IDENTITY, TREATY STATUS AND FISHERIES

OF THE

SAMISH INDIAN TRIBE

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and The Samish Indian Tribe

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I. INTRODUCTION

This report deals with the Samish Indians as they existed in 1855 and for some time thereafter. In 1855 the Samish Indians were a separate people and were so identified by themselves, by other Indians, and by non-Indians.

Today, some of the descendants of the 1855 Samish Indians still maintain their separate identity. They call themselves Samish and are known as such by other Indians and by non-Indians. They are represented by the Samish Indian Tribe of Washington. Members of the Samish Indian Tribe live in northwestern Washington in or near the traditional territory of the aboriginal Samish.

Other descendants of the 1855 Samish Indians may still identify themselves as Samish and be known as such by others, but they are officially enrolled as members of other Indian communities. Some Samish descendants are known as Lummi Indians because they are enrolled as members of the Lummi Reservation community. Still other descendants of the 1855 Samish are known as Swinomish Indians today because they are enrolled as members of the Swinomish Tribal Community and reside on the Swinomish Indian Reservation.

There are undoubtedly other Samish descendants on other Indian reservations and elsewhere, but the majority of Samish descendants today are those enrolled as members of the Samish Indian Tribe or as members of the Lummi or Swinomish reservation communities.

The materials presented in the following sections of this report thus relate to the Samish ancestors of three distinct parties in the case of U.S. v. Washington.

This situation was alluded to in an earlier report placed in evidence as Exhibit USA-30. In a discussion on the identity of the plaintiff Lummi Tribe, a distinction was drawn between the pre-treaty Lummi and the post-reservation Lummi. It was pointed out that the post-reservation Lummi include the aboriginal Lummi along with some, but not all descendants of the Semiahmoo and Samish.

South of the Lummi on the coast were the Samish. Their territory included the eastern half of Lopez Island, Blakely, Guemes, Cypress and other islands between Lopez and the mainland and portions of Samish Bay, Padilla Bay and Fidalgo Island. Some of these people moved to the Lummi reservation, while others moved to Swinomish and Tulalip.

The post-reservation Lummi Tribe thus includes descendants of the 1855 Semiahmoo, Lummi, and Samish.

[1]

Later in the same report, in a section concerned with the identification of usual and accustomed fishing places, attention was drawn to the overlapping interest of different constituencies of Semiahmoo and Samish descendants.

This description includes the traditional fishing areas of the Semiahmoo and the Samish. Some of the present Lummi Tribe are descendants of the pre-treaty Semiahmoo and Samish groups. Other descendants

of these pre-treaty entities have not become members of the Lummi Tribe and those descendants would, of course, legitimately make claim to some of the same usual and accustomed fishing area included here.

[2]

Our purpose here is not to describe the dispersal of the Samish people in post-treaty times and their forced removal from their homes, but rather to indicate the relationship of the present Samish descendants to the 1855 Samish with whom this report is largely concerned.

II. IDENTITY

The Samish are a Coast Salish people whose economy and other aspects of their culture were similar to those of surrounding peoples in northwestern Washington. In certain respects they were more closely affiliated with their neighbors immediately to the north, the Lummi and the Semiahmoo, than with their Skagit and Swinomish neighbors to the south.

Like the Lummi and the Semiahmoo, the Samish spoke a Straits Salish language, rather than Puget Sound Salish which was spoken by their neighbors to the south. Linguistically, the three northern peoples, Semiahmoo, Lummi, and Samish, were distinguished from the rest of the peoples included within the Treaty of Point Elliott.

The Samish, along with the Semiahmoo and Lummi were also distinguishable from their neighbors to the south in that they engaged in reefnetting and owned locations for reefnet gear in Rosario Strait.

There are sporadic references to the Samish and their territory in early accounts. For example, the Samish village on Guemes Island was noted by the Spanish explorers sailing on the *Sutil* and *Mexicana* in 1792. They mentioned two large houses on the northwest point of Guemes Channel. [3]

More relevant to present concerns, however, is the information about Samish Indians available to the treaty commission in 1855. Apparently the Samish were known as a separate people and some of the territory was understood, but little else seems to have been known judging by Gibbs' account as of March 1854.

> *Below the Skagits again, occupying land on the main upon the northern end of Whidby's Island, Perry's Island, and the Canoe passage, are three more tribes, the Squinamish, Swodamish, and Sinahmish, probably two hundred and fifty or three hundred altogether; and lastly the Samish, on the small river of that name and the southern part of Bellingham bay, estimated at one hundred and fifty. With these according to the best information procurable during a rapid journey of inspection, the Nisqually nation terminates, the next tribe to the north speaking a dialect of the Clallams.*
>
> *It is probable that that of the Samish is a by-word between the two.*
>
> [emphasis added] [4]

As noted above, the Samish spoke a Straits Salish language. In Gibbs' terms this would place them with the Clallam, rather than the Nisqually (or Puget Sound) speakers. It is unclear what Gibbs may have meant in referring to Samish as a "by-word" between the two language groups.

Gibbs failed to specify the island portions of Samish territory in the brief notice of them given above, but in a preceding section of the same report he noted that the people on the eastern shore also owned

territory on the islands.

