

ANTHROPOLOGICAL REPORT ON THE IDENTITY, TREATY STATUS AND
FISHERIES OF THE LUMMI TRIBE OF INDIANS

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IDENTITY

The majority of the present Lummi Tribe of Indians are descendants of people who lived in the general area of Bellingham Bay, Lummi Bay, Lummi Island and parts of the San Juan Islands in 1855. At that time the various bands living on the mainland were collectively known as "Lummi", "Lumma", "Nooh-lummi", or "Nooklummi". The principal mainland villages were located at Gooseberry Point and at The Portage of what later became the Lummi Indian Reservation. Former Lummi villages were located on Orcas, Lopez, Shaw and San Juan Islands and these continued to be used on a seasonal basis.

North of the Lummi on the mainland was a group known as the Semiahmoo. Their territory reached from Point Roberts in the north to Point Whitehorn in the south. The principal settlements were at Semiahmoo Bay and Birch Bay. Some of these people, particularly from the Birch Bay village, later moved to the Lummi reservation.

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.

These three groups -- the Semiahmoo, Lummi, and Samish -- shared two basic characteristics which sharply differentiated them from their neighbors to the south and east and thus from all other Indians under the Treaty of Point Elliott.

First, all three spoke a common language called Straits Salish which was distinct from the Nooksack language spoken by the Nooksack to the east and unlike the Puget Sound language spoken by the rest of the Point Elliott Treaty Indians to the south. The Straits language is mutually unintelligible with both Nooksack and Puget Sound. The Semiahmoo, Lummi, and Samish were co-speakers of a language which could not be understood by speakers of only Nooksack and/or Puget Sound.

Second, the Semiahmoo, Lummi, and Samish shared their most important subsistence activity -- reefnetting -- a specialized technique to take sockeye and other salmon in the salt water. In this they contrasted sharply with their neighbors to the south and east who relied mainly on weirs and traps to capture salmon in the rivers as they moved upstream to spawn. The reefnetting technique was a local Indian invention. Associated with it were several unique ritual practices as well as hereditary rights to privately owned reefnet locations. The

private ownership of fishing locations again contrasts with general practice among Puget Sound peoples.

The extent of the Semiahmoo, Lummi, and Samish population at the time of the Point Elliott Treaty is not clear.

In his Estimate of Indian Tribes in the Western district of Washington Territory -- January 1854, Gibbs (1967:42) listed the following:

Samish	Samish river and Bellingham bay	150
Nook-sank	South fork Lummi river	450
Lum-mi	Lummi river and peninsula	450
Skim-i-ah-moo	Between Lummi Point and Fraser's river	250

The above would give a total figure of 1300. Without the Semiahmoo the total comes to 1050.

In a report written in 1856 but not published until 1877, Gibbs (1877:180) reported:

5th. The Samish, Lummi, Nuksahk, living around Bellingham Bay and the Lummi River. The two former are saltwater, the last exclusively river Indians, who as yet have had very little connection with the whites. Collectively these might be called the Nuh-lum-mi. Tsow-its-hut was recognized as their common chief by the treaty, and a reservation made for them of an island at the forks of the river. Altogether they number 680.

The 1856 figure published in 1877 apparently results from a census taken by Gibbs in 1855. His notebook entry of that census includes the following breakdown by tribal group, age, and sex.

	aged		adult		youths		infants		absent		
	old	old	young	young	boys	girls	male	female			
	men	women	men	women							
Lummi											
Nooksack & Samish	45	57	137	166	117	59	33	42	24	680	

It is unclear why the 1855 census should be lower than the 1854 estimate. Generally the estimates proved to be far too low. Apparently the Semiahmoo are omitted in the above count, but even so the figure for the other groups is lower than the previous year's estimate of their numbers. One can only conjecture as to why the Semiahmoo are not named in the above census. The omission may have been inadvertent. Alternatively, the Semiahmoo may have been subsumed with the Lummi. Possibly the Semiahmoo were omitted on the supposition that their territory would fall north of the boundary line between the U. S. and British territory when the international boundary was finally surveyed.

TREATY STATUS

Neither the Semiahmoo, Lummi, nor Samish are named in the preamble to the Treaty of Point Elliott. We have to assume that the failure to list these names in the preamble was an oversight as all three groups were known to the treaty commission at the time and one of the four Head Chiefs appointed at the treaty was a Lummi. Thirteen additional Lummi signatories are listed at the close of the treaty document. At least one other signer was probably Samish, although he is not identified as such on the treaty.

The fourteen Lummi signatories are as follows:

1. Chow-its-hoot, Chief of the Lummi and other tribes
2. Seh-lek-qu, Sub-chief Lummi tribe
3. S'h'-cheh-oos, or General Washington, Sub-chief of Lummi tribe
4. Whai-lan-hu, or Davy Crockett, Sub-shief of Lummi tribe
5. She-ah-delt-hu, Sub-chief of Lummi tribe
6. Kwult-seh, Sub-chief of Lummi tribe
7. Knull-et-hu, Lummi tribe
8. Hwu-lah-lakq, or Thomas Jefferson, Lummi tribe
9. Cht-simpt, Lummi tribe
10. Tse-sum-ten, Lummi tribe
11. Klt-hahl-ten, Lummi tribe
12. Kulta-kanam, or John, Lummi tribe
13. S'hoolk-ka-nam, Lummi sub-chief
14. Ch-lok-suts, Lummi sub-chief

The numbers preceding the above names are not on the treaty document and are added here in order to provide ready reference to some of these individuals who will be mentioned again later in this report. The names of the Lummi signatories are not listed consecutively on the treaty. The foregoing list preserves the relative order of appearance of the names on the original document.

