

DRAFT REPORT
INDIGENOUS FISHERIES OF THE SOUTHERN SIERRA MIWUK
CALIFORNIA TREATIES OF 1851:
TREATY M, TREATY N, & TREATY E

A Paper Presented to the Society of California Archaeologists 2010
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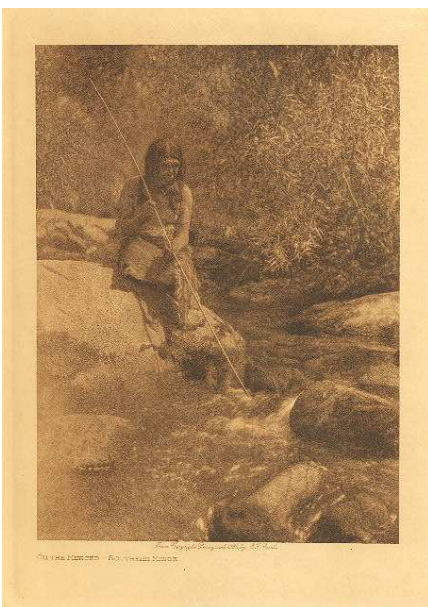
Note: this paper is to be used in conjunction with the paper presented concurrently at the SCA Riverside 2010 titled : *Real Time Mapping of the Boundaries of the California Treaties of 1851 Treat M, Treaty N, & Treay E*

ABSTRACT

Ethnographic lists of village locations confirmed the habitation and occupation sites at the time of the California Gold Rush told by the great-grandchildren of Tribal members of the time. Proposed locations of the unratified reservation areas have been compared to the historic Indian village ethnographic locations and the indigenous knowledge regarding the resource uses of the regions. Using the geographic information system mapping from the culmination of the inventory of village locations of the lineage groups of the Southern Sierra Miwuk Nation, the overlaid Treaty M, N, and E maps reveal which existing 1850 villages were already inhabited in the proposed Treaty areas. Treaty areas had boundaries defined by rivers where fisheries, trailheads, and crossings were affected by dams, ferries, blasting, and hydraulic mining. These village regions were/are active occupation sites according to the distributions of the family routes. This paper will review the information surrounding the lives of some indigenous individuals who used the fisheries. The system of family use routes crossed the river systems and utilized the waterways for transport. Various aspects of indigenous fishing technology was used into the early 1960s. Indigenous oral history about the locations and species of fish will also be discussed.

TREATIES OF 1851-52

The signatories of the treaty documents were assigned to a territory for the purposes of dividing up the territories into reservation lands. When these cultural names are compared to older historic records using the same names, it is possible to formulate a delineation of the cultural routes and village connectivity. Schoolcraft estimated the population of the Mariposa region in 1854 as 3,407 in five bands, and the *Mercede* Indians 280 in five bands (Schoolcraft, 1854). When attributing a population estimate from all combined ethnographers for 1850 Cook arrived at a population range of between 500 and 600 for the gold rush period (Cook, 1955:36). If, however, we incorporate the traditional knowledge regarding family travelways, Cook continues to define the areas of the Stanislaus and Tuolumne. He used government vaccination records, reports on reservation Indian counts, government estimates, and the first state census. The online resource for the Tribes associated with Indian Land Cessions is referenced for the following map of the Reservations of California (BIA, 2008). Near Merced Falls he reported vaccinating 695 people at the reservation (Wolzencraft, 1851).

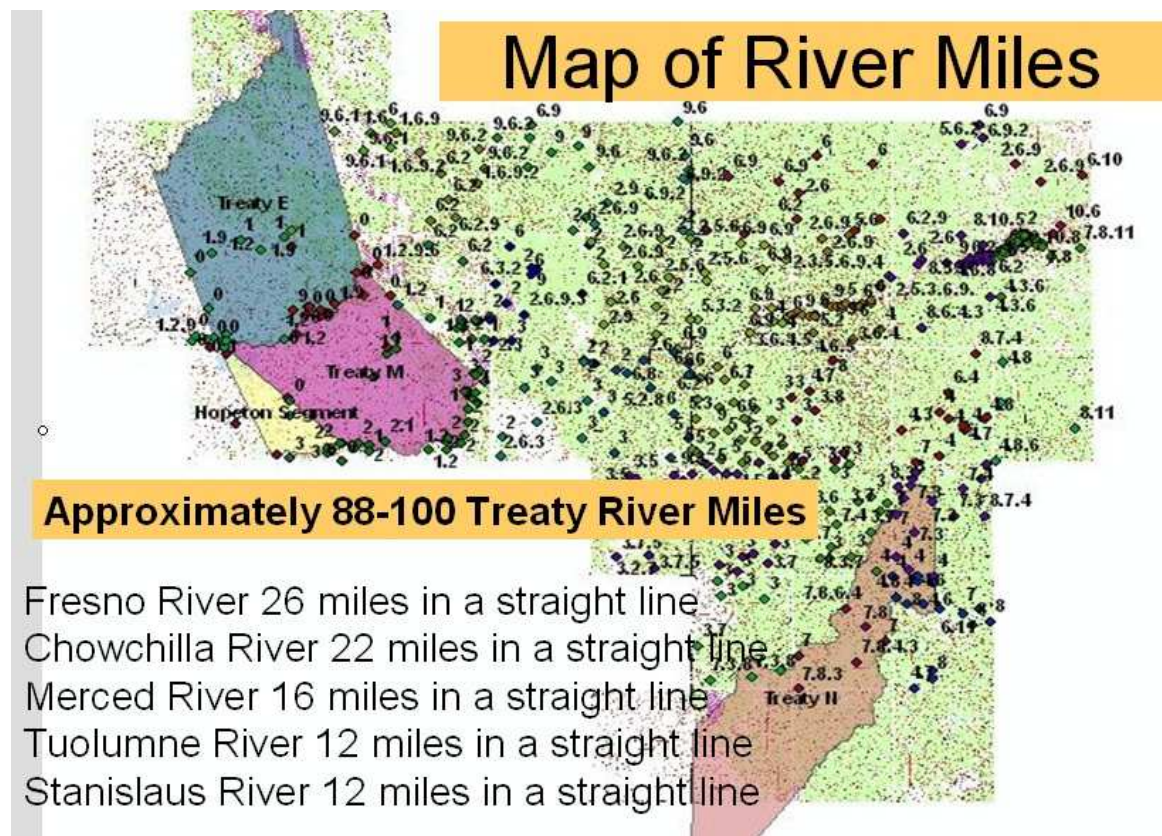


Literature review for articles that tried to explain the treaty time period includes Wallace Smith, Russel in Nature Notes, and the Heizer paper reproducing the Treaties after they were uncovered after years of confidential treatment. In chapter eight of “Garden of the Sun” Wallace uses references of the development of the reservation system in the territory being investigated here through errata, news reports, government documents, and the accounts of pioneer residents (Wallace, 1960). Published accounts relating to the reservation system of California were made by Carl Russell in the Yosemite Nature Notes while he was a National Park Superintendent (Russell, 1951).

Figure 1. Edward Curtis romanticized the indigenous fisherman in photographs “On the Merced- Southern Miwok” courtesy Northwestern University Library

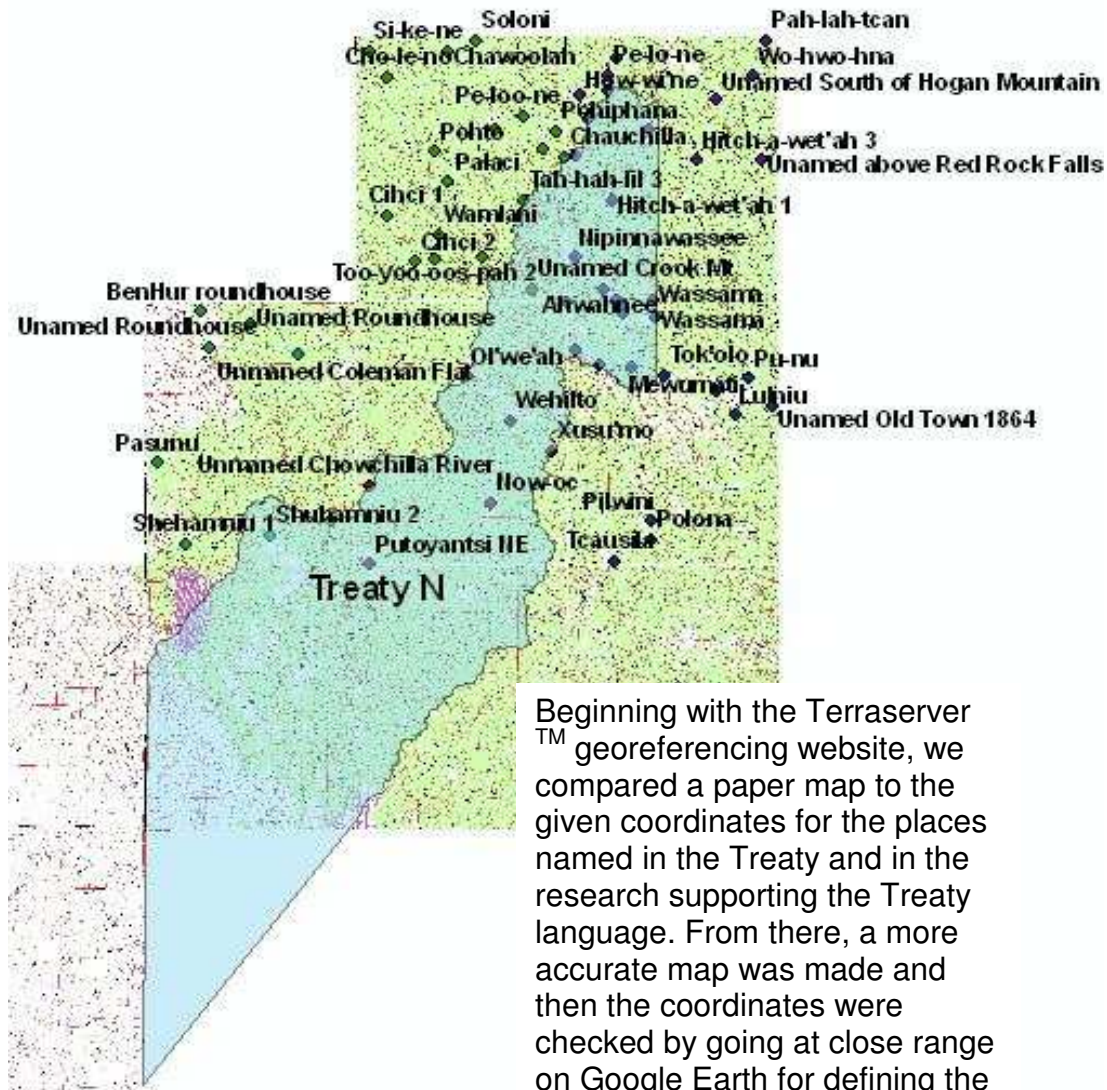
He also wrote a book about the first hundred years of Yosemite, and in this there were references to the establishment of the Treaties and the Mariposa Indian Wars (Russell, 1947). Robert Heizer re-published all of the treaties of California in a paper for the Archaeological Research Facility at the University of California, Berkeley where he wrote a detailed introduction (Heizer, 1972).