The tribes living upon the eastern shore possess also territory upon the islands, and their usual custom is to resort to them at the end of the salmon season--that is, about the middle of November. It is there that they find the greatest supply of shell-fish, which form a large part of their winter stock, and which they dry both for their own use and for sale to those of the interior. The summer and fall they spend on the main, where they get fish and put in their potatoes.

[5]

Gibbs' description of seasonal occupation of the mainland and the islands in order to harvest resources available in the two locales applies to the Samish. A brief description of the Samish yearly round has been given by Suttles.

The Samish winter villages were on Samish and Guemes Islands and the north of Fidalgo Island. In the spring they moved out across Rosario Strait to the south shore of Lopez Island to gather camas on the smaller islets and to troll for spring salmon in the channel between Lopez and San Juan. They caught halibut of Lopez, Blakely, and Cypress Islands, and dug clams on the east shore of Lopez in the early summer, and in mid-summer engaged in reef netting for sockeye off the south shore of Lopez. In the autumn they returned to their winter homes and from there moved eastward to the mouths of several mainland streams for the late runs of silvers and dog salmon. These last locations they seemed to have shared with the Nuwhaha.

[6]

Based solely on Gibbs' 1854 report, it is clear that he understood the Samish to be a separate and distinct group of Indians and that he understood their general location. In 1856 Gibbs prepared a map on which he showed Indian locations in western Washington. He inserted the name Samish in three places on that map.

The three locations are: along the shore of what is now known as Samish Bay, across Padilla Bay and Samish River, and across the northern part of Fidalgo Island opposite Guemes Island.

[7]

Suttles has provided a description of Samish territory and a list of Samish villages based on a review of the literature and on field work conducted with Samish informants in the years between 1946 and 1950. Suttles was able to interview elderly Samish who were born about 1866 and 1870 and who had been born in the Samish village on Samish Island and who later lived in the Samish village on Guemes Island.

Suttles' description of Samish territory and his list of Samish winter villages is reproduced here.

The territory which the Samish used exclusively, then, consists of Samish, Guemes, Cypress, and the smaller islands south of Lummi, the north and west shores of Fidalgo, the islands of Blakely and Decatur, and the east and south shores of Lopez. They used with others a number of points along the mainland east of Samish Island as far north as Chuckanut Bay. They went as far north as Smith Island in the company of the Swinomish to hunt seals. At least one Samish had clam-digging rights at the Lummi beds on West Sound, Orcas Island. At Salmon Bank off Cattle Point on San Juan Island they undoubtedly came into contact with Songish and perhaps even with Saanich and Clallam.

The Samish occupied, at one time or another, the following villages:

1. sx̣ʷaˑʼimɛɬ. Guemes Channel. This village was located on the north shore of Guemes Channel on Guemes Island west of the present ferry landing. This village was seen by the Spanish explorers of the Sutil and Mexicana in 1792. They reported two large houses standing on the northwest point of the channel. The informant ChE said that his father and uncle came from this village. When his father was young there were houses all along the shore west of the present landing, covering all the available space. Conditions had become so crowded that a part of the people moved across the channel to qɛɬɛʼčɨɬč ("ironwoods") on the north shore of Fidalgo Island. The informant's uncle was said to have built a fort at the main village. This village was abandoned probably about 1850, when the people moved to Samish Island.

The name "Samish," S'ɛʼmɨš in the Straits, sqaʼbš in the Puget Sound language, evidently more properly applied to the people of Samish Island, although informants said they were "all the same tribe." The people of this village were called sx̣ʷɛx̣ʷqaˑʼimɛɬ. In the Puget Sound language the village was called čqaʼbkəb and the people čičqaʼbkəb.[1]

[1] *Both ChE and AL recognized the similarity but not the identity of čqaʼbkəb to čəʼbəkəb, "Chemakum," but did not find any significance in it. Collins and Smith, in Collins, 1949, pp. 147-160, identify the two words and almost wholly on that basis build a case for Chemakum on Guemes Island.*

2. xʷaʷɬɔ'ɬ ("camas"). Fidalgo. A village once stood at what was later the town of Fidalgo, at the east end of the railroad bridge across Fidalgo Bay. This village was abandoned early in the last century. The site, however, continued to be used as a camp site for parties gathering camas on the prairie around the head of the bay. In possibly the late 1830's some Samish women began planting potatoes on this prairie.

3. ɛ·cɐ'qəm. Samish Island. This village stood on the south shore of the east end of the island. It was in existence before 1850 but about that time received people from the Guemes Channel village. It consisted, after this move, of a single segmented house several hundred feet long. Some of the members of this house also had small plank houses at the mouths of creeks on the mainland, where they went for fall salmon fishing.

In 1869 a white man named Dingwall established a store on Samish Island.[1] By 1875 this man had the group in his debt to the point where they were forced to move. AL's family later returned, but the rest settled on Guemes.

4. qʷəŋqəŋɛ'lə. The new Guemes village. This village stood on the west shore of Guemes Island facing Bellingham Channel. The house was built on land "homesteaded" (legally?) by Citizen Sam and Billy Edwards. Sam took the north and Billy the south of two adjacent lots, and the house was built across them. It was built of lumber and shakes with a gabled roof, but in internal make-up was aboriginal. It was about 40 feet wide and over 400 feet long. There were two plank partitions making separate segments. This house was built by nine men who were regarded as its owners. The occupants included Nuwhaha and Klallam as well as Samish.