The listing of Chow-its-hoot as Chief of the Lummi and other tribes (underlining mine) has been explained by Gibbs to encompass the Samish and Nooksack. (See Gibbs 1877:180 quoted on page 3 of this

report.)

TREATY FISHING PROVISIONS

The fifth article of the Treaty of Point Elliott deals with fishing rights and privileges secured to the Indians.

Article 5. The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands. Provided, however, That they shall not take shell-fish from any beds staked or cultivated by citizens.

Lummi who were themselves present at the treaty later asserted that the Lummi signers received assurances that they would continue to hold the rights to their fishing grounds and stations including their reefnet locations. These locations were considered private property. As major resource-producing areas they constituted very valuable properties to their native owners. For some years prior to the treaty, the Indians had been engaged in commercial trade in salmon, halibut, and shellfish both with other Indians and with whites. Prior to American settlement, the Lummi had sold fish to visiting ships and to Hudson's Bay Company posts. In the years immediately prior to the treaty settlers in the northern part of the Sound purchased salmon and other food fish from the Lummi. This trade continued for some years after the treaty. In the late 1850's trading vessels visited to purchase salmon with rum (National Archives Microcopy 5 Roll 10).

The official record of the treaty proceedings at Point Elliott contains no report of discussions on the part of the Lummi with reference to their fishing grounds. Other evidence makes it highly probable that Lummi assertions are correct and that such discussions did take place.

The evidence supporting Lummi allegations that the issue was discussed is found in two separate bodies of data. The first of these are Governor Stevens' speeches to the Indians as recorded by George Gibbs in the official record of the treaty proceedings.

Governor Stevens arrived at the Point Elliott treaty ground on Sunday, January 21, 1855. On that day he received reports from his aides, including a report from the Agent regarding the views and feelings of the Indians.

The following day the Governor addressed the Indians, in part as follows

You understand well my purpose and you want now to know the special things we propose to do for you. We want to place you in homes where you can cultivate the soil, raising potatoes and other articles of food, and where you may be able to pass in canoes on the waters of the Sound and catch fish, and back to the mountains to get roots and berries. The great Father desires this and why I am able to say this.

Later that day, after short speeches unconnected with fishing matters by acting Governor Mason and Colonel Simmons, Governor Stevens continued

. . . The Great Father. . . is willing that you should catch fish in these waters and get roots and berries back in the mountains. He wishes you all to be virtuous and industrious and to become

a happy and prosperous community.

The Semiahmoo, Lummi, and Samish were at that time prosperous communities by virtue of their ownership of lucrative saltwater fisheries. The reefnet locations of these groups were situated so as to intercept the sockeye in their annual migration from the ocean to the Fraser River. The number of sites at which this ingenious and unique type of fishery could be located was limited and therefore control of such sites was critical. The value of the fishery was increased by virtue of the fact that sockeye was a choice salmon which did not run in all streams draining into the Sound. The reefnetters were able to take enormous quantities of this highly desirable salmon which could be sold to other Indians who did not have access to a sockeye run. These salmon were also sold to whites.

As noted earlier, reefnetting was the most important economic activity engaged in by these groups and it sharply contrasted with the major salmon-taking techniques of other Point Elliott tribes which involved catching fish in the rivers by means of weirs and traps. The reefnetting technique involved entrapment of fish taken in saltwater in a net suspended between two canoes.

In my opinion, the language used by Governor Stevens in his speech at the treaty ground (refer to page 7 of this report), in which he specified that

. . . you may be able to pass in canoes on
the waters of the Sound and catch fish. . .

strongly suggests a response to discussions about the reefnet fishery.

Granting that all the coast Indians party to the treaty fished in salt-water, the two most important fisheries were the reefnet fishery and the river catches.

A second, and to my mind, compelling argument in support of the allegation that ownership of the reefnet fisheries was discussed at the treaty negotiations lies in the fact that some of the men who signed the treaty as Lummi sub-chiefs were owners of reefnet locations.

Seh-lek-qu (No. 2) and She-ah-delt-hu (No. 5) on the list of Lummi signatories (see page 5) both owned reefnet sites off Village Point on Lummi Island. S'h'-cheh-oos or General Washington (No. 3) and Hwu-lah-lakq or Thomas Jefferson (No. 8) both owned locations off Fisherman's Bay, Lopez Island (Suttles 1954:53). It is likely that others of the Lummi signers also were owners of reefnet locations or heirs to such locations. The men who were recognized as chiefs and subchiefs at the treaties tended to be men of wealth and influence in native society. Among the Lummi these would be owners of reefnet locations. In view of the value of the sockeye fishery, I conclude that the owners of these reefnet locations would not knowingly have ceded control of the sites.

The fifth Indian signatory to the Treaty of Point Elliott is identified as a Skagit subchief, but I consider it highly probable that he was in fact the Samish "chief" who was part owner of the reefnet location off Iceberg Point, Lopez Island.

