U. S. DISTRICT COURT, TACOMA

No. 9213

PLAINTIFF USA 104

EXHIBIT

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USA-104

IDENTITY, TREATY STATUS AND FISHERIES

OF THE

SNOQUALMIE TRIBE OF INDIANS

Prepared for: U.S. Department of the Interior

and the Snoqualmie Tribe of Indians

by: Barbara Lane, Ph.D.

15 October 1975

IDENTITY, TREATY STATUS AND FISHERIES

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IDENTITY, TREATY STATUS AND FISHERIES OF THE SNOQUALMIE TRIBE OF INDIANS

I. INTRODUCTION

This report deals with the Snoqualmie Indians as they existed in 1855 and with their descendants in 1975. In 1855 the name "Snoqualmie" (under various spellings) was used to denote the people of a number of villages on the Snoqualmie River and its tributary streams.

Two of the leading men among the Snoqualmie at treaty times were Patkanim and Sonowa. Patkanim was influential among the people living in villages from Tolt River downstream along the Snoqualmie River. Sonowa was regarded as the leading man from Tolt River upstream along the Snoqualmie River. Both men were referred to in contemporaneous documents as "chiefs."

The term "Snoqualmie Tribe" as it is used in the literature sometimes refers to all of the Snoqualmie and sometimes to the upper or lower division alone. Alternatively, the upper and lower Snoqualmie groups are sometimes referred to as "bands" of the Snoqualmie Tribe.

In this report, the terms "tribe," "band," and "chief" are used in the generally understood sense in which they are used in the documents referred to, and in the various sources dealing with the relations between the United States and Indians.

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

Other descendants of the 1855 Snoqualmie Indians may still identify themselves as Snoqualmie and be known as such to others, but they are officially enrolled as members of other Indian communities. Some of these are enrolled as members of the Tulalip Tribes and reside on the Tulalip Indian Reservation.

Still other Snoqualmie descendants are living on other reservations and are enrolled as members of those reservation communities.

The record shows that for about one hundred years the Bureau of Indian Affairs has recognized the existence of a non-reservation based Snoqualmie Tribe. As recently as the 1940's, the Superintendent in charge of the Tulalip Agency recommended purchase of a reservation for the Snoqualmie Tribe.

As recently as the 1950's the Snoqualmie Tribal Council apparently was a federally recognized tribal governing body. [1] It is unclear to me, on the basis of presently available data, as to when or on what basis the federal government has ceased to recognize the Snoqualmie Tribe.

Under the terms of the Treaty of Point Elliott, it was intended that the Snoqualmie Indians would be settled initially on a reservation of two sections of land near the mouth of the Snohomish River.

Ultimately, the Snoqualmie along with all the Indians in Washington Territory west of the Cascade Mountains were to be settled on a central or general reservation. The Tulalip Reservation was designated as the general reservation.

The smaller, temporary reservations were described in Article 2 of the Treaty of Point Elliott.

Article 2. There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: the amount of two sections, or twelve hundred and eighty acres, surrounding the small bight at the head of Port Madison, called by the Indians Noo-sohk-um; the amount of two sections or twelve hundred and eighty acres, on the north side of Hwhomish Bay and the creek emptying into the same called Kwilt-seh-da, the peninsula at the southeastern end of Perry's Island, called Shais-quihl, and the island called Chah-choo-sen, situated in the Lummi River at the point of separation of the mouths emptying respectively into Bellingham Bay and the Gulf of Georgia. All which tracts shall be set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribes or bands, and of the superintendent or agent, but, if necessary for the public convenience, roads may be run through the said reserves, the Indians being compensated for any damage thereby done them.

[2]

The underscoring in the foregoing material has been added for clarity. It does not appear in the treaty document. In Article 2 at line 6 in the underscored material, "Hwhomish Bay" is a printer's error in the published treaty. The name "Snohomish Bay" appears clearly in Gibbs' handwritten original of the treaty. [3]

The Snohomish Bay Reservation described above was intended not only for the Snoqualmie Indians, but for all the Indians of the Snoqualmie-Skykomish-Snohomish river system and also for the Indians of the Stillaguamish River. This is clearly set out by George Gibbs, secretary of the treaty commission, in a report written in 1855, after the conclusion of the treaty negotiations.

> *3d. The Snohomish, with whom were included the Snoqualmu, Ski-whamish, Sk'tah-le-jum, Kwehtl-ma-mish, and Stolutswhamish, living on the Snohomish and Stolutswhamish Rivers. The Snohomish tribe itself occupies only the country at its mouth and the lower end of Whidbey Island; the upper part of the river belonging to the Snokwalmu, &c. They number 441 souls, and the other bands, collectively, 556. At the time of the treaty they were all placed under Patkanam, the chief of the latter. It is observable that though the connection between them is most intimate, the Snohomish assimilate in dialect to the next tribe, the Skagit, while the Snokwalmu speak the Niskwalli in its purity. In the treaty of Point Elliott, the reservation for this division was fixed at two sections on a small creek emptying into the bay formed by the mouth of the Snohomish River. . . .*
>
> [4]

In 1854 when the treaty commission was planning the probable number of reserves which would be needed, they understood that there were between 300 and 400 Indians in the area of the Snohomish and Stillaguamish watersheds and the adjacent islands.

By 1855 when Gibbs wrote the above quoted material, he understood that there were 997, or in round numbers, 1,000 Indians in the area.

In 1856 it was discovered that there were some 1800 Indians in the groups which were intended to locate on the Snohomish Reservation. Nathan Hill, agent in charge of the Snohomish, Snoqualmie, and Skykomish

Indians reported an average number of 1400 Indians under his charge with the number sometimes going as high as 1800. This is nearly double the number reported by Gibbs the year before.

The following excerpts are from Agent Hill's annual report to Michael Simmons, Indian Agent for the entire Puget Sound District. The report is dated September 30, 1856.

"On the 14th November 1855, I received a letter from you appointing me the Special Agent for the "Snohomish", the "Snoque-ol-mie" and the "Ski-qua-mish" Tribes of Indians with orders to collect them at some point on Whidby Island distant from the seat of war . . . . The greatest number under my charge was about eighteen hundred - the smallest eight hundred and fifty - the average number about fourteen hundred."

[5]

If the eighteen hundred or so people who were actually in the area had attempted to settle on the Snohomish Reservation, they would have been unable to support themselves there.

The inadequacy of two sections of land for some eighteen hundred people is apparent when compared with the amount of free land offered at the same time by the federal government to prospective white farmers.

Under the Donation Land Act, as it had been amended prior to the Treaty of Point Elliott, a white settler who was a family head could obtain a land grant of a half section or 320 acres.

The Snohomish Reservation contained the same amount of land as that available to four white settlers if they were married men.

According to Agent Hill's 1856 Snoque-ol-mie Roll, there were 119 adult males, all but 30 of whom were family heads. Some of the men

had several wives. [6]

Prior to the negotiation of the Point Elliott treaty, the Snoqualmie had been raising potatoes on several prairies in their territory in the neighborhood of Snoqualmie Falls. An article in the August 24, 1855 issue of the Olympia newspaper, *The Pioneer and Democrat*, described an exploring expedition up the Snoqualmie River to the falls, and mentioned one of these Snoqualmie potato fields. The location was given as twenty miles above the junction of the "Schawamish and Snoqualmie rivers" half a mile back from the river on the "right hand" side.

The Snoqualmie had asked that one or more of these prairies be set aside for them as reservations. Their recommendation was forwarded with approval by their agent, Nathan Hill, in his annual report dated September 30, 1856.

. . . . "Sadahwah" the chief of those up in the neighborhood of Fort Tilton has sent me word that he wishes a reservation for his tribe up on the Prairie above the Falls - he wishes to farm like the "Bostons". The place is one well qualified - good land for farming purposes - good range for stock, the fisheries close at hand and the climate warmer than down on the salt water. I would recommend his prayer to your consideration. [7]

In 1858 Michael Simmons, who had served as a member of the treaty commission, and who was Agent for the entire Puget Sound District, made the same recommendation to J.W. Nesmith, Superintendent of Indian Affairs for Washington and Oregon Territories.

On the Snoqualmie river, above its falls, is a tract of prairie country supposed to contain some ten thousand acres. This is the country of Son-a-wa, an old chief nearly related to the Klikatats. During our past Indian difficulties he was our firm friend, and then expressed a desire that white people should settle in his country. Until this spring no one has thought it prudent to move there. Now, however,

two men have gone at his request and taken claims. Mr. J.H. Van Bokkelin, deputy collector of customs, writes me on the subject as follows:

"Son-a-wa and the other Indians tell them that they want the whites to settle there; that they can take all the prairies but a small one, and he wants the 'Bostons' to reserve that for him and his family and allow no person to take it from him.

"If there is any way the small prairie can be secured to him it would be well to do so, for there are mean white men, if the country up there is settled, that would not stop a minute in driving him off."

This old man Son-a-wa I consider one of the very best Indians in my district; you see how modest his requests are, and yet neither I nor any other person here can secure to him this small patch of ground for his potatoes to grow in. He doubtless thinks he is the rightful owner of all the ten thousand acres, but is willing to claim only one; and in all probability he will be kicked off that before the crop now in the ground is ready to harvest.

