one form or another consistently over the years in the annual reports of Indian agents assigned to the Makah reservation. In 1863, Henry A. Webster, Indian agent at Neah Bay at the time, reported

> . . . . I am of the opinion that much benefit would be derived by encouraging them in their fisheries, and teaching them the proper method of preparing their fish for sale. By having a cooperage connected with the reservation, and supplying them with nets and salt, they could annually take greater quantities of fish, which could be sold for their benefit (Webster 1863:445).

It is clear that the people in the Indian service in Washington Territory had to deal with federal policy laid down in Washington City by people whose fixed idea of "civilizing" the Indians consisted in making farmers of them. The Superintendent of Indian Affairs for Washington Territory wrote in his annual report in 1863 to the Com-

> I respectfully suggest that a small vessel, of from fifty to seventy-five tons, be purchased for this tribe, to enable them to fish at sea with less danger than is now incurred in canoes, a measure that would do much to produce respect for, and show the moral superiority of a civilized and educated people (Webster 1867:44).

Webster then goes on to show the cost of the vessel in the financial part of his report under the heading

> Estimate of sums necessary to fulfill treaty stipulations with the Makah tribe for the year ending June 30, 1868.
>
> For purchase of a schooner to enable the Indians to fish at sea $6,000.

Nor was Webster the only agent at Neah Bay to request a seaworthy vessel for Makah fishing operations. Several subsequent agents, Gibson in 1873 and Huntington in 1875, made the same recommendation.

In his first annual report as Superintendent of Indian Affairs for Washington Territory, R. H. Milroy made the following recommendation.

> The Indians of Neah Bay are 'fish-eaters', and the most skillful and intrepid fishermen and watermen of the Pacific Coast. Therefore, efforts for their civilization would be more successful on the fish line than on the agricultural. I am informed that under proper management a fishery of great value could be built up there, sufficient not only to render the Indians self-sustaining in a few years, but to lead them to great wealth. I therefore recommend an appropriation sufficient for the construction and furnishing of a large fishery there. I will report more fully on this matter after my visit there in a few weeks hence. (Milroy 1872:729)

The following year, after having inspected the Makah reservation, Milroy repeated his earlier observation that

> . . . the Indians of this reservation are fish-eaters, and draw their subsistence almost wholly from the 'great deep' and consequently have very little disposition or taste for agricultural or pastoral 'life-lines;' therefore the 'fish-line' is the natural and perhaps the only 'line' upon which

> they can be civilized. I therefore unite with Agent Gibson in recommending the purchase of a schooner, to be used, as mentioned by him, in their fishing operations. (Milroy 1873:669)

His recommendations for improvements on this reservation included the construction of a fishery. In itemizing the improvements he included:

A fishery, complete in all its arrangements	$5,000
Schooner for fishing	5,000
Captain of schooner for one year	1,000

In 1881 Agent Willoughby called government attention to the need for instructing the Makah in white methods of curing and packing for market. Ten years later Agent McGlinn was still urging this point which had first been raised by Simmons in 1860.

The foregoing do not exhaust the examplesof annual requests by agent after agent at Neah Bay for government aid to develop Makah fisheries. The fact that these requests began with Simmons, who had actually helped negotiate the Makah treaty, and persisted for over three decades suggests to me that there was an understanding that the government had undertaken to supply such aid. One report unequivocably lists the aid as a treaty stipulation.

The federal government representatives in Washington Territor , if not in Washington, D. C., evidenced a consistent intent to help the Makah develop their fisheries. Further, it is explicitly stated in a number of these reports that the aid is intended to increase the commercial value of the fisheries; the accounts make it clear that the Makah never experienced a shortage of fish for domestic consumption.

It would also appear from the record that the federal government in Washington, D. C., did not implement the policy which its field representatives felt they were charged to carry out. The reasons

for this are not entirely clear, but I have not seen any evidence to suggest that there was a change in government intent. Rather, the Civil War and the straitened financial circumstances in which the Indian Service found itself for years afterward contributed to the non-fulfillment of many treaty stipulations. There was general dissatisfaction in the Indian Service about under-financing, understaffing, and low rates of pay. In the absence of contradictory evidence, I conclude that lack of funds, a blind faith in Washington, D. C., that civilization and agriculture were inseparable, and the usual problems of bureaucracy and distance are sufficient to account for the failure to implement Stevens' promise of aid for Makah fisheries.