In the 1850's a number of leading Indians were given English

titles and the names of famous people by local whites who found it difficult to master Indian names. As the purpose was to provide an easy way of identifying individuals, the same name was not used for several persons in the same group although it might be used for leaders of different groups. The name "General Pierce" was given to the Chemakum "chief" who signed the Treaty of Point No Point. It was also given to a Samish "chief" (Fitzhugh, letter of February 7, 1857), and apparently to a Skagit Indian. Two of the signatories to the Treaty of Point Elliott are identified as "General Pierce" and as Skagit. That the same individual has not been recorded twice is indicated by the fact that the two signatories are identified by different Indian names. The Indian name for one of these appears to be that of a Samish reefnet location owner, x^wəlx^wəltən (Suttles MS. 1951:197). The name is rendered Kwallaltum on the treaty document.

THE ROLE OF FISHING IN LUMMI CULTURE

While fishing was central to the basic economy of all Indians in western Washington, the Lummi (including the Semiahmoo and Samish) had access to unusually productive fisheries. The abundance and variety of marine resources coupled with a highly specialized technology for harvesting permitted a high standard of living as well as surpluses to trade for imported commodities.

In 1791 when Spanish ships arrived at Boundary Bay, they found large numbers of Indians fishing there, probably the Saanich and the

Semiahmoo at their reefnet locations. The Indians were in possession of iron, copper, and blue beads which the Spaniards learned had been procured from interior Indians in exchange for dried fish.

Dried clams and possibly also sun-dried salmon were traded to upriver people for coiled baskets and fibers and grasses from the interior. Flint from Puget Sound and woven root hats from the West Coast were among the other imports.

The single most valuable fish resource was undoubtedly the sockeye, which the Semiahmoo, Lummi, and Samish were able to intercept in the Straits on their annual migration from the ocean to the Fraser River. These groups took sockeye at reefnet locations in the San Juan Islands and off the mainland coast. The Songish of Vancouver Island intercepted them earlier as they passed through the Strait of Juan de Fuca.

The more important reefnet locations of the Semiahmoo-Lummi-Samish are noted in the section on usual and accustomed fishing sites and are plotted on the accompanying map.

Reefnetting is a local Indian invention which is apparently unique to this part of the world. It was used exclusively by the Songish and Saanich of southeastern Vancouver Island, the Klallam, and the Semiahmoo, Lummi, and Samish. Its precise origins are not known. Suttles (MS. 1951:188-189) suggests two fishing devices used by Indians in neighboring areas which are somewhat similar to the reefnet and may be ancestral to it. One is the trawl net used by the Upper Skagit; the other the

Swinomish q l' c, a net between two canoes anchored at an opening in a weir. Basically the reefnet is a net suspended between two canoes at an opening in a reef.

Collins (1892:260) in a general report on fisheries of the Pacific coast reported that reefnetting had been taught to local Indians by an employee of the Hudson's Bay Company. This explanation of its origin fails to account for the sighting of reefnetters in 1791, some years prior to the arrival of Hudson's Bay Company men in this part of the world.

The following facts all indicate an Indian origin for the technique: (1) native materials were used for all parts of the gear, (2) each detail of gear and construction had a native name in each of the several dialects used by Indian groups participating in the fishery, (3) a unique and specialized set of ritual observances was associated with the reefnet fishery, which was similar to other salmon rites of the general area but peculiar to reefnetters, (4) the reefnetting technique was employed from the Straits of Juan de Fuca to Point Roberts apparently at all feasible locations. This necessarily implies intimate local knowledge of salmon migration routes and underwater topography of the region, coupled with close observance of salmon behavior.

This last point will be amplified in the detailed discussion of the reefnet gear and technique of operation. At this juncture it may be noted that when white fishermen attempted to compete with Indian fishermen at the reefnetting grounds they had to experiment for over a decade

before they were able to design traps which were successful. H. B. Kirby (Collins 1892:258), who finally was successful, reports that at Point Roberts

. . . the late Captain Waller had been experimenting for 12 years with traps at the point for the purpose of taking the sockeye salmon, and had been successful only one season, when fish were so plentiful that there was no market for them. The stories of those who saw his trap fishing do not agree.

It may also be stated that Scotch salmon traps, set with buoys and anchors, Nova Scotia traps, and several other styles, are being tried here every season without success; in fact, they are total failures.

Winthrop (1913:27) saw reefnetters in August 1853. George Gibbs (NAA MS. #714) mentions the reefnet fishery off the west side of Lummi Island in 1853. Other scattered references may be found in correspondence of early settlers dating from the mid-1850's. However, none of these early sources provides details concerning the reefnet fishery.

The earliest accounts that I have found which set out to describe the gear and their mode of operation date from the 1880's and 1890's. These accounts derive mainly from two sources: (1) Indian testimony from individuals who fished with reefnets both prior to 1855 and afterward, and (2) descriptions by non-Indians who either participated in the fishery or else observed it at first hand. These accounts are in essential agreement as to the gear and their manner of use.

The reefnet fishery is one of the few aboriginal salmon harvesting techniques which has persisted to the present time. Until the early

1890's when fish traps were located by the Alaska Packers Association so as to block the Indian reefnet locations, reefnetting was carried on in the traditional way and at usual and accustomed fishing sites. The major alterations involved improvements in technology which the Indians consistently adopted whenever new materials proved superior to or easier to use than those of native manufacture.

