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INDIAN CENTER NEWS

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THE JAY TREATY  
November 19, 1794

Contrary to the provisions of the Treaty of 1783, Great Britain had retained control of the Northwest posts and had failed to make any compensation for slaves carried away during the Revolution. In addition to these grievances, of old standing, there were more recent ones arising from interference with neutral trade. War seemed imminent in 1794, when Washington nominated Chief Justice John Jay as envoy extraordinary to conclude a treaty of peace and commerce. The Jay Treaty solved some of the most important matters of dispute between the two nations, and averted war, but it contained certain features profoundly unsatisfactory to the majority of Americans. Washington hesitated some time before sending it to the Senate for ratification. After a bitter contest in the Senate, the Treaty was ratified June 24, 1795, with a reservation which suspended the obnoxious Article XII. For the debate on the Jay Treaty, see H. Adams, Albert Gallatin; C. Bowers, Jefferson and Hamilton, chs. xi-xii. A thorough history of the Treaty is S. F. Bemis, Jay's Treaty. The full text of the adjudications provided for by Articles 5, 6, and 7, have been edited by J. B. Moore, International Adjudications, Vols. I-IV. The question of appropriations for carrying out the provisions of the Treaty raised a serious constitutional problem in the House. The appropriations were finally made, but only after one of the greatest political debates in

American history. For the speeches of Gallatin and Fisher Ames on appropriations for the Treaty, see A. Johnston, ed. American Orations, Vol. I, p. 84 ff.

Art. I There shall be a firm, inviolable and universal peace, and a true and sincere friendship between his Britannic Majesty, his heirs and successors, and the United States of America; and between their respective countries, territories, cities, towns and people of every degree, without exception of persons or places.

Art. II His Majesty will withdraw all his troops and garrisons from all posts and places within the boundary lines assigned by the treaty of peace to the United States. This evacuation shall take place on or before (June 1, 1796,). . . : The United States in the mean time at their discretion, extending their settlements to any part within the said boundary line, except within the precincts or jurisdiction of any of the said posts. All settlers and traders, within the precincts or jurisdiction of the said posts, shall continue to enjoy, unmolested, all their property of every kind, and shall be protected therein. They shall be at full liberty to remain there, or to remove with all or any part of their effects; and it shall also be free to them to sell their lands, houses, or effects, or to retain the property thereof, at their discretion; such of them as shall continue to reside within the said boundary lines, shall not be compelled to become citizens of the United States or to

JAY TREATY (continued)

take any oath of allegiance to the government thereof; but they shall be at full liberty so to do if they think proper, and they shall make and declare their election within one year after the evacuation aforesaid. And all persons who shall continue there after the expiration of the said year, without having declared their intention of remaining subjects of his Britannic Majesty, shall be considered as having elected to become citizens of the United States.

Art. III It is agreed that it shall at all times be free to his Majesty's subjects, and to the citizens of the United States, and also to the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America (the country within the limits of the Hudson's Bay Company only excepted) and to navigate all the lakes, rivers and waters thereof, and freely to carry on trade and commerce with each other. . . . The river Mississippi shall, however, according to the treaty of peace, be entirely open to both parties; and it is further agreed, that all the ports and places on its eastern side, to whichever of the parties belonging, may freely be resorted to and used by both parties, in as ample a manner as any of the Atlantic ports or places of the United States, or any of the ports or places of his Majesty in Great Britain.

Art. IV Whereas it is uncertain whether the river Mississippi extends so far to the northward, as to be intersected by a line to be drawn due west from the Lake of the Woods, in the manner mentioned in the treaty of peace. . . it is agreed, that measures shall be taken . . . for making a joint survey of the said river from one degree of latitude below the falls of St. Anthony, to the principal source or sources of the said river, and also of the parts adjacent thereto; and that if on the result of

such survey, it should appear that the said river, would not be intersected by such a line as is above mentioned, the two parties will thereupon proceed by amicable negotiation to regulate the boundary line in that quarter . . .

Art. V Whereas doubts have arisen what river was truly intended under the name of the river St. Croix, mentioned in the said treaty of peace, and forming a part of the boundary therein described; that question shall be referred to the final decision of commissioners to be appointed. . . The said commissioners shall, by a declaration, under their hands and seals, decide what river is the river St. Croix, intended by the treaty . . . And both parties agree to consider such decision as final and conclusive, so as that the same shall never thereafter be called into question, or made the subject of dispute or difference between them.

