

**(4) Proposed Finding Documents**

**- May 16, 1980**

Tribal Government Services

MAY 16 1980

MEMORANDUM

To: Assistant Secretary  
Acting Deputy  
From: Commissioner  
Subject: Recommendation and summary of evidence for proposed finding for Federal acknowledgment of the Jamestown Band of Clallam Indians of Washington pursuant to 25 CFR 54.

1. RECOMMENDATION:

We recommend the Jamestown Band of Clallam Indians be acknowledged as an Indian Tribe with a government-to-government relationship with the United States and entitled to the same privileges and immunities available to other federally-recognized tribes by virtue of their status as Indian tribes.

2. GENERAL CONCLUSIONS:

The Jamestown Band of Clallam Indians is the modern successor of those Clallam Indians who lived around the Dungeness, Washington area, signed the 1855 Point No Point Treaty with the United States and formed the community of Jamestown in 1874.

Evidence indicates this band has existed autonomously since first contact, with a series of leaders who represented the band in its dealings with outside organizations, and who both responded to and influenced the band in matters of importance. The membership is unquestionably of Clallam descent. No evidence was found that the members of the band are members of any other Indian tribes, or that the band or its members have been terminated or forbidden the Federal relationship by an Act of Congress.

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Summary of the Evaluation of the Jamestown Band Of Clallam Indians by the  
Criteria in Part 54 of Title 25 of the Code of Federal Regulations

Included in 25 CFR 54 are seven criteria which petitioning groups must meet before acknowledgment can be extended. The following is a discussion of the Jamestown Band in light of the criteria in Section 54.7. It is based on the four accompanying specialist reports and is meant to be read in conjunction with those reports.

54.7(a) A statement of facts establishing that the petitioner has been identified from historical times until the present on a substantially continuous basis, as "American Indian," or "aboriginal." A petitioner shall not fail to satisfy any criteria herein merely because of fluctuations of activity during various years.

The Clallam Tribe has been identified as Indian and the Jamestown community as a specific Indian community from historical times until the present on a substantially continuous basis until the present by several sources.

The antecedent communities of Jamestown were signatories to the Treaty of Point No Point, received treaty annuities, and had repeated dealings with the Bureau of Indian Affairs. The Jamestown community has received Federal assistance in the form of educational aid including a community school, community development funds, trust fund payments, claims payments, and legal services relating to land.

The Jamestown Band has had repeated dealings with recognized Indian groups. The Port Gamble and Lower Elwha Clallam bands and the Skokomish Tribe support the Jamestown petition for acknowledgment. The Jamestown Band of Clallam is a founding and active member of the Small Tribes Organization of Western Washington. It was also an early member of the National Congress of American Indians. It was an ex-officio member of the Point No Point Treaty Council and participated in the Clallam Branch of the Northwest Federation of American Indians. The community played a major role in the development of the Shaker Indian Church.

The group is considered to be a distinct Indian community by non-Indians in the immediate vicinity of the Jamestown settlement and is discussed and treated as a distinct group of Clallam in the scholarly works of Gunther, Barnett, Lane, and others.

Efforts were made in the 1930's to organize Jamestown under the Indian Reorganization Act, based on a solicitor's opinion that they were a recognized tribe. They have had more Federal governmental services and attention than the two other Clallam bands which have since been organized and had trust lands set aside for them.

Although the Jamestown Clallam Band was identified by the Bureau during the 1930's as an Indian community eligible for organization under the Indian Reorganization Act, no administrative solution was found that would satisfy all parties concerned. The tribe was not organized under the act.

We conclude that the Jamestown Clallam Band of Indians has been identified from historical times until the present as American Indian and, therefore, meets the criterion in 25 CFR 54.7(a).

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

Jamestown is and has been a community distinct from non-Indians and other Clallam bands since it was formed in 1874. The community evolved directly and without a break from one village and parts of two other villages of Clallam in the Dungeness area which were mentioned in the 1855 treaty.

The group's membership has remained stable and distinct from other Clallams, with a reasonably consistent body of family lines which can, in large part, be traced from the original settlers of Jamestown and those in turn to the original constituent villages.

The community has maintained itself as a cohesive and socially distinct group. Eighty-five percent live within the State of Washington. Fifty-nine percent live in Jamestown itself or elsewhere on the northern Olympic Peninsula within 35 miles of the settlement.

We conclude that the band meets the criterion in 54.7(b).

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

The Jamestown Clallam Band and the communities from which it was formed were autonomous political units within the Clallam Tribe. The formation of the community in 1874 was through the efforts of the antecedent Clallam communities in the Dungeness area.

Since 1874, when the Jamestown community was formed, there has been a definite leadership which was chosen by the community and acknowledged by the Government. This consisted initially of a chief and an informal group of leading men and later, after about 1910, of an elected chairman and council. These functioned on an essentially continuous basis until a written, governing document was drawn up in 1975. The political system was supported by the existence of a definite, cohesive group. These leaders have functioned in the group's relations with the Federal Government and with other Indian groups.

The community has acted as a group throughout its history. Coordinated group actions include the pooling of resources for the original purchase of land when the community was formed, the building of a church and school building, the management of the group's crab fishing, the group's efforts between 1910 and 1926, and again after 1951 at seeking payment for claims made under treaties and at several points in the construction and maintenance of a community water system. The group currently operates the community water system and administers Federal and private grants for tribal use.

We conclude that this band meets the criterion in 54.7(c).

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

The group has furnished a copy of its constitution and by-laws, adopted on November 16, 1975, which includes a statement of its membership requirements, and tribal governing procedures.

We conclude that the band meets the criterion in 54.7(d)

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

The band submitted its current membership list and all previous lists. Current enrollment is 175. One hundred and eleven members have adequately documented their descent in accordance with tribal membership criteria from the historical Jamestown Band of Clallam Indians using Federal, State and local records acceptable to the Secretary of the Interior. Research indicates that 39 additional members could be expected to satisfactorily document their ancestry if called upon to do so. The balance of the membership (approximately twenty-five individuals) though clearly Clallam, do not appear to meet the group's restrictive constitutional membership criteria calling for one-fourth (¼) degree or more of Jamestown Clallam Indian blood and descent from an ancestor on the 1926 Clallam Payment Roll.

We conclude that the Jamestown Clallam Band meets the criterion in 54.7(e).

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

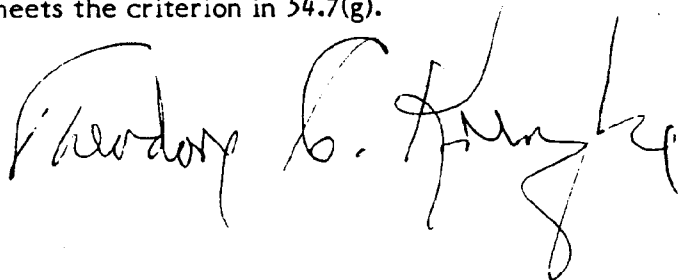
The petitioner asserts that none of its members are enrolled in any other North American Indian tribe. The existing constitution forbids dual enrollment. The Federal Acknowledgment staff could find no members of the group enrolled with other North American Indian tribes.

We conclude that the Jamestown Clallam Band meets the criterion in 54.7(f).

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

The Jamestown Band asserts in its petition that neither the group nor its members have ever been terminated or forbidden the Federal relationship. The band does not appear on the Bureau's official list of Tribes and Bands for which the Federal Trust Relationship has been Terminated. A review of House Report 2503, Investigation of the Bureau of Indian Affairs (82nd) Congress, 2nd Session, 1952, and a search of the Federal statutes did not reveal any legislation terminating or forbidding the Federal relationship.

We conclude that the Jamestown Band meets the criterion in 54.7(g).



## ANTHROPOLOGICAL REPORT ON THE JAMESTOWN CLALLAM

### Conclusions Under the Regulations

Summary: The Jamestown Clallam Band of Indians has evolved directly and without a break from several constituent communities of the S'Klallam tribe. This tribe, first contacted in 1790, was signatory to a treaty with the U. S. in 1855. The constituent villages of the Clallam were politically autonomous and, since its formation in 1874, the village of Jamestown has maintained a definite leadership. This consisted initially of a chief and an informal group of leading men and later, after about 1910, of an elected chairman and council. These function essentially continuous until a written governing document was drawn up in 1975. The community historically was the best organized of the Clallam communities, and played a leading role in the affairs of the tribe. It showed itself capable of collective action and achievement of consensus at various points in its history.

Jamestown received services and was dealt with by the Federal government as a distinct community of Clallams until at least 1953. It is recognized as a distinct community by other Clallam groups and other Washington Indians.

The group maintained considerable cohesion, and remained distinct from other Clallams as well as from non-Indians despite its character as a "progressive" Indian community whose members sought education and aggressively integrated into the non-Indian economy.

A reasonably consistent body of family lines can be traced from the original settlers of Jamestown, and those in turn from a limited number of constituent villages previously existing in the Dungeness area. A large number of those lines are still traceable within the group today. In the past 30 years, there has been an increasing amount of marriage with non-Indians and probably a decrease in group cohesion in comparison with previous years, although the membership has remained stable. A major factor in the stability and continuity of the group was the land base purchased when it was formed in 1874. This provided the economic foundation for a prosperous Indian community and a geographical center for the group. Most of the original land is still in the hands of community members today.

### Evaluation Under the Criteria:

- a. Jamestown has been dealt with as a distinct community of Clallams by the BIA throughout its history and is so dealt with today. Of particular note is that the Bureau intended to organize it under the IRA in the 1930's. Jamestown is discussed and treated as a distinct group of Clallams in the scholarly works of Gunther, Barnett, Lane, and others. It has also been considered a distinct group by local non-Indians in Sequim and in Clallam County.

It is recognized by the other two Clallam groups today, and has been so in the past, e.g., during Shaker church activity and claims movements in the 1920's and 1950's. The two other Clallam groups and the Skokomish support the tribe's bid for recognition.

b. The group was formed in 1874 as a result of the pressures of white settlement. It was formed from one village and parts of two others from a limited area of Clallam territory between Dungeness and Port Discovery. It was lead by Lord Jim Balch, an individual who had previously been recognized as a leader of Indians in the area, i.e. as "Chief of the Dungeness Clallams." Jamestown is still located within the immediate aboriginal territory of those villages. Historically it has been recognized as perhaps the most distinct surviving Clallam band and has maintained a consistent membership distinct from other Clallams. At least until recently, the community has not retained as members those more acculturated individuals who did not maintain tribal relations. This is less true than in the past and there are now some members whose informal social ties with the group are much less than would have been accepted 50 years ago. A distinct settlement still exists and a decreasing but still substantial portion of the tribe is still actually resident on the land. Most of the original settler families are still represented in the tribe and hold land within the settlement. Fifty-nine percent of the group lives in the settlement itself or elsewhere on the northern Olympic Peninsula within 35 miles by road of Jamestown. Eighty-five percent live within the State of Washington.

c. The group was formed as a natural transition from previously existing autonomous political units within the Clallam tribe; a transition carried out by previously existing political leadership. It has maintained at all points a definite named leader and a council or council-like group, although not formalized with a written document until 1975. The political system has been supported by the existence of a definite, cohesive group. There are some peripheral families, but no serious factionalism. Coordinated group action has often occurred, e.g., the effort in the original land purchase, the building of a church, the management of their crabfishing agency, in claims appeals at different points, and in the construction of a community water system at several points.

d. The group has provided a copy of its constitution adopted in 1975, which is its current governing document, and also a copy of its latest membership list.

Comment: This group can make a very strong case that it is already a recognized tribe; a much stronger case than other groups which have made such claims. The key element is the efforts to organize it and the other Clallam communities under the IRA in the 1930's. It was considered recognizable under the "Mole Lake" opinion. At one point the solicitor declared that it was recognized, on the basis of the 1855 treaty, the 1925 claims legislation and the purchase of land under the IRA. The other two units of the Clallams, which up till then had had less government attention and services, were given land and



were organized under the IRA. The services included a day school, for which the government purchased land and whose teacher acted as agent for the group. It received services and was treated as recognized from its founding until the termination era when services were discontinued and it was considered non-recognized because it had no trust land base.

The so-called "ThreeStars Study" found that Jamestown met four out of the five Indian law criteria, lacking only denomination as a tribe by Act of Congress or Executive Order. The solicitor's opinion in 1937 that it was recognized was based partly on the 1925 claims legislation, suggesting the group may meet the fifth criteria as well. It meets all 14 of the other, subsidiary criteria used in the study.

### Cultural Background

The Jamestown Clallam are descended from village groups which were part of the S'Klallam tribe, a Salish cultural and linguistic group. They were most closely related to the Sook and other tribes of British Columbia, but also related to most of the tribes of the Puget Sound area. Their immediate neighbors the Makah to the west and the Chemakum to the east, were of two other, unrelated linguistic backgrounds although somewhat similar culturally.

The Clallam were a clearly defined social and cultural unit, whose component villages were closely linked by intermarriage and other cooperative social ties. Only slight linguistic differences existed, marking those from Elwha to the west off from those to the east. The basic political unit was the winter village. Such a village might consist of as many as 10 houses, owned by families linked by marriage and territorial bonds and have perhaps 50 people (Gunther 1927). Society was stratified into nobles, commoners and slaves, with the nobles tending to have control over major resources. Leadership of a village tended to be divided according to task, with different leaders for fishing, raiding, ceremonials, etc. However, some, associated with control over fishing resources, were considerably more prominent (Lane 1973). In historical times, there usually appears to be a single village "chief" at least in terms of dealings with outsiders (Gunther 1927).

The Clallam were somewhat more strongly organized than other Washington Salish groups and had a tribal "chief" at least in historical times. The conclusion of the Indian Claims Commission (1957a) was that this person was equivalent to a current constitutional monarch, i.e., a highly prestigious spokesman with influence but not coercive powers within the tribe.

Villages were usually at the mouths of streams and winter villages owned the fishing resources in common, although usage rights and equipment such as weirs were owned by particular families. Much of the year outside the winter was spent away from the village, particular families migrating to other areas

where **they** could fish on the basis of kin ties with other villages. The seasonal cycle **was** almost entirely determined by the varying needs of fishing, which was the dominant economic base of the tribe. A vast variety of fishing was done, including catching the numerous varieties of salmon which came in different seasons, ocean fishing for halibut and gathering shellfish along the coast. There was little hunting and even less agriculture.

The aboriginal territory of the Clallam extended from east to west along the coastal shelf of the northern Olympic Peninsula. The forested mountains behind were little used, in favor of the focus on fishing. Accounts vary, but there were approximately 12 winter villages ranging from the Hoko River on the west, adjoining the Makah, to the Port Discovery area on the east, adjoining the Chemakum. The Clallam also fished seasonally on Hood Canal in Chemakum and Skokomish territory, on Victoria Island, and on Whidbey and other islands in Puget Sound. The Chemakum tribe declined sharply in the 1800's and the Clallams came to settle more permanently in the Chemakum area around Port Townsend. The latter group became more or less merged with the Clallams, so that the Indian Claims Commission (1957a) awarded the Clallams the judgment for the Chemakum's area as well, finding that the two had become "merged" between 1855 and 1857, after the Chemakums had signed the Point No Point Treaty of 1855.

### Early History

The earliest definite European contact with the Clallams was by Quimper in 1790, followed by Vancouver's expedition in 1792, which visited villages at Dungeness, near the present Jamestown (Gunther 1927). Settlement in the Puget Sound Region was slow, however, with only 600 Indians as late as the 1840's in the entire sound area. Hudson's Bay Company trading posts were established at Victoria, across the sound, and at Nisqually in the 1830's, and the Clallams and other Olympic Peninsula tribes were actively engaged in trading with the whites. A prime product was fish for the California market.

Significant white settlement on the upper Olympic Peninsula began in the late 1840's, especially around Port Townsend and the upper Hood's Canal area. Lumbering was especially important, with mills opened, and Clallams working in them, as early as 1853 in Port Townsend and across Hood's Canal at Port Gamble. Non-Indian population by 1852 was several thousand around Puget Sound. The desire of whites to obtain clear title to Indian lands in the Northwest and clear the way for settlement began with the Oregon Donation Act, which established a basis for whites to acquire land, and the Indian Treaty Act, which provided for making treaties, both passed in 1850 (American Friends Service Committee 1970).

The treaty the Clallams signed, the Point No Point Treaty of 1855, was one of a series of Washington treaties arranged in 1854 and 1855 by Isaac Stevens, who had become territorial governor in 1853. Steven's aims were to concentrate the

Indians (he originally favored removal entirely), strengthen the somewhat weak appearing chiefs of the area, and encourage farming (American Friends Service Committee 1970). Though hostilities occurred following the signing of treaties elsewhere in Washington, none occurred on the Olympic Peninsula. The treaty was signed by the Clallam, Chemakum, and Skokomish and Toanhooch tribes (the two latter now known collectively as Skokomish).

Forty-seven individuals signed for the Clallam, "Chitsamahan, the Duke of York, Chief of the S'Klallams," 26 other Clallams denominated as subchiefs of the Clallam, and twenty other Clallams (Kappler 1904). Treaty signatories only corresponded approximately to actual leadership, Stevens generally aiming to provide, or create a more "orderly" leadership picture than what he found. According to Lane (1973), the headchiefs who signed various of Stevens treaties were chosen by Stevens and his assistants on the basis of being friendly, of apparent high status, and of being able to speak Chinook jargon, the awkward trade language that was used for the treaty negotiations. In the Clallam case, there is some evidence that there was a chief of some kind previous to that, with one known predecessor to the Duke of York.

Subchiefs and leading men (i.e., the last 20 names) were chosen by Stevens and the head chiefs. Subchiefs were supposed to represent bands, though no such designations are provided in the Point No Point Treaty and far more signed than there were Clallam villages.

The Point No Point Treaty was signed in 1855, although it was not ratified until 1859. It provided for a payment of \$60,000 to the signatory tribes to be paid over 20 years (with no indicated means of how it was to be divided among the tribes), the right to fish at their "usual and accustomed places," and the establishment of a reservation at the foot of Hood's Canal, in Skokomish territory.

The Clallams had understood during the treaty negotiations that a reservation was to be set aside for them within their territory in the area between Sequim Bay and Dungeness Spit. Treaty journal notes show that in fact a reservation "on the straits" had been considered for the Clallam as well as the one on Hood's Canal (United States 1855?). In 1859 and 1860, Michael Simmons, Steven's assistant with the treaties, attempted to have land set aside on Crescent Bay in western Clallam territory, but was unsuccessful (Lane 1973a).

The reason for omitting the second reservation was not discovered, but its omission is responsible for the subsequent history of the Clallams as a group which was landless but which was nonetheless accorded recognized status. One result was claims against the government, one paid in 1924 and one to be paid soon under an award from the Indian Claims Commission.

The area set aside for the one reservation was in Skokomish territory. The group was not one which the Clallams were too friendly with and in any event the area was far too small to accommodate the Clallams had they been willing to come. They were, of course, predominantly a fishing tribe and removing to the reservation would have put them far from their "usual and accustomed" places of fishing. They refused to remove to Skokomish or even to have their children go to school there, and few ever moved (Eels 1887b). The agents in this period, e.g. Eels, thought it reasonable, as well as clearly necessary for the Clallams to remain where they were if they were to survive.

In the interim, the Clallams continued to receive annuity payments under the treaty and to be otherwise dealt with as a responsibility of the Indian agent at Skokomish.

The Clallams, as may be seen, had adapted readily to the white economic system. Fishing remained important, with the Indians the main source of fish for the white market until whites began to compete with them in the 1870's (Lane 1973). The Clallams were already doing some farming by the 1870's, something which was not in their traditional economy. Ironically, farm land that the Indians had developed was one kind of area that whites took away from them. Other sources of income were working for farmers, transporting whites by canoe, and working for the lumber mills.