After the introduction of steel, metal cutting edges were substituted for stone tools in the construction of the reefnetting canoes. This substitution occurred fairly rapidly. For a rather longer period nets and lines made of native plant materials were favored over those of non-Indian manufacture, but by the turn of the century, native lines of steamed cedar withes and nets of willow bark twine were largely replaced by introduced cord and rope.

Collins (1892:258-260) mentions Indian sockeye fisheries which were operating in 1888 and 1889 at Stuart Island and Point Roberts. His account of the Point Roberts fishery makes it clear that cotton twine had by that time been adopted for net construction. Another of the changes from aboriginal practice related to the curing of the fish. Collins mentions that the Stuart Island catch was salted. Collins' account appears to be the earliest detailed description of the reefnet technique by a fisheries expert and seems not to have been noticed by anthropologists and others interested in describing the fishery. Although, as we have noted before, his comments regarding the introduction of the fishery are not in accord with other evidence, the account is sufficiently interesting in other

details to warrant inclusion here in full.

The salmon fishing on the reef, which extends outward from Point Roberts a distance of 2 miles, is mostly done by the Indians. About two-thirds of these fishermen come from British Columbia. In 1889 there were 16 nets operated on the reef. Each net consists of a piece of webbing about 30 by 40 feet, made of 32-thread cotton twine and having a mesh of $3\frac{1}{2}$ inches. It is hung "on a third," with the exception of about 4 feet at one end, where it is taken up sufficiently in hanging to form a small bag at the top of the net.

Each fishing canoe has two places to fish on the reef, one for high water and one for low water; the object being to secure as nearly as possible a depth of water which does not exceed 8 feet.

Under natural conditions the reef is covered with kelp throughout its length, the kelp floating at the top of the water. A channel is cut through this, and in the passageway so prepared the net is set, and short leads of kelp are run out at angles from the opening so as to direct the fish into the net. The kelp is all submerged when the tide is running, but nevertheless has a tendency to lead the fish to the channel.

In operating the net two canoes are so anchored that they will be on opposite sides of the channel, and between them the net is held in position by an arrangement of guy lines. From the head anchor runs a double line, one part extending to the canoe and the other running to the net. What is termed a "side anchor" is placed a little astern, so that by hauling in on the line attached to it the net can be kept taut. As has been stated, there are a number of lines extending from each canoe to the net, and a small stone is bent on to the head anchor line close to the net, so that the latter will sink more quickly than it otherwise would.

The canoes lay side by side in the tide; the net is thrown over, the side lines are set up and spread out, the front of the net goes to the bottom, and the top or back is just under the water. The net is now set for fishing, although three sides of it are open so that fish can go out. Salmon are never meshed in this form of apparatus.

The oldest or best fisherman stands as lookout,

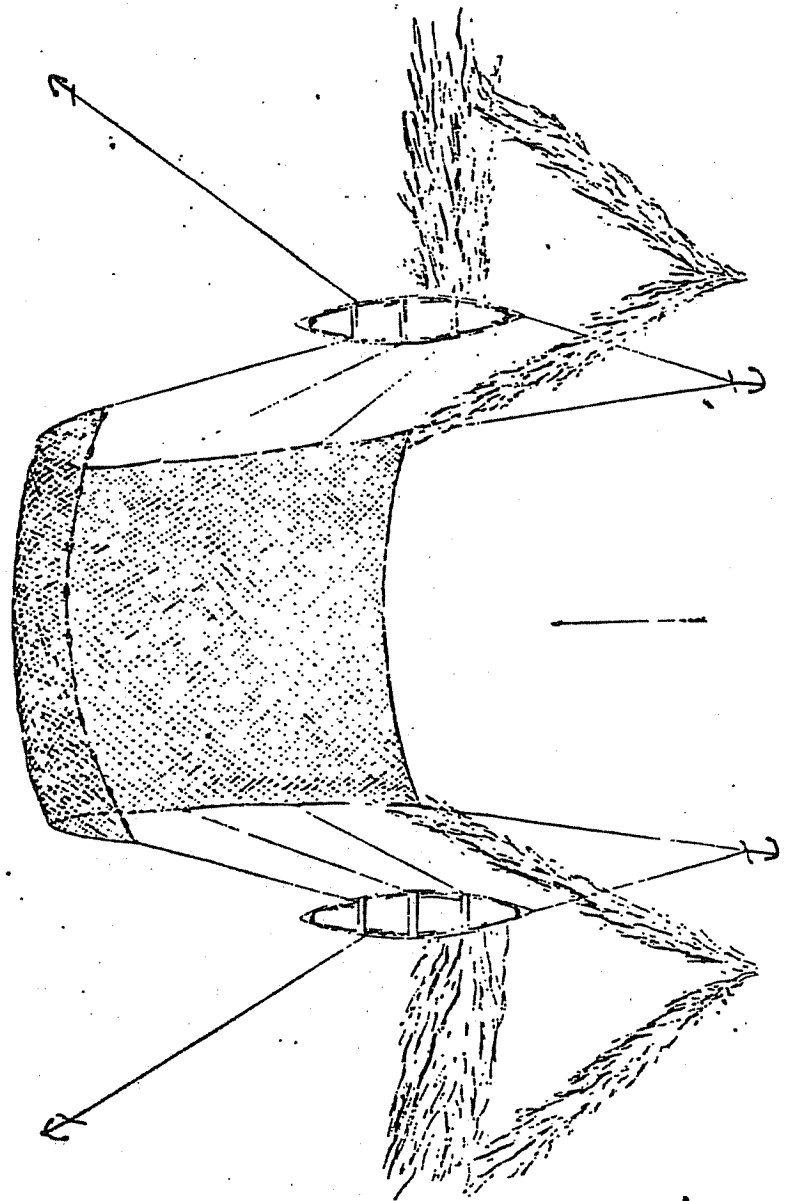
and each of the crew has a line leading to the net. When the lookout has seen fish pass on to the net he gives the order to haul in on it, and the sooner the apparatus can be lifted the greater number of fish will be secured. When fish are thus seen the side lines are tripped and the canoes come together so that the net can be gathered up into a sort of bag.

