

1212 N. 32nd Ave.

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June 25, 1954

Mr. Donald P. Gooding, administrative assistant,  
Department of Fisheries,  
4015 20th Avenue West,  
Fishermen's Terminal at Salmon Bay  
Seattle 99, Washington.

Dear Mr. Gooding:

Thank you for your letter of June 24, concerning the matter of the non-treaty Wanapum band of Indians and the Horn fishery on the Yakima River.

I am imparting this information to the head man of the Wanapum band, who has been most anxiously awaiting word.

I fully understand the complexities of the fisheries problems, although Indians who have, in their lifetime utilized the fishery, cannot immediately comprehend the many difficulties at reaching an adjustment.

I shall also inform the various friends of the Wanapums, who have been anxious that something be done to relieve their plight, of the impossibility of an immediate decision on this matter because other cases and precedents are involved.

Of course the fact remains that there is no reason, other than perhaps the very complex laws involved, that the Wanapum matter should be considered or viewed in the same light as that of Treaty Indians.

And the fact remains that the Wanapums possessed state legislative security of their fishery, as outlined in material provided you, until this was repealed by the state.

It is also obvious that litigation, as you refer to, is usually extensive and prolonged, sometimes dragging on for years. This of course would continue to work a hardship on a small group of people, already heavily beset by hardship and more importantly, the abandonment of a religion that has been their religion since before the land settlement days.

Please understand that we have a full appreciation of the Department's problems in matters like this--and you must have many cases of similar nature in these changing times--and also that the Wanapums have always been law abiding people and wish to continue to be that way. They, alone of the many Northwest Tribes of the area were law abiding in pre-treaty and post-treaty days, refusing to participate in war or acts of war in any manner. They have always felt that because of the policy, they were entitled to better consideration than they have received.



I assume the cases not under litigation are those involving the Treaty rights of the Yakima Confederated Tribe.

Because of the press of work, and the status of this case, I have not familiarized myself with it, nor frankly would I know much if I did, because I am no attorney. If the case and other material thereto is not on file in the Yakima Federal District Court, I will contact Mr. Bantz, the Federal Attorney at Spokane to determine the status.

However it would be appreciated that at your convenience, we be kept informed of the progress of the litigation.

I shall recommend to the Wanapums that they mark time, awaiting developments, unless this is an exceptionally extended litigation. Even then, were the matter adjusted favorably for the Yakimas, I do not see that it would have more than a token bearing on the Wanapums since they are not protected by Treaty and have no tribal attorney to represent them.

But as occasion arises, I again pledge full cooperation to you in the matter of providing research material, documented, to substantiate the quasi-legal and definitely moral rights of the "Last Wanapums." Please feel free to call on me in any matter of assistance I may, in my small way, provide.

Sincerely

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