Despite the lack of federal assistance, the agent at Neah Bay at the turn of the century was still concerned to assist Indians in realizing income from sale of fish. On July 18, 1901, Samuel Morse wrote from Neah Bay to A. W. Smith, the agent for the Quileute

> Tell your Indians that salmon are plentyful here some get as high as 127 in a day and they get 10¢ a fish they had better come up and make a little money.

Judging by the month, the letter must refer to a troll fishery as it would have been too early for river fishing.

4. The Makah asserted several kinds of property rights at the treaty which were not understood by the treaty commission. One of these, ownership of certain ocean tracts, is relevant in the present case.

The Nootkan peoples (of which the Makah are the most southerly group and the only Nootkans resident in the United States), had well-defined maritime property rights and a system of marine law respecting

salvage rights. These aspects of their culture were in contrast to the neighboring Salishan peoples, with whom Gibbs, Simmons, Shaw, and Stevens had had contact and of whose culture they had some knowledge.

At the negotiations surrounding the Treaty of Neah Bay several Makah chiefs asserted property rights over salt water tracts and salvage rights over beach tracts, but their import was not understood by the Stevens party. This is hardly surprising, since the treaty commission was almost completely ignorant of Makah culture. Governor Stevens relied on the two old-timers in the country, Simmons and Shaw, for local knowledge of the Indians. These men had some familiarity with Coast Salish Indian culture, as did George Gibbs, who had gathered ethnographic data on many Salish peoples. As noted above, Nootkan maritime legal concepts simply were not part of the Coast Salish culture. In dealing with Makah, the Indian 'experts' were at a disadvantage of which they were unaware. It was a case of a little knowledge being a dangerous thing. In this case the danger lay in that the governor thought he had the benefit of local expertise in Indian matters, whereas all of the commissioners were really unaware of what was being said to them.

According to the official record of the treaty proceedings, the governor's party met little resistance on the part of the Makah in ceding their land holdings to the government. Apart from their village sites, burial grounds, fishing locations, and a few other areas, the Makah seemed little concerned about the land cession. The following statement is recorded for Klah-pe-at-hoo of Neah Bay

> He was willing to sell his land: all he wanted was the right of fishing.

The consistent concern of all the Makah whose speeches are recorded was with the sea, and rights to take fish and whales where they wished. The meaning and content of these concerns cannot be understood at face value, but have to be understood against a background knowledge of Makah marine law. Having no idea of Makah concepts of ocean property rights, the treaty commissioners were unable to comprehend the meaning of statements like that recorded for Tse-hau-wtl,

> He wanted the sea. That was his country.

The Makah, like all other Nootkans, marked off specific ocean tracts. some extending many miles offshore, as private property belonging to particular chiefs. These tracts were marked off by reference to natural landmarks such as mountain peaks, reefs, rocks, islands, lines of kelp growth and beach points. Reference to Map 2 indicates named points along the Makah shoreline. These sea properties contained valuable fishing grounds and sea mammal hunting areas. The chief or chiefs who owned a particular tract might give usufruct rights within the area to others without in any way forfeiting ownership claims. A person using the fishing ground would give tribute to the chief who owned it.

When the Makah chiefs at the Treaty of Neah Bay asserted ownership of the sea, the Stevens party were unaware that in Makah law the sea was divided into privately owned parcels with precisely known and recognized boundaries. When Governor Stevens responded to these assertions by saying

> . . . he wanted them to fish but that the whites should fish also. . .

the Makah readily agreed. It is my opinion that the Makah were in no way offering to cede their ownership claims to sea territories, but rather as owners were offering to extend usufruct rights.

Ownership of the halibut banks, salmon trolling areas, salmon streams and whaling grounds were the most important holdings the Makah had and formed the basis of their economy. To cede these away, as they explained at the treaty talks, would leave them destitute. Their extreme dependence on their marine properties and the relatively slight economic importance to them of the hinterland accounts for their acquiescance to land cession and their insistence on retaining their property rights at sea.