Along with the reshuffling of settlements in this period, there was a decline in population. For pre-treaty times, population is estimated variously at between 1500 and 2200 (Hudson's Bay Company had estimated 1760 in 1845), but by 1852, Gibbs counted only 926, although Eels (1887d) thought this a bit low. There were about 600 Clallams counted by Eels (1884) in the 1880 census.

#### The Founding of Jamestown (1874) to 1910

The present-day division of the Clallam tribe into three parts, the Jamestown community and the Lower Elwha and Port Gamble Reservations, is the result of a realignment and reshuffling of the original villages (those in 1855) as a result of the pressures of white settlement and the economic opportunities afforded by white settlement. The two existing reservations were not established until after 1930.

A settlement of Clallams around the mill at Port Gamble began when the mill opened in 1853, pre-dating the treaty. The latter area was within original Chemakum territory although that area was occasionally used by the Clallams, and many of the remnant Chemakums were included in the ancestors of the current Port Gamble group. There had already been some reshuffling of Clallams in the Port Townsend-Hood's Canal area and many of the Port Gamble came from other settlements in that area. Some sources state that some came

from further west, including the villages nearby where Jamestown was later formed, and from Jamestown itself in later years (Lane 1977c). The communities from Port Angeles west, the area of least white settlement, remained distinct until consolidated into Lower Elwha in the 1930's.

The area around the Dungeness River, near Jamestown, was the most heavily populated part of Clallam territory, at least before they took over Chemakum territory. We do not have a detailed history of the Jamestown area between the treaty in 1855 and the foundation of Jamestown in 1874, but the basic picture is that the settlement was founded by the residents of two or three villages in the immediate area who had been displaced by white settlers. They did not come as a mixture from a wide variety of villages but were derived principally from the village at Dungeness to the west, with a "few families from Washington Harbor just to the east and Port Discovery, just east of Washington Harbor (Gunther 1927)." Lane (1977a) by closely analyzing census and annuity rolls, confirms that this was the initial composition of the village. A few years after the settlement was founded, additional individuals moved from Washington Harbor, although there remained a Clallam settlement there as late as 1925 (Gunther 1907).

Under the laws of the time it was not possible for Indians up to 1870 to acquire unclaimed public land because they were not and could not become citizens. After 1870, they could acquire land under the Indian Homestead Act only if they severed tribal relations. This limited them to purchasing land on the regular market. Under the land laws and circumstances of the time, whites could easily displace Indians from land, fishing sites, etc., and the Clallam in the Dungeness area were under increasing pressure, having been displaced both from fishing sites and from land that they had begun farming. In 1873, some of the citizens of New Dungeness petitioned the Indian agent to have the Clallams removed, apparently one of a set of similar petitions around the territory. Eels declined to move them on the grounds that it would be impossible for them to survive on the reservation (Lane 1977a).

Initially, the Dungeness Indian chief Lord Jim Balch had sought to have Eels purchase land for them in the area. This was apparently one of a series of requests by "leading (Indian)" men from different areas for the agent to purchase land for them so that they could have a base near their fishing stations. They specifically stated that they wanted to acquire the land and not have to "abandon tribal relations" as Interior Department doctrines at that particular point would have had it. Eels refused help to the Dungeness group, stating that they would either have to abandon tribal relations or move to the reservation (Lane 1977a).

The settlement at Jamestown came about by means of the original settlers pooling their money to buy 210 acres along the straits from a white man named Richard Delanty. Failing to receive help from Eels, the Indians "got together a community purse" and purchased the private land (Eels 1887a). Balch subsequently requested help from Eels, who complied by providing plows, lumber

and the like, and generally seemed very positively inclined toward the community afterwards. Naming the new settlement Jamestown, after Jim Balch, was apparently his suggestion. Also his suggestion was the division of the land, once purchased, into individual plots, according to the amount contributed by the family.

Lord Jim Balch was the son of Lord Jim, one of the subchiefs signing the 1855 treaty. He was referred to as "chief of the Dungeness Clallams" (Eels 1884). The action represents a coordinated community action by a group with evident continuity with earlier leadership and village composition, in the face of agency and white settler opposition. The period was one of crisis in more ways than one, as by Lord Jim's own account, the group as "worthless and drunken," something the 1873 white settlers' petition had complained about. According to agent Eels, "the leading ones, not wishing to be taken from the home of their fathers, determined to reform (Eels 1887a)." He stated "...they are now the most civilized and prosperous band of the whole tribe." The term "leading ones" suggests there were other leaders besides Balch. Balch himself is referred to variously as "chief of the Clallams" and "chief of the Dungeness Clallams." The latter seems more likely since the Duke of York, considered by the whites as "chief of the Clallams," or his son, the Prince of Wales, who also carried that title, was also alive at that time.

The vigorous and progressive character of Jamestown indicated by the events at its founding continued to be true of the group until at least the 1940's. As will be discussed below, Jamestown henceforth played a leading role in Clallam affairs, e.g., in two different periods of claims negotiations. Its relative independence from the Indian agency and the prosperity and "progressiveness" of its members seem to have given it some freedom of movement while at the same time it was admired by many Indian agents (cf. Eels and current agency personnel).

One key manifestation of Jamestown's position was the community's leading role in the Shaker Indian Church. The Shaker Church was an Indian religious movement which began about 1882 and represented a vigorous fusion of the by then somewhat discredited traditional Indian religion with the Christianity of the protestant missionaries, which latter by then had gained a fair number of adherents. The Shaker Church's rapid and strong acceptance at Jamestown can be seen as a further step in the "reformation" that had led to the settlement's founding. As such Indian movements go, the Shaker Church is relatively "progressive," that is, it incorporates white cultural standards quite strongly. The movement reached Jamestown in 1885, a few years after it was founded. Jamestown served as an important center for the further spread of the church. Because it was independent, it could better resist the pressures the church faced elsewhere in Washington. William Hall, the Shaker minister, played an important role in the church affairs in the Northwest, as did later his nephew, Jacob Hall (Barnett 1957, Gunther 1949).

The new community was an interesting combination of progressivism and traditionalism. A community meeting house, one of the first buildings built, was evidently equivalent to the traditional community "longhouse." In 1877, three years after the settlement was begun, the Indians built a church, at their own initiative according to Eels. Part of the cost was paid from treaty annuities, which they had requested be used for that purpose rather than for individuals. Whites and other outside Indians also contributed. The Jamestowners themselves "made up a purse" for it. Almost simultaneously, the Jamestowners sought to have a school provided by the government, offering the use of the church building. They strongly supported education, but refused to send their kids to a boarding school at Skokomish. In what was evidently a special dispensation, Agent Eels obtained funding for a day school even though the school was not located on reservation land (Lane 1977a). The school teacher acted as at least a part-time Indian agent from then till the school was closed in 1931.

Another kind of agency involvement was the Indian police force, actually set up by Eels in 1873 as an outgrowth of the settlers' complaints about Indian drunkenness. Personnel were paid out of Indian Service funds. Balch was at the head of it after 1879, and evidently fiercely enforced the "moral reforms" of the new settlement. A jail and a court of Indian offenses was set up in Jamestown, linked with a local justice of the peace rather than with the agent, because it was so distant from the agency (another special dispensation) (Lane 1977a). No information could be found concerning how long these latter two institutions were continued.

In the midst of all this, the Jamestown settlement was still traditional enough in 1878 to hold an enormous potlatch attended by Clallams from all over plus other neighboring tribes (Eels 1884). Traditional ceremonies and initiations were performed, despite Eels' invited presence. The traditional Black Society, a men's religious group, continued to function until some time after the turn of the century.

When Balch died, he was succeeded in 1884 as leader of Jamestown by Cookhouse Billy, more properly Billy Newton. The latter was certified by Eels as "headchief of the Clallams," although the validity of this designation for the other Clallams is unknown. He is only mentioned once in historical documents, in 1904 (Meany). According to an article in that year he "counted himself as only a member of the tribe but the others hold him in high regard.... (Meany 1904)." No information on his background, i.e., whether he was related to Balch or to the Duke of York, was available. There was also no information available on how he was chosen, although he seems to have been accepted by the settlement, probably in conjunction with other leaders. It may be that a transition in political form occurred at this point, with the death of a leader linked with the class-based leadership of the past, and the emergence of the Shaker Church the following year.

Information from 1885 on to 1911 is relatively sketchy, although annual reports indicate agency involvement remained the same, the community functioned and was prosperous and the Shaker church, as noted, was strong. A separate Christian church may have functioned to some degree, parallel to the Shakers. One area of community coordination was in the marketing of crabs, which by 1890 had become a major activity. The agent in 1905 noted, "they work as a company in this business (Meany 1905)." Jacob Hall's father had a crabbing business of a fairly organized kind beginning in the 1890's, and he evidently played a role in the group's cooperative marketing (Taylor n.d.) of crabs.

The land area acquired by Jamestown provided the basis for their being a very prosperous community. It gave them, and each family within, a secure fishing station in a good area, as Indian leaders had been seeking. It also provided farming land, back of the strip of houses along the waterfront, on which the Jamestowners are described as having orchards and gardens, and later, dairy herds (Liston 1904). Lacking only was a wage labor source other than nearby white farms, and the lumbering and mills being located at some distance at Port Angeles and Port Townsend.

In 1910 the government purchased two acres of land immediately adjacent to Jamestown and built a day school on it. Besides the school there were several outbuildings and a cottage for the teacher.

A large amount of activity in the Northwest was generated by movements between 1910 and 1925 to obtain redress for rights and obligations not fulfilled under various Washington treaties. This was accompanied by and may have been stimulated by Bureau activity to allot previously unallotted Indians and some attempt to correct the increasing problems the Northeast Indians were having asserting their fishing rights within the state. Jamestown's leaders were very active in this period, and played a leading role in pushing the Clallam tribe's attempts to get land and other treaty claims.

An initial round of activity from 1911 to about 1916 was caused by the prospect that the Clallams could gain allotments on the Quinault Reservation. One Jamestown element, which was in conflict with the Indian agency, was characterized by the agent as "half-breed (Johnson 1911)." The most active such individual was Charles Fitzgerald, of a family which did not own land in the village and had had no intermarriages with Indians. Three of the other four individuals listed by the agency as in this group appear to have been similarly somewhat "peripheral" to the group, on the basis of marriages, residence and degree of acculturation. The group that was more cooperative with the agency at that point, referred to as "the boys," contains many names appearing in subsequent years rather consistently as group leaders, i.e., Jacob Hall, Wilson Johnson, and David Prince (Taylor 1912). However, judging by various petitions



and lists from meetings, Fitzgerald's group was able at least to "swing" some of the others to their side, e.g., Robert Collier, Joseph Allen, the Prince of Wales and several of the Halls (Fitzgerald 1912). The issue was whether to commit the group to seek Quinault allotments or to hold out, as Port Gamble urged them, for land on the sound.

Billy Newton was still alive, surviving until at least 1928, but in no material after 1904 is portrayed as being a leader, alone the leader. Somewhere in this period, between 1910 and 1920 a broader council-type of organization with a chairman was formed, perhaps as a result of these conflicts themselves.

The positions of the two sides shifted around and are difficult to follow exactly, but it appears that Fitzgerald and those with him initially had the community convinced to seek allotments. This was in 1911. In this, they may have been promoting their own leadership. In 1912, they appeared to have begun to oppose the allotments, and opposition to them became evident. The opposition then held a meeting and overturned Jamestown's initial opposition to Quinault allotments. Later in 1912, the Wilson Johnson group, with a broad cross section of Jamestown, said it would follow whatever the Superintendent suggested, which was to wait until proper procedures could be set up for Quinault allotments (Hall 1912). However, in 1914, a general Clallam Council (of the whole tribe) voted against accepting allotments at Quinault (Jones 1914). Special Agent Charles Roblin (1919) noted in 1919 that the Clallams had refused the offer of Quinault allotments because they would have been required to move onto them, and "they could not live on them," because they could not be farmed.

The period is more interesting for its picture of internal conflict and tribal divisions than for the question of allotment itself. The main interest in the allotments may have been in order to have a reservation base, with the argument over whether to continue to seek the promised reservation in their home area. As it turned out, the Quinault tribe would not have accepted them, and the allotments would not have been economically feasible anyway (Roblin 1919).

The question of obligations under the treaty continued, however, and in 1916 the Northwest Federation of Indians was formed to push the claims of the unallotted, reservationless Washington Indians. A "Clallam Branch" of this organization was formed in 1921, theoretically representing the whole tribe (Clallam Branch 1921). Current informants stress the major role Jamestown played in this effort and indeed the group's letterhead shows five Jamestown members in the leadership, Joe Allen, Wilson Johnson, Jacob Hall, William Hall, and David Prince, plus two from Lower Elwha. Some Lower Elwha Clallam wrote in the 1920's and protested the major role Jamestown was playing.

While evidently initially allied with the Northwest Federation, the group in a meeting in 1921 with the superintendent said it had separated from the latter. It had evidently been working on its claim for several years previously, with the help of William Ritchie, a Port Angeles lawyer, who was hired by the tribe.

Ritchie had been lobbying as early as 1919. The superintendent's visit was to gather information on a legislative report on proposed legislation to settle the claims.

A series of bills were drafted and modified in succeeding years. The outcome was that the Clallams, because they were considered deserving and to have a very strong case, were given legislation in 1925 authorizing a direct per capita payment of a total of \$400,000 (U.S. Congress 1925). Initially, legislation was proposed for the Clallam and the other Northwest tribes authorizing them to sue in the Court of Claims. The final legislation for the other tribes was of that type but a separate bill was proposed for the Clallam to appropriate one million dollars to purchase land for the group. On the recommendation of the Interior Department, this was changed to a per capita payment, with \$600,000 initially recommended (U.S. Senate 1924).

Money was appropriated in 1926 and Superintendent Dickens set out to draw up a roll. His instructions were to form a committee to advise him. He looked favorably upon the original Clallam committee which had pushed the claim. In the organizational meeting, the sense was that the committee was okay as is, but a Jamestown member recommended that some more from Elwha be added. Several individuals from Elwha and Port Gamble were actually added. Joe Allen of Jamestown was the committee chairman (Dickens 1926a).

About 1200 applications were received, far more than the 400 the original committee had anticipated. Since the \$400,000 figure was far less than anticipated, there was some threat that the group might refuse payment entirely (Dickens 1926a). Current informants state that the committee was very strict, and that they often turned down friends and longtime residents because they were not from Jamestown (F.D.). The superintendent's report tends to confirm this, stating also that the committee deliberated closely and conferred with older tribal members (Dickens 1926a). Eventually the committee approved 421 individuals, to which the superintendent added 112 others who were eligible under Department instructions (Dickens 1926c, 1926d). These were children of recognized mothers with non-Indian fathers, and individuals formerly but not then currently "maintaining tribal relations (Edward 1926)."

While not directly stated, it is assumed here that the Jamestown members of the Clallam committee were also validly the community leaders. There is no evidence to the contrary, and many of those names show up as the stated council or leaders in the 1930's. Gunther (1979) confirms the general cohesiveness of the community in this period, and that the people listed in the records were considered leaders during the 1920's.

At least thru the 1920's the Shaker Church was a powerful community institution, although not formally part of the community political system. At that point in time, the large majority of the community were members, although there were also some Catholic families (Gunther 1978). Jacob Hall, a political

leader, was not originally the main church leader. He was described as the "preacher" or evangelist (F.D.). His brother, William Hall, was the formal church leader and reputedly very influential in the larger Shaker Church system (Barnett 1957). The required behavior of church members was very strict, and it is described as having "saved many of the old timers from the bottle." However, the younger generation found the church too strict and it gradually lost membership (in parallel with Shaker churches elsewhere in the region (F.D.)). When the old church burned down in the 1950's, there weren't sufficient members to be able to rebuild it. This has deprived the community of a meeting place. There are probably no members left in Jamestown now. There doesn't appear to be any particular religious focus in the community at present.

The main materials for the 1930's concern a complex series of efforts to organize the Clallams under the Indian Reorganization Act and provide them with reservation land. The first constitution was submitted in 1934, proposing a combined organization of Jamestown, Port Gamble and the Elwha area groups. Matters were held up first because it was held the group could not vote under the IRA because at that point no part of it had trust land (Upchurch 1937). The solicitor held in 1937 that they were nonetheless a recognized tribe and that land could be purchased for them under the IRA (Meiklejohn 1937). He based his opinion on the 1855 treaty and a subsequent executive order enlarging the Hood Canal reservation, the 1925 Act authorizing payment to the Clallams, as well as land purchases for the Clallams made a few years before. In 1938, the same solicitor (Meiklejohn 1938) further ruled they were a recognized group on the basis that they had clearly maintained tribal relations, citing the so-called "Mole Lake" solicitor's opinion.

Land had been purchased in 1936 and 1937 at Port Gamble for that group, and in the Elwha area for, in different plots, the "Clallam Bay Indians" (meaning the western Clallam) and the "Clallam tribe." Work went on and Port Gamble was separately declared a reservation in 1938 and organized under IRA in 1939. Elwha's land was not designated a reservation until 1960, and it had only a loose community association until organized under the IRA in 1968. Jamestown received no land, although the Elwha land may have been intended partly for them, and was never organized.

In seeking to organize the Clallams, it had first become clear that Port Gamble was too separate and far away to be included as a unit as originally proposed (Upchurch 1937). It was later proposed to have Jamestown and the Elwha area as two districts within a combined tribe, or three districts with Jamestown, Elwha and "others," including public domain allottees at Port Angeles (Lavatta 1937). The Indian Bureau was a bit uncertain how to proceed because of this. The groups were quite distinct, with Jamestown probably the dominant, and some conflict is evident. Jamestown also thought of itself as superior.

No records were found to definitively explain the final outcome, but it appears that the conflict, and a reluctance on the part of Jamestown to move to a

reservation, or even become an organized tribe, played a key role. It appears the effort to organize them was never carried through, and was eventually dropped in the late 1930's, a period in which Bureau efforts toward organizing tribes and acquiring land were sharply curtailed. The land purchased near Port Gamble was given to those Elwha residents who would move there, but neither Elwha nor Jamestown was organized under the IRA at the time.

Current informants state that Jacob Hall, a leader in the 1930's, had been offered a reservation at the time and had turned it down. Hall's stated reason was that the Jamestowners wanted to keep their independence and their land. However, the organizational meetings held between 1934 and 1939 indicate that the group favored at least some kind of organization, if not necessarily a reservation. It should be noted that Wilson Johnson is listed as the formal chairman from at least 1936 on. The role ascribed to Hall may reflect his position as a senior leader in a not highly formalized system.

#### 1939 to Present

In 1939 a "Trust Rehabilitation Agreement" for unorganized tribes was signed with the BIA, to provide a new water system for the community, drawing on the existing well on the old school property (Commissioner of Indian Affairs). Labor for the construction was provided by the community, an effort well-remembered to the present as an important community effort (F.D.).

Information about the community, political activity and government dealings with it is sparse between 1940 and 1966, possibly reflecting a low level of Bureau relations with the group and a consequent lack of records. The settlement certainly continued to exist, and names of leaders are available. Field data indicated in a general way that the community continued to function and that there were recognized leaders, but that the political form remained the informal council from the previous eras, which was mostly visible when there were particular tasks at hand. Elections were held when there was a need.