As the younger people of this village grew up they began living in small white-style houses, so that by the end of the century the big house was partly abandoned. The site was sold about 1905 and the remaining Samish moved to the Swinomish Reservation.

5. xʷsəʔŋəŋ. Fish Creek, San Juan Island. There was one small house here, occupied perhaps only for a few years by the family of ɛɛi'yəm. He was a Klallam, married to a Samish woman. His son, Captain George, worked for the American garrison on San Juan Island. They later moved into the new Guemes village.

[8]

[1] Illustrated History, 1906, p. 110.

Suttles' list of Samish villages is probably the most authoritative. He obtained a great deal of information, not included here, regarding the composition of the house at Guemes Island as of about 1880. Swanton published a list of Samish villages in 1952, based on a review of the literature. His list differs from Suttles and at least one source cited does

not check out. [9]

Additional information on the numbers and location of the Samish subsequent to 1855 is given in the next section.

III. TREATY STATUS

The territory of the Samish lies wholly within the lands ceded to the United States under the terms of the Treaty of Point Elliott, concluded at Mukilteo, January 22, 1855. However, the Samish are not named in the preamble to the Treaty. None of the Indian signatories is identified as Samish on the treaty document.

Despite this, it is my opinion, based on a review of all of the evidence available to me and all of the evidence of which I am aware, that the Samish were a party to the Treaty of Point Elliott.

I base that opinion on the following: (1) the existence of the Samish was known to the treaty commission prior to the negotiations; (2) it was the intention of the treaty commission to include the Samish in the Treaty of Point Elliott; (3) the Samish were physically present at the treaty ground; and (4) members of the treaty commission subsequently reported that the Samish had been treated with at Mukilteo.

Further, the Samish are included in a draft copy of the Treaty of Point Elliott which is on file at the National Archives with the original of the final draft. It is my opinion, after comparing the earlier and later drafts that the failure to name the Samish on the final draft was an inadvertent omission. The earlier draft apparently has not been considered in previous discussions of Samish treaty status.

I have been unable to find anything in the documentary record to suggest that the United States decided not to include the Samish or, alternatively, that the Samish decided not to treat with the United States.

It is my conclusion that the Samish were included in the Treaty of Point Elliott and that the Lummi signer, Chow-its-hoot, was considered by the treaty commission to have signed for the Lummi and the other northern bands, including the Samish.

Most of the documentation and argument in support of that conclusion has already been offered in the report on the Identity and Treaty Status of the Nooksack Indians, entered in this case as Exhibit USA-Nooksack-M-5.

Rather than repeat the evidence and argument offered there, the reader is referred to sections II through VI of the Nooksack report with the following changes:

The first sentence of paragraph three at page eight should now read

> It is significant that Stevens freely and frequently referred to the fact that he had not treated with the Cowlitz, Chinook, and Chehalis but never asserted that he had not treated with the Samish.

Similarly, at page ten of that report in the middle of the page, the sentence should now read

> Arguing by exclusion, the Samish and all other tribes in western Washington are included in the figure of those with whom treaties have been made.

Specific affirmative documentation relating to the Samish is found at several places in the Nooksack report.

At page twelve of that report is an excerpt from the official proceedings of the treaty commission wherein probable reserves to be provided under the forthcoming treaties are discussed. One reserve on the Samish river was contemplated, but did not eventuate. The Samish were never provided with a reserve in their own territory. The record is clear that the treaty commission was planning to treat with the Samish as evidenced by their proposal to reserve land in Samish territory.

At page eleven of the Nooksack report at the top of the page is reproduced a part of the tabular statement included on the map which Governor Stevens forwarded April 30, 1857 to the Commissioner of Indian Affairs. On that map the Samish are listed as one of the parties to the Treaty of Point Elliott. Stevens officially reported that the Samish were included in that treaty.

Gibbs, the secretary of the treaty commission also reported after the treaty that the Samish had been included. Gibbs specifically reported that Chow-its-hoot had signed for the Samish, Lummi, and Nuksahk. The excerpted portion of Gibbs' report is reproduced at page 15 of the Nooksack report.

At page eighteen of that report an excerpt from Gibbs' private journal is reproduced to show that Gibbs reported 55 Samish men and boys and 58 Samish women and girls present on the treaty ground as of January 16, 1855.

A reproduction of that journal page appears at the end of the Nooksack report as Appendix B.

Finally, we have to consider the draft copy of the Treaty of Point Elliott which had not been located at the time that the Nooksack report was prepared, but which was subsequently placed in evidence as Exhibit Samish M-1.

The draft copy of the Point Elliott treaty appears to be written in Gibbs' handwriting. The preamble contains a number of blank spaces between the names of tribal groups, evidently left in order to insert additional names. In some cases, pencilled insertions have been made in those spaces, but they are too light to appear on the printoff from the microfilm.

Of interest to us with respect to the Samish is the twelfth line of the preamble which names both the Samish and the Lummi. Both of these are omitted from the final copy of the treaty. The fact that they appear together on a single line just before the line beginning "tribes and bands of Indians" suggests that their omission was inadvertent. It appears that in copying from the draft copy to the final copy one line was left out.