Demographic mapping of the village regions was developed from a literature review for determining the population attributes of the Southern Sierra Miwuk Nation (Gaskell, 2008). Occupants of the villages were defined according to their lineage features and given a number to represent the culture code. Historic resources relating to this region have been reported and recorded for accessibility (Rhodes, 1976). All cultures present within a village region were considered when designating a code for each village region (Gaskell, 2009). Below is a GIS map representing 33 quadrangles of the 74-94 regional quadrangles where occupants from these culture codes resided, overlaid with the approximate boundaries of the three Treaty boundaries (in pink).

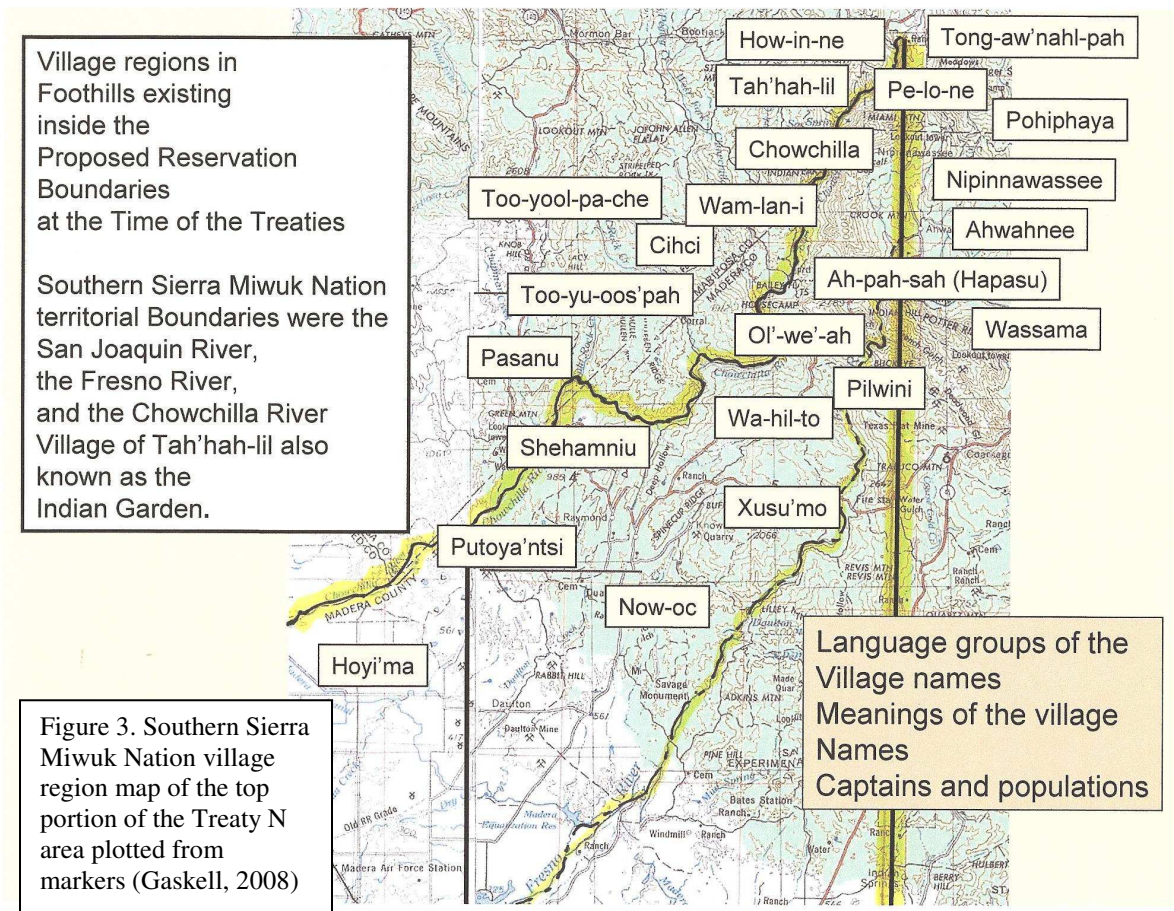


TREATY N

“Treaty made and concluded at Camp Barbour, on the San Joaquin River, State of California, April 29, 1851, Between Redick McKee, and Others, Commissioners on the Part of the United States, and the Chiefs, Captains, and Head Men of the How-ech-ees, Chook-chi-nees, Chow-chil-lies, Po-ho-nee-chees, Cas-sons, Toom-nas, Tallin-chees, and Pos-kesas; which five tribes or bands acknowledge Tom-quit as their principal chief; also the Wa-cha-ets, Itachees, Cho-e-nem-nees, Cho-ki-men-as, We-mal-ehes, and No-to-no-tos, which six tribes or bands acknowledge Pas-qual as their principal chief.”



Beginning with the TerraserverTM georeferencing website, we compared a paper map to the given coordinates for the places named in the Treaty and in the research supporting the Treaty language. From there, a more accurate map was made and then the coordinates were checked by going at close range on Google Earth for defining the closest point to the information gathered. These final coordinates were entered into the attribute tables and attached to the mapping software ARC View by ESRI



Treaty N Markers - The markers for the Treaty Reservation landbase was far south of the groups which are part of the contemporary Southern Sierra Miwuk Nation. How-ech-ees, Chook-cha-nees, Chow-chil-lies, Po-ho-nee-chees and Nook-choos villages cover the southern 7.5 quadrangle USGS maps of occupancy. The beginning point of the landbase was in the large village area of Tah-hah-lil where there is a current day allotment parcel close to the Chowchilla River near the forks (Heizer, 1972). The boundary marker was to go directly south in a straight line to the top of Table Mountain in Madera County.

Treaty N River miles

River frontage along the Treaty N boundaries are described here with ending and beginning points running from the west moving to the east in each case using markers from the boundary marker information found in the Treaties of 1851-52 (Gaskell, 2004). Treaty N river frontages included: The north and south banks of the Fresno River (A) at the point where the line beginning in the large village area of Tah-hah-lil (Sonny Meadow- Hogan's Potato Patch) goes directly south in a straight line to the top of Table Mountain in Madera County crosses the Fresno River at a point near where Miami Creek enters the Fresno River (Hogan, 2009). From

this place going west following the Fresno River to a point on the Fresno River south of the eastern portion of the Madera Equalization Reservoir. This river frontage is estimated as being between 22-26 miles in a straight line from point to point, and not actual river miles. The location of Tah-hah-lil has been verified through Hogan family lineage data for habitation sites in 1852. In 1852, Lucy Hite's home was at Indian Garden, when John and Lucy Hite moved into the home of Samuel Lane and Mary Ann (Austin) Lane where it was known as Hogan's Potato Patch, which was also called Indian Garden. Samuel Lane Hogan purchased a home at another location leaving this ranch site available for them, and deeds and a document trail is in the possession of Wes Hogan (Hogan, 2009).

The south bank of the East Fork of the Chowchilla River (B) at the point where the line beginning in the large village area of Tah-hah-lil (Sonny Meadow- Hogan's Potato Patch) goes directly south in a straight line to the top of Table Mountain in Madera County crosses the northern area of Harris Ranch going west down the river following the course to a point on the East Fork of the Chowchilla River near where the Eastman Lake Recreation Area is crossed by Raymond Road approximately a mile and a half west of Green Mountain School. This river frontage is estimated as being between 18-22 miles in a straight line from point to point, and not actual river miles.

TREATY M

“Treaty Made and Concluded at Camp Fremont, State of California, March 19, 1851, Between Redick McKee and Others, Commissioners on the Part of the United States, and the Chiefs, Captains, and Head Men of the Siyante, Po-to-yun-te, Co-co-noon, Apang-as-se, Aplache, and Awal-a-che Tribes of Indians, of the other part.”