Art. VI Whereas it is alleged by divers British merchants and others his Majesty's subjects, that debts, to a considerable amount, which were bona fide contracted before the peace, still remain owing to them by citizens or inhabitants of the United States, and that by the operation of various lawful impediments since the peace, not only the full recovery of the said debts has been delayed, but also the value and security thereof have been, in several instances, impaired and lessened, so that by the ordinary course of judicial proceedings, the British creditors cannot now obtain, and actually have and receive full and adequate compensation for the losses and damages which they have thereby sustained. It is agreed, that in all such cases, where full compensation for such losses and damages cannot, for whatever reason, be actually obtained, had and

JAY TREATY (continued)

received by the said creditors in the ordinary course of justice, the United States will make full and complete compensation for the same to the said creditors: But it is distinctly understood, that this provision is to extend to such losses only as have been occasioned by the lawful impediments aforesaid . . .

Art. VII Whereas complaints have been made by divers merchants and others, citizens of the United States; that during the course of the war in which his Majesty is now engaged, they have sustained considerable losses and damage, by reason of irregular or illegal captures or condemnations of their vessels and other property, under colour of authority or commissions from his Majesty and that from various circumstances belonging to the said cases, adequate compensation for the losses and damages so sustained cannot now be actually obtained, had and received by the ordinary course of judicial proceedings; it is agreed, that in all such cases, where adequate compensation cannot, for whatever reason, be now actually obtained, had and received by the said merchants and others, in the ordinary course of justice, full and complete compensation for the same will be made by the British government to the said complainants. But it is distinctly understood that this provision is not to extend to such losses or damages as have been occasioned by the manifest delay or negligence, or wilful omission of the claimant . . .

Art. X Neither the debts due from individuals of the one nation to individuals of the other, nor shares, nor monies which they may have in the public funds, or in the public or private banks, shall ever in any event of war or national differences be sequestered or confiscated . . .

Art. XI It is agreed between his Majesty and the United States of America, that there shall be a reciprocal and entirely perfect liberty of navigation and commerce between

their respective people, in the manner, under the limitations and on the conditions specified in the following articles: (Art. XIII, relating to trade with the West Indies, was suspended.)

Art. XIII His Majesty consents that the vessels belonging to the citizens of the United States of America shall be admitted and hospitably received, in all the sea-ports and harbours of the British territories in the East-Indies. And that the citizens of the said United States may freely carry on a trade between the said territories and the said United States, in all articles of which the importation or exportation respectively, to or from the said territories, shall not be entirely prohibited . . . The citizens of the United States shall pay for their vessels when admitted into the said ports no other or higher tonnage-duty than shall be payable on British vessels when admitted into the ports of the United States. And they shall pay no other or higher duties or charges, on the importation or exportation of the cargoes of the said vessels, than shall be payable on the same articles when imported or exported in British vessels. But it is expressly agreed, that the vessels of the United States shall not carry any of the articles exported by them from the said British territories, to any port or place, except to some port or place in America, where the same shall be unladen, and such regulations shall be adopted by both parties, as shall from time to time be found necessary to enforce the due and faithful observance of this stipulation. It is also understood that the permission granted by this article, is not to extend to allow the vessels of the United States to carry on any part of the coasting-trade of the said British territories; but vessels going with their original cargoes, or part thereof, from one port of discharge to another, are not to be considered as carrying on the coasting-trade. Neither is this article to be construed to allow the citizens of the said states to settle or reside within the said territories, or to go into the interior parts thereof.

JAY TREATY (continued)

without the permission of the British government established there . . .

Art. XIV There shall be between all the dominions of his Majesty in Europe and the territories of the United States, a reciprocal and perfect liberty of commerce and navigation. The people and inhabitants of the two countries respectively, shall have liberty freely and securely, and without hindrance and molestation, to come with their ships and cargoes to the lands, countries, cities, ports, places and rivers, within the dominions and territories aforesaid, to enter into the same, to resort there, and to remain and reside there, without any limitation of time. Also to hire and possess houses and warehouses for the purposes of their commerce, and generally the merchants and traders on each side, shall enjoy the most complete protection and security for their commerce; but subject always as to what respects this article to the laws and statutes of the two countries respectively.

Art. XV It is agreed that no other or higher duties shall be paid by the ships or merchandize of the one party in the ports of the other, than such as are paid by the like vessels or merchandize of all other nations. Nor shall any other or higher duty be imposed in one country on the importation of any articles the growth, produce or manufacture of the other, than are or shall be payable on the importation of the like articles being of the growth, produce, or manufacture of any other foreign country. Nor shall any prohibition be imposed on the exportation or importation of any articles to or from the territories of the two parties respectively, which shall not equally extend to all other nations . . .