5. The Makah continued to assert these property rights after the treaty.

The Makah concept of private ownership in fishing banks is clearly attested in the 1858 annual report submitted by Simmons as Indian Agent for the Puget Sound district. Writing of the Makah he said,

> Four gentlemen from California, have taken claims and established a trading post and fishery at Waadda. They have been there for about nine months and have uniformly treated the Indians well; bought all the fish and oil they could bring for sale, (these Indians catch many whales) at liberal prices, yet they refuse to let them fish on the banks (Simmons 1858:583).

One may query why it was that the Makah refused to let the whites have access to the banks after agreeing at the treaty that the whites should also fish. Several explanations could account for this. The treaty at this date had still not been ratified and the Makah may have been denying access pending ratification. Alternatively, they could have

denied access in retaliation for infringement of treaty stipulations on the part of the government. They were exercised over the light house recently erected on Tatoosh Island, on land they had reserved to themselves by the treaty. The light house was erected without their permission. They claimed that the light house kept the whales from coming in as they had before (Simmons 1858:583).

Whatever the reason for denying access, it is clear that the Makah continued to assert their property rights of private ownership in fishing banks after the treaty.

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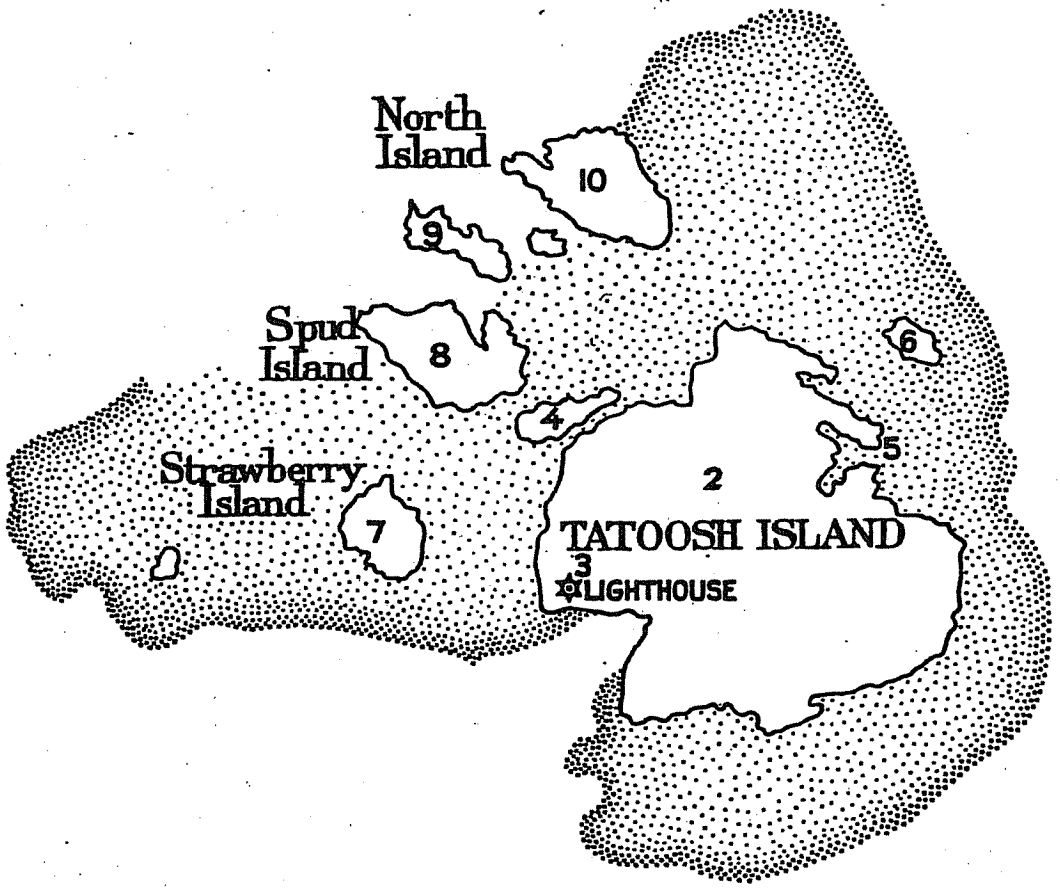
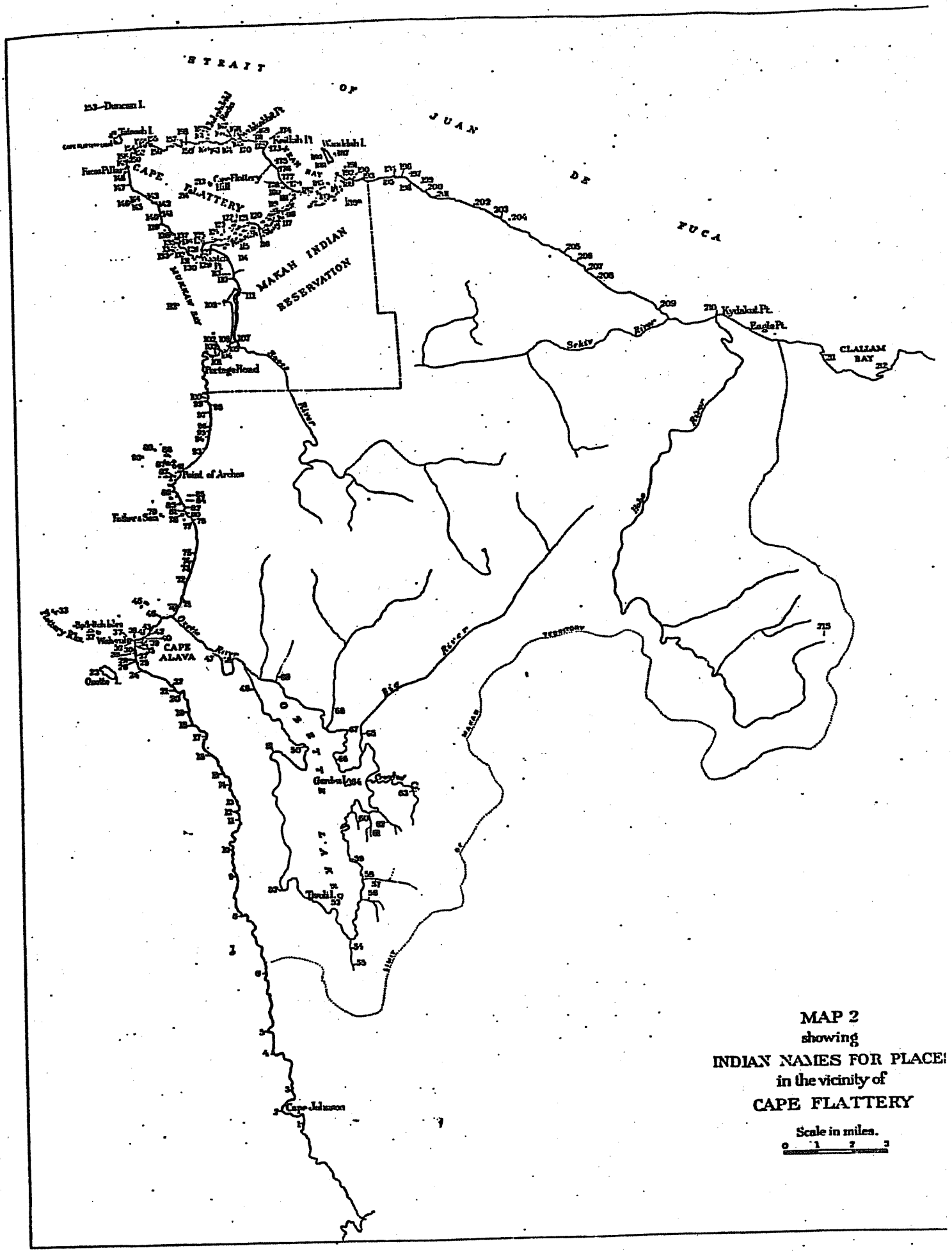


MAP 1
showing
THE TATOOSH ISLAND GROUP
Scale in miles

0 ¼



MAP 2
showing
INDIAN NAMES FOR PLACES
in the vicinity of
CAPE FLATTERY

Scale in miles.
0 1 2 3

(The original of this material cannot be found. This is a typed, hand-made copy of a copy which in some places was almost illegible. Some of the diacritical marks may not be entirely accurate.)