Treaty M Markers - This treaty in 1851, at Camp Fremont, near the little Mariposa river (Mariposa Creek) was signed in the village named *Nochuchi* just below the Mormon Bar crossing. Redick McKee, George W. Barbour, and Oliver M. Wozencraft, commissioners treated with the various tribes of Indians that lived at Si-yan-te, Po-to-yun-te, Co-co-noon, Apang-as-se, Aplache, and A-wal-a-che regional landuse areas (Heizer, 1972). It was not clear if all of the Mariposa Indians living outside of the landbases defined for Reservations were to go south to the Reservation of Treaty N or north to the landbases in Treaty M and E. The Treaty M region that covered portions of four counties of today spanned between two rivers. The area affecting the Southern Sierra Miwuk Nation range were the areas bordered by the main branch of the Merced River on the south, over to the Tuolumne River to the northern boundary. The eastern boundary between the two rivers was a line drawn from Piney Creek on the Merced River up to a point on the Tuolumne River above La Grange of today.

There was a detailed list of the historic facts for each marker that have been georeferenced to support the boundaries of the Treaty landbases written in 2004 (Gaskell, 2004). The western boundary of the area was a line drawn between a place a little below Snelling over to a point where the Tuolumne River is under the waters of Turlock Lake of today. Lineages in the Tribal genealogy that were stakeholders of this triangle area were from the Culture Codes of 1, 2, 3, 6, and 9.

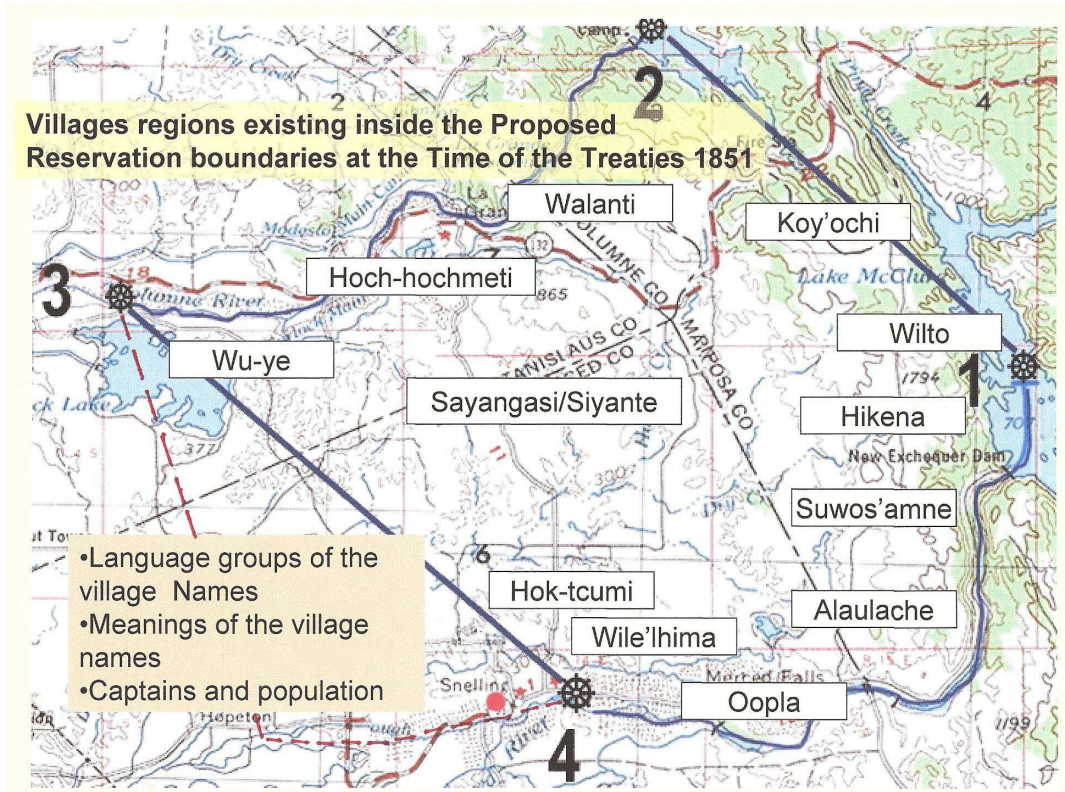


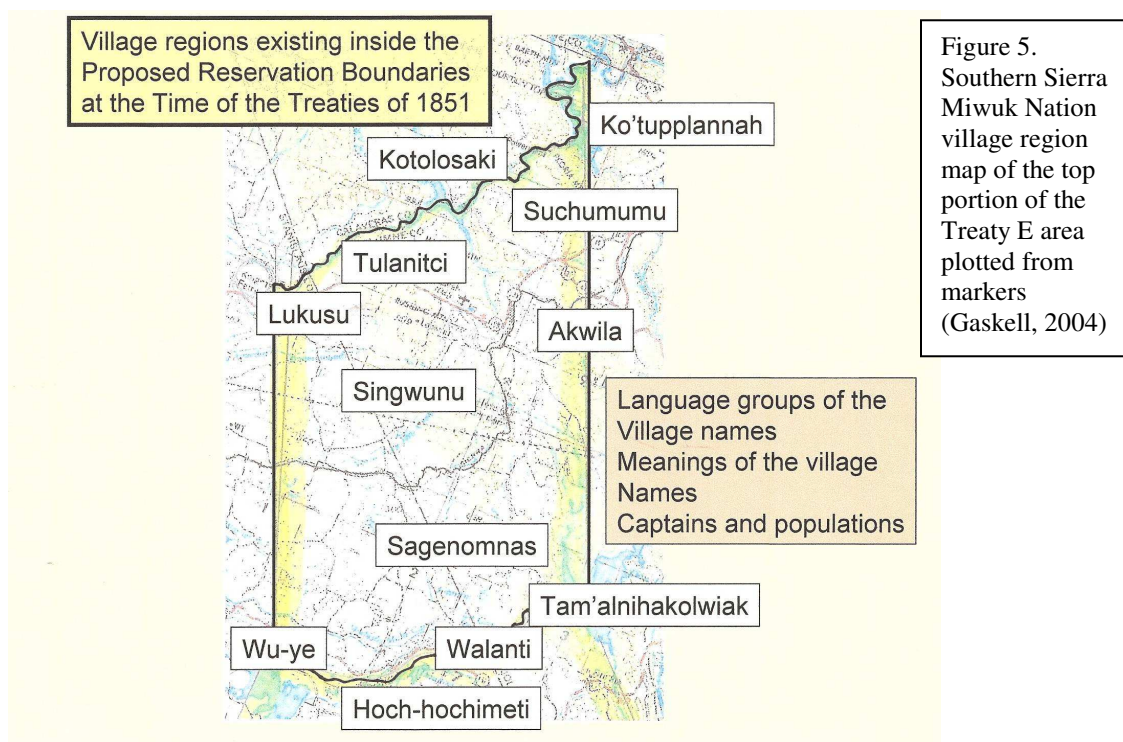
Figure 4. Southern Sierra Miwuk Nation village region map of the top portion of the Treaty M area plotted from markers (Gaskell, 2004)

Treaty M River miles

The north bank of the Merced River (C) from a point “on the Merced River opposite the mouth of a small stream emptying into said River, on the south side of said river about one mile above what was formerly known as Ford’s Ferry-Stone and Co.’s Ferry.” The stream that meets this description based upon research places this marker on or between the place where the Cotton Creek and the Temperance Creek entered the main channel of the Merced River on the 1891 USGS topographic map (Heizer, 1972). From this point going west following the river course, the boundary goes the course until the marker at about “one quarter of one mile from the house of Dr. Lewis” in 1851 which has been identified through research as the Snelling Hotel on the southwest corner of Lewis and Third Streets in Snelling. This river frontage is estimated as being between 15-16 miles in a straight line from point to point, and not actual river miles.

Treaty E

“Treaty made and concluded at Dent & Valentine’s Crossings, May 28, 1851, Between O. M. Wozencraft, United States commissioner, and the Chiefs and Head Men of Iou-ol-umnes, Wechillas, Suc-caahs, Co-to-pla-ne-mis, Choa-Dah-sims, and Sage-wom-nes Tribes of Indians.”



Treaty E Markers - In 1851 the Treaty E was documented to have happened at Knight’s Ferry on the northern edge of the proposed treaty land area. Titled as the “Treaty made and concluded at Dent & Valentine’s Crossings, May 28, 1851, Between O.M. Wozencraft, United States Commissioner, and the Chiefs and Head Men of Iou-ol-umnes, Wechillas, Suc-cashs, Co-to-pla-ne-mis, Choa-Dah-sims, and Sage-wom-nes Tribes of Indians” (Heizer, 1972). Village regions existed upon the lands of those parcels of land within the markers named within the treaty. These are listed here. The village regions that existed on the proposed reservation were about to invite people from outside their own usufructory regions to share these resources. The Treaty E bounded by the Tuolumne River on the south, and the Stanislaus River on the north, and included areas of three counties of today. The area affecting the Southern Sierra Miwuk Nation range was between these two rivers, and bounded on the east by a line running between a point just above La Grange, up to a place along the channel of the Stanislaus River under the water of New Melones Reservoir of today. Lineages in the Tribal genealogy that were stakeholders of this triangle area were from the Culture Codes of 1, 2, 6, and 9 (Gaskell, 2008).