Leadership changed slowly and not necessarily at regular intervals. In 1936 the "Executive Committee" consisted of Wilson Johnson, president, Harris Johnson, secretary, and David Prince, Jacob Hall and Lovel Hall (Gross 1945). Wilson Johnson as chairman and Lydia Dick as secretary signed the 1939 trust agreement for the water system. The council in 1944 had changed only in that Leonard Wood instead of Johnson was on it. In 1946, David Prince is listed as chairman, replacing Johnson, with the three other members the same. Johnson had died in the interim.

Bureau correspondence is largely concerned, from 1944 on to 1952, with either Claims or the disposition of the old school property. A 1944 Tulalip agency planning report makes no mention of the group, although agency correspondence still appears to consider Jamestown as a part of the area the agency was servicing.

In 1948 there was a large turnover in council membership. Jacob Hall, formerly on the council, became chairman. Two new members in their 20's, Hall's daughter Harriet Adams and David Prince's son Lyle were now on the council, along with Cynthia Larsen, who was 67. The latter is from a nonlandholding family line whose members had not previously participated in the formal leadership. A conflict, and probably efforts to have wider representation, is indicated by the addition of an appointed council with Harris Johnson, a conservative younger person, and William Hall and David Prince from the older generation. Later in the year an executive council with Larsen, Adams, and Johnson was created, but then required to work with chairman Hall and vice-chairman Lyle Prince (Jamestown Clallam 1948.)

The group initially sought to press its claim separately from the other two Clallam groups because the three could not agree on a coordinated effort. However the Bureau or perhaps the Indian Claims Commission persuaded or forced them to apply as a single group and a general Clallam council was formed, much like in the 1920's, with the Jamestown leadership playing an important role. The Jamestown council set a requirement of 1/8 degree Clallam or more, not enrolled in any other group (Jamestown Indians 1948). This low degree appears to have been one source of the conflicts noted above. A Jamestown roll was drawn up in 1951 with some 668 names on it far larger than the Jamestown group itself, based on the 1/8 blood degree requirement. According to informants, the Jamestown group felt at the time that it needed all the numbers it could get, and consequently "beat the bushes" for descendants who were no longer in contact with the group. This does not seem to have constituted a group membership roll in a general sense and the "extra" people have apparently not maintained subsequent contact, for the most part.

Information after 1948 is again sketchy, except for agency attempts to have title to the old school and its land transferred to the tribe. The agency was unable to arrange this, and the group was unable to raise enough money to purchase it in open bidding when it was finally sold in 1956. The council did evidently make a bid offer in 1953, however. The agency succeeded in having an easement placed in the sale deed guaranteeing the tribe the right to continue drawing water from the well. The council also petitioned the government for the land in 1953 and in 1955 sent a petition with 23 names on it to Senator Jackson. The school, it was stated, was used for all community meetings (Hall 1953, Larsen 1955).

The Bureau by this time was well into the termination era and evidently was providing few services, beside access to an Indian hospital. One letter indicates that, in line with the policy changes of the times, Jamestown was not considered a recognized tribe because it had no trust land, i.e., shifting the criteria for recognition totally to that basis. Jamestown was not a tribe (in that sense) but merely a "political and social group (Robertson 1954)." Nonetheless, an evaluation questionnaire of the standard kind for termination was filled out for the group.

Almost no data was available between 1956, when the general Clallam claims group was recognized, until 1966, either about the group or any Bureau dealings with them.

In 1966, or possibly informally a year or two earlier, there began an effort at reorganization and revitalization which carries through until the present. The then chairman, Lyle Prince, resigned. Jacob Hall, the chairman since 1948, died sometime in 1964 and Prince probably had succeeded from the vice-chairman's position. With his resignation, elections were held and a new leadership group came in. It is characteristic of the Jamestown council system (until the recent written form), to continue the leadership after an election unless a major political shift or a death or resignation required a new election. The new group was chaired by Charles Fitzgerald, son of the earlier leader by that name, and also had Harriet Adams (the only holdover, and a supporter of the change), and Lyle Prince's sister, and two individuals from nonlandholding, relatively peripheral family lines. Fitzgerald can probably be similarly classed as well.

The immediate focus of the new group was on pushing the claims efforts which had lagged on the part of all three Clallam groups, doing something about the deteriorated water system in the community, and more formally organizing the community by drawing up a constitution. An attempt was begun to "bring enrollment up to date" still based on the 1/8 rule (Jamestown Indians 1966). Informants, and also a newspaper report on the 1970 election, indicated that opinion on this issue was divided. Those opposed were probably led by Harris Johnson, and the issue evidently led to two elections being held in 1970, the second won by Johnson. The latter said at the time, "the Jamestown residents were against (seeking reservation status) (Evening News 1970)."

The local agency was now working with the group again, advising them on their proposed constitution and regarding itself as "trustee" of the group's water rights on the old school property (Western Washington Agency 1967). In 1967 the Indian Health Service funded a proposal from the group to rebuild the settlement's water system. A new community water system was built by the Indian Health Service in 1972-3, carrying out the proposal that had been funded earlier. Although the initial impetus had come from the BIA, reacting to Clallam County Health Authority complaints (F.D.), the IHS dealt consistently with Jamestown as a tribe in this, and does not appear to have had any question as to their eligibility (U.S. Public Health Service 1975). The tribe appointed Harris Johnson, the chairman, to be the coordinator the IHS requested for tribal efforts on the project. The agreement for the project was approved by the band as was the decision on a well site location (donated by a tribal member). The IHS requested that a corporate body be set up to be the holder of the new system, so the Society of Jamestown Indians was set up after the system was completed (Galvin 1972). Although technically distinct from the tribe, since membership includes all those living on, owning, or leasing land in Jamestown, including non-Indians, it has been run by the tribal leadership without much apparent distinction between it and the community. The current council for instance administers the SJI bank accounts.

An increasing amount of tribal government activity is evident in 1975, in the areas of grants, fishing rights and health services. A constitution was developed with the close assistance of Bureau personnel. After some evident controversy over membership provisions, it was adopted in November 1975 (Jamestown Indians 1975). The requirement of 1/4 Jamestown Clallam blood is discussed below. Only those of 1/4 or more were allowed to vote on the adoption of the constitution (Jamestown Indians 1975). A new council and chairman were elected, with Harris Johnson, who opposed the recognition effort, withdrawing from group politics (cf. below) (F.D.). There was some change in leadership in 1977, evidently, but essentially the current group has been in control since 1975.

The group declined to join five other unrecognized groups in seeking to intervene in the U.S. v. Washington fishing rights suit, feeling their situation was different and preferring to seek acknowledgment first. Their first petition was submitted in 1975, but was "caught" in the freeze on further recognition that began at that time.

#### The Present-Day Jamestown Band

The settlement at Jamestown still forms the social as well as the geographical center of the tribe. Tribal meetings are held at the home of one of the members in the settlement, unless it is a large, general meeting. For the latter, the use of a hall in Sequim has been required since the Shaker Church burned down. Some of the current residents have lived in Jamestown continuously, but some families have moved in and out, e.g., working for a period of years in Port Angeles before rejoining other family members in Jamestown itself.

There are currently about 10 Indian houses in the settlement, representing about 35 people. Most of the original settler families that are still represented in the group are also still represented in the settlement. There are also two non-Indian homes along the waterfront and about a half-dozen elsewhere within the original settlement area. The Prince and Johnson families are strongly represented in the community and there are also families from the Dick, Hall and Allen lines. Each of these also have important younger and often older siblings and/or children living elsewhere, especially at Port Angeles.

Most of the residents of the settlement can be considered well integrated into the tribe. So also can many of the siblings and children, mentioned above, living elsewhere on the peninsula and sometimes returning to live within the settlement. There are also other families in the region which are active in and fairly closely allied with, the Jamestown group who never had or have not had residence in the settlement in any recent time which are also close enough to be considered part of the "core (F.D.)." These kinds of band members have existed from the time the settlement was founded and have participated to some degree, without being landowners, including holding leadership positions.

Beyond these, there appears to be a substantial number of members living outside the settlement whose contacts with the tribe range from fairly frequent attendance at meetings to very little. This may include many of the younger

members of some of the families who are of low blood degree and married to non-Indians. Such people and their spouses are well accepted by most in the tribe (see discussion below of intermarriage) (F.D.). Thus around the "core" are a fairly large number of members whose affiliation is largely a matter of family ties and formal membership and attendance at organized functions but not of close contact with each other across family lines outside of organized contexts like meetings. Thus they are not in close contact with each other or actively involved in tribal affairs. It should be noted, however, that most of these "non-core" people are derived from the core families and that this represents a fairly recent change in the tribe's social organization. The change probably parallels the increase in marriage to non-Indians in the past two generations.

There is a small degree of surviving cultural difference from non-Indians (F.D.). None of the present generation speaks Clallam, although some of the older ones may understand some of it. The last speakers from Jamestown died about 10 or 15 years ago. Members over 35 appear "Indian" in behavior, attitude, humor, etc. A small minority of the younger generation does also. Some survival of old-style social and ceremonial gatherings apparently exists in their "clambakes," which are held for funerals, weddings, and in honor of individuals (some non-Indian) who are important to the community. These events are characterized by large-scale participation, food on a large scale, and some sense that these are community functions and that one is obliged to attend. They are self-consciously viewed as a survival of older ways and are in fact consistent with earlier social patterns.

The addresses of those on the current tribal roll indicate that most of the group continues to live in the area of the northern Olympic Peninsula between Port Angeles and Port Townsend, a narrow strip with Jamestown in the center (see map 2). Water or uninhabited forest provide a kind of natural boundary to this area. Forty-six (26%) gave Sequim mailing addresses, which would include Jamestown (including also two in the nearby towns of Blyn and Carlsborg). Another 41 (23%) live in Port Angeles, 25 miles away by road. Seventeen (10%) live in Port Townsend or nearby towns on the Hood Canal, about 35 miles by road. This makes a total of 59% on the peninsula. Five per cent live on the Pacific coast near Hoquiam, and another 17% live within the Puget Sound area, including the city of Seattle. Another four percent live elsewhere in Washington State. This makes a total of 85% living within the State of Washington. Road travel from some areas, such as the east side of Puget Sound, is actually more difficult than the direct distance would suggest, because of the water barrier. The balance of the tribe, 15%, lives out of state. These figures assume the inclusion of several members on the roll who currently have been found to be ineligible under the Jamestown membership criteria.

The immediate area, while a reasonably prosperous one with a growing population, does not offer enough jobs to allow all of the membership to live in or near Jamestown. The decline of dairying for small daired and the end of



crab-fishing nearby in the 1940's has accentuated the tendency to move to Port Angeles and Port Townsend. The latter two cities, even more than before, provide main sources of employment to tribal members, although not as exclusively in lumbering as previously.

The current constitutional government formalizes the longstanding council-chairman format the group has used since at least the 1920's. Although it is well established, the government has few resources, and no regular source of income. Consequently it does not operate extensive programs.

Its resources have been drawn from a number of small grants, e.g., from the NILB, ANA and through STOWW (Jamestown Indians 1977-79). It also has a couple of CETA positions through STOWW. There is a tribal business manager paid from grant funds. The tribe, or some of its leaders using tribal resources and with tribal approval, have run a Johnson O'Malley (JOM) summer school, had some cultural programs, and pushed for JOM moneys in the schools and for Indian Health Services help (F.D.). It is represented on the IHS service unit board. Tribal government functions as a formal unit have consisted, therefore, mainly of seeking funds and services and planning for recognition and afterwards.

The present government consists of 5 council members, with the chairman and vice chairman selected from within the council, and a secretary and treasurer also selected by the council (Jamestown Indians 1975b). No information was available on the extent of voting participation or attendance at tribal meetings.

There is presently no significant body of opposition to recognition. Harris Johnson, who as discussed above was chairman in the early 1970's, resigned and withdrew from tribal government when sentiment swung toward seeking recognition. The attitude of older members who were reluctant to seek recognition was epitomized by the old Jamestown feeling that Federal control was a bad thing and that the Jamestown Clallam were proud, capable people who could go it alone without government aid. "We had to root hog or die," as he put it. (F.D.) Some of the people with only 1/8 Indian blood are at least unhappy with the present form recognition is taking, i.e., with the membership requirement of 1/4 degree but for the moment are "going along." There are no alternative residential areas or factions (F.D.).

As discussed above, when the constitution was finally voted upon in 1975, only those of 1/4 or more were allowed to vote on it. The 1/8ths are mostly young people and many evidently were not at the meeting. There was definitely a considerable amount of objection to it among the 1/8ths, most probably excluding the children of the immediate core families, who were willing to go along with it. The 1/8ths were promised the rule would be changed once the group was recognized. Several individuals, outside the leadership, stated that the 1/4 rule was put in because "that's what the Bureau required," or that the Bureau advised them to do this (F.D.). Evidently the leadership has made this decision stick.

Jamestown participates with the other two Clallam groups in the Clallam Council, the umbrella group for the Indian claims award. To maintain peace, the three groups have agreed to an even division of the award into thirds, although this doesn't entirely match population figures. Jamestown is also an ex-officio member of the Point No Point Treaty Council, which administers tribal fishing rights. It is ex-officio because its rights are not recognized because it doesn't have federally recognized status. Lower Elwha has allowed it to fish under their licensing, however. Lower Elwha, Port Gamble and Skokomish have all supported the recognition petition. The Makahs have evidently not supported it. Jamestown is a founding and active member of STOWW and has been in NCAI since 1948.

On the negative side, there is some feeling on the part of some members that their contact with other Indians, on an informal level, is not as strong as it once was, i.e., that they are not as much on the "Indian circuit." They have some negative attitudes toward Elwha, derived from earlier periods when they were prosperous and independent while Elwha was poor and scattered. Formerly they had many ties with other tribes via the Shaker Church. There are probably fewer intermarriages with other tribes than there were 50 or more years ago.

#### Land

Although there are now some non-Indian residences within Jamestown, the area is still somewhat distinct geographically and is thought of locally as an Indian "reservation." The amount of land originally purchased by the group was "210 acres more or less" according to the original deed (Clallam County). The land is more or less rectangular in shape. It was divided up into long strips running back from the waterfront, a distance of about three-fourths of a mile. The divisions were proportional to the amount that a family had contributed (Gunter 1927), ranging from 75 to 200 feet wide. The original deed sold the land as a unit, and we do not have any documentary information on the subsequent subdivision, although evidently some of the parcels had to be sold back to the original owner and then resold to the Indians to correct title defects. The land was next-door to one "peripheral" family's land (the McKissicks) and another, the Fitzgeralds had land nearby down the coast.

Since not all of the original purchaser's lines have survived it is probable that some land was sold between members at different times. The only available example was the Hall family purchase of 33 acres in 1906, probably, but not definitely, within the original tract (Anonymous 1961). There is no evidence, interestingly enough, that any land was lost to taxes, although it has always been on the tax rolls.

There is currently no common tribal land in a legal sense, except possibly the cemetery and the well site. When the settlement was founded, there was a church and a community longhouse, both "community buildings," but no

information was founded concerning the status of the land these were on. A private house was built on the land where the Shaker Church was had previously been. The cemetery land "was left over when individual tracts were drawn up (Evening News 1970)." It is regarded locally as land of the group in common, but we have no information on its current legal title and whether the title now differs from how it was originally held. As a cemetery, there may have been no taxes on it. The tribe also has a common interest, through the Society of Jamestown Indians, in the community water system built in 1973. It may also still have a common interest in the easement and water rights on the former school property, unless these can be considered to have been abandoned.

The present government will probably not attempt to have the land in Jamestown itself placed in trust. This is consistent with their past attitudes (e.g., in the 1930's). They are seeking a tract locally for tribal purposes e.g., a community center and for enterprises) for which they could request trust status. The status of the land is somewhat of a group issue because of the tax pressure, with some non-residents possibly seeking trust status to protect their lands. A major tract is held by a branch of the Hall family now affiliated with the Elwha Clallams. This family wants to sell it, and Jamestown is trying to raise funds to buy it for use as tribal land.

The land now held by non-Indians was probably acquired within the last 30 years. Only one family, was mentioned as seller, although part of several parcels fronting on the sound and one entire strip running back from the water have been sold to non-Indians. Several of the non-Indian waterfront parcels have very expensive (\$200,000) homes on them, and the strip also has non-Indian residences of a more modest kind. The settlement is still several miles away from the town of Sequim, but housing and retirement developments are now quite close to it. Escalation in land values in the area and the resulting taxes are potential problems for the rest of the Indian landholders.

#### Population Trends

A comparison of all the available population figures for the Jamestown group since its founding indicates that the group has remained fairly steadily around 200 members and that the population of the settlement itself has declined steadily, but only very slowly, since at least the turn of the century.

Estimates of the original settling population range from 100 (Lane 1977a) to perhaps 140 (Eels 1884) allowing for the additional group which moved over a few years after the founding. Ethnographic and historical evidence, as noted, suggests there have always been nonlandholding, probably nonresident, members associated with the band in addition to nonresident members of land-holding families. It is unclear whether the former are included in the figures for the initial settlement. A figure of 235 was given in 1901 and 210 in 1924 (Lane 1977a) and 175 by the somewhat restrictive membership requirements of today.

Assuming an initial resident population of approximately 120, the next available figure definitely for resident population is 75 in 1923 (Gunther 1927) and 85 in 1926 (Dickens 1926a). In 1936 there were 20 families, or at least 60 people (Gross 1945), and in 1953 this had declined only to 50. In 1973 and today, there are probably at least 35-40 residents.

### Continuity

An analysis was made to gain a general measure of the degree of continuity between the present group and the original settlers of Jamestown. One aim was to determine how many of the original families were still represented within the tribe and also to what degree these families had remained within the settlement itself. The current roll and kinship charts were compared with a list of the original purchasers, with an examination also of those paid in 1926 and those listed as living in Jamestown itself in 1924 (Taylor n.d.).

The comparisons show a very high degree of continuity throughout the history of the group, with most of the original family lines being represented still by at least one individual, by there being a consistent group of families listed on the rolls as Jamestown (with a couple of exceptions among nonlandholders), and even with many of the main families remaining represented within the settlement itself. Of the original purchasers, the Johnson, Wood, Collier, Williams, Balch, John and probably Cook lines are still within the settlement. The Chubby line is still represented within the tribe. The survival of the Newton and Mike lines could not be verified or disproved, nor could that of at least two purchasers whose names had not yet stabilized into standard English names. The list of those resident in 1924 includes all of the family lines represented today and probably one or two more of the original family lines as well.

The Prince line, which is one of the most prominent, and the Hall line, which was prominent in the past but has only one enrolled representative today, may have married in during the late 19th century. It could not be determined for sure whether they may have been already related to members or have been nonresident members of the group, although the latter seems to have been the case in the instance of the Princes, who are descended from the Prince of Wales, the Clallam chief's line. The latter line, as noted, seems to be historically associated with Jamestown. The Halls were important community leaders before 1900 and presently hold land in the community.

Some of the nonlandholding, nonresident families, such as Fitzgerald and Jacobs (Lambert), can be shown to have been consistently associated with the group throughout much of its history. They, and probably several other of the minor, nonlandholding lines, appear to stem from the fairly large number of early (pre-Jamestown) intermarriages with non-Indians, some of whose descendants have

maintained connection with the tribe and have continued to be regarded as members. (They were, for instance, included in the 1925 committee's payment list.)

#### Intermarriages

The Jamestown group has generally been accounted a relatively progressive and acculturated community. The fieldwork indicated only a couple of the currently enrolled members were married to other Indians, although there wasn't detailed information about the generation currently in their twenties. An examination was made of the kin charts of most of the main family lines to determine if, and at what point, they began to marry non-Indians (marriages to Jamestown, other Clallam or other Indians were not distinguished because marriage to other Northwest tribes was traditionally considered an approved pattern).

