

## BEFORE THE INDIAN CLAIMS COMMISSION

THE UPPER SKAGIT TRIBE OF INDIANS,	)	Docket No. 92
	)	
THE SNOQUALMIE TRIBE OF INDIANS on	)	
its own behalf, and on relation of	)	Docket No. 93
THE SKYKOMISH TRIBE OF INDIANS,	)	
	)	
THE DUWAMISH TRIBE OF INDIANS,	)	Docket No. 109
	)	
THE LUMMI TRIBE OF INDIANS,	)	Docket No. 110
	)	
THE SNOHOMISH TRIBE OF INDIANS,	)	Docket No. 125
	)	
THE SUQUAMISH TRIBE OF INDIANS,	)	Docket No. 132
	)	
THE STILLAGUAMISH TRIBE OF INDIANS,	)	Docket No. 207
	)	
THE SWINOMISH TRIBE OF INDIANS,	)	Docket No. 233
	)	
THE SAMISH TRIBE OF INDIANS,	)	Docket No. 261
	)	
THE KIKIALLUS TRIBE OF INDIANS,	)	Docket No. 263
	)	
THE SKAGIT TRIBE OF INDIANS, also	)	
known as THE LOWER SKAGIT TRIBE OF	)	Docket No. 294
INDIANS, also known as WHIDBEY ISLAND	)	
SKAGITS,	)	
	)	
Petitioners,	)	
	)	
v.	)	
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

Decided: August 13, 1964

FINDINGS OF FACT ON ALLOCATION OF CONSIDERATION  
UNDER POINT ELLIOTT TREATY

The Commission makes the following findings of fact:

1. The Treaty of Point Elliott, hereinafter called "the Treaty" January 22, 1855 (12 Stat. 927; 2 Kapp. 669) reads in part as follows:

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 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 years, 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 year; 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 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.

2. Twenty-three tribal groups participated in the Treaty

(Duwamish, et al., v. U. S. 79 C. Cls. 530, 581). These groups and their populations, on the effective date of the Treaty, March 8, 1859, were as follows:



















