An alternative possibility, of course, is that the names of the Lummi and Samish were deliberately omitted between the first draft and the final copy of the treaty. This alternative must be rejected for the reason that fourteen Lummi Indians "signed" the treaty. If the omission of the Lummi and Samish were deliberate in the preamble, there would be no point in securing Lummi names at the close of the document.

The first thirteen lines of the draft copy of the Treaty of Point Elliott are reproduced here in order to clarify the preceding discussion.

Articles of Agreement and Convention made and concluded at Mukl-te-oh or Point Elliott in the Territory of Washington, this day of January 1855 by Isaac I. Stevens, Gov^r. & Supt. of Indian Affairs for the said Territory on the part of the U.S.A. and the undersigned Chiefs, headmen and delegates of the Dwamish, Suquamish, St-kehl-mish, Samamish, Smalkamish, Skope-ah-mish, Sno-qual-moo, Skai-whamish, N'Quetl-mamish, Sk-tah-le-jum, Stoluck-whamish, Skagit, Sah-ku-meh-hu, Kikiallus, Swinahmish, Squinahmish Samish, Lummi tribes and bands of Indians, occupying ~~the lands lying~~

[9]

The draft copy which we have located is incomplete and perhaps always was so. The full body of the rough draft is entered as Exhibit Samish M-1. The above portion shows the physical location of Samish and Lummi on the last line of tribal entries. Prior to finding the draft of the treaty, I had concluded the omission of the names Lummi, Samish, and Nooksack was inadvertent. The physical location of Samish and Lummi on the last line of the tribal entries seems to me to support the previous conclusion based on other grounds.

A comparison of the tribal entries in the draft copy with those that appear in the final copy of the treaty reveals that the list is the same except that the names Samish and Lummi are missing and four new names are added at the end of the list, viz: Noo-wha-ha, Nook-wa-chah-mish, Mee-see-qua-guilch, and Cho-bah-ah-bish. The four new names are those of Skagit peoples. It appears that in adding these new names to the list, the Samish and Lummi were overlooked.

We do not have accurate or reliable census figures for the Samish population as of treaty times. Gibbs estimated the Samish as about 150 in March 1854 (see quoted material at page 4 of this report). His journal entry for January 16, 1855 listed a total of 113 Samish present at the treaty ground.

Fitzhugh reported to Simmons September 21, 1856 that he estimated the Samish at about 98. He wrote from Bellingham Bay as follows:

Before and since the commencement of the Indian war in this Territory, I have had under my supervision three tribes, viz - the Lummas, Nooksack, and Samish numbering in all, men women and children, some 850 souls divided as follows *Lummas 385, Nooksack 367, and the remainder, say 98 of Samish.*

[10]

In the same report Fitzhugh states that he had not required any of the Indians under his supervision to remove to a reservation. He locates the three groups at their fall fisheries as of the date of his report in September 1856.

From our position, being far removed from the seat of war, I have never had these Indians on any reserve, and consequently have not been obliged to feed them--as all their former opportunities for procuring sustenance were still open to them.

The Lummas have been principally residing at a fishery called Sky-lak-sen and also at the mouth of the Lumma River -- the Samish at the river whence they derive their name, and the fisheries adjacent; and the Nooksacks stretched along the river, called indifferently the Lumma or Nooksack.

[11]

By December the situation had changed. Evidently during the winter of 1856-57 all of the Lummi and Samish were on the reservation at Bellingham Bay.

Fitzhugh reported directly to Governor Isaac I. Stevens under date of December 19, 1856 with respect specifically to the Lummi and Samish

. . . . I have them now nearly all at the encampment -- all of the Samish having moved up & joined the Lummas, very near my place. I can now give them more attention, than I could, when they were scattered over such an extent of country.

[12]

Ten years later, Finkbonner, in charge of the Lummi Reservation reported only 47 Samish. He sent an annual report to A.R. Elder at Olympia containing the following information:

The Indians on this reservation have enjoyed good health during the past year, and the births are in excess of the deaths for the year. Herewith please find a correct census of the Indians in my district:

Lummi tribes, 269, all Christians, and married; Nooksack tribe, 186, about one-half Christians; No-wha-ah tribe, 90, about one-half Christians; Samish tribe, 47; Swenamish tribe, 246, 16 Christians. Men, 308; women, 303; children, 227; total, 838.

[13]

It is unclear from the phrasing and context above whether Finkbonner is reporting the number of Samish residing on the Lummi Reservation or whether he is reporting that figure as the total number of Samish of which he has knowledge.

According to modern Samish Indians who were born in the Samish villages at Samish Island and Guemes Island at about the time that Finkbonner was writing or a few years later, there were about 100 Samish in the island villages.

Whatever the precise figures, it seems that initially most or all of the Samish attempted to remove to the Lummi Reservation. Within a decade either the Samish population or the Samish population on the

Lummi Reservation had decreased significantly.

The initial attempt of the Samish to settle on the Lummi Reservation was not successful. By 1870 the agent in charge, Mr. Finkboner, was complaining that he was unable to persuade either the Samish or the Nuwhaha (sometimes referred to as the Upper Samish or Stick Samish) to reside on the reservation.