The two parties agree to treat for the more exact equalization of the duties on the respective navigation of their subjects and people, in such manner as may be most beneficial to the two countries . . . In the

interval, it is agreed that the United States will not impose any new or additional tonnage duties on British vessels, nor increase the now-subsisting difference between the duties payable on the importation of any articles in British or in American vessels . . .

Art. XVII It is agreed that in all cases where vessels shall be captured or detained on just suspicion of having on board enemy's property, or of carrying to the enemy any of the articles which are contraband of war; the said vessel shall be brought to the nearest or most convenient port; and if any property of an enemy should be found on board such vessel that part only which belongs to the enemy shall be made prize, and the vessel shall be at liberty to proceed with the remainder without any impediment . . .

Art. IX And that more abundant care may be taken for the security of the respective subjects and citizens of the contracting parties, and to prevent their suffering injuries by the men of war, or privateers of either party, all commanders of ships of war and privateers, and all others the said subjects and citizens shall forbear doing any damage to those of the other party or committing any outrage against them, and if they act to the contrary, they shall be punished and shall also be bound in their persons and estates to make satisfaction and reparation for all damages, and the interest thereof, of whatever nature the said damages may be.

Art. XXII It is expressly stipulated that neither of the said contracting parties will order or authorize any acts of reprisal against the other, on complaints of injuries or damages until the said party shall first have presented to the other a statement thereof, verified by competent proof and evidence and demanded justice and satisfaction, and the same shall either have been refused or unreasonably delayed.

Art. XXVI If at any time a rupture should



JAY TREATY (continued)

take place (which God forbid) between his Majesty and the United States, the merchants and others of each of the two nations, residing in the dominions of the other, shall have the privilege of remaining and continuing their trade, so long as they behave peaceably, and commit no offence against the laws; and in case their conduct should render them suspected, and the respective governments should think proper to order them to remove, the term of twelve months from the publication of the order shall be allowed them for that purpose to remove with their families, effects and property; but this favour shall not be extended to those who shall act contrary to the established laws. . . .

Art. XXVIII It is agreed that the first ten articles of this treaty shall be permanent and that the subsequent articles, except the twelfth, shall be limited in their duration to twelve years.

(Malloy, ed. Treaties, Conventions, etc., Vol. I, p. 590 ff.)

\* \* \* \*

WILL ROGERS, JR. VISITS SEATTLE

Seattle was honored by a visit from Will Rogers, Jr. He was the speaker for the Allied Arts Congress at the Mt. Zion Baptist Church. He also visited the Indian Center.

Theresa Hanway contacted him at the Edgewater Inn and asked him to speak to the Pre-vocational students at the Seattle Community College. He gave them words of encouragement to continue in school and to learn a trade. He also visited with the students.

\* \* \* \*

CHILDREN'S CHRISTMAS PARTY

The annual Christmas Party was held at the Norway Center on December 10. Over 200 children were treated to a puppet show presented by John Beatty (Mohawk). Ricky, the Clown, amused everyone with his antics and balloon making.

Each child received a stocking full of candy and toys and was treated to ice cream and cookies.

Thanks to Wilbur Bettg for his role as Santa Claus.

Christmas carols were led by the Youth Group.

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VISITORS TO CANADA

At the special invitation of the Indian Educational Club at the penitentiary in New Westminster, B. C., Mrs. Pearl Warren was asked to speak about the Seattle Indian Center. She was accompanied by Dorothy Lombard (Clallam), Juanita Sobota (Lummi) and Theresa Hanway (Arapahoe).

They enjoyed a visit to the Vancouver Indian Centre and were introduced to Mr. Modeste, Assistant Director, Mrs. Hattie Ferguson, member of the Board, Bill Recalma, Caretaker, and Mr. Wm. Mussell, recently appointed to be on the National Parole Board.

On their return they visited Mr. and Mrs. Percy Paul, (Squamish).

\* \* \* \*

NEW STAFF MEMBER

Jean Hunt (Yakima) will be the new Educational Counselor beginning January 12.

\* \* \* \*

TEEPEE NEWS

Mr. & Mrs. James Lamanna (Arlene Lombard) have just returned from a few days vacationing at Mt. Hood, Oregon. While there they enjoyed skiing.

While visiting the Center, Frank Olney and Si Wheeler (Yakimas) fixed an electrical outlet for our newly acquired freezer. Frank is Aleatha Runnels' brother. Many thanks for this help.

Glad to report that our acting chairman of the Indian Center News, Zena DeLorm, is recuperating after a case of bronchitis.

A group of AIWSL members spent one day assembling baby layettes. Thanks to Jane Souron, Betty Seiber, Meredith Mummey, and Maria Solomon. Helping to get the place in order for Christmas were Lottie Fenton, Polly Lamirand, Nellie Pelkey and her #5 daughter, Aleatha Runnels and Gerry McClurg.