I think, sir, that humanity, that justice, and that the peace of this country demand that government should provide for a final settlement with our Indians.

[8]

Elsewhere in the same report, Simmons offered his opinion that it was unrealistic to expect the inland Snoqualmie to share a reservation with the coastal Snohomish.

There is a portion of the Indians in my district whose homes are high up on the rivers, principally on the Nisqually, Puyallup, and Snoqualmie. They are nearly related to the Yakimas and Klikitats by blood, and are sometimes called Klikitats. They are a more athletic and independent race of men, but are more closely wedded to their manners and customs, and superstitions; and are less docile, and much harder to manage. They cross the Cascade mountains frequently to visit their relations, and are, to some extent, imbued with the hostile feeling that still exists among them. Part of those Indians--those living on the Nisqually and Puyallup--were the most formidable we had to contend against during the late war. The others, the Snoqualmies, were our faithful allies, particularly Son-a-wa and his band. At my instance they carried an express across into the Yakima and brought back information. They differ in appearance, in their mode of living, and in many other respects from the salt water tribes, and I do not think they can be brought to live in harmony together, at least for some years to come.

[9]

Simmons' assessment was correct. In 1877, Edmond Mallet, Special Agent for the Tulalip Agency reported to the Commissioner of Indian Affairs with respect to the Tulalip Reservation:

Fewer than one-half of the Indians live on the reservation; whole tribes have persistently refused to remove to the reservations assigned them.

[10]

Mallet makes explicit that it was whole tribes, and not just dissident individuals, that remained off-reservation.

His phrasing that "whole tribes have persistently refused to remove to the reservations" must be understood with two points in mind. First, the evidence is that most of the tribes did make an initial effort to comply with the government request that they remove to the reservations. Sonowa and his people, for example, are listed on one of the early reservation rolls. Secondly, the reservations were demonstrably and totally inadequate to provide for the numbers of people that were assigned to them.

Although some Snoqualmie were able to stay on the Tulalip Reservation, and others found homes on other reservations, it is clear that the Bureau of Indian Affairs over the years has regarded the Snoqualmie Tribe to be resident in its traditional territory and not on reservation.

The following examples are taken from Bureau of Indian Affairs records.

(1) As noted earlier, agents of the Indian Affairs Department in 1856 and again in 1858 recommended that a reservation for the Snoqualmie under Sonowa be established near Snoqualmie Falls.

Clearly the reservation was intended for the tribe, or one band of the tribe. Reservations were not established for individuals.

No reservation was established for Sonowa and his people, nor were lands made available to them on the Tulalip Reservation. A few individual Snoqualmie managed to acquire land on the reservation, but most did not.

(2) In 1870 the Bureau of Indian Affairs regarded Sonowa as head chief of the Snoqualmie Tribe. The tribe itself was reported to number 301 individuals.

The 1870 census included both on- and off-reservation Indians and no separate figures were supplied as to the 1870 population of the Tulalip Reservation. While it is not possible to compare on-reservation figures with off-reservation figures for the year 1870, it is reasonable to assume that the 301 Snoqualmie were largely off-reservation.

If most of the Snoqualmie were on the reservation in 1870 and Sonowa with a few dissidents were off-reservation, it is unlikely that the Bureau of Indian Affairs would have regarded him as the head chief of the tribe.

The 1870 census was taken under the order of Samuel Ross, Superintendent of Indian Affairs for Washington Territory. The tabular statement is prefaced with the remark

It is reasonable to suppose that in a wild, sparsely settled country like this, at least 5 per cent of the Indians are not found. [11]

The above makes it clear that the census was not confined to reservation populations.

The information regarding the Snoqualmie Tribe was included in the table of statistics.

Names of tribes and designation of treaty	Names of head chief	Number			
		Men	Women	Children	Total
Treaty of Point Elliott, made January 22, 1855.					
Snoqualmoo	San-a-wa	133	95	73	301

(3) We have already noted Mallet's 1877 comment that fewer than half of the Indians live on the Tulalip Reservation, whole tribes remaining off-reservation. While the Snoqualmie are not mentioned by name, it is reasonable to assume that they are one of the groups referred to as living off reservation.

In the same report Mallet noted that he had distributed annuities only to those Indians who habitually resided on the reservation. He reported that he had distributed annuities to 344 men, women, and children on the Tulalip Reservation.

If the reservation population was 344 and this was less than half of the total population assigned to that reservation, the off-reservation figure would be large enough to encompass the Snoqualmie or a large proportion of them.

(4) In 1913 Western Washington Indian Agencies were issued directives concerning jurisdiction over non-reservation Indians. Those in King County were assigned to the Cushman Agency, those in Snohomish County to

the Tulalip Agency.

The Snoqualmie who were not on reservation and who continued to reside in their traditional territories were located partly in King County and partly in Snohomish County.

Although they are not mentioned by name, it seems likely that the Superintendent of the Tulalip Agency had the Snoqualmie in mind when he responded to the directive by saying that "the lines of cleavage between Cushman and Tulalip agency would have to be tribal rather than geographical." [12]

(5) In 1919 the Snoqualmie were specifically reported on as an off-reservation tribe. Special Allotting Agent Charles Roblin was detailed to investigate and report to the Commissioner of Indian Affairs regarding the large numbers of non-reservation Indians in western Washington. With respect to the Snoqualmie he had this to say.

SNOQUALMIE TRIBE

There are a certain number of full-blood Snoqualmie Indians in Snohomish and King Counties, Washington, around Tolt, Falls City, and the towns in that district. This is a mountainous district, and the Indian settlements have not been completely eliminated. While these Indians could have been provided with homes on the Tulalip Indian Reservation in the early days, they preferred to stay in their ancient habitat, and they have done so. They have some few small land holdings, but the majority have none. They live by working in the logging camps and the saw mills.

[13]

Roblin's report that the Snoqualmie were living in Indian settlements in their traditional territory as of 1919 may be accepted as correct. It is corroborated by considerable correspondence within the Bureau of Indian Affairs concerning jurisdiction over the several thousand

non-reservation Indians in the area of the Tulalip Agency.

Roblin's assertion that the Snoqualmie "could have been provided with homes on the Tulalip Reservation in the early days" is acceptable only in the sense that the United States intended to provide for them on the reservation. That they could have been provided for physically is not supported by any evidence or documentation known to me. It is categorically denied by Indian agents in charge of the Tulalip Reservation from Father Chirouse to modern administrators and it has also been denied by Indian people who were knowledgeable about the situation.

In 1919 Roblin submitted a list of about 250 Snoqualmie Indians who were not enrolled or listed on any other Indian censuses.

(6) Roblin's report on the Snoqualmie Tribe was followed a few years later by further inquiry into the situation. In 1923 Walter F. Dickens, Superintendent of the Tulalip Indian Agency, conducted a hearing under directions from the Commissioner of Indian Affairs. At the hearing depositions were taken from a number of elderly Snoqualmie Indians regarding the treaty council of Point Elliott at which a number of them had been present and about the inability of the Snoqualmie to obtain allotments on the Tulalip Reservation.

Most of the Snoqualmie who made depositions did not have allotments. The following excerpts are taken from the deposition of Skookum George, a Snoqualmie Indian who had at the time an allotment on the Tulalip Reservation.

Q. Were you related to any of the Chiefs or Head Men who signed the treaty on behalf of the Indians?

A. The Snoqualmie lined up in that Treaty were Pat Kanim, Squaskim, Tesalin-Sueskidem, Duquilsodt, my father. They were the leaders in the order named in that little tribe.

Q. Were you related to any of these men that you have named?

A. Pat Kanim was my uncle.

Q. In what manner was he related to you?

A. My grandmother was the sister of Pat Kanim's mother.

. . . .

Q. It is true that there are a number of Indians who feel that they have received everything that the Government promised them?

A. Yes, it is true that lots of these people have got what the Government promised, but what I am referring to now is those that really made the Treaty did not get the benefits of that Treaty and died and not an inch of land.

Q. Did you get an allotment?

A. Yes.

Q. About how many years ago, George?

A. I don't know exactly, it might be 38 years ago.

. . . .

Q. How many acres of land did you get?

A. 160 acres.

. . . .

Q. Do you think that your people were given enough land, George so that all of the Indians could have been allotted 160 acres of land at the time of the Treaty?

A. No.

. . . .

Q. Going back to your own people here now, are there many of the Snoqualmie Indians or the little bands making up the Tulalip Reservation unallotted or without lands?

A. I don't think there are very many because the Indians are dying.

Q. Do you know of any specific cases of your own knowledge?

A. John Skadaway, Sub-Chief, signed the Treaty. . . . He didn't get any land and his people didn't get any land. . . .

Q. Where are they living now?

A. Over there at Snoqualmie Falls, some on this side of Snoqualmie. All over, scattered, as they didn't get any land. Some in Muckleshoot.

Q. Can you name any of the families over around Tolt and Snoqualmie who haven't received any allotments?

A. Albert Moses, Edward Moses, Otto Moses, Maggie Kwikwi, Watson Martin, Lyman Martin, Jennie Jake, Quiletsat, Katie Boyst, Susie Williams, Jerry Kanim, Jack Stillman, George Louke, Liza Louke, Nellie Louke, Snoqualmie Monohan, Monohon, an old Indian woman, Pilchuck Julia, Philander Steve, Maggie Reynolds, Mathilda Williams, Isabel Noyes, Cecilia Steve.