MAKAH TRIBAL COUNCIL

Place names along the Coast, with their English meanings

(Coming north along the Pacific Coast)

Cape Johnson — klexap xacicowaʔ — "point inlet"

Rocky place — kiʸaʌuk' — "slippery rocks"
(this side of Rose Creek)

Rose Creek — babiyakʔtiu — "rose creek"

kla suk — "slippery pass"
(this end of Rose Creek)

hi taʷ wi dia — "in between the rocks"
(this side of kla suk)

Yellow Banks — ci ci sə kə kˣət — "falling sand" "sandy bluff"
(this side of hitaʷwidia)

Mussel Rock — klˣu copʌ — "rock covered with mussel
There is a little creek there that is called klˣucopʌ. It is not a rock.

Sandy Point — a ba pe is — "half way point"

Small Mussel Rock — qu qu ciksət — "small mussels"
There is a little creek there by that name. It is a place where they get little black mussels.

yuʌ sək ʌis — "good landing bay"
(a small bay before Mussel Rock)

apac iʌʌcp — "right on the ace"
(a point on this side of the bay)

wa ʸi yə ʔes — "rock on the beach"
(a creek, and there is a high rock right on the beach there)

waʔ ʔakˣti xos — "place for catching perc
(The big rocks out in front of Ozette Village, on the southeast end)

osəʌ — "leaves"
(Big rocks at Ozette Village) "more than one leave their wives go to different places"

Standing Rock — kˣla ki yəʔk — "high standing rock
(This is right out in front of where Ozette Village used to be)

Main landing — waʸaʔak — "high rock"
(A high rock on this side of the village)

kʼxla ʔ aƛ́spis — "south side of the village"
(This is a beach on the south side of Ozette Village)

čá yáƛ spis — "Neah Bay side of the village"
(Beach on this end of Ozette Village)

kĺyʼ iƛ́ sʼit — "red creek", "red water"
(creek)

White Rock — qˣo sáu ʔutʼi — "stomach"
(This is a rock shaped like a stomach, about one half mile out in the Pacific Ocean from the high water line)

čᵊ káʷʔ kt — "long island"
(Island near White Rock)

ba dí ƛ́a — "double rock island"
(There are two rocks forming an island about one half mile square)

a, wa yət
(This is a rock outside badiƛa, where they used to get sea gull eggs. It is a few feet from bad a)

Yumatilla Reef — qlᵊ bácʼatʼ — "blubber rock"

--Now back to the beach again, coming north from "red creek"

íʼʷhatis — "long low tide"
(A beach and a little creek between Red Creek and the Village)

Ozette River — oʼ áw ʼlik — "swift river"

Ozette Lake — kˣə ʔuk — "lake"

qʷáʼ dis dit — "place where there are many wild onions"
(A place on this side of Ozette river)

cʼ áʷ wə disi — "half way creek"

Father and Son Rocks (two names) hau wi co hal co "sharp rocks"

suc suc cupk "tree top rock"

(The rock has trees upon it)

This marked a fishing ground where they caught red snapper, black bass, and all kinds of fish. Sometimes they got halibut here.

Spike Rock sə ckx ke "sharp rock"

ca ə s i "reef"

A fishing ground outside of Spike Rock

ShyShy Beach sə sa is "smelt beach", "surf beach"

The long beach on this side of Spike rock. It was a fishing place for smelts, clams and crabs.

There were clams all along the coast from this side of Ozette.