Pearl Warren, Director, was seen on Telescope KING-TV program on December 19. Mr. Ted Bryant of KING-TV came to the Center for a guided tour. Mrs. Warren explained the crafts handled by the Center.

Visiting the Center recently was Mrs. Edna Massey. She was on her way back to Washington, D. C., after a two-week tour including a trip to Alaska. She is an Interior Designer and Arts and Crafts Specialist (Bureau of Indian Affairs, Department of the Interior) and also Secretary of Center Arts of Indian American, Inc., Washington, D. C. She is a member of the Cherokee tribe.

Eighty-five Christmas stockings were given to the Muckleshoot Sunday School from the Indian Center.

Steve and Isabelle Coe are the proud parents of a son, born December 9. This makes Mrs. Betty Kennedy (Haida) a proud grandmother.

Mrs. Pearl Warren was presented an award of service in recognition of service to our community as a member of the Seattle-King County Economic Opportunity Board for the term 1965-1966 (the Community Action Program award). Congratulations, Pearl, for earning this award for your many hours devoted to this program.

Mr. William Paul\* Sr., has been appointed to replace Mrs. Warren on the Seattle-King County

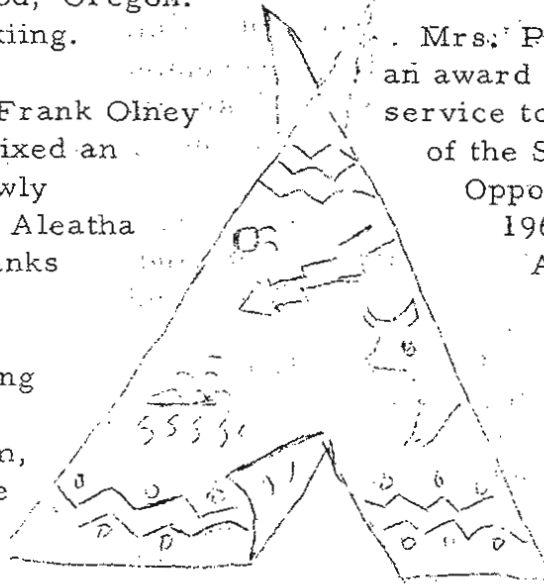
Economic Opportunity Board. (\*Tlingit)

Pelkey's Christmas dinner included the following guests: Mr. & Mrs. D. W. Fitz-Gerald, Mr. and Mrs. B. Evens, Mr. & Mrs. F. W. Pelkey, Mrs. Ted Mendras, Mrs. Victor Mendoza, Mr. & Mrs. J. L. Wigner. The following children enjoyed the dinner: Herb, Mike, Ben, Venetia, Franklin, Louie, Albert, Jr. and Robert Pelkey, Pat & Toni Mendoza, Nancy and Owina Mendras, Rebecca Evens, Sharon & Albert Fitz-Gerald.

Jean Hunt (Yakima), former teacher at Brigham City, Utah, and her mother, Alice Hunt (Nooksack) from Toppenish, were guests of the Ben Cline family at Everson for Christmas.

Carol McWilliams and three children from Connecticut are visiting her parents, Mr. & Mrs. Frank Reid, at Everson. Frank is getting along nicely after recent surgery.

Mrs. Julia Yardley (Lummi), Walla Walla, has been visiting her sister, Leona Lyness of Buckley, and daughters of her sister, Mary McGee, Seattle. She also



TEEPEE NEWS (continued)

visited the Center.

The Ben Clines brought their son, Kim, to Seattle along with Patty George, Douglas Hyldal and Lori Owens, to board a chartered bus to the Methodist Lazy F Ranch near Ellensburg. They will attend a three-day MYF winter camp. Lori Owens is to be one of the counselors. While here they visited the Indian Center for the first time and were very well impressed.

Emma Olney (Yakima) has been confined to the hospital recently. Get well soon, Emma. You are missed at the Center!

Since Emma moved back to Yakima, Nellie Pelkey has taken over the big job of Clothing Chairman.

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CHRISTMAS BOXES FOR DESERVING NEEDY

Many, many helping hands and generous donations made Christmas better for over 200 Indian families.

Lottie Fenton (Yakima) and Ida Dahl (Steilacoom) sorted and took care of the canned goods. Carol Parry (Sioux), Betty Seiber (Lummi) and Joycelle Smythe (Makah) sorted and prepared toys. Nellie Pelkey (Sannich) and daughter, and Gerry McClurg (Yakima) filled the boxes with the needed clothing.