The Sahmish and No-wha-at, two small remnants of tribes, persistently refuse to come and live on the reservation. [14]

Evidently, the Nuwhaha, like the Samish, earlier had attempted to join with the Lummi on their reservation. In a letter dated May 13, 1867, Finkboner had reported to the Superintendent of Indian Affairs, Mr. McKenney

I am happy to inform you that I have succeeded in bringing the Stick Samish Tribe on the Reservation to plant their potatoes, &c. [15]

Although some Samish may have located at the Swinomish Reservation at an earlier date, others moved there about 1905 after the Guemes Island community dissolved.

Upchurch, the Indian Agent in charge of the Swinomish Reservation, writing in 1936 listed the Samish as one of the seven aboriginal groups comprising the population of the Swinomish Reservation.

The Swinomish people with whom we deal today are a composite of remnants or fragments of seven originally distinct bands of Coast Salishan stock whose various habitats, judging from the earliest reports of white visitors and the most trustworthy accounts of present day narrators among the people themselves, were as follows:

. . . .

(5) The Samish, a band related linguistically to the Clallam, the Songish of Vancouver Island, and the Lummi, have their name perpetuated in Samish Bay, Lake, Island, River and Village. I am inclined to believe that the word Samish is a different pronunciation of the name Songish of the Vancouver Island band. So many generations have passed since their separation that it is doubtful whether it could be authentically determined today. The Samish held Samish Island, Guemes Island, eastern Lopez Island, Cypress Island, and Fidalgo Island west of Fidalgo Bay where they met the Swinomish. On the shores of the mainland in the vicinity of Edison they met the No wha ha, sometimes called Upper Samish, along a wide front.

[16]

The references to Samish as "under the charge" of various agents and the references to Samish constituencies on both the Lummi and the Swinomish reservations is consistent with other evidence that the United States has always regarded the Samish as a party to the Treaty of Point Elliott. Those two reservations were among those provided under the Treaty of Point Elliott for the use and benefit of the Indian parties thereto.

IV. FISHERIES

The five species of Pacific salmon and steelhead were the most important foods taken by the Samish in aboriginal times. Sockeye and Pinks were taken at reefnet locations in Rosario Strait as the salmon migrated from the Pacific to the Fraser River in July and August. Chum were taken by means of weirs and traps and by gaffing as they ascended the mainland streams in the fall. Steelhead were taken in traps both as they ascended and descended the streams. Chinook and Coho were taken by trolling in the spring and early summer in the Strait and in the channels between the islands.

The most important species of salmon to the Samish was the sockeye taken in the reefnet fishery. The Samish, Lummi, and other Straits peoples who engaged in the reefnet fishery celebrated a rite to ensure the continued abundance of this species.

Suttles has provided a description of the rite as practiced by the Samish and other reefnetting groups.

The First-Salmon Rite. Because people believed that the salmon were like people and that they had come to feed the people with their own flesh, they showed their respect for the salmon with the first-salmon rite. Because they believed the sockeye to be the most powerful salmon, or the older brother of the salmon, they performed the first-salmon rite only for the first sockeye caught on the reef net. The group of families that worked on each gear performed it separately. The owner of the location or his captain directed the rite, perhaps with the help of a ritualist. At each location the ceremony differed in details, but it was essentially the same from Becher Bay to Point Roberts.

The fish had to be treated with care so as not to offend them or suggest anything to them but the behavior desired of them. The children of the families of the captain and his crew met the canoe with the fish at the shore. Their faces were daubed with red ocher and they had white down in their hair. Each child took a single fish. He carried it across his arms as one would a baby, and steadied it by holding the dorsal fin in his mouth. He walked with a limp to where the women were waiting by the drying racks, where he laid it down carefully on a bed of ferns, its head pointing in the direction it takes on its way to the river.

There was a fire already burning in a long trench beside the drying rack. The trench was a foot or a foot and a half deep, two or three feet wide and twelve feet long or longer. At some camps the same trench was used from year to year. Over the fire stood a long rack made of three green alder poles running the length of the trench. Someone threw hogfennel seeds into the fire, then let it die down to embers for the fish.

The women cut the fish as they did later catches, but with special care. A woman held a fish with the head away from her and cut along the back next to the dorsal fin from head to tail, working toward herself, separating the flesh from the bone. Then she cut across the tail but not through the bone. Next she turned the fish over and cut along the other side of the dorsal fin from tail to head, working away from herself. This done, she could separate the head, bones, guts, and tail as a single piece from the flesh. She wiped the flesh clean with ferns, made holes in it, and inserted two splints to hold the two halves apart. For the first salmon the splints had to be peeled sage goldenrod sprouts. Some said cedar was all right for later catches, but cedar could not touch the first fish.

They placed the fish across the rack flesh side down first; when it was done on that side they turned it, some said with a flat board, others said with fir or ironwood sticks. Some said that they burned hogfennel and red ocher in front of the fish as they cooked; another said they sprinkled hogfennel seeds on the flesh side of the fish after they turned it.

When the fish was done, the children were put in a row and each was given a small fish which he had to eat entirely. At some camps only the children ate, but at others everyone ate.

At some camps when people had finished eating, the children marched around singing. Then the offal and remains of the meal were ritually disposed of, usually dumped into the sea.

[17]

The foregoing constitutes a general description applicable to all of the Straits people who participated in the reefnet fishery. Each group varied the ceremony slightly. The following details, specific to the Samish were recorded about thirty years ago.