Overall this examination showed marriage to non-Indians to be a relatively late phenomenon among those individuals remaining in the tribe. This could in part be an artifact of the 1/4 blood rule, defining the current membership relatively narrowly. On the other hand, a number of descendants of Jamestowners married to members of other tribes are enrolled with those tribes because of the advantages of such enrollment rather than social affiliation. For two major lines and one side of another, there is still considerable marriage with other Indians among current adults (data on those in their twenties was incomplete). In the two other major lines, there was still some Indian marriage among those born in the 1920's (and presumably married in the 1940's). There has been little or no marriage with Indians in those of two other important lines beginning with those who were in their twenties in the 1940's. In most cases in these lines, the generations succeeding a mixed marriage continue to marry non-Indians. Three of the nonlandholding lines, are products of marriages of Indian women with non-Indian men before 1865, with no succeeding marriage with Indians among those represented. The latter represent relatively few of the current membership.

Thus there was considerable continuing marriage with Indians among the main family lines at least until the 1940's, though with considerable difference between families. Marriages with Indians are declining and probably represent a minority of marriages in the current group and especially in the youngest generation

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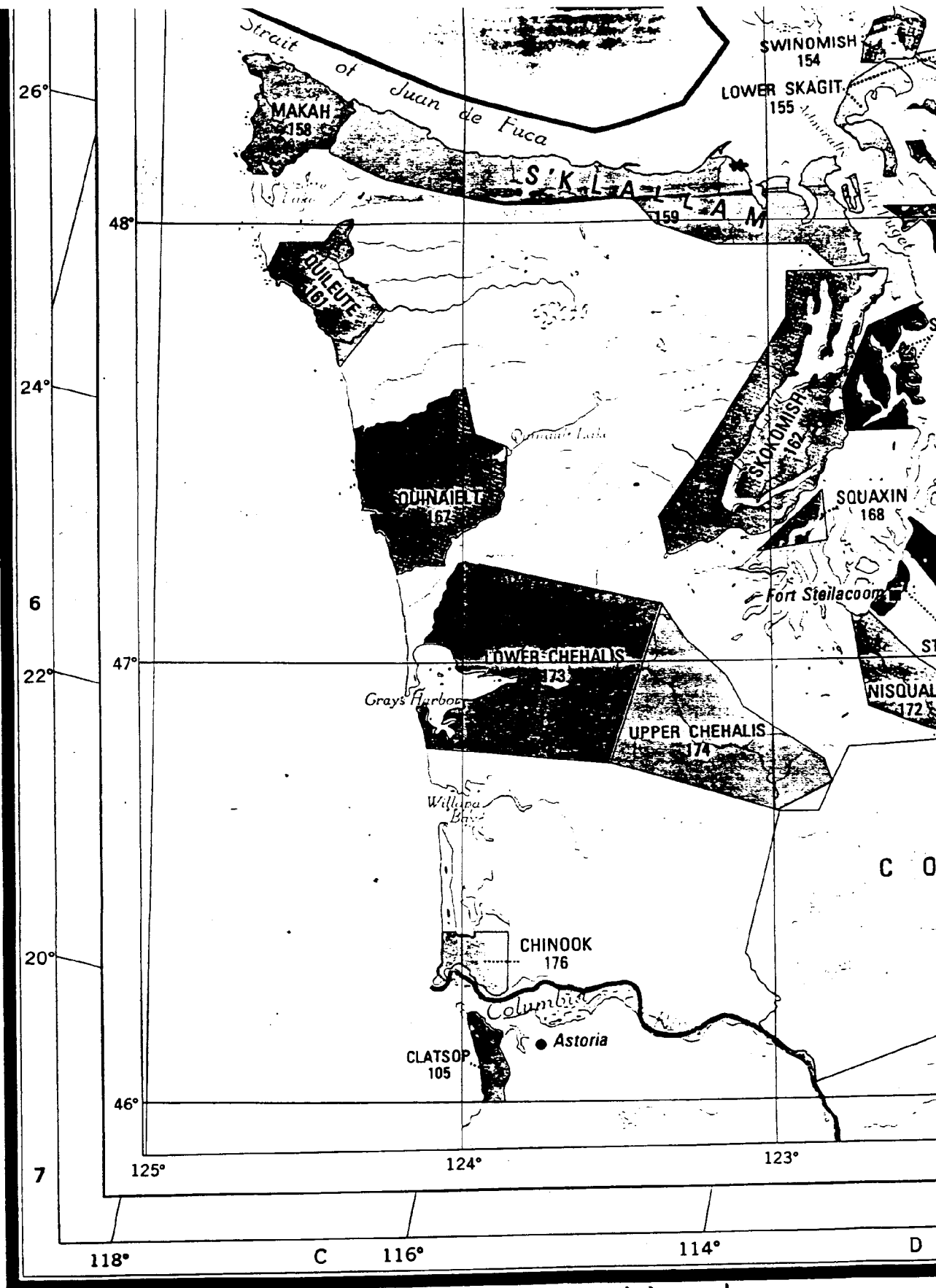
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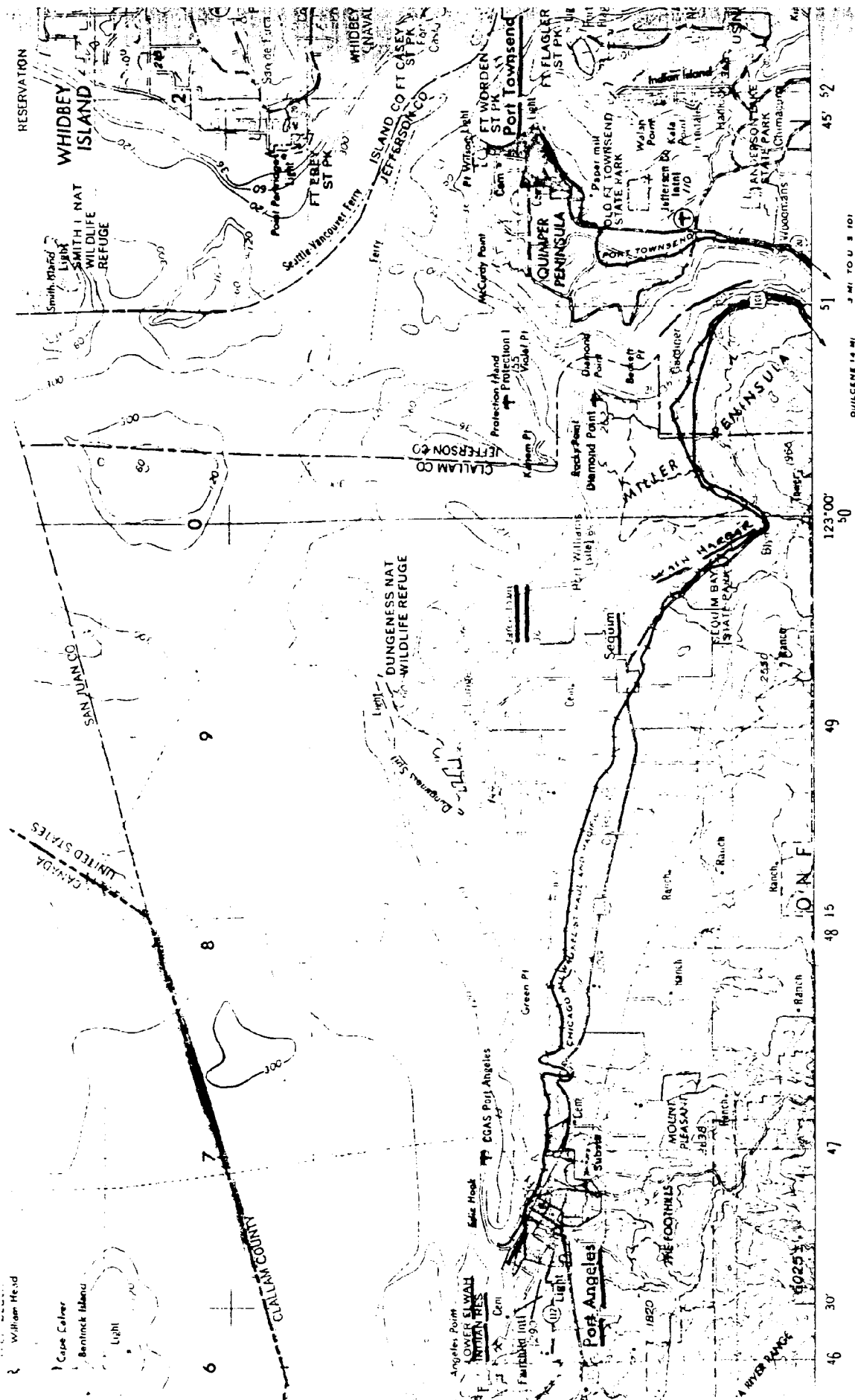
Information was gathered during a research trip to the Jamestown community March 10-13, 1978.



Claims Payment Areas

\* Jamestown

Map 1



Map of the Jamestown Area of the Olympic Peninsula

10 miles

Port Gumbie

## GENEALOGICAL REPORT ON THE JAMESTOWN CLALLAM INDIAN TRIBE

Active consideration of the petition for Federal acknowledgment of the Jamestown Clallam Indian Tribe began on February 2, 1979.

Genealogical research on this petition was designed

- 1) to determine whether the group meets the mandatory criteria found in Sections 54.7(d)-(g) of Part 54 of Title 25 of the Code of Federal Regulations;
- 2) to corroborate genealogical information provided by the tribe using Federal, state and local records and recognized published sources; and,
- 3) to determine whether the members meet the group's own membership criteria.

### FINDINGS

The Jamestown Clallam Indian Tribe has adequately demonstrated that it meets the mandatory criteria set forth in Sections 54.7(d)-(g) of Title 25 of the Code of Federal Regulations.

54.7(d) Current membership requirements of the Jamestown Clallam Indian Tribe are set forth in Article II of the group's constitution approved November 16, 1975:

SECTION 1. The membership of the Jamestown Clallam Tribe shall consist of the following:

- a. All persons of Jamestown Clallam Indian blood and whose names appear on the 1928 Payment Roll.
- b. All descendants of persons who qualify for tribal membership under Article II, Section 1, subsection a; provided that such descendants possess at least one-fourth (1/4) degree Jamestown Clallam Indian blood to qualify for tribal membership.
- c. Any person who are adopted in accordance with resolutions or ordinances adopted by the tribal council.
- d. Spouses of enrolled tribal members shall be eligible for honorary membership.

Honorary members shall not be eligible to vote in tribal elections, hold tribal offices, or have a right to participate at tribal meetings.

**SECTION 2. Limitation.** No person shall qualify for membership in the Jamestown Clallam Tribe who is a member of any other organized tribe, band, or Indian community officially recognized by the Secretary of the Interior, unless he has relinquished in writing his membership in such tribe, band, or community.

**SECTION 3. Mandatory Provision.** The tribal council shall adopt ordinances regulating tribal membership as to admission, adoption, and loss of membership; provided that any person who may lose his tribal membership is entitled to a hearing before the Tribal Council and to notice of such a hearing.

**SECTION 4. Corrections.** The tribal council may correct the official tribal membership roll at any appropriate time.(1)

54.7(e) Two membership rolls were submitted with the petition: one prepared in early 1976;(2) the other an update of the 1976 roll prepared in November 1978.(3) The roll dated November 1978 contains name, address, degree of Clallam blood, and "relationship traced to 1928 roll" for each of the group's 175 members. (Member #81 was a typographical error.) The 1976 roll lists 131 members by name and address. These are substantially the same members as those who appear on the 1978 roll.

Genealogical charts tracing the ancestry of individual members of the group were not included in the petition, but were submitted separately. Charts were provided for all current members and were of the group's own design.

One hundred and eleven of the 175 members of the Jamestown Clallam Indian Tribe have adequately documented their Jamestown Indian ancestry for acknowledgment purposes. Research indicates that 39 additional members could be expected to document their ancestry in accordance with the tribe's membership criteria. Twenty-five members on the current Jamestown roll do not appear to meet the group's restrictive membership criteria though they clearly have Clallam ancestry. Two of the 25 are of 1/4 or more Jamestown Clallam Indian blood but do not descend from an ancestor who appeared on the 1926 Clallam Payment Roll. Nine members are of less than 1/4 Jamestown Indian blood and 14 have not yet established ancestry in the Jamestown band.

The group changed their blood degree requirement in 1975 from 1/8 degree Clallam blood to 1/4 degree Jamestown Clallam blood.(4) This change appears to have created the few eligibility problems which exist. It is the opinion of the staff genealogist that the change in blood degree from 1/8 to 1/4 was done simply to present an image to the Bureau which the group felt was consistent with Bureau policy. Further, it is believed that the inclusion of the word "Jamestown" was done in the same vein and without an awareness of how restricting it would be.

Satisfactory documentation of the Indian ancestry of the above 111 members has been accomplished in the following manner:

18 current members actually appeared on the 1926 Clallam Payment Roll as affiliated with the Jamestown band;

93 additional members provided documentary evidence tying them to Jamestown ancestors on the 1926 Clallam Payment Roll.

Most of the documentary evidence submitted was in the form of official certificates of birth (91) issued by the State of Washington or the hospital. Other evidence accepted included a few baptismal certificates, a death certificate, a valid insurance affidavit, military discharge records, and a high school transcript. (For information concerning the satisfactory documentation of current descendants of historical Jamestown families, refer to the chart on page 4.)

Constitutional membership requirements provide for adoption of members and honorary membership for spouses of enrolled members. The roll does not, however, appear to include individuals who have obtained membership under either of these conditions and no resolutions or ordinances were submitted covering actions of the Tribal Council in these categories.

The following chart shows distribution by degree of Jamestown blood for those members who have documented their ancestry in the Jamestown band or are believed to be able to do so.

Membership Distribution by Degree  
of Jamestown Clallam Indian Blood

<u>Degree</u>	<u>No. of Members</u>
Full blood	4
3/4 but less than full	8
1/2 but less than 3/4	27
1/4 but less than 1/2	<u>112</u>
	(151)
*1/8 but less than 1/4	<u>9</u>
Total	160

\* Does not meet group's current membership requirement



Descendants of a number of the historical Jamestown families are present in the current membership of the tribe. These historical families were either large, had continued long-term presence within the tribe, or had participated in and influenced tribal activities. These families were identified from the 1870's to the present using available correspondence, documents, and census records. The chart which follows includes only families with five or more descendants present on the current tribal roll and does not include families for whom origin in the historical Jamestown community is in question.

Distribution of Current Descendants  
of Historical Jamestown Families  
(Parentheses denote maiden name of female line)

Historical Jamestown <u>Families</u>	Number of Current <u>Descendants</u>	Satisfactory <u>Documentation</u> (see page 3)
Cook	40	30
Prince/(Hunter)	31	30
Johnson/(Wood)	15	15
Allen/(Williams)	10	10
Hunter/(Sullivan)	7	2
Collier	6	0
Patsy	6	2
(Stevens)	6	4
Dick/(Wood)	5	5
Hall/(Balch)	5	2
(Jacobs)	5	3
(Webber)	5	1
	<u>141</u>	<u>104</u>

Descendants of 11 other early Jamestown families are also present within the tribe, however, to a lesser degree.

Though the group's constitution places no geographic limitation on membership, 85% (148 members) live within the State of Washington. The chart which follows shows the distribution of the current membership based on residence addresses.

Geographical Distribution of Current  
Jamestown Membership (November 1978)

<u>Residence Address</u>	<u>Members</u>	<u>Percent</u>
Washington State	148	85%
Out of State:		
California	6	
Georgia	4	
Massachusetts	5	
Mississippi	3	
Montana	7	
New York	2	
	(27)	
	<u>27</u>	<u>15</u>
	175	100%

54.7(f) Jamestown members do not appear on recent rolls of the recognized Clallam bands (Port Gamble(5) and Lower Elwha(6)) or the Quinault Tribe.(7)

54.7(g) The Jamestown Clallam Indian Tribe is not now federally recognized nor has it been the subject of congressional legislation which expressly terminates or forbids the Federal relationship.

Support for the Jamestown petition has been received from the Skokomish Indian Tribe and from both recognized Clallam bands (Port Gamble and Lower Elwha).

**PROBLEM AREAS**

54.7(d) Source Document(s)

An obvious problem exists regarding the source document cited in the group's constitution as the basis for determining 1/4 degree or more Jamestown Clallam Indian blood.

Appendix R of the petition is a copy of the Schedule of Clallam Indians of the State of Washington signed in 1926,(8) erroneously labeled "1928 Clallam Distribution Roll." This schedule does include the name, genealogical data, and blood degree for each of the 1225 applications submitted for payment under the Act of 1925. Only 533 of these applications were approved for payment. However, because the schedule does not indicate the Clallam band in which each of the applicants claimed membership, it cannot be used as the basis for determining Jamestown Clallam ancestry as required by the group's constitution.

A roll **does** exist, however, entitled "Payment to Clallam Indians, Washington, 1926." This roll contains the names of the 533 Clallam Indians whose applications were approved for payment. A notation appears in the "remarks" column of this roll regarding the Clallam band (Jamestown, Elwha, or Port Gamble) to which each payee belonged, but only for payees numbered 1 through 421. Though this document can be used to determine Jamestown Clallam ancestry, it contains no reference to blood degree and therefore cannot, by itself, be used as the basis for determining membership based on blood degree as required by the group's constitution.

The tribe was asked to provide an explanation of how eligibility for membership was being determined since the source document cited by the group's constitution was not sufficient as the basis for a determination of Jamestown Clallam Indian ancestry. The group's attorney responded that "the tribe determines through reputation among its members who on the roll is Jamestown as opposed to Lower Elwha or Port Gamble."(9)

Both documents (the 1926 Clallam payment Roll and the 1926 Schedule of Clallam Indians) have been used by the staff genealogist to verify genealogical information submitted by the tribe.

#### 54.7(d) Constitutional Validity

A question arises regarding the mechanics of the vote taken on the November 16, 1975, constitution. Prior to November 1975, the membership included persons of 1/8 Clallam Indian blood. Yet only persons who "...possess one-quarter degree or more Jamestown Clallam blood..." were permitted to vote on the more restrictive membership statement adopted in 1975.(10)

### METHODOLOGY

#### Charting

Separate "Family Sheets" were prepared by the staff genealogist for most families using information obtained from genealogical charts and vital records provided by the tribe. Additional genealogical information was added and footnoted from such other sources as the 1926 Clallam Payment roll, the 1926 Schedule of Clallam Indians, various Indian agency and Federal population census schedules, published county histories, and one family genealogy.

The ancestry of each member on the group's membership roll was traced back to the closest ancestor who appeared on the 1926 Clallam Payment Roll. This information was then compared with similar information which appeared on the November 1978 membership roll. Corrections were made where necessary and a list prepared grouping current members together by the 1926 Clallam Payment Roll ancestor to whom they trace.

### Meeting Tribal Membership Requirements

#### Jamestown Ancestry

The 1926 Clallam Payment roll was used to determine if members were (or descended from) recognized members of the early Jamestown band of Clallam Indians. This was considered a valid source since the roll had been prepared at the direction of the Commissioner by W. F. Dickens, then Superintendent of the Tulalip Indian Agency, and a Clallam Indian Tribal Committee. Preparation of the roll had been authorized by the Act of March 3, 1925 (43 Stat. L. 1102).