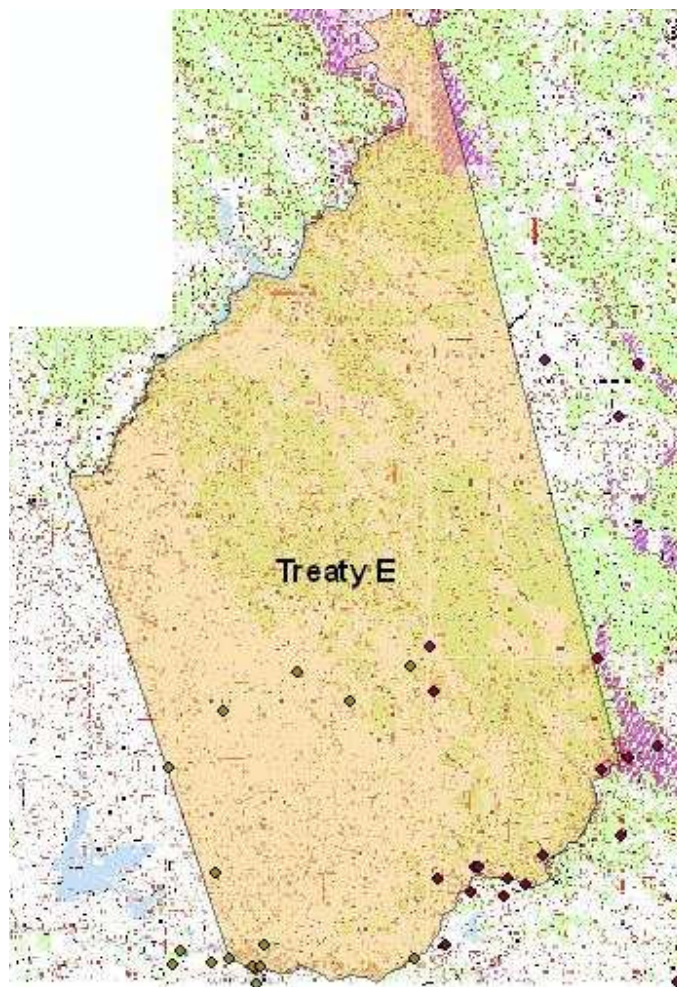


Figure 5b

Treaty E River miles

The north bank of the Tuolumne River (D) “at a mouth of a gulch emptying into the Tuolumne River at a bend about two miles above Spark’s Ferry.” The place two miles from Spark’s Ferry is now behind Don Pedro Dam under Buzzard Point. This point lines up with where Piney Creek would have entered the historic river channel. From this point going west following the river course, the boundary goes the course until the marker “down the middle of the stream to a point one-half of one mile above Harr’s Ferry” in 1851. In order to locate this point, 16 historic references were consulted, and the conclusion that the marker is approximately one mile east of the current Roberts Ferry Bridge was confirmed. This river frontage is estimated as being between 8-12 miles in a straight line from point to point, and not actual river miles on both sides of the river.

The south bank of the Stanislaus River (E) from a half of a mile above Buena Vista, following the course of the Stanislaus River up to a place about one mile below the Horseshoe Bend now under the New Melones Lake which is approximately one mile from the current boat ramps to the center of the historic channel. These regions, being in alignment with the proximity of the boundaries of Treaty M on the northern banks of the Tuolumne River, which make up the north-to-south parallel lines of the side borders of Treaty E. This river frontage is estimated as

being between 8-12 miles in a straight line from point to point, and not actual river miles. All of the village information for the village regions for the Stanislaus River has been mapped into the Tribal GIS but it is under the consultation of a different family so it has not been included in this unpublished document.

River Crossings and Villages

In order to understand the impacts upon the populations of these village regions already existing in 1850 within the proposed reservation boundaries, the ethnographic research for groups of post treaty village retrieval, between 1860 and 1908, were plotted. Ethnographic lists of village locations retrieved 50 years after the Treaties confirmed the habitation and occupation sites at the time of the California Gold Rush. Using the Geographic Information System (GIS) mapping from the culmination of the village inventory locations for the lineage groups of the Southern Sierra Miwuk Nation, the overlaid Treaty M, N, and E maps reveal which existing 1850 villages were already inhabited in each proposed Treaty areas (Gaskell, 2008). These village regions were/are active occupation sites according to the distributions of the family routes and current APN parcels of lands currently owned by tribal members (SSMN, 2009). All cultures present within a village region were considered when designating a code for each village region. The lineages of the significant individuals were identified with cultural lineage village affiliations. When GIS resource layers from ethnographic village records are queried, patterns emerge to relate lineages of 11 culture resource routes through ceremonial villages, camps, and Treaty N, E and Treaty M boundaries.



Figure 6. A wide angle view of the Bagby Bridge circa 1923 retrieved from the www.mariposaresearch.net/bagby.jpeg previously named Ridley's Ferry, and called Hūm'-emantī by the local indigenous Chimteya.

The trail systems and river crossings were managed by a single dominant family use tract owner. The family use tracts were hatch-marked with travel-ways and trails between the village region use areas. By using the locations of the village regions, the location of the family use tract village regions, and the historic trail systems between these places, a trail system emerges. Pathways were well known to each lineage group, and family use tract participants sometimes had trails through other usufractory owner's lands that connected their outlying village regions. Village regions which were mapped and have the occupancy lists attached make the definition of the Treaty M, N, and E boundary landbase villages possible. The areas overlap and share certain territories, with the dominant culture explained through the population lineage lists in the GIS database of village region occupancy.

Indigenous Fisheries and Crossings

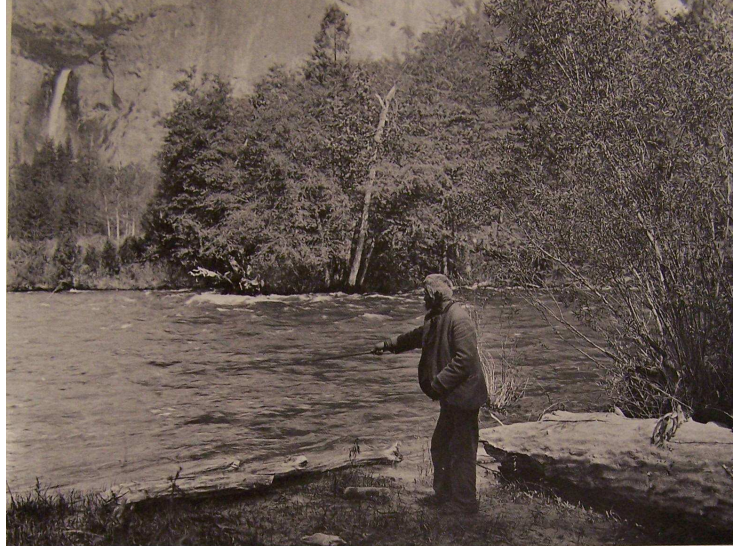
The trail systems and various sightings of their use support historic traditional fisheries that were in use up into the early 1960s. In many locations each family or culture had a habitation site on either side of the river at the crossing place. River velocity and time of year played a role in the locations and time of use for fisheries. Along the Merced River there were river hydrological data to describe the flows in the years 1915-1926 (Galloway, 1921). River turbulence and river water levels affected travel, traditional life, and the spawning and travel of fish species at the times of year related to the harvest calendar.

Fishing rights were important for different reasons as the timeline of the fisheries evolved through the decades from 1840 through the 1960s. The fish were used traditionally – as economic stability during the contact period depended upon the harvest of fish during both seasonal runs. Fishing rights were important elements of Treaty negotiations in Indian Law across North America. These same issues facing indigenous people on our continent are understood here on the California waterways. One may make the argument that the treaty fishing rights and case law on other California rivers hold the same weight on the river frontages defined in this document. Treaty river frontages and the riparian areas had named traditional use areas where the fishing spots were aligned with the river crossings and usufractory ownership rights for generations.

Material culture of contact technology such as the spears and nets began to become a transformational fishing culture of 19th century culture contact technology. From a timeline at one end of the technology spectrum – harpoons, nets, baskets, spears, hooks –to transformational fishing hooks, lines, and traps were seen in use by the indigenous people of this area (Barrett, 1933; Bates, 1984; Levy, 1978; Wallace, 1978). Species determined to be at upper elevations were impacted during mining, logging and mineral extraction along the river courses. Fishing species moved to lower elevations- salmon or trout – and regular spawning events were intermittently interrupted over the years for various reasons (Yoshiyama,1996). Future reports will explain the crossings and fisheries as they relate to the boundary definitions offered in this paper.

Examples of indigenous fisheries and individual fishermen will be presented, and the river water qualities recorded on historic river records at locations around the times of the individual activities. Traditional use of these fisheries can be understood as a reflection of the economic value to the indigenous people as the uses and harvesting methodology changes along the timeline and historic river channel changes.

Figure 7.
June 9, 1901
Courtesy of
the National
Park Service,
Yosemite
National
Park. A
Southern
Sierra Miwuk
Man is seen
fishing on the
south bank of
the Merced
River using
assimilated
fishing gear.



INDIGENOUS FISHERIES AND FISHERMEN

Fisheries

Species distributions have been studied and modeled as spanning multiple ecoregions and climate zones. River models using temperatures, gradients, and possible migration barriers have been performed by Yoshiyama (1996), Knapp (1996), Moyle and Randall (1998), and Lindley (2006). In each model there is speculation of the extent that the salmon were a locally adapted population in the upper reaches of the Merced River. According to Shelby in an address delivered to the second convention of the Fish and Game Commission, that in the year 1892;

“At the time the Merced River was free of obstructions and the steelhead and salmon ascended the Merced River to Wawona and into Yosemite Valley as far as the rapids below the Vernal Falls and Nevada Falls. There are a few low dams in the river, but they were not high enough to prevent the steelhead and salmon passing them during the spring floods” (Shelby, 1927).