Down here, there were the children of Charlie Shelton, Aloysius, Clarence, and Charlie, two children of William Shelton, Robert and Harriet. Others who didn't get allotments are, Edna Hall, Louis Snapps, Sam Shelton, an old man, William Bagley, policeman, Bob Sheldon has a large family, no allotment.

Q. Do you know why these Indians of the various tribes and bands were not allotted?

A. They don't know where to go to get allotments.

Q. Was there enough land to allot them?

A. There isn't enough around here, that is the reason lot around here has not allotments.

Q. Do you believe that the land set aside in the Tulalip Reservation and the other reservations was sufficient to accomodate all of the Indians of that time?

A. I think that there wasn't enough land for all of the Indians living at that time.

. . . .

Q. You are getting to be quite an old man, aren't you George?

A. I must be getting old. There used to be lots of old Chiefs and old Indians around here and they have died off.

Q. Have you given this Treaty matter a great deal of thought?

A. As long as I have heard those people that signed the treaty, I never forget it.

Q. You really feel that all that you have heard and from all the information that you have gathered during your long life that the Government has failed to keep its promises?

A. Yes, I do feel that way because I heard my old people talk about it while I lived here.

Q. You are satisfied with the school they gave you?

A. Yes, I am satisfied because that is one of the things they promised to do.

Q. You are satisfied with the land they gave you?

A. I am satisfied because I got that myself.

Q. Then your complaint is that while you got your land, there are many, many Indians that had the same right that you had, have never received any benefits?

A. Yes, I am not a fool to be asking for any more than what I have and I am satisfied with what I have got and I am not asking for any more as I have my land.

Q. Your complaint is because there are many others who didn't get it?

A. Sure, it is because they are poor and belong to this land here and have no land.

[14]

The membership of the Snoqualmie Tribal Organization is essentially composed of the descendants of the off-reservation and unallotted Snoqualmie Indians listed by Roblin in 1919 and named by Skookum George and other deponents in 1923.

Roblin specifically referred to these people under the heading "Snoqualmie Tribe" and Skookum George clearly regarded these people as members of bands, although he was asked to name them as individuals. He referred to "John Skadaway, Sub-Chief....and his people" living at Snoqualmie Falls. John Skadaway was the son and successor of Sonowa, the old chief at Snoqualmie Falls in the 1850's.

(7) It is evident that the Bureau of Indian Affairs similarly regarded these people as members of a tribal entity. Some of the non-reservation Snoqualmie were listed on the census rolls of the Tulalip Agency in the 1920's. They are listed in the following manner:

Snoqualmie tribe
Fall City, Wn. *Davis, Lizzie*

Snoqualmie tribe,
residing near Sultan, Wn. *Deason, Bob*

Snoqualmie tribe
Live at Monroe, Wash. *Jimicum, James* [15]

The Snoqualmie entries, of which the above may serve as examples, all list the individuals as "Snoqualmie tribe." This is in contrast to entries for individuals with other affiliations, such as, *"Swinomish," "Whidby Island Skagit,"* and others.

In my opinion, the reference to non-reservation Snoqualmie individuals by the words "Snoqualmie Tribe" in contrast to non-reservation Skagit who are listed as "Whidby Island Skagit, living at Coupeville," indicates that the Snoqualmie were regarded as a tribal entity.

(8) It is clear that the Snoqualmie regarded themselves as a continuing tribal organization. The Snoqualmie treaty signers and their followers who did not receive the land they had asked to have reserved in their own territory and who did not receive allotments on the reservations continued to press for the lands that they understood were due them under the terms of the treaty.

Pat Kanim, John Taylor (who had acted as the interpreter at the Point Elliott treaty) and other leaders met with representatives of the federal government in order to press their claims. They were unsuccessful and their descendants continued to assert tribal claims.

Eventually, the Snoqualmie Tribe along with many other tribes in western Washington joined in a suit against the government, Duwamish

et al v. the United States. In connection with that case a large number of depositions were taken from Indian people. The depositions from Snoqualmie people were taken at Carnation, Washington, February 27, 1927. The Indian deponents were questioned by claimant's counsel, Arthur E. Griffin, and defendant's counsel, George T. Stormont.

Among the Snoqualmie deponents were Watson Martin, a grandson of old chief Sonowa, and Jerry Kanim, a nephew of chief Pat Kanim. Jerry Kanim testified as chief of the Snoqualmie Tribe.

The following excerpts are taken from Jerry Kanim's testimony.

Question. Are you the chief of the tribe, Jerry?

Answer. Yes.

Question. What relation are you to Pat Kanim, the chief at the time the treaty was made?

Answer. He was my uncle.

Question. Do you know whether or not many of the Snoqualmie Indians got allotments of land?

Answer. No. Very few.

Question. Did you ever get an allotment?

Answer. No.

Question. Did Pat Kanim or your father get allotments?

Answer. No.

Question. Any of your children get allotments?

Answer. No.

. . . .

Jerry Kanim was cross-examined by the government attorney with respect to the nature of Snoqualmie tribal government.

Question. How did you become chief of the Snoqualmies?

Answer. I inherited the right.

Question. Do the Snoqualmies still maintain tribal relations and tribal life?

Answer. Yes.

Question. As chief, have you any authority over the other members of your tribe?

Answer. Yes.

Question. Isn't it a fact that the title of chief is more or less honorary now than actual?

Answer. The former chiefs were the head of the tribe, and of course at the present it is a little different than it used to be in the early days.

Question. In what manner did you receive recognition from the President of the United States as chief?

Answer. He says the certificate that I received from the President I was recognized as a member of this tribe, and the tribe suggested that I should have the right to hold that certificate that was issued of greetings from the President.

Mr. Stormont. That is all.

Redirect examination by Mr. Griffin:

Question. Did the President recognize the Snoqualmie Tribe of Indians as a tribe?

Answer. Yes.

Question. How long as the Snoqualmie Tribe of Indians been a member of the Northwest Federation of American Indians?

Answer. It is all of between 10 and 11 years ago since they became a member.

Question. Counsel asked you if your title is honorary. I will ask you if you have performed duties such as calling the tribe together and signing contracts with attorneys and appointing one of your members to take the enrollment, and such things as that?

Answer. Ever since I became recognized as the leader of the Snoqualmie Tribe, I always had the right and privilege to gather them so often, the same as I have them to-day.

Question. Have you called them together many times for council?

Answer. Yes.

Question. Do they come when you call them together?

Answer. Yes.

Question. What committees have the tribe now?

Answer. Wilfred Steve is one of the vice presidents of this council of this tribe; Jack Anderson, secretary; Johnny Johnson, treasurer; Bill Bagley is one of the committee; Ed Percival, committee; Joseph Charles, committee. That is all I can remember--Aleck Young, committee. That is all.

Question. Have you and your committee met with the chief or president of other tribes, with their committee, from time to time during the last 10 or 11 years, since you belonged to the federation?

Answer. Yes.

. . . .

By the Commissioner:

Question. Do you know of any other matter relative to the claim in question? If you do, state it.

Answer. The reason why I hear making these statements was because I was told direct from my uncle and others, the ones that was there when the treaty was made, and during my time, in the later days, that my uncles and all the other older people that gathered together and held a regular council and talked about this treaty, and I would be present and listen. Now, my uncle says to me, he says that "we want you to understand and know the fact that the Government has not fulfilled the promises that he made; he still owes for everything that he has promised. We will soon be passed away." For that reason I am looking forward and asking that something should be done to the promises that was made to the older people. He says all this country was ceded by the old chiefs with an understanding that they were to be paid in money, and he says and also the Government had promised that this big reservation and all you younger generation, that even the small children was to have allotment, and have homes for themselves. And also it was told to me that it was promised to them that they were going to establish and furnish us a school, and big schools, so that our children will be educated and learn the blacksmithing and mechanics of all other manual trainings. Now, he says all those promises isn't carried out to this present day. For that reason I said awhile back that I am still looking forward, and that is why we are filing the claim against the Government, for the Government failed in its part, and that is all I wanted to say.

He wishes to extend thanks to the Government man for coming over here to look over the conditions of our people and are very glad to see him come over and understand for himself the conditions of our surrounding.

[16]

It seems clear from the above, and from similar statements made by other deponents, that the Snoqualmie considered themselves to be an ongoing tribal organization pursuing matters of tribal business which had concerned previous tribal leaders and councils.

(9) In addition to the Court of Claims case referred to above, Jerry Kanim was frequently in Washington State courts attempting to protect treaty hunting and fishing rights of the off-reservation Snoqualmie Tribe.

In a letter dated April 21, 1927 addressed to Mr. F.A. Gross, who was then in charge of the Tulalip Agency, Mr. Kanim wrote in part as follows:

I received your letter yesterday and I was in Seattle yesterday to my trial, but as the Judge was sick our case was postponed until next Wednesday April 27th.