The fish are then rolled into the canoes, something after the manner of gathering up a seine, and as soon as the apparatus is emptied it is again thrown over and spread as before. It often happens that salmon are not seen until they have been on the net and have turned to go off. In such cases a water haul is generally the result.

When fish are running in good numbers ten to fifteen Indians form a crew for a reef net, and a haul can be made every minute or two if necessary. Some of the Indians are very expert at this kind of fishing, and have taken as many as 2,000 salmon in a day. In such cases the clutchmen come out with canoes and boat the fish ashore so that the operations of those engaged in fishing will not be interrupted.

The origin of this style of fishing is attributed to one of the Hudson Bay Company's employes, who the Indians say taught them a long time ago how to catch salmon in this manner. At first, they state, their nets were made from the fiber of cedar bark. This style of reef fishing will never be profitable for white men, since it requires too many hands to operate the net, and there are so many days that fishing can not be prosecuted because of muddy water, strong tide rips, etc.

The long ebb and two-thirds of the flood tide run over the reef, and during the set of these tides is the right time for fishing, when the current is not swifter than 5 knots an hour. On high course tides, however, particularly when there is a strong wind blowing outside, the current often reaches a velocity of 8 knots, and reef fishing at such times is impracticable.



SALMON-NET FISHING ON "THE REEF" AT POINT ROBERTS.
(Arrow indicates direction of current.)

Suttles (MS. 1951) provides further details regarding the varieties of reefnet construction. Usually the reefnet was located in a kelp-covered reef a short distance offshore. Often it was opposite a headland that caused a backward sweep of tidal current. The fish entered with the current. If the location were in a kelp bed, a channel was cleared so that the fish swam into the channel and into the hidden net. If there were no kelp, the illusion of a channel was created by hanging weeds on lines leading to the net.

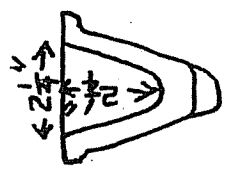
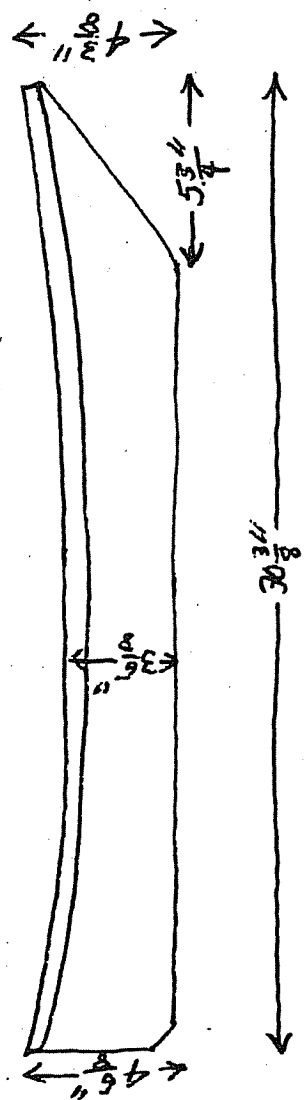
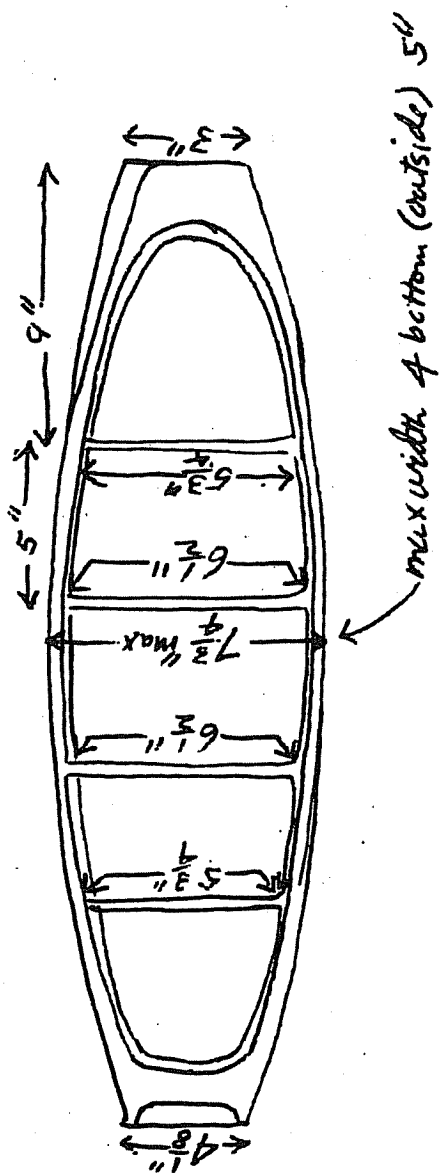
As Collins notes in the description quoted earlier, and as may be observed from the sketch he published based on Kirby's pencil diagram, the net is open on three sides and the salmon could avoid capture simply by swimming out.

