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Liquor to Indians in Washington State

The total prohibition of the sale of intoxicating liquor to Indians is the provisions of a bill by the senate judiciary committee that passed the senate Tuesday. The act applies to Indians who have severed tribal relations and to Indians also of mixed blood, states an Olympia report.

The act has the strong approval of the department of the interior, the federal government, under recent decision of the supreme court, having found itself powerless to restrict the sale of liquor to Indians living under certain conditions.

INDORSEMENT OF SPECIAL OFFICER.

In respect to this bill Senator Cottrell of King county has received the following letter of indorsement from William E. Johnson, chief special officer of the United States Indian service, which sets forth the needs for its enactment:

"A situation has arisen which leaves Washington as the only state in the Union, having an Indian population, and which has no state law prohibiting the sale of intoxicating liquors to these

people. The situation, briefly, is this:

Under the act of congress of 1887, the policy was initiated of gradually breaking up the Indian tribes, making them citizens and allotting their lands, issuing them temporary trust patents for the same, fee simple patents to be given therefor at the end of 25 years or sooner in cases where it could be shown that individual Indians were capable of managing their own affairs. In 1897 congress passed an act prohibiting the sale of liquor to 'allotted Indians,' and also prohibiting the sale or introduction thereof upon Indians allotment. In 1905 the United States supreme court (in re Heff) decided that that part of the act of 1797 which forbade the selling of liquor to allotted Indians was unconstitutional for the reason that the allotted Indians, being citizens, were under the police care of the state and that the state court alone could deal with such offenses. On May 8, 1906, congress passed what is known as the Burke act, withholding citizenship from Indians allotted from that date, until the expiration of their trust patents. But the bulk of Washington Indians had been allotted prior to that date, so that this new law has but limited application in your state.

DECISION OF JUDGE WHITSON.

Last fall, in a case arising from Yaki-