The tribal committee was elected from the Clallam tribe as a whole to help Superintendent Dickens with the preparation of the payment roll. Each of the three major Clallam bands was represented: Jamestown District, Wilson Johnson, Wallace Hall, David Prince, and Joe Allen; Elwha District, Charles Hopi, Sam Ulmer, and Ernest Sampson; Port Gamble District, Sammy Charles, Peter Jackson, Joe Anderson, and Bennie George. Joe Allen of Jamestown served as chairman of the committee.(11)

Of the 1225 applications received for payment, the tribal committee approved only 421. Distribution by band of those paid is shown in the following chart.

#### Distribution of Payees on 1926 Clallam Payment Roll

	<u>Jamestown</u>	<u>Elwha</u>	<u>Port Gamble</u>	<u>Identified</u>	<u>Totals</u>
Approved by Tribal Committee	171	84	166	-	421
Added by Commissioner	<u>-</u>	<u>-</u>	<u>-</u>	<u>112</u>	<u>112</u>
Total Payees	171	84	166	112	533

In a letter to the Commissioner of Indian Affairs, dated May 23, 1926, Superintendent Dickens describes the nature of the Committee's approval of 421 applicants.

The Committee, acting for and in behalf of the tribe, drew the line very sharply, and recognized only those Indians closely affiliated and associated with the Clallam settlements around Clallam Bay, Pysht, Elwah, Dungeness, Jamestown, Discovery Bay, Port Townsend and Port Gamble, and the Indians who have retained a close association with the treaty makers and the near descendants of the treaty makers settled in these localities, their former haunts and tribal country. They, the Committee, have refused to recognize several families living within the immediate neighborhood of the above districts on the grounds of a lack of affiliation with the tribe. This lack of affiliation on the part of the applicants being a lack of association and failure to identify themselves with the tribe by not contributing, or giving money raised by the members of the tribe to pay the expense incidental to the prosecution of their claims before the Court of Claims, etc., and by failure of the applicants to attend their tribal councils when discussing ways and means leading to their present settlement with the Government.(12)

Staff reliance on the band affiliations shown on the 1926 Clallam Payment Roll was perhaps greater because of the sharp line drawn by the tribal committee.

Efforts made to locate the original applications submitted by Superintendent Dickens in support of the 1926 Schedule and Payment Roll were unsuccessful.

Most of the problem areas identified to the petitioner by correspondence dated June 13, 1979,(13) stem from descent which was traced to Clallam ancestors who were identified on the 1926 Payment Roll as affiliated with other Clallam bands or who had no affiliation indicated. All of these were, however, clearly of Clallam ancestry.

In an effort to resolve questions of ancestry for acknowledgment purposes, staff research was conducted in selected Indian census schedules, the 1926 Clallam Payment Roll, the 1926 Schedule of Clallam Indians, and applications submitted with a Schedule of Unenrolled Indians of Western Washington prepared by Charles E. Roblin on January 31, 1919.(14)

A form was prepared for use in recording and evaluating the above data collected on each family line. To identify the families present in the three major Clallam communities prior to and immediately after preparation of the 1926 Payment Roll, the following available Indian census schedules were selected:

1890	Sklallam (no bands designated)
1899	Jamestown, Port Gamble
1900	Jamestown, Port Gamble
1911	Jamestown, Port Gamble, Elwha, Pysht
1919	Jamestown, Port Gamble, Elwha, Pysht, Clallam Bay, Detached Clallam
1927	Jamestown (no others available)

Research on individual problem lines was not, however, confined to the years noted above, nor was it restricted to the census of the Jamestown band alone. Schedules for other years were consulted as needed.

The ancestry of individual members listed on the Jamestown Clallam membership roll was considered established by their identification as "Jamestown" on the 1926 Clallam Payment Roll. For those whose name or whose ancestor's name appeared among the 112 additional payees added to the roll without band designation, Jamestown ancestry was established based on a preponderance of other evidence, i.e., repeated identification on Jamestown Indian census schedules and as signatories to correspondence or documents which originated with the Jamestown band.

#### Jamestown Indian Blood Degrees

Once Jamestown or other band ancestry had been established, then blood degrees were computed from the 1926 Schedule of Clallam Indians. These calculations were then compared with similar information provided by the tribe. The 1926 Schedule was considered valid in all situations where a dispute arose regarding degree of Indian blood.

#### Census Research

Census research in general added measurably to the understanding of family relationships and the verification of information provided on genealogical charts submitted by the tribe. It was also useful in identifying the historical Jamestown families and verifying their continued presence within the community.

The use of the census as a means of identifying migration patterns into and out of the Jamestown community was of questionable value. Based on the families present in the Jamestown, Port Gamble and Elwha Indian agency censuses, these communities appear to remain reasonably stable over a period of years. This leads one to suspect, however, that the basis for many an Indian agency census may have been the census of the preceding year. The Federal population schedules for Clallam County, Washington from 1860 through 1900 do not provide adequate coverage of the Indian communities to draw conclusions regarding migration patterns.

While census research did help to point out marriages within and without the Jamestown band, it did not establish an identifiable pattern. A partial listing was maintained of marriages found among tribal families.

Two types of available census records were searched which include and identify known Jamestown families as Indian: (1) the Indian agency census and (2) the Federal population census. Individual Indian families were traced using both types of census schedules.

### Indian Census

An annual Indian census was taken by the local Indian agency for the Bureau from approximately 1885 to 1942. A careful examination and comparison has been made of many of the families present during the years of 1890, 1899, 1900, 1911, 1919, and 1927.(15) Indian census research was not limited to the foregoing years. All of the Indian census schedules used are available in the offices of the Federal Acknowledgment Project in either microfilm or hard-copy form.

### Federal Population Census

The second type of census examined was the Federal population census. Federal schedules have been prepared by the Bureau of the Census on a decennial basis from 1790 to the present. Clallam County was created in 1854. The schedules of Clallam County, Washington for the years 1900, 1880, 1870, and 1860 were searched on a line-by-line basis for Indians in general and Clallams in particular.(16) The Federal population schedules for Clallam County for 1890 are no longer extant.

In 1900, a separate enumeration (Indian Schedule) was made of the Indians living in the Dungeness Precinct of Clallam County (Dungeness Precinct included the Jamestown area). Families composed mainly of Indians were to be reported entirely on the Indian population schedule, whereas families composed mainly of persons not Indian were to be reported entirely on the general population schedule. Seventeen Indian households, containing a total of 75 Indians, were enumerated on the Indian schedule; non-Indians were not present.(17) Several other Jamestown Indian descendants could be identified living in multi-racial households within the general population schedule.

The significant difference between the Indian and the general schedules of the 1900 Federal population census lies in the nature of the special inquiries relating to Indians. In this section, inquiries were made regarding the tribe of the Indian and each of his parents; whether the Indian had any white blood and if so how much; if married, was he living in polygamy; if taxed; the year he acquired citizenship and how acquired; and whether living in a fixed or movable dwelling.

The 1880 Federal population schedules did not provide for a separate enumeration of Indians. There were, nonetheless, 13 all-Indian households enumerated containing a total of 49 Indians. Though the 13 Indian households were listed consecutively, there was no evidence of their being set apart from the rest of the non-Indian community. A few multi-racial families could be identified in the 1870 and 1860 Federal schedules, but little if anything could be determined about the rest of the Indian community in the area.

More **credibility** was perhaps attributed by the staff genealogist to the information provided in the 1880 Federal schedules and the Indian schedules of the 1900 Federal census simply because the Indians had nothing to gain by being identified as Indian at this time.

#### Bureau of Land Management

On June 3, 1874, Lord Jim Balch, then tribal leader, purchased 210 acres of land in Section 5, Township 30 North, Range 3 West, Clallam County, Washington. A copy of the deed appears as Appendix B of the petition. The Indian settlement on this land was named Jamestown.

Microfilm of the tract book(18) covering the range and township in which the above land is located was examined at the Bureau of Land Management offices in Alexandria, Virginia, for evidence of members of the early Jamestown community. Though no Indian males could be recognized by name, three white men with Indian wives (McKissick 1863, Travers 1865, and Fitzgerald 1870) had purchased land.

Descendants of the Travers and Fitzgerald lines are still present in the tribe today. A descendant of the McKissick line, though not apparent today, was carried on the Indian census roll until 1942.(19) Nothing further could be determined from the records available here in the Washington, D. C., area.

#### Cartography

Cartographic records of the Geography and Map Division of the Library of Congress and the National Archives, Washington, D. C., were examined for evidence of recognition of the Jamestown community by cartographers and for identification of individual Indian landholders.

The Library of Congress had no land ownership maps of Clallam County, Washington,(20) and other maps of the area did not identify Indians of the county by surname or tribe.

Cartographic records searched at the National Archives included records of the Bureau of Indian Affairs (Record Group 75), maps of the Bureau of the Census (RG 29), Coast and Geodetic Survey (RG 23), County and Area Soil maps (RG 54), records relating to International Boundaries (RG 76), County General Highway maps (RG 30), maps of States and Territories (RG 49, 57, 77), aerial photography (RG 57), and records of the Office of the Chief of Engineers (Headquarters Civil Works) (RG 77) and the National Resources Planning Board (RG 187).

Only two categories contained anything of possible interest. Within the International Boundary collection, "A copy of British Admiralty Chart No. 2689, published in 1859, showing Captain Kellet's 1847 Survey of the Straits of Juan de



Fuca and Captain Richards' 1858-59 survey of Haro and Rosario Straits"(21) shows an "Indian Village" in the Dungeness to Jamestown area. Under the States and Territories category, a "Map of Washington Territory, Showing the Indian Nations and Tribes...Copied from the original preliminary sketch compiled from the N.P.R.R...." dated 1854(22) shows a tribe in the Dungeness-Jamestown area identified as "Sklallam."

#### Published Sources

Three published works, in particular, contained numerous references to the Clallams and members of the Jamestown community:

Dungeness: The Lure of a River(23)

Jimmy Come Lately: History of Clallam County, Washington(24)

The 7 Brothers of the House of Ste-tee-thlum(25)

An additional work entitled With Pride in Heritage: History of Jefferson County, Washington(26) provided a few more genealogical details of early tribal families. All genealogical information relating to specific individuals and families was entered on the respective charts prepared by the staff genealogist.

Though the collections of the Library of Congress, the National Society of the Daughters of the American Revolution, the National Genealogical Society, and the National Archives were examined for additional genealogical information, little was found beyond the four books listed above. The following recognized bibliographic guides were consulted to insure that obvious sources were not overlooked:

Everton's Handy Book for Genealogists(27)

Filby's American & British Genealogy & Heraldry(28)

Stevenson's Search and Research(29).

## FOOTNOTES

1. Constitution of the Jamestown Clallam Indian Tribe, approved November 16, 1975, Appendix O, pp. 1-2 of petition.
2. Jamestown Klallam Tribal Enrollment 1976, Appendix R, pp. 49-55 of the January 31, 1979 Amended Petition for Acknowledgment of the Jamestown Clallam Indian Tribe as a Federally Recognized Indian Tribe.
3. Jamestown Klallam Tribal Enrollment Rolls 1978, Appendix R, pp. 40-48 of petition.
4. Minutes of the Jamestown tribal meeting held June 2, 1966, Appendix M, pp. 5-6 of petition; also Sections 1(a)-(b) of November 16, 1975 constitution.
5. Membership Rolls of the Port Gamble Indian Community up to and including the roll approved September 22, 1978.
6. Membership Rolls of the Lower Elwha Tribal Community up to and including the roll approved August 17, 1979.
7. Roll of Blood Members of the Quinault Tribe as approved by the Quinault General Council on September 2, 1966, and corrected in accordance with General Council Resolutions of March 27, 1971; supplemental as of March 31, 1973; July 30, 1975.
8. Schedule of Clallam Indians of the State of Washington enrolled by Walter F. Dickens, Superintendent, Tulalip Indian Agency, Tulalip, Washington, by order of the Commissioner of Indian Affairs under instructions of the Secretary of the Interior, pursuant to the Act of Congress of March 3, 1925 (43 Stat. L. 1102), signed May 22, 1926.
9. Letter from Jeffrey S. Schuster to Dennis L. Petersen, September 26, 1979.
10. Notarized affidavit of William Ron Allen, January 12, 1979, Appendix L, pp. 3-4 of petition.
11. **Payment to Clallam Indians**, Washington, 1926, p. XIII (list of tribal committee members).
12. National Archives, Record Group (RG) 75, File 51087-1919-013, Part 2, letter from W. F. Dickens to Commissioner, May 23, 1926.

13. Letter from Theodore C. Krenzke to Ron Allen, June 13, 1979.
14. National Archives, RG 75, Applications for Enrollment & Allotment, Box Entry 613 #1, "Enrollments Alaskan-Clallam 1919," (includes rejected Clallam applications for enrollment and allotment on Quinault Reservation).
15. National Archives, RG 75, Microcopy M-595 Indian Census Rolls, 1890 (roll 407), 1899 & 1900 (408), 1911 & 1919 (93), 1927 (588).
16. National Archives, RG 29, Federal Population Censuses 1900 T623(1742); 1880 T9(1396); 1870 M593(1683); 1860 M653(1398).
17. National Archives, RG 29, T623(1742), pp. 60-61.
18. Bureau of Land Management, Eastern States Office, RG 49, Washington Tract Book 87.
19. Indian Census Roll of the Clallam (Public Domain), Tulalip jurisdiction, taken January 1, 1942, by O. C. Upchurch (hard copy available in Federal Acknowledgment offices).
20. Stephenson, Richard W., compiler. Land Ownership Maps: A Checklist of Nineteenth Century United States County Maps in the Library of Congress. Washington: Library of Congress, 1967.
21. National Archives, Cartographic Records, RG 76, Series 74, maps 3 and 4.
22. National Archives, Cartographic Records, RG 77:US 324-57.
23. Sequim Bicentennial History Book Committee. Dungeness: The Lure of a River. Port Angeles, WA: Sequim Bicentennial Committee, 1976.
24. Russell, Jervis, editor. Jimmy Come Lately: History of Clallam County, Washington. Port Angeles, WA: Clallam County Historical Society, 1971.
25. Lambert, Mary Ann. The 7 Brothers of the House of Ste-tee-thlum. Port Orchard, WA: author, 1972.
26. Jefferson County, Washington Historical Society. With Pride in Heritage: history of Jefferson County, Washington. Portland, 1966.
27. Everton, George B., Sr., editor. The Handy Book For Genealogists, 6th edition. Logan, UT: The Everton Publishers, Inc., 1971.
28. Filby, P. William. American & British Genealogy & Heraldry. Chicago: American Library Association, 1975.
29. Stevenson, Noel C. Search & Research. Salt Lake City: Deseret Book Company, 1979.

## REPORT ON HISTORY OF THE JAMESTOWN CLALLAM BAND OF INDIANS

### I. Government-to-Government Relationship

The Clallam Indians originally occupied an area bordering the southern shore of the Strait of San Juan de Fuca. Over a dozen villages made up what the U.S. Government later called a "tribe." These were closely linked, as were all Native American settlements in the Pacific Northwest, by a common language, culture and by extensive patterns of marriage and societal obligation. The Clallams were highly dependent on the sea for their food, the abundance of which allowed them to develop a complex and materialistic culture.(1)

White men first came to the Puget Sound area in large numbers during the 1780's when they learned of the easy availability of sea otter and other fur pelts. The Indians there were quite willing to trade these items to the British and American merchants. In 1788-89 the United States began a three way trade between the Oregon-Washington territory, New England, and China. British fur traders and later, settlers, competed with the Americans, and the area became a center of dispute between Great Britain and the United States. However, a precipitous decline in fur pelt supply after 1840 brought about a corresponding drop in British interest in the Oregon territory. On June 15, 1846, the United States and Great Britain signed a treaty fixing the western boundaries of the Oregon and Canadian territories, and on August 14, 1848, Congress created the Oregon Territory.(2)

Not until June 5, 1850, did the President sign an enabling law that allowed him to appoint a territorial governor and Indian commissioner for Oregon. These officials were given power to negotiate treaties with the Indians that would extinguish their titles to all lands west of the Cascade Mountains.(3) There was no pressing need for treaties until an increasing flow of settlers began to move northwest from the Willamette Valley in 1854. Indian-white conflicts made implementation of an Indian policy imperative if the area was to be opened to settlement without conflict. President Franklin Pierce appointed Isaac I. Stevens Territorial Governor and Superintendent of Indian Affairs, and directed him to carry out the provisions of the 1850 Act.(4)

Joel Palmer, Stevens' colleague as governor of the Oregon territory, had already laid down the guidelines that Stevens followed in his treaty-making activities. Palmer argued that if the Indians were to maintain their ethnic identity, they would have to be moved to reservations away from the white man. Once on the reservations, the Bureau could teach them how to be farmers, could educate them and prepare them for life in white society.(5) Stevens pointed out that such a policy required a number of large reservations with plenty of good land. He urged that many bands should be concentrated on one reservation "so that control of the government might be more easily affected."(6) The original

reservation districts were five in number: Puget Sound, Yakima, Spokane, Southwestern Washington, and St. Mary's Valley. Each district was to control two or more tribes and the reservations would be multi-tribal in nature.

On January 26, 1855, Stevens signed a treaty at Point No Point, Washington Territory, with the Clallam and Skokomish Tribes. The Indians ceded all their land to the United States, and in return were guaranteed a reservation at the head of Hood's Canal. This reservation was to be 3,840 acres in area. The tribes had one year to relocate onto the reservation. The treaty did not take into account the fact that it located the Skokomish Reservation far from the tribal fishing areas, although it guaranteed "the right of taking fish at usual and accustomed grounds and stations." The Clallams resented being moved from the Straits area, and they especially did not like being located on the same reservation as the Skokomish, their traditional enemies. Stevens had also underestimated the amount of land needed. Of the 3,840 acres, about 3,300 were marsh, bog and swamp. With 1,000 Indians to be located on the site, farming was impossible.(7)

The reservation policy encountered other difficulties. In addition to the unwholesome location, the actual boundaries of the Skokomish Reservation were not immediately established. Congress did not ratify the Treaty of Point No Point until 1859. This delayed payment of treaty annuities aroused the suspicions of the Clallams. The unmarked boundaries allowed lumbermen to log tracks of woodland without payment or compensation and with no fear of penalty. Agents at Skokomish knew that the Clallams considered the reservation undesirable, and in 1861 the agency farmer reported that no more than one-sixth of the total population were living there. John T. Knox, the Puget Sound agent, recommended that the reservation be enlarged. In 1872 the Bureau again took up the proposal, but the granting of a tract of land to the Northern Pacific Railroad blocked the planned expansion.(8)

The organization of the Jamestown Clallam Band in 1874, and its establishment upon a definite tract of land, was a direct result of the reservation policy. In 1872 part of the Clallams were still living on or near their ancestral lands. At Dungeness they could fish and earn good wages at the sawmills and logging camps. A few had taken up residence on the reservation, and the rest were living elsewhere. If they settled off the reservation, they held no title to their land. Edwin Eells, the Skokomish agent, reported that they only visited the reservation at very infrequent intervals.

On February 25, 1874, the President of the United States established the Skokomish Reservation by Executive Order, while enlarging it to 4,170 acres. That summer a group of Jamestown Callam purchased two hundred and ten acres near Dungeness and settled there. Lord Jim Balch, the leader of this band of Clallam, may have questioned Eells as to the wisdom of their purchasing land, because Robert H. Milroy, the superintendent of Indian Affairs for Washington

Territory, asked the Department of the Interior for guidelines on December 2, 1872. On the 22nd the Commissioner of Indian Affairs responded that:

it is the policy of the government to collect all Indians living in a tribal capacity, upon such reservations as may be provided for their occupation...in order that their interests may be properly protected and that they may be within the jurisdiction and control of their respective agents and Superintendents.

Indians cannot therefore be allowed to reside apart from the reservations provided for them...being in the midst of a white community and at the same time exempt themselves from the responsibilities of such a mode of life retaining their tribal ties with the government.