The children carried the fish up in the prescribed manner. The women roasted the fish over a long fire. The offal was dumped onto a rock which sloped into the water. Everyone ate but the captains and the watchmen, to whom sockeye was forbidden until the end of the season. After eating, they did not wash as usual but wiped their hands on ferns. Then a young woman collected the leavings, taking care not to touch them with her hands. She carried them in a basket by a tumpline around her forehead, walked with a limp to the rock, and dumped them so they slid into the water.

[18]

Occasionally a sockeye with bulging eyes and crooked mouth was taken in the reefnet. When this happened, a special rite was performed for the individual fish, which was never eaten. These fish were considered to be leaders and were thought to influence the future runs.

Suttles has described the rite among the Straits people generally, and recorded the following specifically for the Samish.

A child carried the crooked-nosed fish up as for the first-salmon rite and a woman "fed" it by burning hogfennel seeds before it. After this it was dumped in the water where the bones of the first salmon were dumped.

[19]

The ritual attention accorded the sockeye and the concern for continued and abundant runs of the fish reflect the strategic importance of their harvest in Samish economy even well after treaty times.

The principal Samish reefnet location was at Iceberg Point at the south end of Lopez Island. Rathbun reported on the size of the reefnet catch there at the turn of the century.

There is a small but productive reef inside of Iceberg Point, at the southern end of Lopez Island, on which a few nets are used, and where daily catches of 3,000 to 4,000 salmon are sometimes made. [20]

The large catches around the turn of the century were made in order to sell fish to the canneries. The elderly Samish interviewed by Suttles in the late 1940's recalled that their own fathers and uncles had used reefnets until about 1875. After that the locations were apparently not used for some years. In the early 1890's the sons of these men began to fish again in order to sell the catch or a portion of it to the canneries. [21]

The Samish had reefnet locations at Charles Island, Lopez Island, and Fidalgo Island. The following reefnet sites were reported to Suttles by descendants of the men who had operated gear at those locations.

20. _____. Charles Island. ChE's father told him of a location off this island, used long ago, but did not say who owned it.

21. 'ḴSe'qən. Iceberg Point, Lopez Island. This was the principal Samish location. The camp was in Outer Bay and the nets were set out toward Iceberg Island, judging from the informant's description. The location itself was called sx̌ʷələ́č̓ɔ́ʔɬ (evidently the dimunitive of sx̌ʷə́ʔlə́č, the Lummi location off Fisherman's Bay). As many as six gears were used here. The two brothers Edward šɬɛɬɛ́ʔnəɣʷ and sɣɛ́ʔɛs owned part of the location and the two brothers Harry xʷəlxʷaʔɬtən and Barney kʷəɬqəlɛ́ʔnəxʷ owned part of it.

22. x̌ʷčɛ́ʔnkʷənən. Watmough Head. This was used as an alternate location by Edward and his brother. There was room for two gears.

23. _____. Langley Point. This was another alternate location that belonged to Edward and his brother. If the fish were not running well at the Lopez locations these two men used to come and camp in Langley Bay to try this place. I do not believe this location was used by ChE or his brothers.

24. susuwaləʔxən. Somewhere on the southwest corner of Lopez Island. The informant, JCh, did not know who owned it or when it was last fished. The name means "crooked arm"; it was given because there was a rock there with a hole in it, through which the lines to hold gear were passed. This location may have been fished by Samish, but ChE did not recognize the name.

[21]

The above reefnet locations can be located by referring to the Map of Samish Territory included as Appendix 1 of this report. The sites are not listed as such on the map. Site # 20 in the list above is at Charles Island, the smaller of two unidentified islands off the south west coast of Lopez Island.

Site # 21 is at Iceberg Point on the south central part of Lopez Island. The location of the reefnet site and camp can be recognized by the symbols "so" for sockeye and the symbol "x" for temporary camp located southwest from Charles Island. Iceberg Island is not shown on this map.

Site # 22 is at Watmough Head on the south east part of Lopez. This is readily identified by the symbols "so" for sockeye and "x" for temporary camp.

Site # 23, Langley Point, is recognized by the same combination of symbols due east across the strait from Site # 22 and situated on the south on the south west coast of Fidalgo Island.

These Samish reefnet locations have also been plotted on the map following page 24 of Exhibit USA-30. They are seen there as the four most southerly reefnet grounds.

Prior to the season for the reefnet fishery, the Samish moved out into the islands and engaged in a salmon troll fishery, using herring as bait. Suttles reported that the Samish fished in San Juan Channel (which separates San Juan Island from Shaw and Orcas islands) and around Cattle Point (the most southerly point of San Juan Island). [22]

After the reefnet season was finished, the Samish travelled to the mainland for their fall fishing near the mouths of the rivers. A variety of taking techniques were employed in the fall fisheries. Suttles has provided descriptions of the various methods of harvesting used by the Samish and the manner in which the catch was used.

Drag Seine. While the Samish still had their winter village on Samish Island (that is, before about 1875) they used drag seines (ʔəɬəʔəsʔəb) for silvers at the mouth of the Samish River upon returning from the summer's reef-netting. Those ChE saw as a boy were of different sizes, some 200 to 300 feet long, of cord of white make; however, AL said her father made a long seine of willow-bark twine. The catch was smoked.

