

1212 N. 32nd Ave.
XXXXXXXXXXXXXXXXXXXX

Rep. Catherine May, 14th District,
Olympia, Washington.

Feb. 18, 1955

Dear Billie:

With the introduction by Sen. Ganders of a bill regulating salmon fishing at Prosser Dam, relating to the Treaty Yakima Nation, it occurred to me that possibly here was a solution to the humane problem of the Non-Treaty Wanapum Indians, a small remnant band.

I am suggesting this and relying completely and fully upon your judgment and that of the bill's sponsor, since I do not wish to interfere or put in jeopardy in any way, any wishes or Treaty Rights of the Yakimas in these days of complexities, impending termination of government controls over the Treaty Indians, etc.

You will recall that the Wanapums, who do not fish at Prosser, held traditional fishing rights at Wanawish, commonly known as the Horn Dam in Benton county, some 10 miles below. Subsequently when these rights were challenged and they were prohibited from fishing there, the late L.V. McWhorter introduced legislation and petitions and secured legislation permitting them to take fish for consumption of themselves and for their religious feasts, alone. This bill was later killed (1949) and last year the State Department of Fisheries enforcement division prevented the few remaining Wanapums from taking fish there. These they needed for their religious purposes, even for their health's sake as since proven. One of the boys has become a tubercular patient and is now confined in Selah Hospital.

Now these people are entitled according to the Yakimas to enroll as Yakimas, but some of them do not choose to do that, I presume for religious

reasons. Some have enrolled. Some Yakimas are of part Wanapum and other blood. I have preferred not to advise these people, one way or the other.

The Director of the State Department of Fisheries, through his Department has indicated that enforcement pertaining to these people should be the same. I concur in that, in view of the fact that their legislation was killed.

That is why it occurred to me that possibly, through brief and simple amendment, the Wanapums could be permitted to fish at Wanawish in the same manner--the same days and other limitations--the Yakimas are permitted to fish at Prosser Dam, if that is the intent of Sen. Ganders bill.

I have chosen not to make an issue of this matter, knowing of the ramifications of problems like this, although I know that Virgil McWhorter is anxious that his father's protective bill be "re-instated."

"Could it be amiss to see what Sen. Ganders thought of this--including the Wanapums as a paragraph amendment on his bill--is: The same rights shall be extended to the non-treaty remnant Indians known as the Wanapum or Priest Rapids band."

There are valid reasons why.

1-In the carrying out of eventual termination of government controls, would not the Yakimas, now "treaty" Indians, revert to practically the same status.

2-There are few of the Wanapums left, the Hanford Project has deprived them of one of their major fisheries on the Columbia, White Bluffs; the impending Priest Rapids Dam would eliminate another.

3-The Wanapums were non-combatants during the Indian Wars, costing the government nothing to control them. They have been most cooperative during preliminary engineering work for Priest Rapids Dam. They are the last of a historic race and are doomed to extinction.

4-The ones entitled to fish there now (Wanawish) could be enumerated easily: Johnny Buck or Puck Hyah Toot; Frank Buck, Rex Buck, Bobby Tomaliwash and possibly three others. This would depend upon whether they

enrolled as Yakimas or not. With the deaths of the men, their "rights" would be automatically extinguished.

I do not feel that they should be compelled to enroll as Yakimas, if they do not wish to, especially when the government's policy is to terminate control and such, not increase it.

The take of these people, necessary for winter subsistence and more especially for their religious uses, since salmon must be taken from their home land to be used as Mass is used by the Catholics and Holy Communion by the Protestants, would not exceed 40 to 80 fish a year.

This would help eliminate a welfare problem at a certain time of the year.

They could be demanded upon not to sell or otherwise dispose of salmon from that fishery, and to abide strictly by regulations without necessity of surveillance.

You know that large groups in Yakima county, Kittitas County, Benton County and elsewhere in our region have always felt strongly concerning the few Wanapoms, their free enterprise way of life.

I am enclosing a carbon copy of this for the observation of other legislators from this region, if you think it wise, and if it is possible to include humane relief in this manner, it would be appreciated by a large group. Of that I am more than confident! But again, please remember there may be quirks that I am not yet familiar with, hence my faith in your judgment and that of the bill's sponsor.

And I do not see that if the State Department of Fisheries is agreeable to other legislation, that the Department would oppose a humane action although only a handful of people are involved.

I know you will recall too that the Organic Act provided just such protection, remembering that while title to other Indian land was extinguished, the government, in reality has never extinguished the title to the land occupied by these people. That is my firm belief. And it is because they are so few and have no one to represent them, that I attempt in a humble way to assist.

Most Sincerely