Suttles (MS. 1951:159) reports that if the water was deep a number of horizontal floor lines were run across between the net lines to create an artificial bottom.

. . . The fish could swim between the side and floor lines, of course, but they usually shied away from them and were thus guided into the net. To increase the illusion, the fishermen might tie bunches of beach rye grass at intervals across each floor line.

The design of the reefnet clearly relied on careful observation of salmon behavior. Indian fishermen used their knowledge of salmon psychology, local underwater topography, and tidal currents, to entrap the migrating salmon. When nature did not provide optimum conditions, the reefnetters artificially created them.

It is instructive to note that when white fishermen attempted to



DIMENSIONS FROM MODEL OF COAST SALISH REEFNETTING CANOE

devise traps which would serve at the reefnetting grounds, most of their initial difficulties over the years revolved around the problem of leading the salmon into the trap. Kirby, who finally succeeded, had previously fished on the reef with Indians.

The canoes used for reefnet fishing were specialized craft. They were larger overall than ordinary fishing canoes and had a flat stern and a wide bow. The dimensions of a model acquired by the National Museum of Canada in 1889 are given on the attached drawing and indicate the shape and proportions of the vessel. The sketch does not show the raised platform in the stern from which the lookout kept watch for migrating salmon swimming toward the net.

The watchman was a key member of the crew. He spent hours perched aloft straining to detect the movement of the fish in order to signal the precise moment when the net should be lifted. Some men were noted for their unusual abilities to detect the approach of the fish. Various kinds of weather conditions, such as sun glare and chop on the surface lessened visibility.

In addition to such patently practical techniques as those described above, the Indian reefnetters also used ritual procedures which were intended to ensure that the salmon would come in numbers and that they would enter the nets. The net itself, made of willow bark twine, had to be replaced each year. The owner of a location hired a crew to fish for him during the season, which began about mid-July. Each member of the crew was responsible for making a section of the net. These were

then sewed together. Suttles (MS. 1951:162) noted that

At Semiahmoo the ritualist named $\chi\tau\alpha'\zeta\tau\alpha\eta$ went from net to net, helping each crew put its net together. The crucial point in the procedure evidently came when the person sewing the pieces together left in the net a hole which was identified as the vulva.

It was said that although the hole was a foot to a foot and a half across, salmon did not swim through it. The ritualist also had to oversee the setting of the net.

The anchors were dropped at the lowest tide before the sockeye run. If a new captain were taking over, he went through a ritual investiture. This involved painting his face, arms, legs and feet with red ochre and placing white down in his hair. He was led to the water by a ritualist who sang while shaking a hollow rattle in one hand.

At the start of the run, the captain, wearing a special head-dress, his face painted with red ochre, watched for the arrival of the salmon. A special song and spoken commands directed the sockeye into the net.

A first salmon rite was performed for the first sockeye taken in the reefnet. The ceremony has been described by a number of anthropologists for different groups. The following is a much abbreviated and generalized account. The sockeye were accorded great respect and were treated ceremoniously so that they would continue to come and would allow themselves to be caught. The children of the captain and crew, their faces painted with red ochre and with white down in their hair, met the

canoe as it came to shore. Each child took one fish and carried it back to the waiting women in a ritual way. The fish was carried across the child's outstretched arms and the child steadied the fish by holding its dorsal fin in his mouth. Each child had to limp as he walked back to the drying racks. The fish was laid on fresh ferns with its head pointing in the direction of its interrupted route. The fish were carefully prepared and edible parts had to be entirely consumed. The bones were deposited in the sea.

The economic aspects of the reefnet fishery cannot be understood without reference to kinship ties.

The owner of the reefnet location hired his crew and either worked with them, or else hired a captain to take his place. The owner fed the crew and their families for the duration of the season. Relatives were probably hired first, but non-kin might also be hired. The catch was divided among the captain and crew with the owner-captain keeping more than the others. The crew received their shares first until they had received enough. After that, the rest belonged to the owner. The sockeye were not smoked like the fall salmon taken later in the river. The reefnet catch was sun and wind dried. The wives of the crew were occupied drying their own fish at the beginning of the season. Later they helped to dry that belonging to the captain.

Locations were said to be owned by individuals who claimed proprietary rights by virtue of inheritance in the male line. The data regarding distribution of the catch indicate that what were owned were

stewardship rights over a resource-producing area. True ownership evidently resided in a somewhat larger settlement group or kinship group. Boas (1890), reporting on the Songish, says that each winter village had its fishing ground. Stern (1934) suggests that it was family ownership among the Lummi. Suttles (1951) reported that a descendant of a former owner might receive a portion of the catch without working on the gear. Co-heirs who were not co-owners evidently had some kind of rights in the proceeds.