[23]

The major activity in the fall was fishing in streams for the runs of springs, silvers, and dog salmon. These fish could be taken directly with harpoon, gaff, dip net, or trawl net; they could be taken in a small trap set into the stream; or they could be taken by building first a weir to stop them in their migration upstream and then hooking, netting, or trapping them at the weir. Each of these methods was used by one or another of the Straits groups, but the only device used by all was the gaff. . . . . The Samish . . . . built a weir with a trap in it, set separate traps besides, and used gaffs, but no harpoons.

[24]

Two of the Samish interviewed by Suttles in the 1940's spoke of weir use on the Samish River.

According to ChE, the Samish used to build a weir and trap at the mouth of the Samish River, but by the time they left Samish Island (about 1875) they had already discontinued the practice in favor of drag seines.[1]

[1] *AL said she remembered two weirs on the Samish River, one near the mouth and another a short way upstream, but I suspect these were built by Nuwhaha.*

He had only heard the weir described by his father. The weir (stəqəʔlə) itself consisted of a "fence" of upright poles, set across the stream with horizontal logs bound to hem; he believed that there were no braces against this structure. Into the weir was set a trap which consisted of an opening for the fish to go through and beyond this a second barrier which turned the fish to one side and into a "sort of pot." The fisherman took fish out of the pot or gaffed them from canoes moored beside the weir; there were no platforms attached to it. He indicated nothing further regarding the structure of the trap, its productivity, or the distribution of the catch. The catch was smoked at the village on Samish Island.

[25]

Basket Trap. Besides the weir and its trap, the Samish used, both for salmon and for trout, small basket traps now remembered only by their Puget Sound name sxʷiʔqəʔp *. These they set in creeks and small sloughs, apparently in a weir-like or brush barrier. Those used for trout were about 5 feet long; possibly for salmon they were larger. The informant gave no further description of this device, but it seems likely that it was similar to that of their inland neighbors. The Upper Skagit* sxʷiʔqəʔp *was described by Mrs. Lucy Peters as of cedar withes, conical but flat on the bottom, having a funnel mouth and a detachable end for removing the fish. None of the other Straits groups used this trap.*

[26]

Second only to the salmon and steelhead in importance as food to the Samish was the halibut. The Samish took halibut with hook and line in waters from about 15 to 40 fathoms deep. They used the U-shaped halibut hook, usually in pairs on a spreader. Halibut fishing began in the late spring and continued through early summer or into late summer for those men who were not involved in the reefnet fishery.

Herring were taken for food, but their great importance was as the bait for the troll fishery. The Samish took herring with the rake whenever and wherever feasible. Eliza Island was a noted Samish herring location.

Other fish taken by the Samish for food included smelt, lingcod, rockfish, flounder, perch, and sculpin. Octopus, locally known as "devil fish," were taken at low tide in water about 4 to 8 feet deep. In addition

to their use as food, the arms were skinned and used for halibut bait.

Various species of shellfish were harvested in Samish territory. Clams and oysters were perhaps the most important of these. Horse clams were dried and traded to upriver people in exchange for smoked salmon. Some of the best clam beds were held by individual families and were inherited property, although most beds were not privately held.

In addition to the shellfish resources harvested in their own territory, the Samish joined with Nooksack, Lummi, and others in harvesting shellfish at Chuckanut Bay. Suttles reported that at least one Samish had clam-digging rights at the Lummi beds on West Sound at Orcas Island. [27]

V. CONCLUSIONS

The Samish Indian Tribe is composed of people who trace descent from Indians who in 1855 were known as Samish and who lived in the area of Samish Island, Guemes Island and the north part of Fidalgo Island.

The Samish were a party to the Treaty of Point Elliott, although their name does not appear in the preamble of the final copy of the Treaty. They are named in a draft copy and Chowitshut was understood by the treaty commission to have signed for all the northern groups.

The three northern groups on the coast, the Semiahmoo, Lummi, and Samish constituted a cultural unit distinct from all other Indians party to the Treaty of Point Elliott. All three shared a common language, Straits Salish, which was mutually unintelligible with Nooksack and Puget Sound, spoken by the other Point Elliott treaty tribes. All three shared their

most important subsistence activity -- reefnetting -- a specialized technique to take sockeye and other salmon in the salt water.

The traditional fisheries of the Samish included reefnet sites off Lopez and Fidalgo Islands, troll fisheries throughout the San Juan Islands, especially off the west coast of San Juan Island and around Orcas and Lopez, trolling areas for salmon and halibut which were shared access areas with other coastal groups. Fresh-water fisheries included the Samish River and other streams draining into Samish Bay and Padilla Bay.

The above were certainly not the limits of usual and accustomed Samish fishing locations. Like their neighbors, the Samish had excellent canoes and travelled widely visiting distant Indians and the Hudson's Bay trading posts at Victoria and at Fort Langley on the Fraser. They undoubtedly fished along the way as opportunity presented itself.

The Samish fished for salmon, steelhead, halibut, herring, lingcod, rockfish, flounder, perch, sculpin, octopus, smelt, and other species. They utilized the shellfish resources in their own territory and ranged elsewhere to cure additional supplies for winter stores and for trade to upriver people.

The Samish, like all their neighbors, made full use of the fisheries resources to which they had access and had devised a wide repertoire of harvesting techniques with which to do so.