An Indian cannot avail himself of the benefits of the Homestead or Preemption Acts, except he shall previously abandon tribal relations.(9)

Eells accordingly warned Balch that if his group bought land, it would mean the end of their annuity payments. However, Eells continued to treat the Jamestown Clallams as Indians for which the Federal Government had responsibility. Eells, who remained the agent at Skokomish and later, Tulalip, for a long period of time, provided such items as fruit trees, seed, agricultural equipment and other farm tools to the group. In one year he donated three hundred fruit trees.(10)

In 1877 Eells reported to his superiors that the Clallams were planning to build a church. He hoped that the building would be put to another use, and hoped that a day school would be started at Jamestown. Although the Skokomish Reservation had a boarding school, the Clallam children did not attend. If the Bureau agreed to pay the cost of a teacher, the annual charge would be \$720.00, and this could be paid out of treaty money. The Clallams, he said, "were anxious to have extended the grant to include supplies, and ordered the money to be paid out of the Skokomish Agency school funds.

Eells also included the Jamestown Clallam in the Indian police force he organized for his district. In an effort to control the widespread consumption of alcohol among the Indians, Eells established a local constabulary in 1878, and in 1879, Lord Jim Balch, the leader of the Clallam Indians at Jamestown, became a member. Its four members were established as sheriffs for their respective villages. Balch was the senior officer. Eells reported that:

The principal vice among them (Clallams) is drunkenness, which has been kept in check very considerably by the Indian police force, and the band of chiefs in which the government of the tribe consists.(12)

By 1912 the various bands of Clallam had established themselves as separate, distinct entities along the south coast of the San Juan de Fuca Strait. There

were settlements at Jamestown, Port Gamble, and in small groups along the Elwha River. Some Clallam held land on the public domain.(13) In 1911 the Congress passed an act which allowed the descendants of the Treaty of Point No Point tribes to choose allotments on the Quinault Reservation.(14) The Clallams were allowed to choose allotments from the reservation's surplus lands, after the allotments to the Quinaults had been made. The Clallams at Jamestown had not utilized the Indian Homestead Act of July 4, 1884,(15) and only eight members of the group had obtained public domain allotments. However, the Bureau refused to consider allotting land to the Clallams until a census had been made of the Clallam population of one hundred and sixty-nine members. Twenty-two Clallam men petitioned Dr. Charles M. Buchanan, the Superintendent at Tulalip Agency, stating that they would accept allotment at the Quinault Reservation.(16)

The Northwest Federation of American Indians brought pressure upon the Bureau to assign allotments to the Clallam and succeeded in having the Tulalip Superintendent call a meeting at Jamestown to discuss the situation. The Northwest Federation attended, as did a delegation from Jamestown. Peter Jackson was the Clallam spokesman. He declined to accept the allotments, which he said were boggy and unusable. His people had small homes and their own land, and did not want to lose what they had worked so hard to gain. As a result, the Clallams did not, at that time, accept the allotment.(17)

Bishop was unable to persuade the Clallams to leave Jamestown, although he asserted that there were thousands of landless Indians in Western Washington who had never obtained any recognition for their existence or benefits from the Federal Government. These people, he maintained, desired either an allotment on the Quinault Reservation or a cash payment. In 1916 Bishop and the Bureau agreed that a roll of landless Indians in Western Washington should be prepared.

Charles Roblin, a Special Indian Agent at the Taholah Indian School, was ordered to make an enrollment of the "unattached Indians of Western Washington." Roblin prepared and submitted a list of more than 4,000 unattached Indians of Northwestern Washington who asked to be enrolled with Quinault or other tribes so that they could receive an allotment or other benefits.(18) During his investigation he visited "the Clallam Tribe." Their largest settlement was at Jamestown, although others lived along the Straits of San Juan. Roblin reported that, "they have lived . . . without adequate homes, since purchasing some tracts of land at Jamestown and Port Gamble . . . Their condition enlists the sympathy of every investigating official who visits them." Roblin, however, did not consider Jamestown to be a separate tribal entity, but to be part of a larger Clallam tribe.(19)

By 1919, as Roblin finished his work, there were several bills before Congress that would permit the Western Washington tribes to sue in the U.S. Court of Claims. The Clallams were included in this legislation. The fact that a bill would soon pass Congress relating to these tribes was apparent. The Bureau, lacking information about the situation there, and particularly about the unorganized tribes, held meetings in 1922 with these groups. The Commissioner

instructed the Tulalip Superintendant to meet with these groups. The Commissioner instructed the Tulalip Superintendent to meet with the "Indian Council." Upon consulting with representatives of the Lummi, Swinomish and Tulalip Reservations, he learned that they were members of the Northwest Federation of Indians, but that this organization had not been active for some time. The four men, after discussing the pending legislation, decided to hold a meeting of the tribes that had signed the Treaty of Point Elliott.(20) William F. Dickens told the commission that:

Simultaneously with setting the date for the meeting with the Indians at Tulalip, notice was mailed to the Day School Teacher at Jamestown and to several prominent Indians of the Clallam Tribe designating December 15, for the time of meeting with the Clallams and allied tribes for the purpose of taking up with them the matter of their claims based upon the provisions of the Point No Point Treaty . . . I called the meeting to order in the forenoon of December 15 . . . there being a representative number of the Clallam Indians present.(21)

At this meeting he learned that there was a Clallam Branch of the Northwest Federation of American Indians. Its executive committee was made up of Joseph Allen, Wilson Johnson, William Hall, (all from Jamestown), David Prince, and Charles Hope (Lower Elwha). They were "transacting business for and looking after the interests of the Clallam Tribe of Indians." He found "these Indians surprisingly well informed as to their tribal matters and claims which were discussed with a number of them after the meeting and during the meeting." They also denied the right of T.G. Bishop to represent them.(22)

The result of this conference, which lasted through December 16, was that the Clallams retained William B. Ritchie as their claims attorney. Ritchie who had been retained earlier by the Clallam filed a brief with the Bureau outlining the basis of the Clallam claims. He asserted that the government owed the Clallams compensation for land taken under the 1855 Treaty, and for which the Clallams were never compensated. Moreover, when the Clallams began to take advantage of the Quinault allotment policy and make selections on that reservation, a shift in the Department of the Interior's timber policy caused all the timber land there to be reserved, thus thwarting the allotment process.(23)

The Department of the Interior supported a bill that appropriated a sum of money in settlement of all Clallam claims. As originally introduced, Senate Bill S. 1707 (January 1924) would have appropriated \$1,000,000 for claims payments. Secretary of the Interior Hubert Work advised the Chairman of the Senate Indian Affairs Committee that, while he supported the idea of a claims payment, he preferred passage of a revised bill. Work made specific reference to the Jamestown Clallam group:

There are now between three hundred and four hundred Indians (Clallams), some of whom are in need of immediate assistance. A number of these Indians reside on a small tract of about two hundred



and thirteen acres near Jamestown, Wash., which tract they themselves purchased about forty years ago. They have always been loyal and peaceable, and it is the boast of the Clallam Indians that they have never shed the blood of a white person. They have never received any land from the Government, but have managed to get along fishing, working in factories and mills, and doing farm work for the whites, and their income at best has been meager.(24)

Work concluded by saying that "I feel that these Indians are entitled to some consideration at the hands of the government, in view of the large area of territory they ceded to the United States."(25)

The Department also took the position that, since the Clallams had not taken allotments or utilized the Indian Homestead Act, the claims payment should be per capita and not used to buy them land. The Senate reduced the original payment to \$600,000, and the House further reduced it to \$400,000. This provided a \$722.32 per capita payment to all qualified Clallams. It also forbade any claims being filed by the Clallams in the U.S. Court of Claims.(26) The act passed on March 3, 1925, and the money was distributed under the Act of March 3, 1926.(27)

The Jamestown Clallam group assumed the general Clallam leadership in the matter of the claims payment. This aroused a good deal of resentment, which was revealed in the following letter to the Commissioner of Indian Affairs:

With reference to the Clallam Bill of the Clallam Indian Tribe I wish you would kindly let me know what the \$400,000 is for which the House of Representatives and Senate respectively appropriated. Is it for the payment of the timber? Land? or what? Is \$400,000 to be the final payment? Or is it the first of series to be paid annually? If so, for how long?

We, one hundred and fifty members of the Real American Indian Association, part of the Clallam tribe are kept in ignorance of the dealings, progress, and developement of the Clallam bill by the committee men of Jamestown, Messers. William Hall, David Prince, Wilson Johnson, Joe Allen, and their attorney William B. Ritchie. They never give us any information regarding the above said questions. When I reach the attorney at his office he dismisses me with orders not to come anymore.(28)

The Jamestown Committee wanted all Indian women who had married out of the tribe and all those who had taken up homesteads to be excluded from the payment.(29) The Department of the Interior's solicitor ruled that, for purposes of enrollment for this payment, the test of tribal membership was blood and recognition by the tribe. Hence all Indians of Clallam blood recognized by the tribe as members thereof should be enrolled for payment.(30) The tribe was to form a membership committee to act in all enrollment matters. After a

tentative roll had been compiled, the committee and the Superintendent at Tulalip were to meet and examine the tentative roll. All names of which they disapproved were to be indicated and the roll with the Superintendent's recommendations and information forwarded to Washington.

Superintendent Walter F. Dickens convened the "Council of the Indians of the Clallam Tribe of the State of Washington" on April 15, 1926. The membership committee consisted of Joseph Allen, Wilson Johnson, William Hall, David Prince, and Charlie Hopi. By May 17, Dickens had completed the roll. He had found double the number of Indians he had expected were there. "The Clallam Committee has been discriminating, and sometimes their decision in refusing to recognize applicants appears to be without reason and a lack of good judgment. I believe this attitude to be largely due to the fact that they had never contemplated the enrollment of anyone removed from the immediate neighborhood where the remnant of the tribe now live . . ."(31)

There were three groups on the roll: those of undisputed Clallam blood, those of Clallam blood recognized by the committee but not by the tribe, and those who did not have Clallam blood or where their claim was unsupported by witnesses or records. Of 1,225, Dickens thought there would be between 1,100 and 1,200 on the final roll. There were 533 names on the final roll.

The group that played a large role in the 1926 claims payment was the informal governing body of the Jamestown Clallam Tribe during the 1920's and 1930's. The group had no formal constitution, but it did have a chairman and a secretary, as well as a group of men prominent in tribal affairs. The Shaker Church at Jamestown was the focal point for this activity. Among its members were Jacob Hall, who eventually became the group's chairman; William Hall, a prominent Shaker leader, and Harris Johnson.

During the 1930's a more formal structure emerged, probably as a result of the Indian Reorganization Act.(32) After its passage there was a definite attempt to organize the entire Clallam group in Western Washington, with most of the impetus coming from the Portland Area Office and the Tulalip Agency. On August 25, 1934, George LaVatta, a Field Agent from Portland Area Office, submitted a constitution and by-laws to the Bureau for the "Clallam Indians located at Port Angeles and Jamestown, Washington." LaVatta had held a meeting at Port Angeles, "a tribal meeting," which was also attended by Superintendent O.C. Upchurch (Tulalip Agency). He stated that:

The Clallam Indians realize that the Reorganization Act provides many opportunities under proper organization, and it was therefore not a difficult task to guide their train of thought in proper channels. Their constitution and by-laws have been tentatively approved by them, and it has also been mimeographed and distributed among the tribal members within that vicinity. It was suggested and requested by those Indians present that this constitution and by-laws be submitted to the Office for comment, suggestions, and approval, with the request that the Secretary of the Interior call for a vote on same.(33)

The Clallam problem was simply too complex for the Bureau to manage without exploring the situation more fully. In addition to the Clallam settlement at Jamestown, there were others in the Elwha Valley and at Port Gamble. Land for a suitable reservation was lacking, and the problem of organizing such a dispersed tribe had to be solved. In 1936 the Bureau began taking options on land at Port Angeles, but none of the sales had been finalized by the end of November. Two hundred and ninety-three acres were under option for the Lower Elwha Clallam. William Zimmerman, the Assistant Commissioner of Indian Affairs, wanted Upchurch to work with LaVatta to have the Clallams proceed with the adoption of a constitution and by-laws and, as soon as the reservation had been established, the adoption of a charter. La Vatta was also to discuss with the Clallams with whether or not they desired "to have their constitution considered by the Department in its present form or whether they desire to make changes in it." (34)

Upchurch responded on January 9, 1937. He recommended that the Clallams because of their distinct interests and their widespread locations, "be reorganized as a whole with restricted jurisdiction over the different bands or districts . . . I believe that our organization should include the entire tribe." (35) Upchurch enclosed a constitution that provided for a governing Board of Directors for the Clallam Tribe. The reservation was to have three districts: Elwha River, Jamestown, and Public Domain. Each district would elect three members to the board, but they would not be allowed to vote as a block, but as individuals. The present tribal committee\* had the power to "designate the boundaries of each prior to the election of the first board." (36)

The new constitution addressed what was the main issue of debate within the Bureau: "the question (of) the authority of the Clallam Indians to organize under the Indian Reorganization Act either as one tribal group or as two or more bands of a reorganized tribe." The Assistant Solicitor recommended that the Clallam Indians be organized either as one tribe or as "two or more separate bands." (37)

Fred Daiker, one of Commissioner John Collier's assistants, replied on February 19, 1937, that they would need much more information and asked Upchurch to assemble it. "The legal aspects of the problem require

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\*The tribal committee was Jacob Hall, chairman (Jamestown); Sam Ulmer (Port Angeles); Harry Sampson (Port Angeles); and Sam Charles (Port Gamble).

careful study . . . the Clallam Indians, in view of their present scattered conditions and their recent history, are one of the more difficult problems in Indian organization." Upchurch hoped that Port Gamble would be organized as a separate entity and Jamestown and Elwha River together, "separating the authority and responsibility by district."(38)

On March 10, LaVatta and Upchurch held another meeting at Port Angeles with Clallam. Another constitutional committee was formed, with Sam Ulmer as chairman, Jacob Hall as secretary, and Richard Adams, Martin Hope, Edmund Sampson and Lowell Hall as members. The tentative, and third constitution which they drafted was essentially the same as the one submitted in January. LaVatta explained the necessity for the district organization.

It was suggested not only by the Indians in the tribal meeting, but also by the Clallam Constitutional Committee that the Indians living in Jamestown district did not want the Indians living and around Port Angeles or along Elwha to handle their local affairs. Neither did these Indians who are receiving assignments of land within the Elwha district want the Indians in the Jamestown district and on the public domain to run the affairs of those Indians in the Elwha district.

Neither did the Indians living around Port Angeles want the Jamestown Indians, nor the Indians living in the Elwha district to have anything to say about their local affairs.

Kenneth Meiklejohn, the Indian Organization's attorney, wrote a long memorandum on June 17, 1937 concerning the Clallam constitution and the proposed organization. He stated that: "I believe that it would be proper to organize the Clallam Indians either as one tribe or as two or more separate bands." Meiklejohn, however, believed that the Department had recognized the continued existence of the tribe through purchase of land under the Indian Reorganization Act. "In view of these facts, it is my belief that the Clallam Indians constitute a recognized tribe eligible to organize as such under section 16 of the Indian Reorganization Act."(40)

Meiklejohn did not agree with the concept of organizing the Clallam Indians on a district basis with an overall Board of Directors. He considered the Jamestown and Port Angeles communities to be quite close together and agreed with the superintendent of the advisability of these two groups to organize together.(41)

Furthermore, the Department has already approved land purchases for two of the groups. The Elwha Valley tract has been purchased by the United States in trust for the 'Clallam Bay Band of Clallam Indians.' 'Likewise, land at Port Gamble has been bought for the 'Port Gamble Band of Clallam Indians.' While other purchases have been made in the name of the tribe as a whole, the fact that land is available and is held

for two district communities constitutes sufficient recognition of the existences of such communities as subordinate bands of the tribe to justify organization on a band basis.(42)

Of the land question, Meiklejohn wrote that the land purchased as an addition to the Elwha Valley tract could be made available to the "Clallam County Indians" only if the whole tribe consented. However, each of the other two tracts could be declared a reservation for the respective bands which were organizing, "pursuant to Section 7 of the Indian Reorganization Act . . . . When they are organized the clarification of the status of this act can be undertaken in cooperation with the regularly functioning and recognized tribal authorities." An inquiry was also necessary to determine if there had been any measure of cooperation between Jamestown and Port Angeles. Such information is necessary to determine whether there is a proper basis for organizing the two groups under one constitution.(43)

Subsequent events show that Meiklejohn's memorandum had an effect. The Bureau moved to organize the Lower Elwha and Port Gamble Bands, allow them to vote on the IRA, and take their land in trust. Port Gamble's constitution and by-laws were approved by the Assistant Secretary of the Interior on September 7, 1938. It was recognized as an Indian Community Association in 1939. Lower Elwha was declared an Indian Reservation by Secretarial Proclamation on January 24, 1968.(44)

The Bureau had definitely decided not to create a third Clallam community. It did not want to use the tripartite organization suggested by the Clallam's second and third constitutions, and it did not want to include Jamestown in the organization. Progress had been made toward acquiring land for the Lower Elwha and Port Gamble groups. By mid-1937 the Bureau probably believed that attempting to bring Jamestown into the organization would slow the process or even cause it to fail entirely.\*

After the failure to be organized under the Indian Reorganization Act, the Jamestown Clallam's contacts with the Bureau of Indian Affairs were centered almost entirely on the land they owned and the problems associated with it. During the 1940's and 1950's, the tribe maintained its informal leadership structure, and made no effort to draw up a formal constitution. In 1966, the tribe had elected a new chairman, Charles Fitzgerald. This was in response to the activity surrounding the filing of a claims suit by the Clallam Tribe with the Indian Claims Commission, and a renewed interest in becoming a federally-acknowledged tribe.

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\*There is a tribal oral history tradition that Jacob Hall was offered land for the group at Lower Elwha, rejected it, and then informed the tribe. Only one Jamestown Clallam accepted land at Lower Elwha. The Jamestown Clallam were too afraid of loosing what they had to move there.