When Lindley modeled the historic extent of the seasonal salmon runs absent any obstructions, the resulting reaches reflect the statement by Shelby. Although there has not been any record in the historic archives of the Yosemite National Park, according to Jim Snyder (Snyder, 1993), the recent protein studies from the Wah-ho-ga Village archaeological findings returned some residue consistent with “salmon, fish pemmican” when a unifacial pestle from 160-175 cms below the surface was tested. The antisera for trout and human protein residue that tested positive may have been consistent with salmon flour or other preparation methods for local species (Cummings, 2009:9). The question of whether the fish residue was some degree of free ocean going salmon, or native local fresh water fish has not yet been determined.

According to Martin, the two techniques for determining the degree of anadromy in Steelhead Trout (*O. mykiss*) are microchemical and genetic analysis (Martin, 2009). The first is the theory that otolith (ear bone) microchemistry differs in fish with different residence times in salt or freshwater (because of the different ion chemistry ratios that are not actively regulated by the fish in the two systems). The elements that are evaluated are Sr:Ca, and on the basis of their ratios, scientists can differentiate between resident and anadromous forms of *O. mykiss*, the

steelhead/rainbow trout (Zimmerman, et. al, 2009). These are populations that have free access to the ocean. If populations get "trapped" in headwaters, then the chemical signal of migration is eliminated, and this evaluation is useless. Martin states that the second technique becomes valuable. It is a DNA microsatellite biomarker, referred to as Single Nucleotide Polymorphism (SNP or snap)(Aguilar, 2008). These genetic tagging techniques (using really new high tech genetic analyses) allow scientists to characterize specific river basin populations that have been isolated from one another. Even though a population has been isolated for long periods of time, it appears to retain its genetic biomarker.

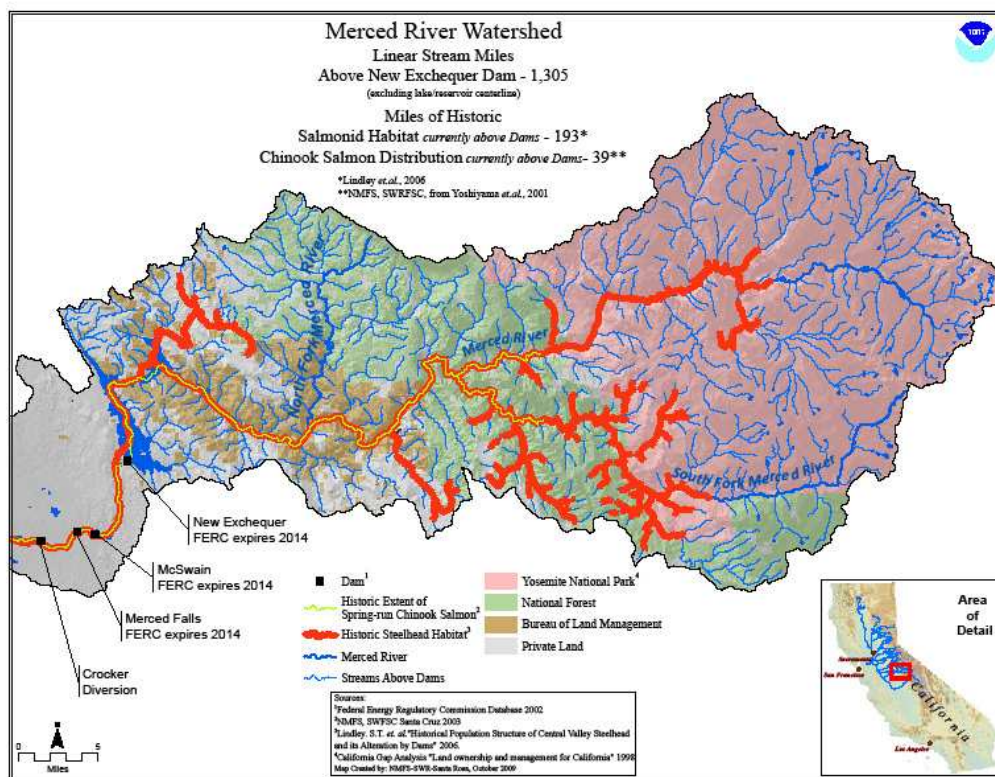


Figure 8. Lindley (2006) reported the conclusions to research regarding the conditions for salmon habitat in the upper Merced River. From a study "Historical population structure of Central Valley Steelhead and its alteration by dams."

Martin believes that if a population cohort existed in the Merced basin or tributaries where true Merced River native stock remains, that haven't been contaminated by California Fish and Game and National Park Service fish stocking, such a habitat patch could populate a renewal of the species. This could be the basis for setting up a Conservation Hatchery to return Merced River steelhead to the Merced River. From the information of the independent populations that were compiled by Lindley, the information needed to establish the locations of such "patches" may be extrapolated from the discharge, gradient, temperature, and suitability of the habitat as it relates to Salmonid and Chinook Salmon. The presence of fish at certain elevation levels as told by Perlot were accessed by the ancient trail to Hites Cove along the South Fork of the Merced River (Perlot, 1857), a short distance from the Jerseydale area at an elevation consistent with the modeled results of Lindley (Lindley, 2006). Cypriano was the fisherman in this historic account

from 1857, and his home range included the large village on the south side of the current McSwain dam facility as well as the village near the first Mariposa Battallion military invasions on the South Fork Merced, and a series of fishing villages named “Awal/Awalu” from Snelling to Briceburg of today. One such village was the home of his granddaughter born in Coulterville who is buried somewhere near Midpines (SSMN, 2008; Gaskell, 2008).

From within the model conformed by Lindley, tributaries draining the Sierra Nevada at the upper reaches of the Merced River branches were highlighted as possible salmon habitat. These tributaries included the South Fork up to Wawona-or Peach Tree, the Cold Canyon-Pigeon Gulch tributary, Crane Creek tributary towards Foresta Falls, up Tenaya Creek, and up the main Fork of the Merced and ending in the Illouette Valley. At the lower elevations, the main Merced River tributary with suitable habitat is shown along Maxwell creek flowing one direction and Boneyard Creek flowing the other direction until about the elevation of approximately 2000-2400 feet. On the South Fork of the Merced there are two tributaries, one is on the Devil’s Gulch drainage descending from Jerseydale at Skelton and Owl Creeks, and Alder Creek and Bishop Creek that were identified as having a modeled correlation for suitable habitat (Lindley, 2006).

The arguments and solutions raised by the earlier Yoshiyama (1996) literature review, correctly depicts the reaches of the salmon runs and the seasonal occurrences as they were reported by Tribal members alive in the early 1900s. In the review of the Mariposa Gazette literature review, and the oral history of the Southern Sierra Miwuk Nation people, the locations and occurrences have reciprocal reports. The literature review from Yoshiyama encompasses a time span from 1806 through the present day. It includes indigenous interviews, colonial reports, Spanish explorers, miners, military, and fish commissioners. The evidence for the salmon runs on the five rivers of this study; the Stanislaus River, the Toulumne River, the Merced River, the Chowchilla River, and the Fresno River has been reported and confirmed. Yoshiyama recounts the material culture of the fishing traditions, the locations of indigenous fisheries, and the interruptions in the salmon runs due to manmade impacts. He also discusses the reaches of the salmon runs and estimates the elevations of the waterfalls in specific locations, and the symbiotic species that usually occur with the salmon species under review (Yoshiyama, 1996).

Tribal members today recall the individuals that were interviewed during the Melones Dam oral history projects (Hall, 1976; Van Beuren, 1983). They recall these individuals reporting information to ethnographers for each of the river areas, and are descended from the persons observed with spears and nets or weirs (Barrett, 1933; Gifford, 1955; Aginsky, 1943). Along the river miles of the five rivers within the Southern Sierra Miwuk Nation consultation zone the tradition of obtaining the first run salmon, both spring and fall for the Bear Ceremonies, is done as they are still held twice a year. The sleeping and awakening of the bear population and the salmon runs are simultaneous occurrences in the Miwuk geographic environment impacting the way they follow in the calendar harvest, travel, and village occupancy for generations.

Salmon Material Culture

Fishermen and their tools

Material culture of contact technology- the standard fishing pole, reel, and line with hooks and flies of today, can be compared to traditional and transformational fishing tools of the past- harpoons, nets, baskets, spears, hooks, poison and other physical requirements. From the appearance of the early explorers, who were reported as shooting salmon with their rifles, to the “wilderness” mindset of the turn of the century, where fishing tackle and gear replaced the ancient methodology of fish gathering, the treatment of the salmon harvest was part of the transformational process that the indigenous local people had to undergo.

Lemee's Fishing Gear. Mary Skipper, who was the granddaughter of Mary Wilson, and cousin of Chris Brown (Chief Lemee), remembers how he was always making things and using them. She was about 10 years younger than him at the time, and lived in the same areas of the Yosemite National Park as he did from the Old Indian Village to the New Indian Village, Wah-ho-ga. According to her he used to sit on a large boulder near her mother and grandmother's home and work on things. He would be singing old cowboy songs or traditional songs. In 1935 they had been living in the New Village for about five years, Mary Wilson had passed away, and Phoebe Wilson had moved into the New Village where there was a little shack behind her cabin where Chris Brown lived. Although Mary Skipper had been sent away to Riverside to Indian school with many of the other youth, she remembers the times she was in the Park watching him making things (Skipper-Brochini, 2002).