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2. Lane 1973:USA-30:24-25
3. Wagner 1933:246-47; cited in Suttles 1951:43
4. Gibbs 1854 (1967):39
5. Gibbs 1854 (1967):38
6. Suttles 1951:41
7. Gibbs 1856 map
8. Suttles 1951:43-45
9. Exhibit Samish M-1
10. Fitzhugh 1856:1
11. Fitzhugh 1856:1
12. Fitzhugh 1856a:1
13. Finkboner 1866:1
14. Finkboner 1870:44
15. Finkboner 1870:1
16. Upchurch 1936:284-85
17. Suttles 1951:172-75
18. Suttles 1951:178
19. Suttles 1951:183
20. Rathbun 1900:314; cited in Suttles 1951:220
21. Suttles 1951:196-98
22. Suttles 1951:134
23. Suttles 1951:139
24. Suttles 1951:141-42
25. Suttles 1951:146
26. Suttles 1951:151

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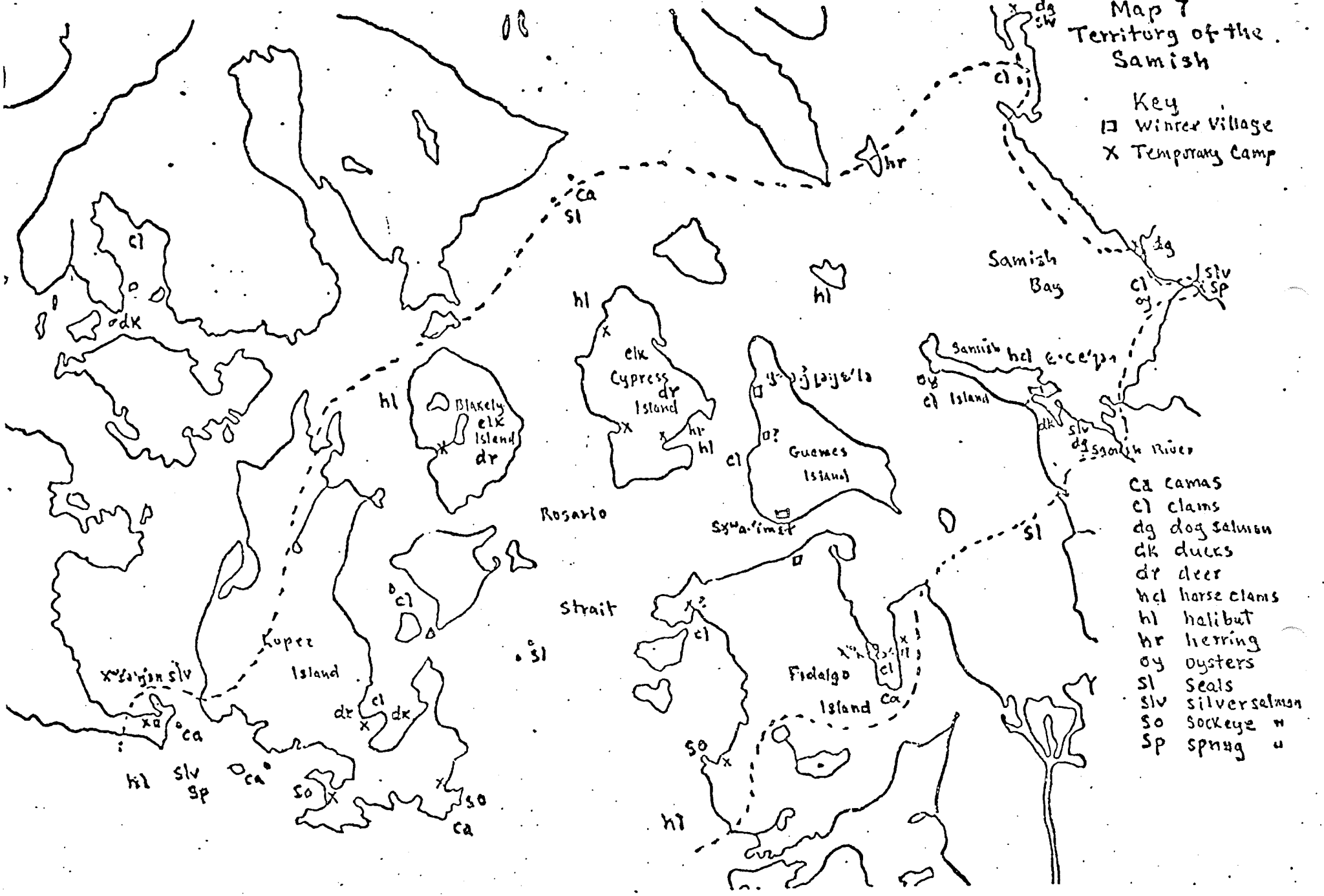
Map 7
Territory of the Samish
Key
Winter Village
X Temporary Camp
Samish Bay
Samish River
Blakely Island
Cypress Island
Guemes Island
Fidalgo Island
Rosario Strait
Lopez Island
Ca camas
Cl clams
dg dog salmon
dk ducks
dr deer
hcl horse clams
hl halibut
hr herring
oy oysters
Sl Seals
slv silversalmon
So sockeye "
Sp spring "