And now, I will explain my trouble to you. I was doing a little trapping all winter. It is what I do every winter for my living. That is why I am in trouble. that is, for trapping without a license. there is three of us in for the same thing. Also we get arrested for taking fish out of the river, for our own use. This is all of our trouble.

The white man says that I'm breaking his law, taking my game and my fish. This is what I want to say. When my old people signed to give away our country to the United States Government. We didn't give away our game, or fish, berries or roots. And Governor Stevens agreed to that. . . . .

Pat Kanim was my Uncle. I'm representing the Snoqualmie Tribe now to-day. I have a set of treaty books here at my home. They were sent out from Washington, D.C. here to me. In Article 5 Volume 2 on Laws an treaties is says

"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 an berries on open and unclaimed lands. Provided, however, That they shall not take shell-fish from any beds staked or cultivated by citizens.

And friend I'm going to try to take this up in the Supreme Court if I can get to do it. All my people is getting to-gether in this point. So I'll have you to help us out all you can on this.

. . . .

And that is why I think that I can take fish an game without a license at any time, because that was the understanding at the time the treaty was made, between the Whites and the Indians. We were supposed to take game an fish an berries at all time as long as the Mountain stands as long as the river is running. Now I will ask you my dear friend.

When did the State beat me out of these rights for game an fish? or did the Government turn over my rights to the State? And now the State is passing laws over these laws made by the United States Government and our old people. So this is the very point I want to get from you, is how did I lose my game, an fish an hunting rights at this time. The State law says I can take fish only inside the reservasion. Now how about us Indians outside of a reservasion an we are under the same treaty . . . .

[17]

The present Snoqualmie Tribal Organization, some of whose members are descendants and relatives of Jerry Kanim, continues to assert the same treaty rights which the off-reservation Snoqualmie have asserted since treaty times.

(10) Apparently the Bureau of Indian Affairs did not consider that off-reservation treaty hunting and fishing rights could be defended successfully in the 1920's and 1930's. In March 1, 1937, E.M. Johnston, Land Field Agent, filed a preliminary report recommending purchase of land for a reservation for the "Chief Keenum Band of the Snoqualmie Tribe."

Part of the justification for the project was related to the fact that inadequate lands had been reserved initially, but part was related to the loss of hunting and fishing "privileges."

Relevant portions of the report are presented below. The report is filed with the records of the Tulalip Indian Agency.

A. *Present Situation and Need for Adjustment*

In the vicinity of Snoqualmie Falls and Fall City, along the Snoqualmie River, there is resident a small band of Snoqualmie Indians under the leadership of Chief Jerry Keenum, a total of 211 enrolled individuals, who are unallotted on any reservation and who have been living by day labor in logging camps, on farms and wherever employment was obtainable, for the past generation.

The establishment of reservations under the treaty of 1855 contemplated the setting aside of sufficient reservations to accomodate all the Indians of this area. When the reservations were allotted, it was discovered

that the territories were inadequate and provision was made for the allotment of Indians on public domain. More than 100 families of this territory were so taken care of. This band, however, of Jerry Keenum's apparently was more or less of a roving nature and did not avail themselves of the opportunity to crowd in the reservation or to take homesteads or, if the old Indians did do so, loss of title has deprived the younger generation of land and home. It is for the relief of this band that we are proposing a small reservation in the vicinity of the Tolt River, tributary of the Snoqualmie in the valley which has been the ancestral home of the leaders of this band for many years.

. . . .

C. *Justification of the Project.*

About fifty per cent of the Snoqualmie Tribe moved onto the Tulalip and Muckleshoot Reservations at the time of their being set aside. The home of the Snoqualmie Indians has always been on the Snoqualmie River in the vicinity of Tolt, some 60 miles from the Tulalip Reservation. Because of their reluctance to leave their original home some 25 or 30 families were never identified with either Reservation. A second reason for this was that these Reservations did not afford sufficient area to accomodate them. About a dozen additional families obtained public domain homesteads, most of which have been alienated, lost in various ways, and these original families with their descendants, a generation later, find themselves in difficult circumstances living by day's work, a large percentage of them often on relief, deprived of hunting and fishing privileges which were originally their chief means of support and it is believed and expected that the establishing of this small reservation for these homeless Indians will relieve their economic condition and enable them to establish happy homes.

D. *Proposed Plan of Development.*

Along the Tolt River is a narrow valley, a small percentage of which has been developed, which would make excellent meadows, hay land, and pasture. Sufficient hay land could be easily developed to support herds and flocks through the winter. There is also in the area an abundance of second growth timber, cedar, and alder, from which these expert woodsmen could derive immediate revenue sufficient to sustain them during the development of their agricultural resources. The Tolt River, included for a distance of four or five miles in the proposed area, is one of the ancestral fishing grounds of the Snoqualmie Indians, an excellent fishing stream which could make an important contribution to their living. . . .

[18]

The above report clearly contains some conjectural history, but it clearly indicates that the Snoqualmie under Jerry Kanim were regarded by the Bureau of Indian Affairs as an on-going tribal unit, or band, which

was deprived of tribal treaty rights.

The proposed reservation for the Snoqualmie Tribe was forwarded with approval by the then Superintendent of the Tulalip Agency, O.C. Upchurch.

(10) On April 8, 1941 Superintendent Upchurch wrote to the Commissioner of Indian Affairs, John Collier with respect to the Snoqualmie. The following are excerpts from that letter.

In clarification of the status of the Snoqualmie Tribe, it should be noted that a majority of the Snoqualmie Indians united with the Snohomish Tribe to occupy the Tulalip Reservation. There was insufficient land however to accomodate all the Indians of both tribes and a small band headed by Jerry Kanim received no allotments and little or no other treaty benefits. This band has increased in number and have been joined in their recent claims protest by Tulalip Allottees and their landless descendants of Snoqualmie blood, and also by Indians of Snoqualmie blood affiliated on the Yakima Reservation. This organization has been meeting periodically for a number of years under the general guidance of Chief Jerry Kanim. The president of the organization is William Martin, Secretary, Chester Williams. . . . . I would estimate the present number of adult Indians of Snoqualmie blood unattached to any reservation by allotment or inheritance at about 100. I do not have a copy of their present roll. I have felt that there is a small band of this tribe which has a legitimate claim to further lands and in my Land Acquisition program, I had proposed the acquisition of the Tolt River Valley for them. . . . . [19]

While the number of Snoqualmie Indians who occupied the Tulalip Reservation may not have been as great as Upchurch states, two things are uncontestable. Upchurch regarded the off-reservation Snoqualmie as a band of the tribe and he regarded their organization as having had continuity over "a number of years."

(11) On October 24, 1949, F.A. Gross, then Superintendent of the Tulalip Agency, wrote to William Martin, Chairman of the Snoqualmie Tribal Council. Apparently he also regarded the Snoqualmie Tribal Organi-

zation as the bonafide governing body of the Snoqualmie Tribe.

The following are extracts from his letter.

Mr. William Martin, Chairman,
Snoqualmie Tribal Council,
224 Northern Avenue,
Sedro Woolley, Washington

Dear Mr. Martin:

The Tulalip Board of Directors is in the process of making up an official roll of the members of the Tulalip Tribes in accordance with the requirements of its constitution and by-laws. In so doing, it has found the names of numerous Indians who apparently are either enrolled or affialted with your tribe or other tribes in the State of Washington (sic) *and elsewhere.*

In order to do the job right, it will be necessary for the Enrollment Committee of the Tulalip Tribes to meet with members of your Council or your membership and enrollment committee. I have, therefore, been requested to call a meeting of the several council representatives so that all of this work might be done at one time and not have it drag out too long. You will find attached a list of names of Indians who appear on the Tulalip Agency Census Rolls of the Tulalip Tribes and who also appear on your rolls or who apparently are affiliated with the Snoqualmie Tribe.

. . . . I hope you can be here or send some one who will be in a position to speak with authority for your tribe. The cooperation of the Snoqualmie Tribe will be appreciated. This meeting will no doubt clear up some duel enrollments for your tribe as well as the Tulalip Tribes. (sic)

[20]

If the federal government, through its agency, the Bureau of Indian Affairs, did not recognize the Snoqualmie Tribe as an ongoing tribal entity and the Snoqualmie Tribal Council as the proper governing body of the tribe, it is difficult to understand why the Superintendent of the Tulalip Agency would write the above letter.

(12) Finally, in 1953 the United States Government Printing Office published a Report with Respect to The House Resolution Authorizing the Committee on Interior and Insular Affairs to Conduct an Investigation of the Bureau of Indian Affairs. The report included voluminous materials

drawn from the files of the Bureau of Indian Affairs. There are a number lists and tables summarizing data on Indian tribes throughout the United States.

An alphabetical list of Indian Tribal Organizations is printed at pages 1040 to 1042. The Snoqualmie are included at page 1042 under the list headed "Alphabetical List of Indian Tribal Organizations (1950) -- Non-IRA."

Table K at pages 1366-1370 lists Indian tribal governing bodies. The Snoqualmie appear at page 1369 on this list.

Table K.--*Indian tribal governing bodies*--Continued

Name of tribal governing body	Reservation and State	Title	Address in care of agency
Snoqualmie Tribal Council	Washington	Chairman	Western Washington Agency, Everett, Wash.