Documentation in the form of Indian Department correspondence and reports make it clear that the Lummi (including the Samish and Semiahmoo) continued to utilize their reefnet fisheries after 1855.

In a report dated Bellingham Bay, September 21, 1856 the Indian agent Fitzhugh reported to his superior Simmons

The Lummis 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;. . .

Sky-lak-sen refers to the reefnet fishery off Village Point, Lummi Island.

George Gibbs mentions visiting the same Indian fishery in a letter dated August 28, 1857.

In a letter dated September 16, 1865, Finkboner, the farmer in charge of the Lummi reservation, complained to Waterman, Superintendent of Indian Affairs, about white men selling whiskey to the Lummi while

they were fishing at Point Roberts.

John McGlinn, farmer in charge of the Lummi reservation, reported under date of August, 1874, to Father Chirouse, Indian Agent at Tulalip, that some of the Lummi Indians had been engaged that month in salmon fishing and fishing for dog fish. He noted that

The oil from the dog-fish they get ready sale for at \$40 to 45¢ cts. a gal. With this oil they purchase cloathing, food, and in fact about all the necessaries of life.

It may be that before the Lummi began selling part of their reefnet catch to the canneries, sale of dog fish oil was a more important source of income.

B. N. McDonough, a trader who resided on the Lummi reservation between 1871 and 1883, reported that when the Fraser River canneries started operations about 1878, as post trader he agreed to put up salmon for the Lummi. He reported that in 1878 he put up 112 barrels of Lummi-caught salmon.

The late summer-early fall reefnet fishery was mainly for sockeye, but before the sockeye run the Lummi trolled the waters of the San Juan Islands for spring salmon. Springs, silvers, and humpback were also taken with gill nets and springs were harpooned near the mouth of the Nooksack River.

Steelhead were taken by harpoon at the mouth of Whatcom Creek and and in basketry traps set for steelhead and trout returning downstream.

The bulk of salmon and steelhead taken in the fall and cured for winter stores were dog salmon and steelhead taken at the weir on Lummi or Red River.

In addition to the sockeye and steelhead, many other species including halibut, flounder, smelt, perch and sculpin added variety to the fish diet.

USUAL AND ACCUSTOMED FISHING AREAS

While it is not possible to pinpoint every fishing site used by the ancestors of the present Lummi Tribe of Indians prior to the Treaty of Point Elliott, it is feasible to indicate the general area of their traditional fishing operations and within the general area to designate certain sites as important or principal fishing locations.

The pre-treaty Lummi, along with the Semiahmoo and Samish, both of whom were subsumed with the Lummi at the Treaty of Point Elliott, owned reefnet locations in the San Juan Islands, off Point Roberts, off Lummi Island and Fidalgo Island.

The reefnetting grounds off Point Roberts were the largest in the entire area and were situated within the aboriginal territory of the Semiahmoo. They were used not only by the Semiahmoo but also by Saanich, Lummi, and other Indians.

The grounds off Village Point, Lummi Island were second in size

to the Point Roberts grounds. At least two of the Lummi signers of the Point Elliott Treaty owned reefnet locations off Village Point.