Harvey and Nellie Davis donated candy for the Christmas boxes -- all the way from Scottsdale, Arizona.

\* \* \* \*

CALENDAR OF EVENTS

- Jan. 3 - Indian Lore  
7 - 10 p.m. (every Tuesday)
- 4 - Study Hall  
7:30 p.m. (every Wednesday)
- 7 & 8 - T-Bird Basketball Tournament
- 8 - Sunday Dinner - 2 p.m.  
Adults \$1.25  
Students under 12 75¢
- 9 - American Indian Associates  
8 p.m.
- 12 - American Indian Women's  
Service League, 7:30 p.m.
- 13 - Operating Committee  
Noon Luncheon
- 20 - Tlingit - Haida Indians -  
Washington Chapter, 7 p.m.

Feb. 5 - Sunday dinner

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CHRISTMAS DINNER BY THE PRE-VOCATIONAL STUDENTS

Pearl Warren, Dorothy Lombard, Juanita Sobota and Theresa Hanway attended the delicious dinner cooked by the men.

Wilbur Betts was Santa Claus and gave Christmas stockings to all the children.

\* \* \* \*

We drove the Indian from the land,  
But a dire revenge these redmen planned  
For they fastened a name to every nook  
And every boy with spelling book  
Will have to toil til his hair turns grey  
Before he can spell them the proper way!

from On The Cape  
by Eva March Tappan

## INDIAN BASKETBALL

A Basketball Jamboree was held Friday, December 2, 1966, at Marysville, Washington. Hosting team was the Tulalip Chiefs. Four teams were invited, two representing the South, Tacoma Bucks and the Seattle Thunderbirds and two representing the North, Tulalip and LaConner.

The teams played two ten minute quarters against each other with the following results:

Tacoma Bucks 41	-	Tulalip Chiefs 51	The North beat the South
Seattle T-Birds 24	-	LaConner 33	by a score of 184 to 156.
Seattle T-Birds 34	-	Tulalip Chiefs 51	
Tacoma Bucks 57	-	LaConner 49	

## SEATTLE ROADRUNNERS

The Seattle Roadrunners played LaConner on Saturday, December 10th for their first game of the season and won by a score of 73 to 68.

Robert Sam was high point man for the Roadrunners with 20 points. Charlie Paul was highest for LaConner with 17 points.

## SEATTLE THUNDERBIRDS

The Seattle Thunderbirds are holding their 7th All-Indian Invitational Basketball Tournament on January 7 and 8th at the Seattle University Gym starting at 11:00 A.M. Saturday morning. The following eight teams have been invited:

Neah Bay Firemen, Manager, Dale Johnson, Neah Bay, Wash. 98357  
Seattle Roadrunners, Manager, Ron Johnson, 18355 12th N. E., Seattle 98155  
Tacoma Bucks, Manager, Allie David, 8313 Montgomery, Tacoma, 98409  
Tulalip Chiefs, Manager, Don Hatch, 1514 7th St., Marysville, Wash., 98370  
Taholah Chiefs, Manager, Ben (Sully) Charley, Taholah, Wash.  
LaConner, Manager, Tandy Wilbur, Laconner, Wash. (phone 466-5635)  
Warm Springs, Oregon  
Seattle Thunderbirds, Manager, Chuck Davis, 5057 35th S. W., Seattle, 98116

Previous Tournament winners have been:

1961	LaConner Athletic Club	1964	Tacoma Chiefs
1962	Seattle Thunderbirds	1965	Taholah Chiefs
1963	Seattle Thunderbirds	1966	Taholah Chiefs

Previous "Most Valuable Players" have been:

1962	John Kootnenkoff, Seattle	1965	Chuck James, Jr. Tulalip
1963	Ron Johnson, Seattle	1966	DonoPapp
1964	Norman Redbird, Portland		

There will be 10 All-Star trophies given and four Team trophies.



(This is a Tlingit story, and is one of those that is danced by the Chilkat Dancers in Alaska.)

An old woman lived in a place where she held the water by keeping the tide in. She held it like that for a long, long time. Soon the people started to starve. They were unable to get the shell fish since the tide never went out.

Raven went to see the old woman to try to get her to release the waters so the people could get the food they needed. The old lady called a wolf which chased the Raven away.

Raven turned himself into a man and went back to see the old woman. This time he threw sand in her eyes and blinded her. She begged Raven to get the sand out of her eyes so that she could see again.

Raven told her he would do it if she would release the waters twice a day. The old woman agreed and Raven washed out her eyes.

Because of this, the tide goes in and out twice a day and the people are able to gather the shells that they need.

(Told by Nathan Jackson - Tlingit).

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