

SQUAXIN ISLAND TRIBE

RESOLUTION NO. 89-1 OF THE SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the governing body of the Squaxin Island Tribe of Indians by the authority of the constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, the Squaxin Island Tribe is organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934; and

WHEREAS, the Squaxin Island Tribe is the political successor in interest to some of the signatories to the Treaty of Medicine Creek, December 26, 1854, ratified March 3, 1855, 10 Stat. 1132.

WHEREAS, the Treaty of Medicine Creek, 10 Stat. 1132, Article XII, contains specific language regarding Indian commerce,

The said tribes and bands finally agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States.

and

WHEREAS, Article XII, was intended to ensure that Indian Trade would be confined to the American side of the border rather than British possessions and was not intended to limit, restrict license or tax trade; and

WHEREAS, at the time of the signing of the treaty and for time immemorial, the Squaxin Island Tribe and its political predecessors engaged in commerce between and among Indians and non-Indians; and

WHEREAS, the Squaxin Island Tribal Council has been entrusted to provide for the social, health and economic well-being of the Squaxin Island Tribal Citizens; and

WHEREAS, the Squaxin Island Tribal Council is charged with the responsibility of protecting the rights, including treaty trade rights, and resources of the Squaxin Island Tribe; and

WHEREAS, the Squaxin Island Tribe has organized, pursuant to tribal ordinance and resolution, Island Enterprises, a wholly owned tribal organization for entrepreneurial purposes; and

WHEREAS, Island Enterprises owns and operates within the exterior boundaries of the Squaxin Island Tribe's reservation, located in Mason County near Shelton, Washington, a tribal grocery store; and

WHEREAS, various groceries and sundries including tobacco products are sold by the tribal enterprise to enrolled and non-enrolled Indians and non-Indians; and

WHEREAS, monies derived from the sale of goods at the tribal grocery store are deposited in tribal coffers and are used solely for the benefit of the tribe; and

WHEREAS, a tribal member employed by Island Enterprises transporting cigarets from the Coeur d'Alene Indian Reservation to the Squaxin Island Indian Reservation was charged under federal criminal law 18 USC 2342(a) with reference to Chapter 82.24 RCW, the applicable Washington State law. The case, No. CR-88-117-015, is presently pending in the U.S. District Court for the Eastern District of Washington. The defendant tribal employee asserts a defense of, among others, a treaty right to trade without state restriction or taxation,

WHEREAS, the Native American Rights Fund (NARF) is a nonprofit organization specializing in the protection of Indian rights; and

WHEREAS, the Squaxin Island Tribe is desirous of the services of NARF in associating with the treaty trade defense, if necessary; and

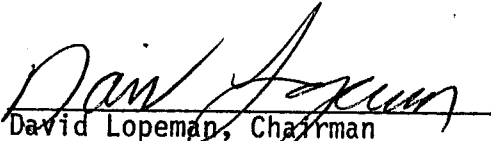
NOW THEREFORE BE IT RESOLVED, the Squaxin Island Tribe retains the right of Treaty Trade.

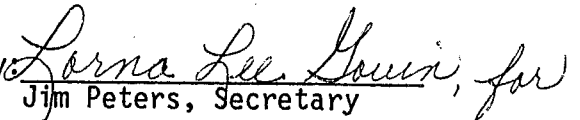
AND BE IT FURTHER RESOLVED, the Squaxin Island Tribal Council does hereby request the assistance of Native American Rights fund for the legal protection of the Tribe's treaty trade right.

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C E R T I F I C A T I O N

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at a regular meeting of the Squaxin Island Tribal Council, held on this 12th day of January, 1989, at which time a quorum was present and was passed by a vote of 3 for, and 0 against and 0 abstentions.


David Lopeman, Chairman

Attested by  for
Jim Peters, Secretary


Evie Allen, Vice Chairperson