Figure 9. Photograph's of Chief Lemee's spear (harpoon) used during the instruction of the National Park Interpreters. Pictured is the bone hook and milkweed line from 1935 made as his father taught him. Courtesy Yosemite Research Library photo card catalog.

In 1935 a Ranger named Gilmore wrote an article about some of these items. Gilmore accompanied Lemee on a fishing trip, and observed how he carried the worms he had gathered up into a package that kept them alive and moist. Lemee called this fish-worm carrier a "Huk-ken" that he had made out of blue grass. Gilmore stated that there were specimens of the same article in the Field Museum of Chicago, and in the Yosemite Museum. The description was of a 10-inch by 3-inch bottle shaped woven container. The article goes on to tell the procedures for making such a container, and how it was easy access for retrieving worms as it opened and closed firmly to keep the contents secure. He described a type of bone hook and milkweed line that Lemee made called a "Hu-nee-mah" that he learned how to make from his father, Johnny Brown, as he had made his living providing fish for the early Valley hotels (Gilmore, 1935: 29-30).

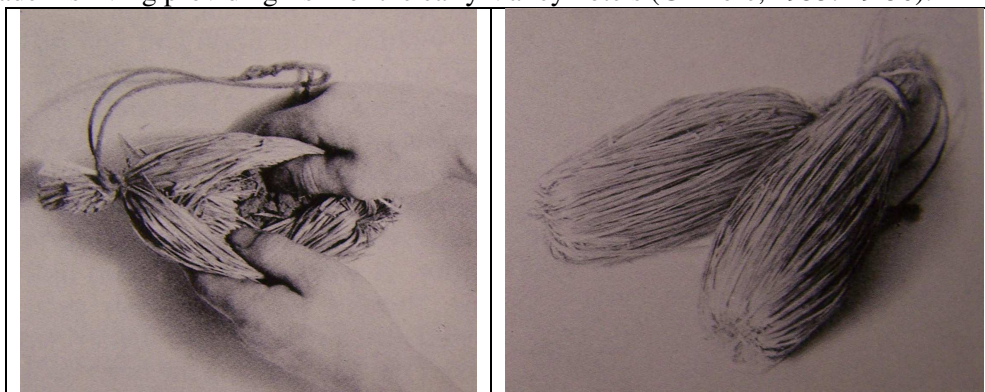


Figure 10. Chief Lemee's fish-worm carrier a "Huk-ken" that he had made out of blue grass from Yosemite Valley. One similar to this was housed in the Yosemite Museum in 1935 according to Gilmore. Courtesy the Yosemite Research Library.

A two pronged harpoon, called a “si’laa” (in Northern Miwok) or gula’a and tco’llo (in Central Miwok) made from a 10 to 15 foot long mountain mahogany pole with the spear head lashed to the pole with hemp or milkweed fibers was described by Lemee for the Park Rangers. Since he was able to recreate these items, he was asked to participate in various types of demonstrations for the Rangers to record as part of the interpretive programs. In 1950-51 the Rangers were interested in the types of poisons and methodology used by the indigenous of the region for subduing fish for capture (McFarland, 1951). Chief Lemee was included in the research of these methods for comparing the seven ethnographic plants known to be used for this purpose: California Buckeye (*Aesculus californica*), Soaproot (*Chlorogalum pomeridianum*), Durango Root (*Datisca glomerata*), Common Manroot (*Echinocystis fabacea*), Turkey Mullein (*Eremocarpus seligerus*), Blue Curls (*Trichostema oblongum*), and California Laurel (*Umbellularis californica*). Lemee was photographed performing the poisoning at Happy Isles at the fish hatchery with 20 fingerling brook trout for each test on August 9-11, and August 22, 1950. He demonstrated this again using 50 legal size rainbow trout using only soaproot in a large pool at Yosemite Creek on August 18, 1950 (McFarland, 1951:7).



Figure 11. The fish poisoning experiment performed by Chief Lemee for the National Park Interpreters in August of 1950. Photograph by RHA, Neg. No. RL-14,490

Ethnographic Notes. Nets, basket traps, hooks and harpoons have all been described and replicated by government interpretive staff, but the best examples are those made by the local indigenous people from the instructions given them by their Elders. In the ethnographic records made by Samuel A. Barrett, there is an in depth description and listing of the type of equipment and uses for the Southern Sierra Nevada region. Salmon as a Miwok material cultural element was discussed in the foods section, explaining the cooking processes, and in the section titled “Taking of Fishes” as the prey targeted by an elaborate net system (Barrett and Gifford, 1933). The fish-worm carrier was observed in the Yosemite Museum by Barrett and described in literature three years previous to the demonstration by Chief Lemee in the fishing outing with Ranger Gilmore. Indigenous naming relating to fish and the “waterside” of cultural linguistic procedures used by Northern, Central, and Southern Miwok speakers were defined in Barrett’s documentation. These linguistic markers were always denoting a geographic relationship to place of origin, which was known to the indigenous people. Fish, the most prized food, and the Miwok were discussed by Craig Bates in 1984, when he compiled mythology, naming, technological, and

species information into an article portraying the importance of Salmon's ceremonial and economic values of the indigenous people of the Southern Sierra Nevada (Bates, 1984).

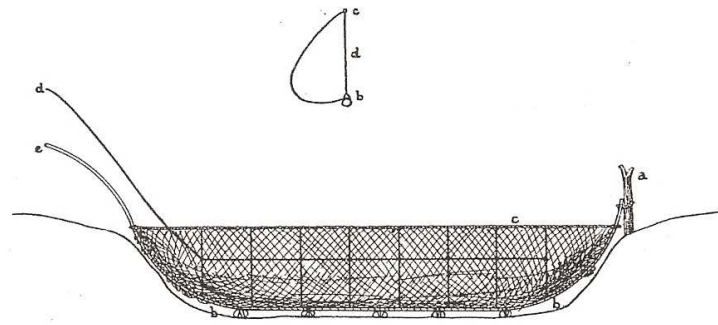


Fig. 27.—Set net for catching fish.

Figure 12. In the Indian Life of the Yosemite Region by S.A. Barrett, Fig. 27 shows the construction of the net similar to what may have been used by Indian Charlie when he was accused of illegal fishing practices. (Barrett 1933: 188)

The salmon and the fishing regalia manufactured for the harvesting of the fish are mentioned in ethnographic works for the chapters in the North American Indian series by Richard Levy (Levy, 1978), regarding the Eastern Miwok, by William Wallace (Wallace, 1978), regarding the Northern Valley Yokut, and in a dissertation by James Bennyhoff regarding the Plains Miwok (Bennyhoff, 1960). In each case the Salmon was referenced as well as the methods of harvesting. Ceremonial use, economic use, and preservation as a staple food source appears in literature and in local lore as far back as many can remember, of the salmon having played a roll in community life. Whether it is a current indigenous person who watched thick patches of salmon running up Bear Creek in downtown Merced (Hogan, 2009), or a traditional Elder meeting with the Fish and Game for harvesting a ceremonial fish for the Bear Dance twice a year, there is remembrance and use of the salmon (Leonard, 2006).

Personal Encounters. In 1871, a doctor named Samuel Kneeland was documenting his trip highlights in Yosemite at the spot near Clark's Hotel. He observed the skill of the fishermen who caught a string of trout "where the Eastern angler, with his flies and costly outfit, cannot get a bite" with local fishing tackle. He described the fish-worm carrier as an "ingenious straw box for keeping their worm bait alive; burying it in the earth, yet not allowing the worms to escape" while they were fishing (Kneeland, 1871). When another doctor was writing of his service during the military activities when entering Yosemite, Lafayette Bunnell described how the Indians would catch the fish with weirs, and with spears before the salmon "had seemed to have abandoned their favorite haunts, for the mud-covered spawn would not hatch" in the 1850s (Bunnell, 1880). A gold miner's account of indigenous fisheries was recorded at the Indian village "Rancheria" at Merced Falls calling it "harvesting" the salmon in the spring of 1852 (Collins, 1949).



Figure 13. Looking down from the south bank, looking up toward Pleasant Valley, there is an old dam near the likely location of the Old Exchequer Dam. Photo taken in 1916 in the Galloway, 1921 study.

The salmon spear was used in the 1950-60s although it wasn't always allowed by local government. Eye witness accounts from the 1920-30s fishing above Merced Falls on their usual beaches, local families recounted the use of the spear since the fish “were so thick you could walk across their backs” in the river in front of the upstream dam. Above the Merced Falls Dam, there was a small broken original Exchequer Dam near a fishing area (Galloway, 1921; Skipper-Brochini, 2002). Families would converge on their independent beaches and work at getting the salmon to take home (Skipper-Brochini, 2004). Even indigenous family members from Merced remember the quantity of salmon on Bear Creek (Hogan, 2009). The salmon spear was made in the same way in the 1850s as it is today. According to Sam Ward in the account by Collins, the harpoon was a “spear with a slender handle about six feet in length” and the description continues as told by other tribal members as an obsidian or flint projectile point with fish bone wound with sinew in a particular fashion (Collins, 1949). The same description is given in Barrett and Gifford that was demonstrated during the 1940-50s by Chief Lemee (Chris Brown) in his recreations of the tools used by his grandfather and great-grandfather (Barrett, 1933).