Portage Head tu əx kx as "jump down"

kx ƛa ab "chamber", "red creek"

(Creek at ShySy, right in the middle of the beach)

ta qw q at "point from all sides"

A rock out aways. There was a fishing ground here.

a tl st "two in a canoe"

This is a rock outside of ta qw at which is shaped so that it looks like two men in a canoe. This was a fishing bank where they caught halibut, red snappers, black bass, salmon and cod.

qu qu ci k sət "small mussel creek"

The beach at ta qw at, and a little creek.

kla wa ciktas "short portage to river"

The beach at Suez

Village Suez c u yɛs "reservoir for water"

Where they used to get water from a big spring.

Suez River c u yɛs "reservoir for water"

c u y s takes in everything there, village, river and whole place. It was an old fishing ground, and there was once an Indian village there.

yu yu "long low rocky point"
This was a clam bed, a long low rocky point running out toward the ocean. They also got mussels and rock oysters here.

ca w/sɛ "round rock"
This is a round rock in the woods, below the river, between village and river.

bə xo ʔbəxs "boiling water"
This is a rock around which the high tide comes, and the water boils around the rock.

cəpx u·s "special place for good hunters"
This is a creek.

Hobuck Beach xo ʔobək "sand changes color"
At certain seasons of the year, the sands here change color. This was a clam bench for all kinds of clams.

Hobuck Lake xatʔ ləkʔ wəƛ "change the weather"
The lake back of Hobuck Beach, where they used to catch trout. If a stranger visited the lake, the weather would change.

Wa-atch River waʔacʔ "cove"
There is a little bay there with the river running through it.

Wa-atch Village waʔacʔ "cove"
This was an old fishing ground, and there was formerly an Indian village here.

yucʔ kiƛcək səpʔ "narrow-face spring"
This was a spring from which only narrow-faced people were able to drink.

tʔu q xwəʔɛcʔk "short beach"

əkwƛʔ kə wa "cave point"

kxlɛ kxliʔs "white sandy beach"

kˣla di ta pat "hard rock"
A rock outside wa ac where they get all kinds of fish.

apac' ixλ u t "middle point"
"right on the face"

kˣa ta kˣ' a "cut rock"
A fishing bank about three miles west of wa ac point, where they got halibut, cod, red snappers, salmon

ka ʔakˣtliꞌb
A fishing bank, seven and one half fathoms deep, about one miles southwest of Tatoosh Island. It is just a shallow bank -- there are no rocks there. They fished there for all kinds of fish.

--- now back to the beach ---

xa c' cupxsis "long beach"
This comes right after apacixʔut

dᵘ qʷ əʔč' ik "short beach"

apʔt' kˣa ya λ "middle point"
Where they used to trap coons. There was all kinds of sea food there too, and devil fish too.

kʸiλ yaʔakiλ "landmark for fishing grounds'

cu ʸak' t "water falls"

Hachowat Beach xa čaᵘ wa'at' "where they dry fish"
There was an Indian village here where they used to dry fish.

tʰi t'a "bluff"

bu qʷə kis "gravel beach", "pebble beach'

si xob "reef"

k' lək ekˣsλ "grass-back rock"
This rock has grass growing on top of it.

ša šə́č kʼək "sharp pointed rocks"

qʷəʾ qʷə́ʾt kə́k klečakʼ "slanting rock"

These are rocks right on the Cape. The backs of the rocks are bent, so that the group is low in the middle. It marks a good fishing ground for all kinds of fish. They also went there to get sea-gull eggs.

cá cá daʿxkˣ "standing pillar"

A long standing rock

cʼə skˣá ooʷəs "yew wood on top of that rock"

There were two poles on that rock, though no one knew how they got there. They were long poles of yew wood. They are no longer there.

Tatoosh Island (three names) ho pə́čakt "island", "rock on the water"

ča·di "island"

tú túč "thunder bird"

Duncan Rocks kxéti dɬṭ "bass rock"

A fishing ground where they catch all kinds of fish. The bass come up there to the surface so think that the rock is black. They fished there for red snapper, bass, salmon, cod, halibut.

--- back to mainland

kʸi· si su "waterfall"

This is a small waterfall on the mainland, across from Tatoosh Island.

xiƛ táʊ ƛ

This means that you come there in a canoe and drink off the rock there without getting out of the canoe. There is water running down there.