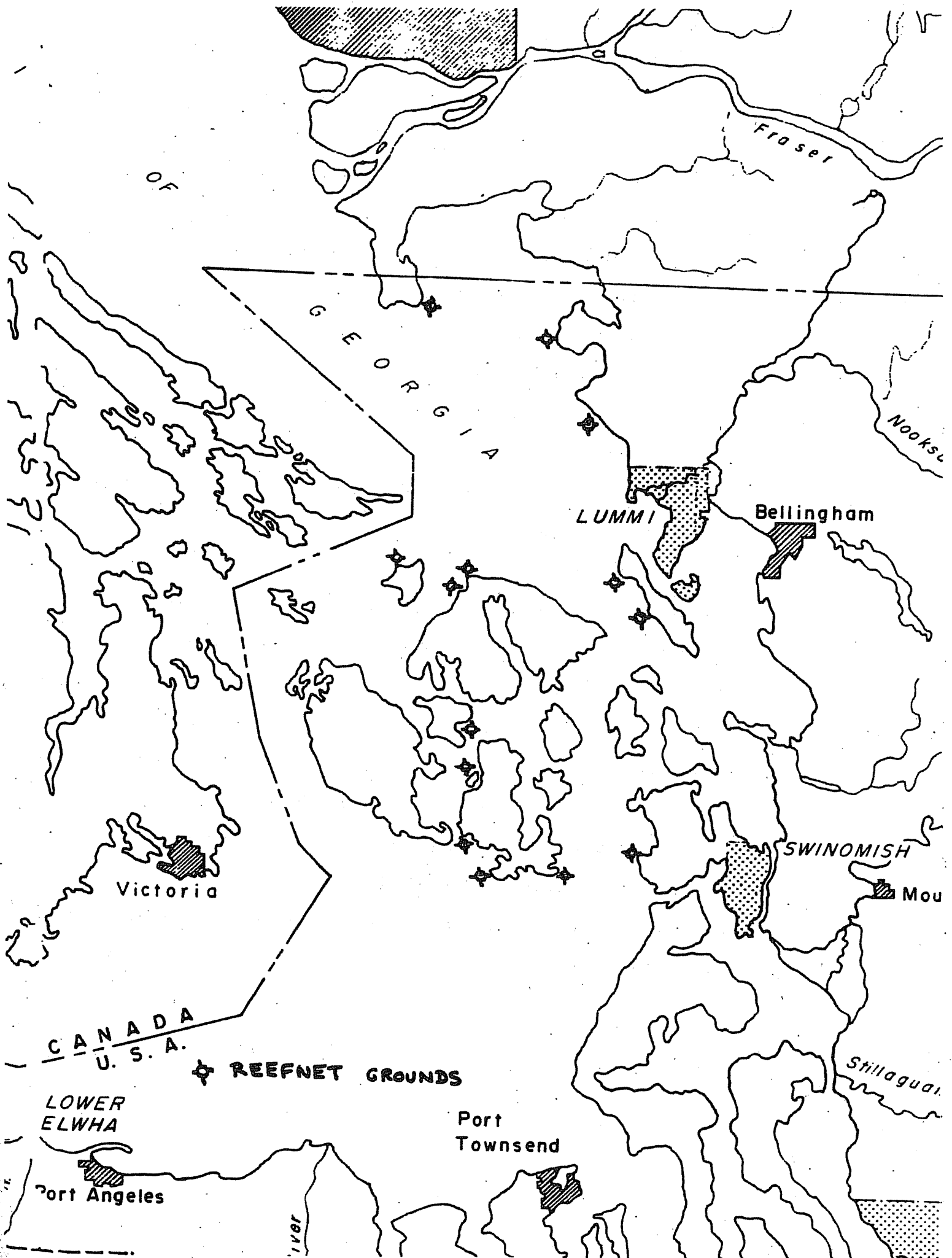
The main Samish location was off Iceberg Point, Lopez Island in the San Juans. Other Samish and Lummi locations were located off the southern shores of Lopez. The Samish also fished with reefnets off Langley Point on Fidalgo Island.

Other Lummi reefnet grounds were located off Shaw Island, Orcas Island, Waldron Island, and off Cherry Point on the mainland.

The Birch Point grounds off Birch Bay lay within the aboriginal territory of the Semiahmoo people.

In addition to using the reefnetting grounds noted above, the ancestors of the present Lummi Tribe of Indians also trolled for salmon in the contiguous salt waters of Haro and Rosario Straits and in the islands, speared them in the bays and streams of the mainland, and took them by means of weirs and traps in the rivers. There were, in addition, other important fisheries, including halibut banks, but discussion here is limited to salmon (including steelhead) fisheries.

The traditional fishing areas discussed thus far extended from what is now the Canadian border south to Anacortes. 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



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◆ REEFNET GROUNDS

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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.

In addition to the home territory discussed to this point, Lummi fishermen were accustomed, at least in historic times, and probably earlier, to visit fisheries as distant as the Fraser River in the north and Puget Sound in the south.

In the same manner, Saanich, Clallam, Skagit and other Indians fished in waters described above as within Semiahmoo, Lummi and Samish territory. The Straits and Sound were traditional highways used in common by all Indians of the region and most saltwater fisheries traditionally were free access areas. This point is discussed at some length in the Summary of Anthropological Report, pages 15-19. While it is useful for certain purposes to speak of Lummi waters, or Samish territory, it is important to note that this by no means implies exclusive rights by one group. That these Indians travelled widely and frequently throughout the waters of the Sound and Straits is commented on by numerous early observers.

CONCLUSIONS

1. The Lummi Indian Tribe is composed primarily of descendants of Indians who in 1855 were known as Lummi or Nook-Lummi and who lived in the area of Bellingham Bay and near the mouths of the river

emptying into it. The present Lummi Indian Tribe also includes descendants of the 1855 Semiahmoo and Samish.

2. The Lummi were party to the Treaty of Point Elliott, January 22, 1855. Fourteen signatories to that document are identified as Lummi. The Semiahmoo and Samish were subsumed with the Lummi at that treaty.
3. The Semiahmoo-Lummi-Samish constituted a cultural unit distinct from all the 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 tribes. All three shared their most important subsistence activity -- reefnetting - a specialized technique to take sockeye and other salmon in the salt water.
4. The traditional fisheries of the post-treaty Lummi included reefnet sites in the San Juan Islands, off Point Roberts, Birch Point, Cherry Point, and off Lummi Island and Fidalgo Island. Other fisheries in the Straits and bays from the Fraser River south to the present environs of Seattle were utilized. Freshwater fisheries included the river drainage systems emptying into the bays from Boundary Bay south to Fidalgo Bay.
5. Several Lummi signatories to the Treaty of Point Elliott were owners of valuable reefnet locations near Point Roberts and at Village Point, Lummi Island.
6. The Lummi continued to use their reefnet locations until about

1894, when fish traps owned by white men were located so as to render valueless many of their reefnet locations. Some Lummi continued to use locations in the San Juan Islands from the turn of the century to the early 1930's. In 1934, when fish traps were prohibited in Puget Sound waters, Indian fishermen again had access to former locations. However, non-Indian fishermen began to use the Indian technique and rapidly monopolized the reefnet locations.

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