CURRENT USE OF OLD TECHNOLOGY

Recent history

Bill Leonard. During the ceremonial dances of Yosemite Valley of today, where the bears are put to sleep for the winter or awakened for the spring, the salmon plays an important role. Bill Leonard, who has been in charge of that portion of the ceremony many times, believes in the connection between the bears and the salmon. Mr. Leonard has been past chairman, has led over a decade of traditional trans-sierra walks, and is a traditional Elder leading ‘sweats’ as he works in Indian Health activities. He stated that “the size of the salmon has been so small” that he almost feels bad using the creatures for ceremonial purposes, but knows that their use during the sacred activities is essential to the revitalization of the species. He also has been one of the Elders over the past 25 years who participated in the harvesting of salmon for subsistence, and has

distributed the harvest throughout the tribe during the seasons when the population surged (Leonard, 2002, 2009).

Louie Coleman. Bill Leonard related the information regarding the migratory travels and harvesting of salmon that was related to him by another past chairman, Louie Coleman. He explained that Chairman Coleman followed a route similar to the family use route recorded by the descendants of the Brown and Rube families, or the culture code families of Awalache, Pohoneechee, and Yohemite. This route included harvests of calendar fish runs from the Chowchilla watershed, over to the Mariposa Creek, Bear Creek, up and over to the Merced River, around Coulterville and Mocassin, crossing to the South Fork Tuolumne River up to higher elevations and back down to cross over the Merced River again, following it down and then back up the Southern Fork of the Merced river to the high country where the headwaters of the Chowchilla River begins, and following this back down to the beginning of this route. Mr. Leonard had followed Chairman Coleman on portions of the Chowchilla portions of this route. During his youth, Leonard also fished the length of the Chowchilla River stating that it was a usual occurrence to stay down there day after day “subsisting” while fishing. He believes that when asked regarding the traditional cultural property significance of location, that the entire river is significant, and that there are no fishing spots that are more or less significant along any of the watersheds. He believes that the entire river deserves the designation. This was expressed in a statement he made that “when people ask me which place is important, I answer that the whole river is important” and that no one place is any less significant. His response was one of dismay that someone would even ask that question since it should be obvious that different parts of the river have uses apart from others. This meant that species that are not symbiotic have their own “turf” and once you find those areas, you can catch certain things in certain places. (Leonard, 2002).

Tom Light. Tom Light and his Son, of Modesto and Chinese Camp have fabricated spears in October of 2009 in order to show how his father and relatives went spear fishing in Knights Ferry, La Grange, and Snelling. He described his grandfather’s district as ranging from French Camp on the San Joaquin River with command of roundhouse villages along this range up into the Phoenix Lake area. His family used fisheries on the San Joaquin, the Stanislaus, the Tuolumne and the Merced Rivers. One Great Grandmother was from the Snelling area, and another was from the Vallecito region. A Great Grandmother born in the Green Springs village areas was the Chatta in literature (Barrett, 1906). Mr. Light’s Grandmother Rose was born in the region between the Snelling and La Grange route. His other Grandmother was born at Green Springs in a village area that was known as a “gathering grounds” into the late 1800s under Rushing Mountain on the south side of the 108 highway of today in the meadows south of the fire look-out mountain (Light, 2004).

Three of his great-uncles were also known as fishermen of these streams and he has memory of the Knights Ferry ceremonial activities related to fisheries told to him by family. Once when he was about eight years old he was in Oakdale visiting a ranch family and an old woman was about eighty years of age was telling him about his father and his father’s brothers (Light, 2009). Mr. Light still has relatives in the Keyes and Cooperstown regions. The geography of his family stories align with the historic wagon stops and ferries of this district.

The game warden worked three fishing grounds of the Light family. An information system within the indigenous groups kept them abreast of the work locations on a daily-to-weekly basis. When Light’s Dad or Uncles knew the location of the warden, they were able to harvest on grounds in the opposing direction (Light 2009). This was a common occurrence. The feeling that the indigenous people were “here first” resounded in oral history in Tribal archives and personal communications from people born between 1906 through 1927 that were accessed or interviewed.

In those years, the implements used for harvesting salmon were from traditional spear to assimilated fishing gear adapted for use with a mixture of indigenous devices. The bait was also in transition. Depending on the many variables, a fisherman would design his tackle accordingly.

George Matlock. George Matlock, a native of Midpines, recalls facts regarding historic uses of salmon from below Bagby, Washington Flat, and up to and beyond Briceburg. His family is descended from higher ground to the north up the North Fork Merced River, and to the south, up the tributaries named Sherlock Creek and Saxon Creek to ancient village locations where generations mined and lived into historic times (Matlock, 2004). This family had control of one of the major fords along the Merced River, and at least three productive salmon fishing spots between Bagby and Briceburg. Family members have invested time into preserving this information into the Southern Sierra Miwuk Nation archives through oral history contributions. Like Saxon and Sherlock Creeks, the next watershed south of Mariposa Creek was home to watershed families dependent on the salmon. Lineage villages Kasumati and Kosumuti are named after the salmon and could be said to mean “salmon people” living in villages with various access trails to salmon run harvest areas (Barrett, 1906; Merriam, 1904; Skipper, 2004). Fishing access to the salmon people village had three routes followed to fishing areas along the Merced River accessing fishing spots on the south side across from the Matlock fishing grounds.

Lorraine Kramer. According to Bill Tucker, whose mother was born in 1902, she told him about how Captain Sam would bring back salmon from fishing while in the Yosemite Valley. When asked how that could be possible, Tucker advised that he thought his mother knew what salmon looked like and intimated that his Mother would know what a salmon looked like better than anyone. He continued to explain that he knew from other “folks” in the families that it was common Tribal knowledge that salmon was known to spawn “at the Ford” but didn’t know of any places above where Yosemite Creek entered the Merced River (Tucker, 2009). This location would seem consistent with ethnographic literature from fishing grounds near other crossings, since there were family villages on either side of the ford.

FISHERMEN IN THE GENERAL LITERATURE

Fishing Locations

Examples of indigenous fisheries and individual fishermen will be presented, and the river water qualities recorded on historic river records at locations around the times of the individual activities will also be presented.

Indians of 1856-1897

Mariposa Gazette. Articles retrieved from the Mariposa Gazette ranging from 1856 through 1897 make reference to the salmon runs and human interference with the natural processes. The earliest article explains how the South Fork of the Merced River was yielding little salmon fishing that year. The newspaper states “the Indians are much dissatisfied” with the salmon run of November 1856. This article was written as a warning to the colonials that the Indians will be stealing more so be on the look-out. In August of the next year, 1857, the newspaper reports a large harvest of soaproot at the Yo-Semite crossings of the South Fork in order to have an “inebriating influence” on trout. Fish ladders were not successful in a report from the newspaper in November 1877 because there weren’t any. The two locations in violation of a fish ladder ordinance were Johnson-Crown Lead Dam and the mariposa Land and Mining company Dam which were “about four miles apart” on the Merced River. So in 1877 there were still two salmon runs with testimony of inhabitants, both indigenous and colonial, attesting to the loss of fish “75 miles above the dams” and protesting the loss. The newspaper states “Lo the poor

Indian “deprived of his “regular annual feast of salmon” and the “honest miner” who shared the “numberless school of salmon” during the salmon run each year (Anonymous, 1856, 1857, 1877).

The Crown Lead Dam looked to the Benton Mills Dam for the design of the fish ladder that was finally completed in August of 1880. The inauguration of the event was reported and prophesied that the “finny tribes” of salmon will be swarming in the “headwaters of the Merced River” but it was still illegal to harvest the salmon between August first and November first. In a letter to the Mining Commissioner, that although the fish ladders were in place, there was the placing of “deleterious, poisoning or explosive devices” into the streams. The streams were not only the South and North Forks of the Merced, but the article of 1886 named “innumerable strong feeder” streams of “many hundreds of miles” that hadn’t seen a salmon run for fifteen to twenty years even with the fish ladders in place. So there were witnesses to the fact that at or about 1866 the salmon run was sufficient to feed miners and Indians alike for hundreds of river miles combined above the Benton Mills area. Around 1886, the penal code enabled enforcement of the “free passage for Salmon” since in just six years of use, the wooden ladders had fallen into disrepair (Anonymous, 1880, 1886).

Indians of Merced Falls

Brotherton, Cabezut-Ortiz, Skipper. Both Moraga and Fremont witnessed the American Indian population before 1848 at Merced Falls, and after that anything that went east in the Central Valley had to follow the Stockton-Fort Millerton Road. When William Howard created the California Rancho Crossing here it was because the region was known to the indigenous inhabitants and there were large friendly groups of families living there before gold was found. The Indians mentioned by Moraga and Fremont were still living in their regular condition at this place and it became an obvious reservation option since. According to Cabezut-Ortiz, an original colonial inhabitant descendant described the place in 1850 as having about 500 Merced River Indians (Cabezut-Ortiz, 1988). When Moraga came here in 1806, the exploration “found many Indian Rancherias along the river’s banks” when they made their crossing about four miles above Merced Falls. In an article by Brotherton, when Belt was appointed the Indian Agent, he was the Justice of the Peace in Stockton. Upon becoming involved with the Indian issues he bought into the Howard enterprise at California Rancho and become responsible for the distribution of goods to the six tribes living between the Merced and Tuolumne Rivers (Brotherton, 1970). Since Indian labor was responsible for the majority of the mining at that time, and the Elders of the “six tribes” as they identified them, were reliant upon this new economic system, the indigenous population following their ancient imprint of geography naturally remained within the range of their village regions. Cabezut-Ortiz names one of the six tribes at the time as the Potoyunte (Cabezut-Ortiz, 1988). Descendants of Bautista and Tai-pok-si’ have reported oral history supporting this information (Johnson, 2009).