On July 15, 1968, Elaine Grinnel, Secretary of the Jamestown Clallam, wrote to John Weddel, Tribal Operations Officer at the Western Washington Agency, and told him that the band was beginning work on a constitution and by-laws. One had been started "several years ago," Mrs. Grinnell said, but was either never completed or never submitted to the Bureau. She asked Weddell to attend their next meeting and give advice on the drafting of the document.(45)

Neither Weddel nor Chester Higman, the Agency Enrollment Officer, were able to meet with the Clallams on the date suggested. However, the Superintendent at Western Washington offered to arrange a more convenient time so that the Clallams could obtain the advice they wanted.(46)

In 1970 Elaine Grinnell succeeded Fitzgerald as chairman, and was followed in 1971 by Harris Johnson. The current chairman, Ron Allen, was elected in November 1977. During this time the group continued to work on their constitution and by March 1975, they had submitted a draft to the Western Washington Superintendent. He suggested several minor modifications "if the band is considering applying for Federal recognition." On January 22, 1976, the Jamestown Clallam Band of Indians formally petitioned the Department of the Interior for Federal acknowledgment as an Indian tribe.(47)

1. Robert F. Spencer, Jesse D. Jennings, et. al. The Native Americans: Ethnology and Backgrounds of the North American Indians. New York, 1977, pp. 114-115.
2. Spencer, Native Americans, p. 128; Roy Allen Billington. Westward Expansion: A History of the American Frontier. New York, 1967, pp. 509-528; 9 Stat. 323.
3. 9 Stat. 437.
4. C.F. Coan, "The Adoption of the Reservation Policy in the Pacific Northwest, 1853-1855," Oregon Historical Society Quarterly, 23 (March, 1922), pp. 1-38.
5. Coan, "Reservation Policy," pp. 3, 10-11; Stanley Spaid, "Joel Palmer and the Indian Affairs of Oregon," unpublished Ph.D. thesis, University of Oregon, 1950 ; U.S., Department of the Interior, Annual Report of the Commissioner of the Indian Affairs to the Secretary of the Interior. Washington, 1854, p. 222 (hereafter cited as BIA, Annual Report).
6. BIA, Annual Report, 1854, p. 392.
7. George Paige to W.W. Millar, August 20, 1861, Letters Received, Records of the Washington Superintendency of Indian Affairs, 1853-1874, Record Group 75, National Archives.
8. John T. Knox to Grant McKinney, October 21, 1867, Letters Received, Records of the Washington Superintendency of Indian Affairs, 1853-1874, Record Group 75, National Archives; BIA, Annual Report, 1873, p. 310.
9. E.P. Smith to Milroy, December 22, 1873, Letters Received, Records of the Washington Superintendency of Indian Affairs, 1853-1874, Record Group 75, National Archives.
10. Edwin Eells to Milroy, May 13, 1874; Smith to Milroy, December 22, 1873, Letters Received, Records of the Washington Superintendency of Indian Affairs, 1853-1874, Record Group 75, National Archives; Myron Eells, Ten Years of Missionary Work among the Indians at Skokomish, Washington Territory, 1874-1884, Seattle, 1972, pp. 200-202; BIA, Annual Report, 1879, p. 155.
11. Edwin Eells to E.P. Hayt, January 1, 1878, Letters Received, Record Group 75, National Archives.
12. BIA, Annual Report, 1881, p. 171.

13. Land Plots Records, Bureau of Land Managment, Eastern States Office, Arlington, Virginia.

14. 36 Stat. 1345.

15. 23 Stat. 76.

16. Clallam Indians of Jamestown to Charles M. Buchanan, August 3, 1912, Letters Received, Tualip Indian Agency, Record Group 75, Federal Regional Archives, Seattle, Washington.

17. "An Appeal to the Government," Thomas G. Bishop to Commissioner of Indian Affairs, December 24, 1915, File 51087-1919-013, Record Group 75, National Archives.

18. E.B. Meritt to Otis O. Benson, November 17, 1919, File No. 11697-1919-053(Taholah Indian School), Record Group 75, National Archives.

19. Charles Roblin to W. F. Dickens, May 10, 1926, File NO. 51087-1919-013, Record Group 75, National Archives.

20. W.F. Dickens to Commissioner of Indian Affairs, February 15, 1922, File No. 51087-1919-013, Part 1, Record Group 75, National Archives.

21. Op. cit.

22. Op. cit.

23. Memorandum For Land Contracts-Land Allotments 4485-22 TDM, February 4, 1922, File No. 51087-1919-013, Part 1, Record Group 75, National Archives.

24. U.S. Congress, House of Representatives, Report to accompany S. 1707, Report No. 1466, 68th Congress, 2d session, 1925, p. 2.

25. Op. Cit.

26. By the Act of February 12, 1925 (43 Stat. 886), Congress authorized certain Western Washington State Indian tribes to file suits in the Court of Claims. The Clallams were excluded from the list of eligible tribes. Congress did so because of an impending appropriation that would settle the Clallam claims without a lawsuit.



27. 44 Stat. 173.
28. Samuel J. Ulmer to Commissioner of Indian Affairs, March 2, 1926, File No. 51087-1919-013, Part 1, Record Group 75, National Archives.
29. E. B. Merritt to Walter F. Dickens, March 24, 1926, File No. 51087-1919-013, Part 1, Record Group 75, National Archives.
30. Op. cit.
31. W. F. Dickens to Commissioner of Indian Affairs, April 3, 1926, May 17, 1926, File No. 51087-1919, Part 1, Record Group 75, National Archives.
32. 48 Stat. 984.
33. George LaVatta to John Collier, August 24, 1935, File No. 9548-A-1936-068, Record Group 75, National Archives.
34. J.M. Herriot, Director Of Lands, to Indian Organization, November 27, 1936; William Zimmerman to O.C. Upchurch, December 23, 1936, File No. 9548-A-1936-068, Record Group 75, National Archives.
35. Upchurch to Zimmerman, January 9, 1937, File No. 9548-A-1936-068, Record Group 75, National Archives.
36. Op. cit.
37. Memorandum to Indian Organization, February 17, 1937, File No. 9548-A-1936-068, Record Group 75, National Archives.
38. Fred Daiker to Indian Organization, February 25, 1937, File No. 9548-A-1936-068, Record Group 75, National Archives.
39. George LaVatta to John Collier, March 17, 1937, File No. 9548-A-1936-068, Record Group 75, National Archives.
40. Kenneth Meiklejohn to Indian Organization, June 17, 1937, File No. 9548-A-1936-068, Record Grop 75, National Archives.
41. Op. cit.
42. Op. cit.
43. Op. cit.
44. Op. cit.

45. **Elaine** Grinnell to Tribal Operations Officer, Western Washington Agency, July 15, 1968, Records, Western Washington Agency, Everett, Washington.
46. Superintendent, Western Washington Agency to Charles Fitzgerald, July 19, 1968, Records, Western Washington Agency, Everett, Washington.
47. John W. Busbin to Edith Cusick, April 1, 1975, Records, Western Washington Agency, Everett, Washington.

## II. Land

The Clallams had no desire to live at the Skokomish Reservation. After 1870, white settlers in Washington Territory began to bring pressure upon the Bureau in order to move all treaty Indians back to reservations. Many of the Indians merely squatted on the land, and without a clear title were easily and frequently dispossessed. In 1872 the Clallams, or part of them, were still living on or near their ancestral lands. A few were on the reservation, and those directly through the action of Agent Edwin Eells. If they stayed at Dungeness they could obtain good wages at the sawmills and lumber cuttings, and continue their fishing. However, they were in a precarious position. Eells reported that:

In May last an old chief and a band of about forty visited me and begged that I would give them a small reservation near Port Angeles, on the Strait of Fuca. I inquired at the land office, and was informed that the land in the vicinity of the small tract they wanted was unsurveyed; ... But afterward I discovered that as customs-house reservation had been set apart a number of years ago, which included the desired tract, and that said customhouse reservation had been laid off into five acre to ten acre lots, ... and sold away as speculation.(1)

By 1874 a band of Clallams under the leadership of Lord Jim Balch, whose father had signed the 1855 treaty, raised enough money to pay \$500 in gold coin for a two hundred and ten acre tract near Dungeness, Washington Territory. The sale took place on June 3, 1874, when Richard and Jane C. Delanty sold their holding directly to Balch as sole purchaser. \*Balch had the county surveyor mark the tract off into plots of ten acres each. These were held by separate Clallam families in severalty. Jamestown's population at this time was about one hundred. The tribe supported itself by gardening, fishing and working in the surrounding pulp mills. They also harvested crabs which they sold for \$5,000 to \$8,000 annually. This lucrative communitiy enterprise ended when the area's tides shifted sometime in the late 1940's.(2)

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\*Second Book C, page 264, Auditor's Office, Clallam County, Port Angeles, Washington: The land was described as follows: Commencing at the Northwest Corner of Joseph McKessick's homestead claim and running in a South Southwest direction to the line between Section five and Section Eight, from thence West to the land owned by Thomas Herd thence North eighty rods thence East eighty rods, thence North one hundred and Sixty thence East to the place of beginning in section #5 and to contain two hundred and ten acres more or less (in Township No. 30, North of Range 3 West)."

In 1877 Eells informed the Bureau that the Jamestown Clallams were building a church. Private citizens and a few Indians contributed the funds. Shingles and other specialty items were furnished by Eells from Bureau stocks. The Clallams provided the labor. Eells intended that the building be used for something other than a church, because he hoped to persuade the Bureau to fund a dayschool at Jamestown. Although the Skokomish Reservation had a boarding school, the Clallam children did not attend. Eells estimated the total cost per year at \$720, and this could be paid out of the treaty funds. The Clallams, he said, "were very anxious to have their children educated." (3) The Secretary of the Interior, Carl Schurz, approved the project and ordered the money to be paid out of Skokomish Agency school funds. The Agency provided the teacher's salary and money for supplies, until 1926, when the school became a public and local responsibility. (4)

Since the treaty annuities ceased to be paid by 1879, and since the Clallams did not have a reservation or trust land, the day school and its land eventually became the chief point of contact between the Clallams and the Bureau. On August 10, 1910, the Tulalip Agency acquired the two acre site from Thomas and Ida Krogh, who had purchased it some years before. (5)

The Bureau both supported the school and advised the Jamestown Clallam on problems concerning their land. In 1927 the abundant irrigation canals above the Clallam tract began to saturate the Indians' land through waste water seepage. Tulalip Superintendent, F.A. Gross and J.J. Hubbell, his Irrigation Officer, inspected the Clallam land at the end of December, 1927. L.M. Holt, Tulalip's supervising engineer, advised the state's hydraulic engineer of the findings. About one hundred and sixty acres were affected during a four to six month period. The water came from four irrigation districts, and the construction of an additional ditch had rendered about seventy per cent of the land unusable. The Clallams did not think they should have to take care of other people's water. The Tulalip engineer determined that "the only permanent solution . . . is by the construction of adequate drainage ditches, but how to bring this about is a matter that I am unable to solve. We have no funds that can be expended for their relief and it is doubtful if Congress would appropriate any money for the purpose, the lands being held by the Indians under patents in fee simple." (6)

Tulalip Agency's stance in relation to the school site began to change when the school was abandoned in 1931. From 1926 to 1931 it had been a public school, and in the latter year it was closed and the children bussed to Sequim. The school building was the only community meeting site available to the Clallams, and they had not owned the land for a number of years. Tulalip Superintendent O.C. Upchurch investigated the circumstances and reported to the Bureau that:

At Jamestown, where a group of Clallam Indians are located under this jurisdiction, the government owns a day school site which school was converted into a public school about five years ago and later abandoned, the children being transported to Sequim. The Jamestown band of Indians own their property in fee and the settlement consists of about

twenty families who have been living in this group on privately owned land for about forty years. The school building furnished them a public meeting place and until last month the teacher's cottage was occupied by the last day school teacher who retired at that post and after his death it was occupied by his widow who paid rent for the cottage. All the buildings are now vacant. The Jamestown Community have an organization among themselves of an executive committee and composed of a president, secretary, and three other board members. I desire permission of the Indian Bureau to turn over administration of these buildings to this committee of the Jamestown community to be administered as they may see fit for the benefit of the community with their responsibility for ordinary care of the property.(7)

The Central Office agreed to Upchurch's proposal, and on December 1, 1936, the Tulalip Agency issued a revocable use permit to the "Jamestown Community, an organization of Indians," that allowed them to occupy and use the two acres and the day school buildings on a temporary basis. The permit remained in force as long as the Clallams kept the buildings and grounds in a sanitary condition and in a state of good repair.(8)

In 1939 the Bureau of Indian Affairs and the Jamestown Clallam concluded a trust agreement that involved the two acre site. Along with other New Deal measures for rural relief, Congress had passed the Emergency Relief appropriations act. The Federal Government planned to make funds available to local jurisdictions for capital improvement projects they would be otherwise unable to fund. A grant was made to the Bureau of Indian Affairs "for projects to provide relief for Indian tribes." The Bureau then allocated \$1,500.00 to the Tulalip Agency "to be expended for the benefit of the tribe or tribes under the jurisdiction of that Agency."(9)

Tulalip selected Jamestown as a recipient for one of these grants. The Jamestown Clallam selected Wilson Johnson, their chairman, and Lydia Dick, their secretary, as trustees for the "Jamestown Indian Community of the Clallam Tribe, a recognized Indian tribe under the jurisdiction of the said Indian Agency."

The Clallams decided, with the approval of the Bureau, to expand and improve Jamestown's water system for the fifteen families living on the site. The artesian well was rebored and lined with iron pipe provided by the Bureau, and the Indians laid a 1,000 foot water line that provided running water for each home.(10)

On December 7, 1944, and again on February 22, 1945, the Bureau's Central Office requested information from the Tulalip Agency on the disposition of the Jamestown school land and buildings. The Federal Government now wanted to sell the acreage. F.A. Gross, the Tulalip Superintendent, recommended its sale on the grounds that the Indian Service had no further use for the property.(11) However, nothing was done until 1952. By then the buildings and grounds had deteriorated to the point where the sanitary facilities were inadequate and the

buildings unsafe. Jacob Hall, the Jamestown Clallam chairman who lived in the teacher's cottage, was given notice to vacate by December 30, 1952. Although the property had been returned to the General Services Administration at the end of that month as surplus, the GSA did not advertise it for sale immediately, and began asking other Federal agencies if they had uses for it.

During this interval, the Western Washington (formerly Tulalip) Agency asked the Jamestown Indian Council if they wanted to buy two acres.(12) If the Clallams did not purchase it, GSA would offer the property at a sealed bid proceeding on October 6, 1954.

At this point, Portland Area, acting on additional information, began to restate its position. At the request of the Area Director, Melvin L. Robinson, the Western Washington Superintendent, visited the "Jamestown Indian Community" on September 14, 1954. Robinson advised Area Director, Don C. Fraser that one artesian well, located on the property, furnished water for the entire village of fifteen families. The water came to the village via the pipeline laid by the Indians in 1939 and paid for by the Rehabilitation Trust Fund. Robinson was "inclined to give full credence to the information provided by the Clallams. They had, he reported, a "definite adverse possession interest in the water system." Moreover, this was their only water supply. "If it would develop that the Indians would lose their rights to the use of the water, . . . it would mean that the residents would have to dig their own well. It is obvious from the general appearance of the premises and information given me, that these Indians are in no financial position to undertake such a venture."(13)

Foster then recommended that a use permit be issued by Western Washington Agency for the site until the Jamestown Council could assume complete responsibility for its maintenance. GSA would then be asked to remove the land from public sale. Instead, Robinson urged that the land be sold and that the conveying deed recognize and guarantee the rights of the Jamestown Clallams to use the water and the water system forever.(14) Portland Area Office asked GSA on April 7, 1955 to advertise the land for sale, with the stipulation that there would be a permanent restriction on the use of the water system by the Clallams. Any successful bidder would be required to sign a provision that allowed the Indians to continue their access to the well.(15)

Until 1967 the existing water system served the Jamestown community. By then the old well had deteriorated and its water pressure and yield diminished. The Jamestown Tribal Council submitted a proposal to the Indian Health Service, Department of Health, Education, and Welfare, and received funding for a new well and water supply facility. The money was made available under Public Law 86-121, and the project fully backed by the Bureau of Indian Affairs. The acting Western Washington Agency Superintendant, in providing a copy of the easement deed to IHS, stated that:

In our role as trustees of Indian property rights, we will continue to provide services to the Jamestown Band of the Clallam Tribe of Indians in the protection of their water rights as provided for in the easement deed.(16)

Although the project received funding, the \$29,000 appropriation was only half the estimated cost. Indian Health declined to begin work until full funding was available, a situation that did not occur until 1972. By then IHS had expanded the project concept to include individual waste disposal systems for each Indian home. The community and the Indian Health Service signed a Memorandum of Agreement in May 1973, construction began in September, and was completed in May, 1974.(17)

The final settlement of claims for the land ceded by the Clallam Tribe by the Treaty of Point No Point occurred with the Indian Claims Commission made its final award in Docket 134 on November 5, 1976. Congress appropriated the funds on May 4, 1977.(18) After allowable offsets, the Clallam award was set at \$385,820.

The Clallam General Council, including representatives from the Port Gamble and Lower Elwha Reservations and from the Jamestown Clallam Indians, was established to handle all claims matters. The Bureau recommended three beneficiaries of the award: the two federally-recognized organizations, the Port Gambel Indian Community and the Lower Elwha Tribal Community, and the Jamestown Clallam Descendant Group. Jamestown was to receive its share of the funds on the basis of a contingency plan that the money would be held and invested by the Secretary of the Interior until the question of Federal acknowledgment was resolved.

## Notes--Part II

1. BIA, Annual Report, 1872, p. 352.
2. BIA, Annual Report, 1904, pp. 353-354.
3. Edwin Eells to E.P. Hayt, January 1, 1878, Letters Received, Record Group 75, National Archives.
4. F.A. Gross to E. Morgan Pryse, March 30, 1953, Property Management, Portland Area Office Records, Portland, Oregon.
5. The deed is dated August 10, 1910. A copy is included in the above letter.
6. F.A. Cross to A.N. Taylor, December 24, 1927; John J. Hubbell to L.M. Holt, April 10, 1928; F.A. Cross to L.M. Holt, January 17, 1928, Records Tulalip Agency, File 286, Record Group 75, Federal Regional Archives, Seattle, Washington.
7. O.C. Upchurch to John Collier, October 17, 1936, Central Files, No. 0537-36-056, National Archives.
8. Tulalip Agency Records, Permit #I-106-Ind-1611.
9. Trust Agreement for Relief and Rehabilitation Grant to Unorganized Tribes, December 14, 1939, 79240-1939-068, Record Group 75, National Archives, Emergency Relief Appropriations Act, 49 Stat. 115
10. Op. cit.
11. F.A. Gross to John Collier, December 20, 1945, File No. 46257-44-068, Record Group 75, National Archives.
12. Superintendent to Mrs. A.M. Larson, April 14, 1954, Western Washington Agency Records, Property Management, Everett, Washington.
13. Melvin L. Robinson to Don C. Foster, September 20, 1954, Western Washington Agency Records, Property Management, Everett, Washington.
14. Robinson to Foster, September 27, 1954, op. cit.
15. Perry Skarra to GSA, April 6, 1955, Portland Area Office Records, Property Management Easement Number 365, Aff. 293878, Vol. 40, page 46 (56-CO22), February 2, 1956.
16. J. Vaninette to Bill Knesta, August 3, 1967, Western Washington Agency Records, Real Property Management, Everett, Washington.



17. **Final Report, Communtiy Water and Individual Waste Disposal Facilities, Society fo Jamestown Indians, August 1975, Department of Health, Education and Welfare, Indian Health Service.**

18. 91 Stat. 61.

### Conclusions

The evidence available on the Jamestown Clallam Tribe of Indians suggests the following conclusions:

1. The Clallam Tribe was a signatory of the 1855 Treaty of Point No Point. Until that time its ancestral home had been an area along the southern shore of the Straits of San Juan de Fuca, Washington Territory. Its organization was basically that of a group of autonomous bands.
2. The Clallam, although required to do so, never took up residence at the Skokomish Reservation, because of adverse conditions there.
3. By 1874 a group of the Clallam drifted back to their ancestral area where, under the leadership of Lord Jim Balch, they raised funds and purchased land. All those who came into contact with them at that time identified them as Clallam Indians. At Jamestown they maintained an informal governmental structure.
4. During the 1870-1900 period, the Bureau of Indian Affairs provided this group with material aid in the form of agricultural tools and seed, and paid the expenses of an Indian school at Jamestown until 1926.
5. This aid continued despite the fact that the Jamestown Clallam had no trust land and no reservation.
6. The local Indian agents recognized the presence of a band leader at Jamestown, and dealt continuously with him and his successors. The Bureau of Indian Affairs helped the Clallams organize formally in the 1960's.
7. In 1928, 1939, 1954 and 1974 the Federal government interceded to protect and improve the Clallams' land solely because it was held by an Indian group.
8. During the Indian Reorganization Act period (1935-1939), the Jamestown Clallam were nearly organized as part of a larger Clallam Tribe with a local autonomy provision in their constitution. Because of the fact that land had already been purchased for two other Clallam groups, there is ample evidence that the Jamestown Clallam were given the choice of moving to another reservation or staying where they were and remaining unorganized. They chose the latter, and so missed out coming under the IRA.