á bəp "projecting rock"
"as near as we can get to the meaning"

cí cíə pʊkʷsɩk "hats on"

This is a standing rock that looks as though it had a hat on.

k lúʾ lʔca bus "blueberry beach"

There are lots of fish opposite there.

cuʸa kɔtˀk "waterfalls"

qˣa qʰʸu xe dɔbɬt "devil club beach"

xi daʔpˀes "back-side of the beach"

klə kək ɬs hos "standing rock beach"

--- now outside to the fishing grounds---

sa dapəd "kelp around the neck"
"fish line around the neck"

(They used to make their fish lines out of kelp)

tˀə kˣˀa "Home Bank"

This is in the Straits of Juan de Fuca, about two miles out, northwest from Warmhouse. This was a fishing ground for cod, red snapper, giant halibut.

Warmhouse kˣˀle dikˣa bɬtˀ "camping place while drying fish"

They used to camp there while they were drying fish in summer.

kʷˀlik siəbɛt "where the war canoes land"

A short beach this side of Warmhouse where the war canoes used to land and where they were concealed.

cʊcʊd xəɬˀ "wash hands"

A little creek. After the fighting they would wash off the blood in that little creek.

kˣˀ wi qla "slide rock"

The rock on the bottom of the point. Part of the hill used to slide down on the rocks.

Ten O'Clock Bank a paɬtaksus "entrance to the bay here"

That's at the mouth of this bay, where we catch halibut. It's just about half a mile off the point.

Scow Creek huʔu "where the birds sit on the rocks."

The creek on this side of the point. There's a rock there where flocks of birds sit.

ɬ i waʔikˣ "big rocks"
There are some big rocks there where they get clams, devil fish, and some small red crabs.

Neah Bay di ʸat something to do with rocks, but we don't know what it is.

čaʸat --The Ozette name for the bay.
There is fishing in the bay for salmon

Baahda Point bɬi da -- don't know the meaning
They fish there for salmon. The salmon run up the little creek there. Seines were used there.

Sail River tʾ u ʾqʷək suɬs "narrow mouth river"

Wanda Island waʔa da -- don't know meaning
They fish off there for salmon, cod, black bass, red snapper

Seal Rock kˣɬʌ kəcəkt "jutting out of the water"
They fish there for spring salmon, silver salmon, cod, some halibut, bass

Bowman Beach haʾ ʔcupxsis "long beach"
There is a fishing ground outside there. Salmon and steel-heads go up the creek there.

ka dətopʌ "shag rock"
That is where the shags sit on the rock. They fish there for cod, salmon

Two-ear Rock aʔatlapʌ "two-ear"
There is a fishing ground outside of there, for halibut, cod, red snapper, salmon, shark and dog-fish.

Rasmussen Creek cʾ a o lɔ̂ dɬtʰ "surf beach"
Salmon go up the creek there.

Jensen's Creek čɬ tu "place for digging clams"
They got clams, fish, and devil fish there.

Sikiu River sí'qʸu --no meaning for that
It is an old and accustomed fishing grounds. There used to be a temporary village there for smoking and curing fish, for hunting, and for building canoes. There is a fishing ground outside, which has the same name. They fished there for halibut, dog fish, shark, salmon, and cod.

Hoko River ho· kˣó
It got its name from a rock that is now gone. The rock was sticking out from the point there, but it was blown up. This was a fishing ground for salmon, dog-salmon, silver salmon, steel heads. There was a temporary village here.

Directly out from Hoko is a fishing bank. This is about a mile and a half to two miles out. Shark were taken there.

Eagle Point k̓lu padέo ciˣƛ̓vƛ "the first rock to get warm in the rising sun"
This is where the old reservation line used to be.
About one and a half miles out, there is a halibut bank.

Liar River kˣu ƛ̓ú buʔ "many round little rocks in the river."
There is a fishing bank one and a quarter miles out, where shark and dog fish are taken.

Swift Shore k̓lu šu ʔə́ "shallow bank"
This is the main halibut bank and is fifteen miles from the Cape.

Skookum Bank dašá dit
This is about twelve miles out, and is a fishing bank for large halibut. These were large enough to break the wooden hooks they used to use for fishin