A note at the end of the table makes it explicit that the list of tribal governing bodies in the table constitutes the "some 193 tribal governments at present recognized by the Indian Bureau." [21]

The information presented in the foregoing pages indicates, in my opinion, that both the Bureau of Indian Affairs and the Snoqualmie Tribe have behaved over the years in ways which suggest that each considered the Snoqualmie Tribe to be an ongoing entity.

Analysis of genealogical data in the files of the Bureau of Indian Affairs and in the possession of the Snoqualmie Tribe shows that the members of the present tribe are largely descendants of the 1855 Snoqualmie.

II. IDENTITY

We are concerned in this section with the identity of the 1855 Snoqualmie and particularly with the referent of the term as used by the Stevens treaty commission.

George Gibbs, the lawyer-ethnologist who served as secretary to the treaty commission in its operations west of the Cascade Mountains, submitted a report on the Indians of Washington Territory, dated March 4, 1854. This report, submitted less than a year prior to the actual treaty negotiations, was a summary of existing information prepared especially to provide Governor Stevens with information relating to the numbers and location of the Indians who were to be parties to the treaties.

Following a brief description of the locality inhabited by the Snohomish and an estimate of their numbers is the entry relating to the Snoqualmie.

Above them, and upon the main branch of the river, is another band, not under the same rule, the Snoqualmoos, amounting to about 200 souls. Their chief, Pat-ka-nam, has rather an evil celebrity among the whites, and two of his brothers have been hung for their misdeeds. This band are especially connected with the Yakimas, or, as they are called on the Sound, Klikatats.

[22]

Gibbs' information with respect to the number of Snoqualmie and other Indians was obtained second-hand and was grossly inaccurate. In 1855, after the treaty negotiations, Gibbs reported more than twice that number of Snoqualmie and associated upriver bands.

[23]

In 1856 Nathan Hill made a census roll of Snoqualmie Indians which includes 119 adult males, 89 of whom were heads of families. A number of these men had several wives. [24]

The 1870 census of Indians in Washington Territory listed 301 Snoqualmie under Son-a-wa as head chief. The population was given as 133 men, 95 women, and 73 children. [25]

It is quite probable that all of these various counts are under the actual number.

Watson Martin, a grandson of old chief Sonowa, gave testimony in 1927 regarding the old living sites of the Snoqualmie as he recalled them. In 1927 he gave his age as about 83 years. If this is correct, he was born about 1844. The villages that he named were all villages that he had personally visited in his youth. According to his testimony there were villages along the Snoqualmie River above its juncture with Tolt River at the following sites: Skashia, Toquiki, Yetsk, located at Falls City now, Yahakabulch, Schwalp, Toquill, Skwut, now located at Snoqualmie Falls; Bokwab, a prairie, Tswodum, and Sotsoks. [26]

The above site-names match names for Snoqualmie sites collected by T.T. Waterman about 1920 from Ed Davis (now in his nineties and a member of the intervenor Snoqualmie Tribal Organization). Watson Martin identified some of the sites as villages, where Ed Davis did not. It is possible that because of his age, Watson Martin remembered villages that were unknown to Ed Davis, a much younger man. Alternatively, Davis may simply have failed to mention their use as village sites to Waterman.

Watson Martin's list of villages may be compared with the Waterman list contained in Appendix B. The numbers on Waterman's list key to Map B, also appended to this report.

Martin's first village-site, Skashia, is the name given for Griffin creek (17) on Waterman's list. Waterman does not mention a village at this creek, but Martin testified that there were five houses there.

Toquiki on the Martin list is the name given for Patterson creek (18) on Waterman's list. Again, Waterman does not mention a village at this creek, but Martin testified that there were eight houses there.

Yetsk on the Martin list is apparently the name for Raging river given on Waterman's list. Again, Waterman has no mention of a village at this location. The number on Waterman's list is (21). According to the record of Martin's testimony this was supposed to be a large village site with many houses.

The next two names on Martin's list are not immediately identifiable with names collected by Waterman. According to Martin there were nine houses at the first site, about four at the second.

Toquill on Martin's list is the name for Tokul creek (28) in the Waterman list. Martin thought there were about seven houses there. Waterman does not mention it as a village site.

Skwut on the Martin list is the name for Snoqualmie Falls on Waterman's list (30). Martin thought there were about three houses below the falls.

Bokwab on Martin's list is the name for prairie given as (36) on the Waterman list. Both Martin and Waterman agree that there was a village at this site. Martin thought that there were about eight houses there.

Martin's Tswodum is likely the site (41) identified on the Waterman list as the place between the south and middle forks of Snoqualmie river. Martin thought there were about five houses at this place.

Martin's Sotsoks may be Waterman's (40) a mile below North Bend. Waterman notes that long ago this was a gathering place for ceremonies and potlatches. Martin states that it was a village site, but adds that there were a number of removable houses.

Martin testified that he thought there were about 58 houses at the sites from Tolt River upstream on the Snoqualmie River. If he is correct, it seems a large number of houses for a population of only about 300 people. It would appear that either Martin remembered more houses than there were, or else the treaty time population of the upper Snoqualmie was larger than has been reported.

The two largest Snoqualmie villages were apparently at what is now the town of Carnation and at what is now Fall City. Other villages reportedly were located at the present site of Cathcart, at the mouth of Tokul Creek, at the mouth of Cherry Creek and elsewhere.

Swanton gives the following information based on data culled from documentary sources.

Snoqualmie. From the native word sdo'kwalbiuq^{u}.

Connections.--The Snoqualmie belonged to the Nisqually branch of the coastal division of the Salishan linguistic family.

Location.--On Snoqualmie and Skykomish Rivers.

Subdivisions and Villages

Skykomish, on Skykomish River above Sultan, and on the same below Goldbar.

Snoqualmie, on Snoqualmie River, including villages at Cherry Valley, on Snoqualmie River opposite the mouth of Tolt River; at Fall City; and below Snoqualmie Falls.

Stakta'ledjabsh, on Skykomish River as far as up as Sultan, including Sultan Creek, including village above Monroe at the mouth of Sultan Creek and on Sultan Creek 4 miles above its mouth.

[27]

The inclusion of the Skykomish people with the Snoqualmie is a matter over which there is conflicting testimony. Snohomish deponents in earlier litigation have maintained that the Skykomish spoke the same language as the Snohomish (in contrast to that spoken by the Snoqualmie) and have insisted that the Skykomish and the Snohomish "were like one people."

I do not find that there is adequate documentation available to me to form an opinion on this issue. It is my opinion that Skykomish people were intermarried with both Snohomish and Snoqualmie people and that undoubtedly both of the latter groups include members who are of part Skykomish ancestry.

III. TREATY STATUS

The Snoqualmie are a party to the Treay of Point Elliott which was concluded January 22, 1855 between the United States and twenty-two named groups "and other allied and subordinate tribes and bands." The Sk-tah-le-jum, a Tolt River group of Snoqualmie are separately named in the preamble of the treaty.

The text of the preamble is reproduced here with the names of the two groups underscored for ready reference. The underscoring does not appear in the treaty document.

Articles of agreement and convention made and concluded at Muckl-te-oh, or Point Elliott, in the Territory of Washington, this twenty-second day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, head-men and delegates of the Dwa-mish, Suquamish, Sk'tahl-mish, Sam-ahmish, Smalh-kamish, Skope-ahmish, St-kah-mish, Snoqualmoo, Skai-wha-mish, N'Quentl-ma-mish, Sk-tah-le-jum, Stoluck-wha-mish, Sno-ho-mish, Skagit, Kik-i-allus, Swin-a-mish, Squin-ah-mish, Sah-ku-mehu, Noo-wha-ha, Nook-wa-chah-mish, Mee-see-qua-guilch, Cho-bah-ah-bish, and other allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes, and duly authorized by them.

[28]

The choice of groups named in the preamble was evidently somewhat fortuitous and does not necessarily reflect the importance of the groups singled out, nor lack of importance of those whose names are not included.

Similarly, the assignment of "chiefs" and "head chiefs" who appear in the list of signatories was an arbitrary arrangement for the convenience of the treaty commission. The men who were named on the treaty document as chiefs and sub-chiefs were probably important men, but they were not necessarily the most important men nor the only leaders in their communities.

These matters, as they relate to native social and political organization are discussed at page 28 of the initial core report and have been thoroughly canvassed in earlier testimony in this case.

The second Indian signatory to the treaty was Pat Kanim, designated on the treaty document as "Chief of the Sno-qualmoo, Snohomish & other tribes." As with the other three "head chiefs" on the treaty document, this was an arbitrary assignment made by the treaty commission for purposes of the treaty. It did not reflect either realities of indigenous political organization nor the treaty commission's understanding of native political organization. Gibbs had clearly reported in March 1854 that the Snohomish and Snoqualmie were "not under the same rule." [29]

In addition to Pat Kanim, thirteen other signatories to the treaty document are identified thereon as Snoqualmie. Their names are extracted from the treaty for convenience. They are listed here in the order in which their names appear on the document, but the listing there is not directly sequential.