### Summary: The Regulations

54.7(a) The Jamestown Clallam Tribe's history satisfies the criteria that it has existed since historical times until the present on a substantially continuous basis. The group is an historical descendant of the autonomous bands of Clallam that refused to take up reservation residency in the 1860's and 1870's. Various external factors, generated by both the Federal Government and the local environment were contributory factors.

During the nineteenth and twentieth centuries the band was identified as American Indian and dealt with by Federal officials on that basis. There is no evidence that they were regarded as anything but Indian. Evidence of their continuous historical existence is found in the Federal archives and in the written studies of anthropologists and historians.

54.7(b) The Jamestown Clallam Tribe has lived in the San Juan de Fuca area since aboriginal times, and has held land at Jamestown, Washington, since 1814. The Bureau of Indian Affairs and the Federal government, in interceding on the Clallam's behalf in connection with this land, has identified them as living in and peculiar to this specific geographical location.

54.7(c) There is ample evidence that the Jamestown Clallam has maintained autonomous tribal political influence over its members throughout its history. The group has its origins through the actions of a leader. During the nineteenth century this leader position was kept, and during the twentieth century a more formal leadership pattern emerged. The Clallams were clearly regarded by Federal authorities as an autonomous group, with spokesmen and special interests.

54.7 (d) Not applicable

54.7 (e) Not applicable

54.7 (f) Not applicable

54.7 (g) Not applicable

DEMOGRAPHIC REPORT ON THE  
JAMESTOWN CLALLAM BAND OF INDIANS

INTRODUCTION

The purpose of this report is to provide some general demographic data on the Jamestown Clallam Band of Indians.

Included are some general facts as to the group's present-day membership, education, housing, health, economic activities, land, religion and language.

Most of the information included was obtained from review of secondary source literature including the Small Tribes Organization of Western Washington (STOWW), "Overall Economic Development Plan," 1976-1977; Washington State Advisory Committee to the United States Commission on Civil Rights, Report on Indian Education - State of Washington, February, 1979; Dungeness: The Lure of A River, by Sequim Bicentennial History Book Committee, 1976; 1970 Federal Census Data and information provided in the petition for Federal acknowledgment of the Jamestown Clallam Band of Indians.

NOMENCLATURE

The name of the petitioning group is the Jamestown Clallam Tribe of Indians. The group are descendents of the tribe first recorded as "Nu-Sklaim or Nuxclai'yem", then later as S'Kallam or Klallam meaning "strong people".

Jamestown is one of three surviving Clallam bands, Lower Elwha and Port Gamble being the other two, both of which are federally acknowledged. The name of the governing body is the Jamestown Clallam Tribal Council. The Society of Jamestown Indians is the name of the state-registered corporation consisting of Indians and non-Indians residing in the settlement of Jamestown, Clallam County. It was organized for the purposes of operating a water system and protecting local interest.

MEMBERSHIP

One hundred seventy five names were submitted as members of the Jamestown Clallam Band of Indians in the petition for Federal acknowledgment. Membership requirements are set forth in Article II of the constitution which was approved November 16, 1975 as follows:

"The membership of the Jamestown Clallam Tribe shall consist of the following:

- a. All persons of Jamestown Clallam Indian blood and whose names appear on the 1928 Payment Roll.
- b. All descendants of persons who qualify for tribal membership under Article II, Section 1, subsection a; provided that such descendants possess at least one-fourth degree Jamestown Clallam Indian blood to qualify for tribal membership.
- c. Any person who are adopted in accordance with resolutions or ordinances adopted by the tribal council.
- d. Spouses of enrolled tribal members shall be eligible for honorary membership. Honorary members shall not be eligible to vote in tribal elections, hold tribal offices, or have a right to participate at tribal meetings.

Limitations: No person shall qualify for membership in the Jamestown Clallam Tribe who is a member of any other organized tribe, band or Indian community officially recognized by the Secretary of the Interior, unless he has relinquished in writing his membership in such tribe, band, or community.

Mandatory Provision: The tribal council shall adopt ordinances regulating tribal membership as to admission, adoption, and loss of membership; provided that any person who may lose his tribal membership is entitled to a hearing before the Tribal Council and to notice of such a hearing.

Corrections: The tribal council may correct the official tribal membership roll at any appropriate time."

The last roll was completed in November 1978.

The residences of the members of the Jamestown Clallam Band of Indians as submitted in the petition are as follows:

<u>State of Residence</u>	<u>Number of Members</u>	<u>Percentage</u>
Washington	148	85%
Montana	7	4%
California	6	3%
Massachusetts	5	3%
Georgia	4	2%
Mississippi	3	2%
New York	2	1%
TOTALS	175	100%

Within the State of Washington members of the Jamestown Clallam Band of Indians are generally located in Clallam County where 87 members or 49% of those living in Washington reside.

More specifically, the residences of the majority of the 148 members living in Washington are concentrated on the Olympic Peninsula in the following areas:

<u>Place of residence</u>	<u>Number of Members</u>	<u>Percentage of</u>	
		<u>Total</u>	<u>Members</u>
Sequim (includes Jamestown)	46		26%
Port Angeles	41		23%
Port Townsend	17		10%
	<u>104</u>		<u>59%</u>

Thus 59% or 104 members all live on the Olympic Peninsula in the State of Washington. Eighty-five percent of the total membership or 148 members live within the State of Washington.

The 1970 Federal Census indicates 1,366 Indians live in Clallam County, 697 are male and 669 are female. (Bureau of Census, Vol, 1 Character of Population, Part 49, Table 34 Pages 49-96.) Included in the above figures, however, are members of the Makah, Ozette and Quillayute Tribes, some of which also reside in Clallam County.

The "Overall Economic Development Plan", prepared by the Small Tribes Organization of Western Washington (STOWW), 1976-77 appears to be one of the few sources of demographic information of any kind for the Jamestown Clallam Band of Indians. This report provides an insight into the composition of the Band by age and sex.

<u>Ages of Members</u>	<u>Number of Members</u>	<u>Percentage</u>
16 years and under	77	35%
16-19 years	23	11%
20-24 years	18	8%
25-34 years	24	11%
35-44 years	25	11%
45-64 years	32	15%
65 years and over	19	9%
	<u>218</u>	<u>100%</u>

According to this report, there is a large number of tribal members 24 years of age or younger, 54% of the total population, and there are slightly more females than males in the total population. This study is based on a population of the Jamestown Clallam Band of Indians of 218 members which is higher than the number of members names submitted with the petition. As the survey methods are not indicated for this report, it is not possible to determine the reason for this discrepancy in number of tribal members in this report and number of members names submitted with the petition. One possible contributing factor may be the change in the blood degree requirements in 1975 from 1/8 degree Clallam blood to 1/4 degree Jamestown Clallam blood. Some are also enrolled as members of other groups elsewhere.

Figures are not available for the possible number of eligible individuals of the Jamestown Clallam Band of Indians who have not yet enrolled.

### EDUCATION

In June, 1972 several representatives of Washington State Indian Communities requested the Washington State Advisory Committee to the United States Commission on Civil Rights conduct an investigation on the current status of Indians in Washington.

Their final "Report on Indian Education - State of Washington," February, 1974 reported their findings: 13,126 Indian children were identified as enrolled in Washington Public schools, grades K-12, in October, 1972; 6,244 students are members of federally recognized tribes. The remaining 6,882 students represent members of unrecognized groups including the Jamestown Clallam community.

Indian students were found to have the highest dropout rate and the lowest success rate in the state schools. Yet, the programs that have gone on in the State of Washington for Indian children according to this report have been due to Federal money, and the State Department of Public Instruction has provided minimal funding for programs for Indian people.

The lowest estimated drop-out rate of Indian students in the State of Washington is 38 percent. The highest estimation is 60 percent. This report suggested that the schools have not been meeting the apparent needs of the Indian children.

**Several factors** were contributed to the failure to provide educational opportunities as cited by the Washington State Advisory Committee.

One was the lack of Indian participation in the decision making of school policy and budgeting. A second factor was seen as the quantity and quality of teacher training related to sensitivity to the cultural background and unique needs of Indian children.

Finally a major problem was seen as the disparity in funding programs. Over half of the Indian student population in Washington State is ineligible for Federal Indian Education funds designed to assist them such as with the Jamestown Clallam community. As the Jamestown Clallam Band is not federally acknowledged the community is not eligible for educational funds earmarked for Indian Tribes.

The Committee felt that nearly all local and state school systems are unresponsive to the needs of Indian students unless Federal funds are available.

The Overall Economic Development Plan prepared by Small Tribes Organization of Western Washington (STOWW) 1976-77 includes a description of the school-age members of the Jamestown Clallam community.

Of the 218 members described as Jamestown Clallam members, 46% of the total population or 100 members were of school age, 19 years of age or younger.

Since the 1976-77 school year to the present time, the Sequim School District # 323 (where many of the Jamestown Clallam community are enrolled) have been receiving Title IV Indian Education funds in cooperation between the Indian community and the school district.

During the 1976-77 school year Indian students in Sequim school district were enrolled as follows:

Elementary school	27
Middle school	9
High school	38
	<u>74</u>

This figure includes all Indian students enrolled in the Sequim Schools and is not limited to enrolled Jamestown members. A grant of \$9,850 was received with the following priorities established in cooperation between the school board and the Indian Parent Committee.

1. To improve leadership potential and employment opportunities for members of the Indian community.
2. To increase Indian parent interest and involvement in Indian and non-Indian community activities in Sequim schools.
3. To increase Indian people's awareness of and pride in their social and cultural heritage from a local, regional and national point of view.
4. To improve the level of communication between Indian parents and the Sequim community.



In the 1977-78 school year \$10,835 was awarded the school district for work with the Title IV Indian Parent Committees. The same goals were established.

Peninsula College located in Port Angeles is located in close proximity to the community and members of the community have attended school there with government funding.

If reports on the education of Indian children in the State of Washington are an indication of the educational level possessed for Jamestown Clallam members, educational achievement among them may be well below any local or national averages for non-Indians.

#### HOUSING

There is little information available about the housing condition for the Jamestown Clallam Band of Indians. Presently, there are about 10 Indian homes in the settlement at Jamestown which forms the social and geographical center of the tribe. Approximately 35 individuals reside in these homes. Both members of the Jamestown Band and non-Indians live in Jamestown. The following information regarding the conditions of members home in 1975 were submitted with the petition.

#### Jamestown Clallam Band of Indians residing in Jamestown

Number of Indian homes occupied	9
Number of multiple family homes	0
Substandard structural conditions	3
Substandard environmental conditions	4
Homes without electrical services	0
Substandard sewage disposal	6
Substandard on premise refuse disposal	5

The final report on the "Community Water and Individual Waste Disposal Facilities: Society of Jamestown Indians, August 1975 was included with the petition for Federal acknowledgment. This report is a result of a grant by the U. S. Department of Health, Education and Welfare, Indian Health Service in the amount of \$50,500. The Project enabled construction of a new water system for the community and individual waste disposal systems for each Indian home. This work has been completed.

The following chart indicates the services that were performed by this grant:

<u>Service</u>	<u>Number of dwellings Served</u>	<u>Estimated Population Served</u>
Water service to community Water system	13*	39
Plumbing facilities installed	7	26
Individual septic tank waste disposal systems	10	31

\* Three non-Indian homes and a restaurant are included in these figures.

No information is available for the housing conditions for the tribal members living outside of the Jamestown community. Information is not available as to the size of households, types of homes occupied, winterization of homes or other housing characteristics for this community.

### HEALTH

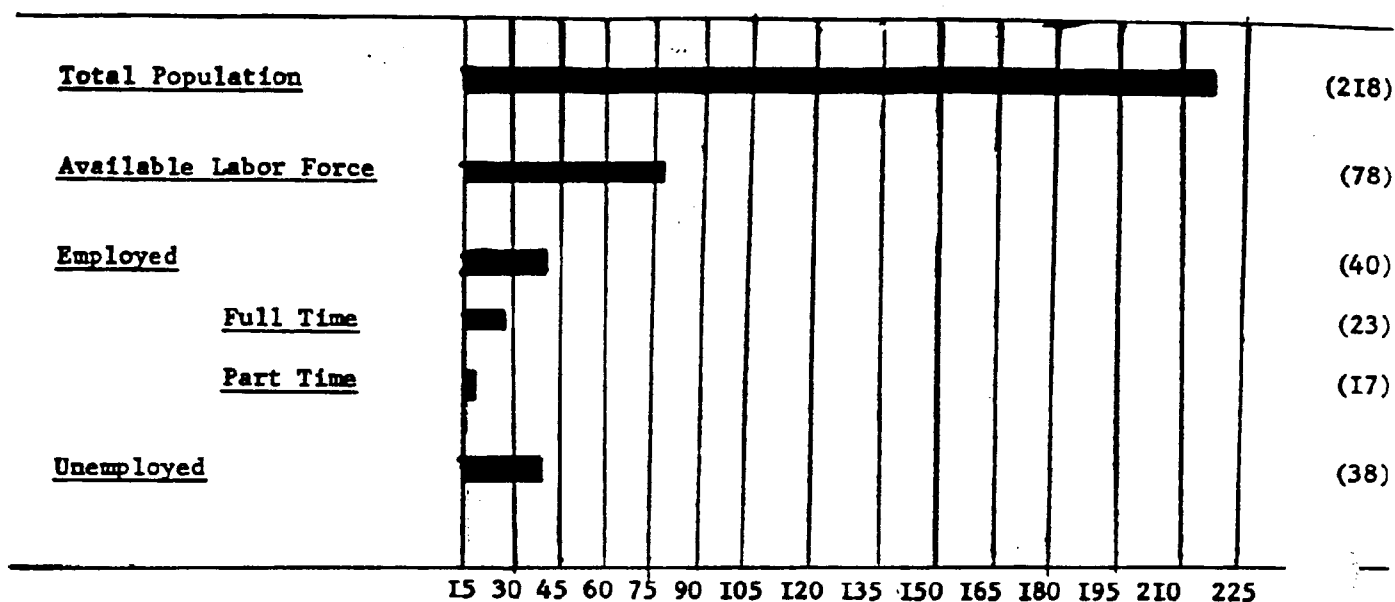
Very little information is available about the status of the health conditions for members of the Jamestown Clallam Band of Indians. Tribal Council Meeting Minutes of February 11, 1979 indicated the need for a survey of the health needs of tribal members. A tribal member was instructed at that meeting to research the medical needs of the Jamestown Clallam Band for future use as "we look forward to Federal recognition." Members of the tribe have indicated the status of such research is questionable at this time due to lack of resources in gathering the data.

### ECONOMIC ACTIVITIES

The "Overall Economic Development Plan" prepared by the Small Tribes Organization of Western Washington includes a review of the labor force for the Jamestown Clallam Band of Indians.

Of the total 218 members included in their survey, 49% or 105 are male and 51% or 113 are female. The labor force status of these individuals is as follows:

#### LABOR FORCE STATUS\*



Information obtained from the "Overall Economic Development Plan" prepared by Small Tribes Organization of Western Washington (STOWW).

This information indicates a very small number of the total population is employed.

Of the 38 persons categorized as unemployed in this report, 7 were considered to be "actively seeking work."

This survey reveals slightly over one-third of the total members of the Jamestown Clallam Band of Indians are willing and available for inclusion in the labor force. Only 40 members or 18% of the total population of the community of 218 are actually employed. However, other important statistics which would reveal the character of the membership such as characteristics of employed and unemployed members, household income, government aid received by members, etc. are not available.

No figures are available for income per household or types of employment activities conducted by members of the Jamestown Clallam Band of Indians.

No statistics appear available as to the occupations of members of the tribe who are employed. The principal economic activities in Clallam County are fishing, lumbering, manganese, paper, dairy products and resorts. With the decline of small dairy farming and crab fishing in the area, several members appear to have moved from the Jamestown area to Port Angeles and Port Townsend in search of employment. Members of the tribe are ex-officio members of the Point No Point Treaty Council which administers fishing rights and under Lower Elwha's license are permitted to take advantage of the fishing rights which provides them with an important resource.

On November 5, 1976 the Indian Claims Commission awarded the "S'Klallam Tribe of Indians \$385,820 as compensation for underpayment in the 1855 cession of most of the north coast of the Olympics." Congress appropriated funds to satisfy this judgment on May 4, 1977, PL 95-26 Title I Chapter 14. The claims monies is proposed to be divided equally between the three bands. The Jamestown share of the claims money is being held pending determination of the petition for Federal acknowledgment, otherwise distribution will be based on descendancy.

According to information provided in the petition there is currently no assessment of Jamestown's economic development potential and is a high priority for use of claims monies. Five thousand dollars are allocated for two independent surveys to determine community development capabilities. The consultants are directed to observe the following priorities:

1. Maximizing net revenue available for tribal use; tribal use may include service delivery and/or personal income augmentation through income subsidies.
2. Maximizing tribal employment at or above a living wage.
3. Maximizing tribal mean family income.
4. Maximizing individual investment in enterprise located on or near the community center.

#### LAND

The main focus of activities of the Jamestown Clallam Band of Indians centralize in Jamestown, Washington in Clallam county, five miles north of Sequim on a farming plain. It is on the southern shore of the Straits of Juan de Fuca and protected on the open water by the Dungeness spit in northwestern Washington on the Olympic Peninsula. Jamestown is located in what is known as the "rain shadow" on the Peninsula. This results in them having the lowest rainfall in Western Washington with about 18 inches of rain per year. The mean yearly temperature is 49 degrees with a record high of 99 degrees and record low of 3 degrees. The land is not generally subjected to flooding.

Besides the Jamestown Clallam community, non-Indians as well live in Jamestown. The group does not possess any land held in common except a cemetery and a well site which is managed by the incorporated Society of Jamestown Indians. Most of the original 210 acres purchased by the community in 1874 is still in Indian possession, however. Since land is not held in trust it is taxable.

Jamestown is attempting to raise funds to buy land for use as tribal land. Jamestown has submitted a proposed claims judgement distribution plan along with the other two Clallam bands. Approximately one-half of the claims monies apportioned to the Jamestown band will be included in the Land Acquisition Fund. The objective of this fund is to secure a modest territorial base at or in close proximity to the original Jamestown settlement. "This will provide the community with a site for public housing, service facilities and sheltered business development. It will also have social and emotional significance as landmark and remembrance of Jamestown's roots in the Sequim area."

Expenditure of the Land Acquisition Fund will be in accordance with these priorities:

1. Acquisition of the Sampson tract, the last remaining tract of the original settlement.
2. Acquisition of a tract of comparable size and value adjacent or within a ten-mile radius of the Sampson tract.
3. Generating maximum additional revenue for land acquisition until such time as priorities 1 or 2 can be achieved.

The remainder of the funds are scheduled to be placed in a Business Development Fund designed to provide sustained economic development, increasing jobs, income community revenue and professional plan administration.

#### LANGUAGE

The primary language of Jamestown Clallam Band of Indians is English. None of the present-day membership speak Clallam although some state they understand some of the language when it is spoken. According to Dungeness: The Lure of a River, Chief Whitefeather was "one of the last to speak the Clallam language. He assisted the University of Washington in making recordings to preserve the language."

#### RELIGION

As stated in the Anthropological Report of the Jamestown Clallam Band of Indians, there does not appear to be any particular religious focus in the community at the present time although the Shaker Church was influential for those living in the Jamestown area in earlier years.