Squush-um, or The Smoke, Sub-chief of the Snoqualmoo
Hat-eah-ka-nam, Sub-chief of the Snoqualmooh
Do-queh-oosatl, Snoqualmoo tribe
Klemsh-ka-nam, Sno-qual-mooh
St'Hau-ai, Sub-chief of Snoqualmooh
John Kanam, Snoqualmoo Sub chief
Noo-heh-oos, Snoqualmoo Tribe
Hweh-uk, Snoqualmoo Tribe
Yim-ka-nam, Snoqualmoo Tribe
Luch-al-kanam, Snoqualmoo Tribe
S'Hoot-kanam, Sno-qualmoo Tribe
Sme-a-kanam, Snoqualmoo Tribe
Sad-zis-keh, Snoqualmoo [30]

One of the treaty "signers" is identified as a representative of the Sk-tah-le-jum.

See-alla-pa-han, or The Priest, Sub-chief of Sk-tah-le-jum

To summarize, both of the 1855 groups whose descendants belong to the Snoqualmie Tribe of Indians and who were associated with Snoqualmie in 1855 are separately named in the treaty. Thirteen signatories are identified on that document as Snoqualmie. One of the men who signed is identified on the treaty as belonging to the Tolt River, or Sk'tah-le-jum group.

The territory of the Snoqualmie lies wholly within the area ceded to the United States under the terms of the Treaty of Point Elliott.

IV. FISHERIES

The Snoqualmie took salmon and steelhead in the Snoqualmie River and in its tributary streams and creeks. Fish were taken wherever feasible the length of the drainage system up to Snoqualmie Falls. The bulk of the fish were taken during the fall "runs" (September through December) and were dried for winter stores.

In his reports of September 1856 and again in November 1856 Agent Nathan Hill reports that the Indians were up the rivers fishing, and drying salmon. He spoke of large quantities of salmon being caught and dried on both the Snoqualmie and Skykomish rivers.

His report dated November 30, 1856 spoke of a visit to Sadahwah's (Sonawa's) camp near the falls. On his trip down the river from that point Hill remarked on the Indian fisheries as follows:

I was exceedingly gratified to find the Indians so busily engaged in fishing and drying their fish. They now have large quantities on hand and are still catching more. Salmon will probably run 'till the 20th of this next month. It will take some ten days after that to get them all dry . . . .

[31]

A variety of techniques and gear were employed to take salmon and steelhead at different places along the rivers and streams under different water conditions. The following descriptions of traditional harvesting methods were supplied by Snoqualmie Indians over thirty years ago.

Six methods of taking fish are described by Snoqualmie Indians as having been practiced from time immemorial up to the introduction of modern metals and gear which because of convenience and efficiency have naturally supplanted the primitive methods.

1. The simplest implement of taking fish and which is still effective was the spear, "talth." The spear was made of various kinds of suitable wood for the shaft and the point was made of deer horns or mountain goat horn.

2. Baskets made of interwoven willow varying in size and length with the size of the stream were hung under small falls and caught trout and small fish descending the streams. These baskets, "skwa-yup" were used only on the smaller creeks.

3. In the larger eddies of the Snoqualmie River formed below the entrance of each important tributary were set gillnets, "ho-yuk" made of raffia grass, "kag-wahl," which was obtained from the Klickitat and Wenatchee Indians east of the mountains in trade for deer skins. The nets were made on this side of the mountains by the Snoqualmie but the raw materials came from the eastern tribe.

4. A small river trap "ska-lolch", was made of cedar limbs and willow twigs woven together around the mouth; had wings stretching out to either bank as guides, and from this mouth gills of limber cedar limbs extended from an opening into a large bag-like structure made of the same material.

5. A dip net seine, "shu-bvut", consisted of a long net bag made of "kag-wahl", mouth held open by a ring of willow or cedar twigs fastened to two upright poles held in the sterns of two canoes operating on either side of the bag. To the lower end of the poles of each pole was a heavy cord extending to the prow of the boat in which the pole was held. On the prow of each boat was a torch of pitch wood burning. The boats were rowed downstream with the operators pushing the poles down toward the bottom. When a fish was felt to strike the net bag, the cords in the prow of the boat were pulled up, raising the mouth of the net out of the water, from which the fish was then dumped into the boat. This was used in the large rivers and a variation of this type was also operated by one canoe and one man.

6. The most important method of fishing was the large tribal trap, "ts-lo-sit", which was erected each year for taking of principally King salmon and steelhead which served to feed the whole tribe. This was constructed annually without nails, wire, no tools except hands, elk horn chisels and stone axes. At a meeting of the tribe, there was elected the head man who directed the building of the trap which was rather an important and difficult operation. First, tripod, "skee-ok", was erected with a long pole, "apul-kit", down stream extending possibly fifteen feet above water. About ten feet down from the top, poles, "shee-lah", were lashed across this tripod extending beyond the tripod poles up stream and on these cross pieces as supports were laid across the entire stream the "s-p-ti-kweel" or foot-log. Suspended from the foot-log was a second row of timbers across the entire stream still above the water line called "hkla-da-bat-sit". From these two timbers as foundation, there were shoved down about 4" poles, "tla-bat-sit", to the bottom of the river and leaning down stream against the two logs described above. Across these shove-downs were placed a number of fir poles, "ptda-la-bat-sit". Finally upon this frame work is placed a finely woven cedar and willow bough network, "a-a-qual", or screen. This completed the weir or trap which prevents the fish from going farther up stream. Upon the "chee-lah" described above was constructed a platform, "suf-a-jockh", upon which the operator stood and held two poles to which were attached a bag-like net held open by a large ring of cedar or willow twigs and to the center of this net was attached a trigger string which was held in the hand of the operator. When he felt a fish hit this trigger string, he quickly pulled up the poles and the hoop, bringing the fish up in his net, and the information is that he seldom failed to get the fish. These traps were removed from the stream as soon as sufficient supply of fish was obtained to satisfy the needs of the tribe and in any event was removed before high water which would have carried away the weir and destroyed a valuable amount of material which was difficult to replace at that time.

[32]

The Snoqualmie devices described above are illustrated in Appendix 1 of this report.

In addition to the salmon and steelhead, trout and other freshwater fish taken in the rivers, streams, and lakes of their own territory, the Snoqualmie travelled in the spring and summer to the shores of Puget Sound to obtain shellfish.

In a report dated June 30, 1858 from M. T. Simmons, Agent for Puget Sound District to J. W. Nesmith, Superintendent of Indian Affairs for Washington and Oregon Territories, the speech of a Snoqualmie sub-chief is recorded in part as follows:

I will now talk about our treaties. When is the Great Father that lives across the far mountains going to send us our papers back? Four summers have now passed since you and Governor Stevens told us we would get pay for our land. We remember well what you said to us then, over there, (pointing to Point Elliott,) and our hearts are very sick because you do not do as you promised. We saw the Nisquallys and Puyallups get their annuity paid them last year, and our hearts were sick because we could get nothing. We never fought the whites; they did. If you whites pay the Indians that fight you, it must be good to fight.

We consider it good to have good white people among us. Our young women can gather berries and clams, and our young men can fish and hunt, and sell what they get to the whites. We are willing that the whites shall take the timber, but we want the game and fish, and want our reserves where there is plenty of deer and fish, and good land for potatoes. We want our Great Father to know what our hearts are, and we want you to send our talk to him at once. I have done.

[33]

From the context and date of the above, it is clear that the Snoqualmie were accustomed to harvest clams at treaty times and prior to any relocation of Snoqualmie people at the Tulalip Reservation.

In my opinion, if the Snoqualmie regularly visited the Sound to harvest clams and other shellfish, then it is most likely that the men engaged in marine fishing while the women and children collected and dried the shellfish.

In the absence of documentation, it is difficult to establish the range and extent of the usual and accustomed marine fisheries engaged in by Snoqualmie fishermen at treaty times.

Similarly, it is difficult to ascertain the regularity with which Snoqualmie may have visited freshwater sites adjacent to their territory for fishing purposes. It seems reasonable that they would have joined with neighboring people, especially if they were intermarried with them, to harvest fish in the larger lakes.

It is only by chance that documents dating from treaty times note the presence of specific Indians at a given freshwater site. One such example notes the presence of Snoqualmie Indians at Lake Sammamish (then called Squaw Lake) in 1856. [34]

Within their own territory the Snoqualmie harvested salmon and steelhead at all feasible locations. Favorite sites were at the confluence of tributary streams and the main Snoqualmie River.

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[2] Treaty of Point Elliott, 12 Stat. 927

[3] Gibbs (1855)

[4] Gibbs (1877:179)

[5] Hill (1856a)

[6] Hill (1856)

[7] Hill (1856a)

[8] Simmons (1858:586-587)

[9] Simmons (1858:577)

[10] Mallet (1877:198)

[11] Ross (1870:17)

[12] Buchanan (1914:125)

[13] Roblin (1919)

[14] Skookum George (1923) in "In the Matter of the Claims. . ."

[15] Indian Census Rolls (1924-1926)

[16] Jerry Kanim (1927:193, 195-197) in Duwamish et al. . . v. U.S.

[17] Jerry Kanim (1927a)

[18] Johnston (1931)

[19] Upchurch (1941)

[20] Gross (1949)

[21] U.S. (1953:1369-70)

[22] Gibbs (1854:432)

[23] Gibbs (1877:179)

[24] Hill (1856)

[25] Ross (1870:17)

[26] Martin (1927:178,182)

[27] Swanton (1952:443)

[28] Treaty of Point Elliott, 12 Stat. 927

[29] Gibbs (1854:432)

[30] Treaty of Point Elliott, 12 Stat. 927

[31] Hill (1856b)

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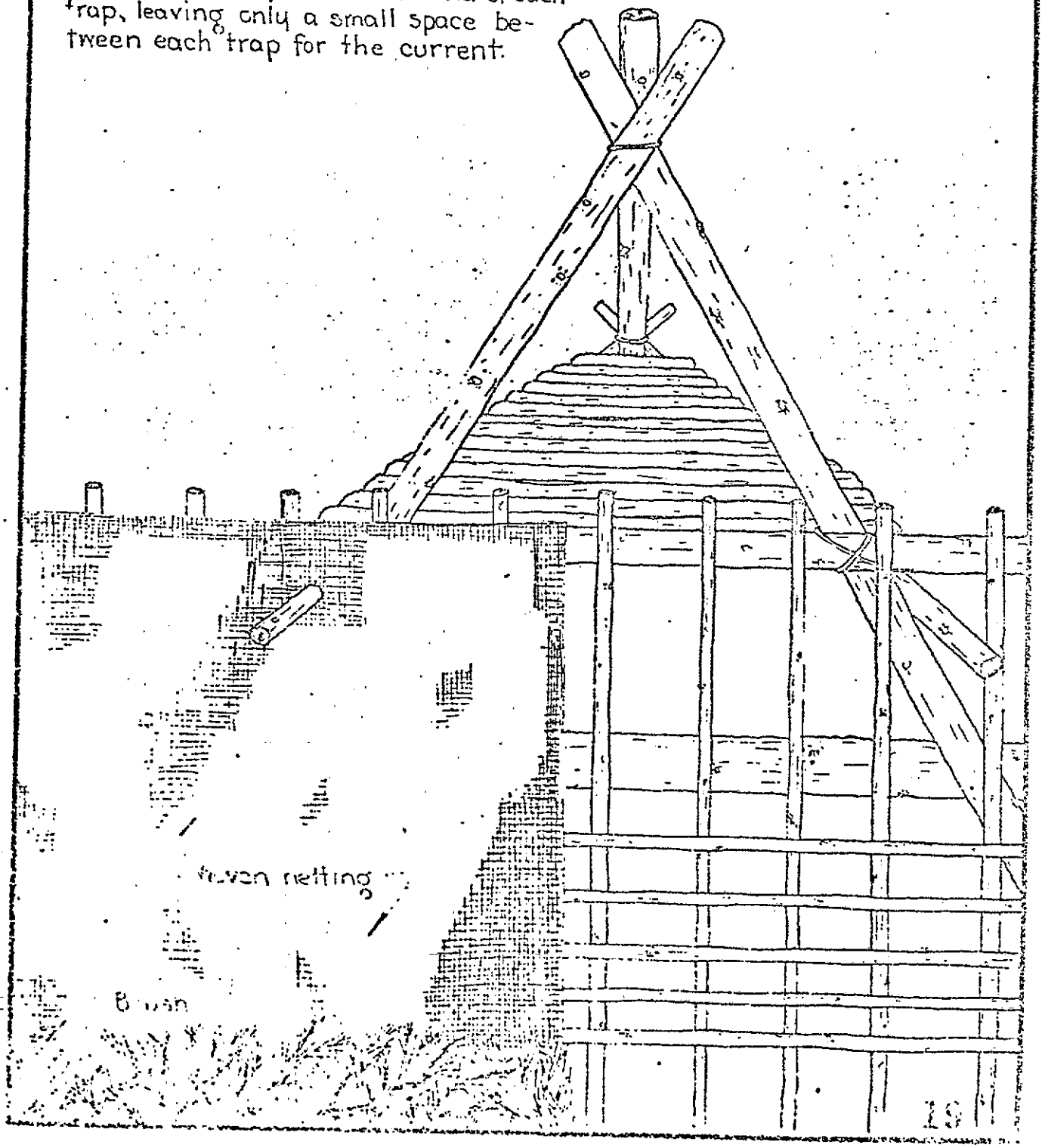
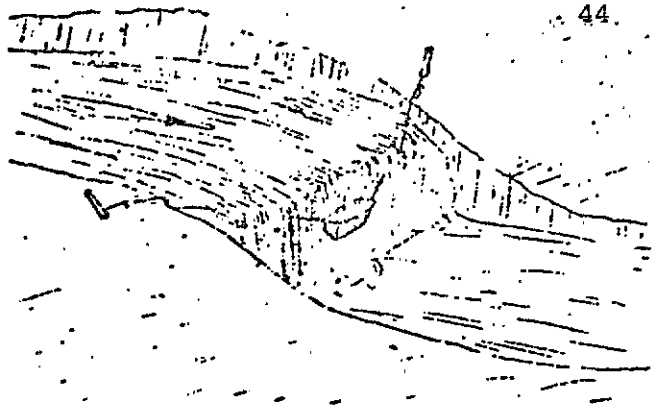
SNOQUALMIE INDIAN TRIBAL FISH TRAP "TSE-LOE-SIT"

View from upstream end of fish trap showing construction of framework for finely woven network of cedar and willow boughs which would stretch entirely across the end of each trap, leaving only a small space between each trap for the current.



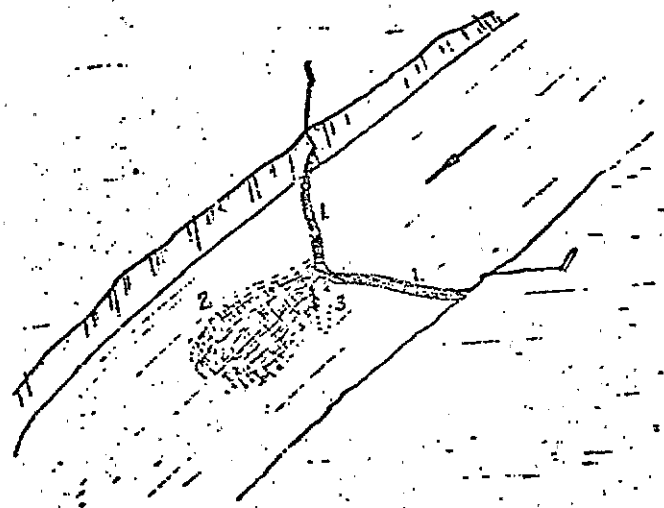
JUMP BASKET

"skwā-qūp"



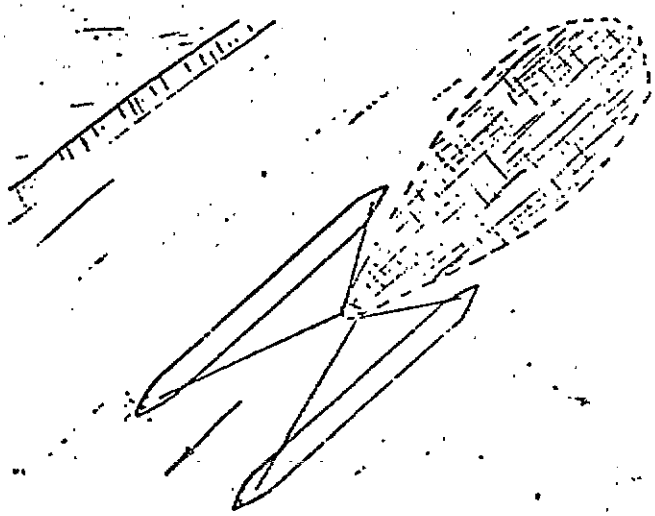
SMALL RIVER TRAP

"ska-lōlch"



DIP NET SEINE

"shŭ'-bvut"



SNOQUALMIE FISHING GEAR.

APPENDIX # 2. EXCERPTS FROM T.T. WATERMAN MANUSCRIPT
PUGET SOUND GEOGRAPHY

MAP B

NAMES OF PLACES ALONG THE SNOQUALMIE RIVER

1. Where the Skykomish and Snoqualmie come together, sts^{3}olûlz.

2. A creek entering the Snoqualmie near a high rock, Q^{w}letc. This term suggests a crooked or roasted surface.

3. Cherry Creek, St^{3}apts.

4. Place in the Snoqualmie River, near the site of Duval, Ts^{3}a'gwtsEbEdop, "bubbles continually rising".

5. Spot just below the mouth of Harris creek, where the river flows past a cliff, Sba^{3}dita, "mountain", or "crag".

6. The site of the Carnation stock farm, Q^{E}La'dEb.

7. Harris creek, entering the Snoqualmie from the E, below the site of Tolt, Ts^{3}Elalku'Ldai.

8. A great "slide", a bare scar on the mountainside below the town of Tolt, TcE'tLa, "rock".

9. A flat across the Snoqualmie river from the present town of Tolt, Xal^{3}aLtx^{w}. This is an old village-site, the principal settlement of Snoqualmie people. The word suggests "house with designs or patterns". (tx^{w}, house).

10. Site of the high school at Tolt, Tcs'ltcalac.

11. Tolt River, south of town, Tuxu toltx^{w}.

12. Langlois Creek, Ba'bal^{3}utsid. Ba^{3}lutsid is the term for

"wife of one's deceased brother," and the reciprocal relation, "brother of one's deceased husband". The plural form indicates two people who stand to each other in this relation. A myth concerning this spot has been recounted elsewhere (Waterman and Ballard, Puget Sound Tales).

13. Langlois Lake, a small pond at the head of the creek just mentioned, Bit^{3}, a "salmon soup". This soup is made by pounding up dried salmon, and mixing it with certain roots. The reason for the name I do not know, but the site plays a part in the myth just mentioned. Whales used "formerly" to appear in this lake, and swim about, spouting.

14. A small creek flowing into Tolt river from the S, Tuba'op.

15. Old village site on Stoessel creek, the largest affluent of Tolt river, Stuwo'yûg^{w}.

16. Spot where Griffin creek enters Tolt river, Tuts'$t^{3}t^{U}q$, "eddy". This is opposite Snoqualmie Charley's place, and is now filled with sand. Formerly there was a deep "hole" in the river, and "something" lived there, like a big salmon. When he came to the surface, one could hear drumming deep in that pool, then, down in the depths, "everybody would holler".

17. Griffin creek, Sxa'siyats, the term for a certain kind of shrub.

18. Patterson creek, T'qwai'qwai.

19. A creek which enters Patterson creek, Qwe'qwale.

20. A creek entering Patterson creek above the last-named stream, Qwûtoaba'ts.

21. Raging river, YeLh^{w}

22. Site of a trestle, two miles above Falls City on Raging river, Stc^{3}ōq. The railroad crosses the gulley where there is a big rock. Cliffs are to be seen on the N. side of the stream.

23. A creek entering Raging river from the W., TsE'stEdē, "cedar peg".

24. A creek entering Raging river from the E., Pqálqo, "perch water".

25. A lake which drains into Raging river, Tuwo'lqaib.

26. One of two streams into which Raging river divides in its upper course, Yī'hi^{3}L. The term appears to be a diminutive of that for Raging river. (see no. 21).

27. A place in a bend of Snoqualmie river, StExsís, "a big rock on the edge of the river".

28. Tokul creek, Tqel, "place for soaking things".

29. A place on the E. bank of Snoqualmie River below the falls, Kaqóiyauk.

30. Snoqualmie Falls, SqwEd. The term is literally "the under part, to which the stream plunges". The cascade itself is one of the finest sights imaginable (see pl. vi, b).

31. The place where the river takes the leap, at the falls, Ska'LdaL, "upper lip".

32. A creek entering the Snoqualmie from the W., Sts'o'bElz. Sto'obalal1'Lud is the word for the female whistler-duck. The male is called hwai'yux.

33. A place above the mill at Snoqualmie, Laxwē'l.

34. Number not used.

35. A slough where the river has two channels, Xa'tcu, "lake", "lagoon".

36. Snoqualmie Prairie, Ba'xab, "prairie". A village was formerly situated here.

37. A detached knoll of rock on the edge of Snoqualmie Prairie, Yī'do'ad, "swing". (pl. vi c). A version of the tale known to ethnologists as the "star-husband" story (see Waterman and Ballard) recounts, among other things, that a girl climbed down from the sky at this point, hanging from a rope. The rope was later used by the myth people as a swing. They started on Rattlesnake mountain and swung across the valley of the Snoqualmie to Mount Si, a half-day's journey. When the swing broke loose at the top, the rope coiled up and made this knoll (see nos. 38 and 42).

38. A place on Rattlesnake mountain where the myth-folk stood when they started to swing, as just recounted, Daxc1'dabc, "footprints".

39. The confluence of the South fork of the Snoqualmie, with the main stream, qoa'l^{3}qo, "confluence".

40. A spot one mile below North bend, on the W. bank of South fork, Saq^{3}o'qo. This is above Long's place. Long ago many Indians congregated there, for ceremonial performances and potlatches.

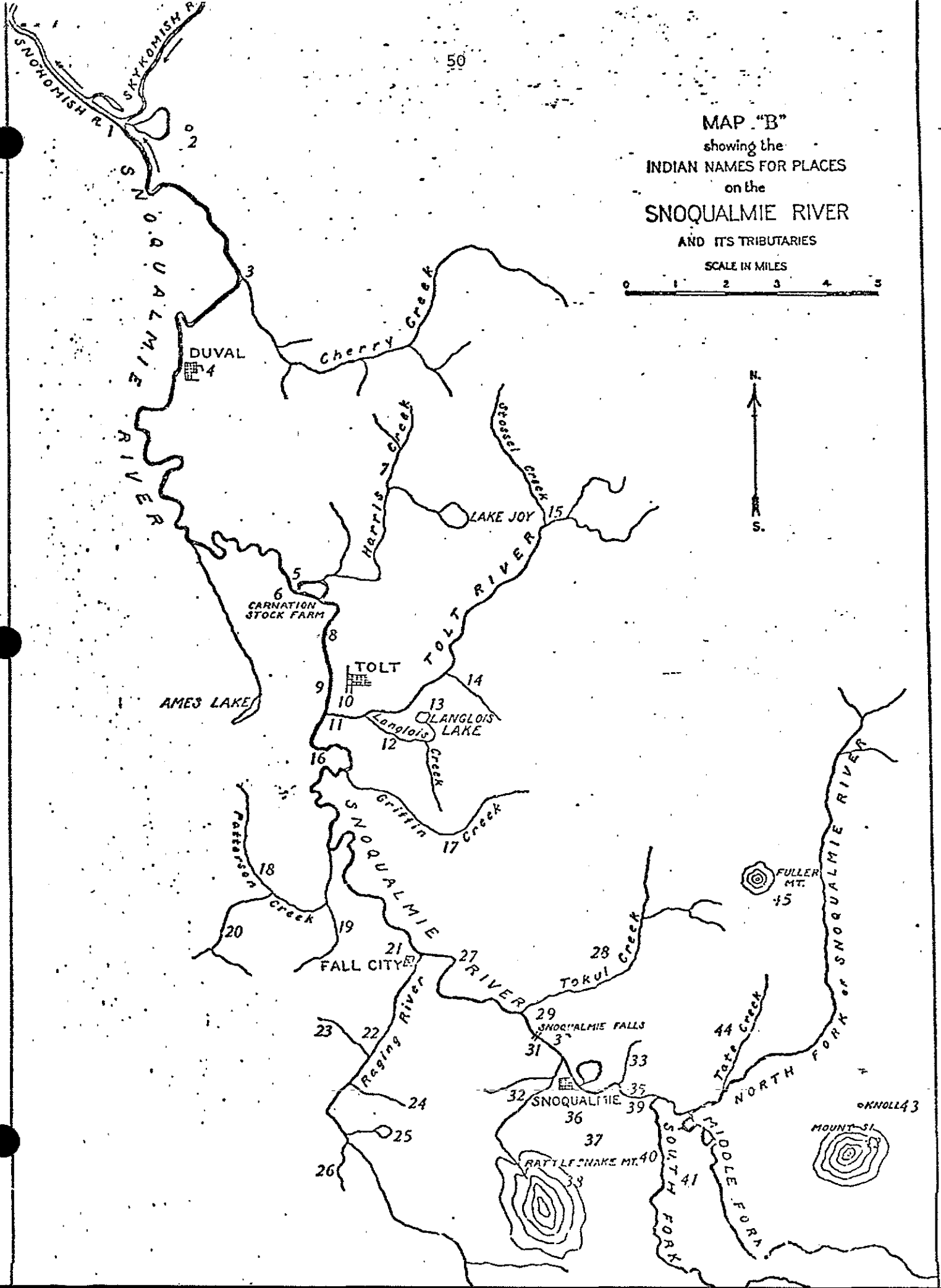
41. Place between the South and middle forks of Snoqualmie river, Tutsuwa'dEb. This expression is now used of a person dying of tuberculosis.

42. Mount Si, Q^{3}Elbts. Somewhere on this mountain, certain Snohomish people, who were watching the "swinging" already spoken of, were turned to stone (see no. 37).

43. A little hill, "wife of Mount Si", xwotstLKtw.

44. Number not used.

45. Fuller Mountain, Swi'tud.


MAP "B"
showing the
INDIAN NAMES FOR PLACES
on the
SNOQUALMIE RIVER
AND ITS TRIBUTARIES
SCALE IN MILES
0 1 2 3 4 5
N.
S.
SNOHOMISH R.
SKYKOMISH R.
SNOQUALMIE RIVER
DUVAL
Cherry Creek
Harris Creek
Stossel Creek
LAKE JOY
TOLT RIVER
CARNATION STOCK FARM
TOLT
AMES LAKE
LANGLOIS LAKE
Langlois Creek
Griffin Creek
Patterson Creek
FALL CITY
SNOQUALMIE RIVER
Raging River
Tokul Creek
FULLER MT.
SNOQUALMIE FALLS
Tate Creek
NORTH FORK of SNOQUALMIE RIVER
SNOQUALMIE
MIDDLE FORK
SOUTH FORK
RATTLESNAKE MT.
MOUNT SI
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