Indians of La Grange and Merced Falls

Beard. Just as the Stockton to Fort Millerton Road was used for transport, there were other ancient routes between rivers that followed resource areas. Growing up in Oakdale, the author remembers Mr. Beard and the stories he told of the region. In 1980 he wrote a three volume work giving the history of the settlement of the western edge of the valley. In each account there was the statement regarding the times of year that the indigenous population appeared. In each case it may not have been related to the Salmon or the river, but these incidences recorded along the Stanislaus, Tuolumne, and Merced rivers dated during the times that the population would have moved toward the salmon harvest as unnamed persons (Beard, 1980).

Louie Conner, Hookie Wilson, Charlie Gomez. Another confirmation of this information are two interviews, one from Louie in Hall 1978, and the other from ‘Hookie’ Frank Wilson (Barrett, 1908; Kroeber 1959:19). Most of the large village regions were joint use areas. The interview between Kroeber and Louie at Knights Ferry describes how the Yokut (Olwiya or Olowitok) neñas (villages) were in “bunches” or in aggregates of villages and that the water moiety classification system of the Miwok was referenced at this location as well. He states that just below Oakdale that the ‘Olwiya neña’ of Hise-ti was a Yokut village. This information was repeated by Frank Wilson in an interview with Barrett where he says that one of his family’s northern village regions was Hise-ti. Barrett also spoke to Louie Conner at Knights Ferry when he stated that the Oakdale and Knights Ferry people spoke the same language. Also at Knights Ferry there were Miwok speakers. The village region adjoining Louie Conner’s home area was named by Lakiu, Lukusu, and as an area of the “Lakisamne” who spoke a different language (Barrett 1908 Kroeber 1959:19). When reading through the book about the Stanislaus Indian Wars, Mr. Light held it up and said that it was accurate in most accounts. He said that there were other indigenous to Knights Ferry alive and that was one thing that wasn’t accurate in Gray’s writing. He described the locations of where each family lived in the Knights Ferry town area. Charlie Gomez was a person that he grew up knowing living on his side of the river (Light, 2004; Gray, 1993).

Yomillo, Ty-poxe, Kossus. Another group of families around the area of the Wilms Ranch between the Stanislaus and the Tuolumne rivers were the main occupants of the Dry Creek corridor between the rivers. There was a Captain named Yomillo who can be placed there, and was a treaty signer for the group of people named Sagewomne. This family occupied regions surrounding the Merced River as well. Much of the ancient naming for places between the rivers bare the related names or derivatives of it (Hall, 1978; Barrett 1908). The Siakumne—Siyante—Sayangasi was another family present on the areas between the Stanislaus and the Merced Rivers. The Siyante around Merced Falls was the main occupation village region for Ty-poxe (by Johnston, 1860 according to Sam Ward) also named Tai-pok-si’ or Trai-pax-e in various other records was listed as being Awal, or of Sayangasi affiliation. He was named as a Chief of the Chimteya, and another record shows him as Talpoksi who died in 1857 along the southern side of the Merced River (Powers, 1877; Suarez, 2007; Bates, 1994; Collins, 1949). Finally, in documents compiled by Bennyhoff, the conclusion drawn regarding the affiliation of Jose Jesus (Casus, Kossus, Estanislao) to the Siakumne families reflects the oral history of Tom Light (Bennyhoff, 1977; Gray, 1993). He recalls the locations of habitation repeated to him by his Elders as being from French Camp to Snelling up into the foothills, with three village regions at fishing grounds at Knight’s Ferry representing Yokut, Sierra Miwok, and Plains Miwok. He also spoke of his Grandfather saying something about people in the village area where they are buried in a graveyard of today in southeast Knights Ferry that this fellow was a “mission Indian” when pointing to a grave (Bennyhoff, 1977; Light, 2004, 2009). Siyante harvest routes had a southern use area at the project area at Merced Falls and along the river.

CONDITIONS FOR INDIGENOUS FISHERMEN AFTER 1850

Along the Stanislaus, Henley in 1856 reported that the “beds of rivers dry and fisheries destroyed” and the fish were almost gone. In order to explain the population movements surrounding the Stanislaus basin, the Tuolumne River basin comes extremely close in geographical terms along the tributary of Woods Creek. This is also in close proximity to the natural travel way through Peno Blanco to the Merced River. The convergence of the families from these areas and the Jacksonville region was described by Booth along the Tuolumne in 1850 as being a population of about 400 in August of 1850, but then in January of 1851 there were only about 3 or 4 Indians near him (Henley 1856:792, Booth 1853:33, Hall 1978). Bunnell described indigenous movement to the high grounds and this movement to the high ground village regions was attributed to the “aggression of the whites” by Wozencraft (Bunnell, 1911: 60, 62; Wozencraft, 1853:85).

On the Merced “the Siyante and Potoyunte supplemented thier diet” of the staples provided at the reservation with “acorns, grasshoppers,” and “grass seed, salmon, and horse meat” (Henley, 1856, Collins 1949:136-140). While working on the ethnography of the Stanislaus and Tuolumne River basins, Theodoratus interviewed Miwok people who remembered their Elders speaking of fishing trips “in the 1800’s to Knights Ferry, La Grange, Melones, Parrotts Ferry, and Clark’s Fork” and selling the fish on their way back home (Hall 1978:123, Theodoratus 1976). During the preparation for building the Don Pedro reservoir on the Tuolumne River there were archaeological reconnaissance efforts relating similar information about the river occupation sites and river current locations where village fisheries existed. The proposed Merced Reservation spanning the two rivers contained areas of permanent house structures, just as permanent house structures were at the salmon spawning grounds of each of the same elevation level for each of the rivers.

Indigenous Fishermen in Literature

Awal/ Awalu fishing spots. Along the Merced River Samuel A. Barrett was interviewing indigenous inhabitants in 1906 that named the specific fishing spots along the route up the river to the El Portal area. There are villages namd *Awalu* at specific spots that correlate with the oral histories of George Matlock and Billy Tucker. There are also individuals from the Austin family of *Chimteya* who named these spots and had their own fishing areas along the river but not at the locations named by the individuals of the *Awalache* lineages. These same fishing villages also have burials, bedrock milling features and other indications of being a village region.

Going up stream from historic Bagby there were intermittent villages in the narrow canyon. Some were named in the dialects of the *Chimteya*, and the ones associated with locations named by Barrett were named with the same designation as “Awal or Awalu” and were located close to high velocity hydrologic features, or areas where the water pooled, or near the confluence of another stream. The information found in ethnographic literature is supported by independent interviews from tribal members who recalled the places where their relatives had taken them to fish. The large satellite occupation sites for the *Awalache* were connected by these village regions adjoining the study area and were in the vicinity of Peno Blanco and Pleasant Valley. Since Cypriano is widely referenced in historic literature, and his lineage is alive within the local tribal unit, the *Awalache* lineages have information from which to draw (Gray, 1993). Cypriano was a contemporary of Hooky Wilson who followed concurrently the routes of the *Chimteya*. The *Awalache* range was large, and the village regions that they inhabited totaled approximately 53 homesites. There family use routes crossed four of the five rivers of the Treaty M, N, and E. Cypriano was named as a participant at Roberts Ferry (Horrs Ferry) being “a Captain under

Cornelio ...and leader of a small band on the Tuolumne” when meetings were held to form the treaties. (Barbour, McKee, Wozencraft 1853:58)

Captain Sam. Around the turn of the century, Captain Sam (Si-ya-we-ga-no-de) had been working at fishing for the tourism industry in Yosemite Valley. His birth date has been recorded on the 1928 Roll Numbers as being 8-17-1833, having been born in Yosemite (Bean, 1982). He was present in the battles of 1851 rolling rocks down on the battalion that caused him to flee the valley leaving his two children behind in hiding. He returned and lived in the valley and worked for the Sentinel Hotel and Camp Curry to supply fresh trout for the guests (Jackson, 1953:120). The Curry family told Shirley Sargent how Captain Sam would have the help of their son Foster Curry on many of these fishing trips (Sargent, 1975). There is a photograph of Captain Sam with a bundle of fish as he is standing under the Camp Curry sign on page 14 of the book about the innkeepers of the region.

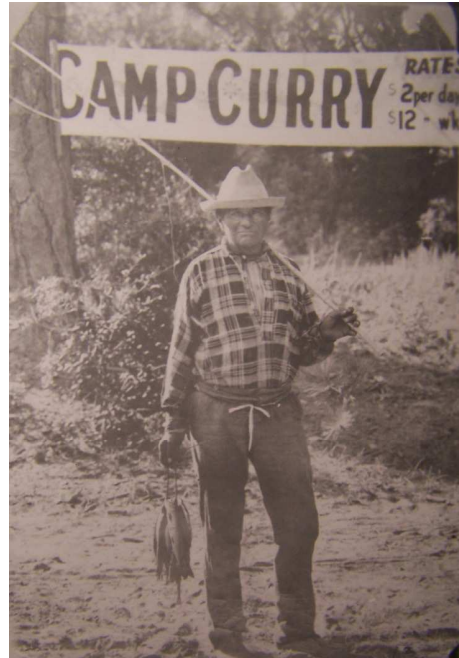


Figure 14. Captain Sam, his native name Si-ya-we-ga-no-de, is seen holding fish in Yosemite Valley. Courtesy Yosemite Research Library, Neg. No. RL-19,243.

Chris Brown. Chief Lemee (Chris Brown) was used in the interpretive research of the National Park Service in the investigation of fishing practices in the Merced River. Recent history places him in Yosemite Valley, but the early history of his grandfather and great-grandfather place their fishing grounds in a large range encompassing the South Fork of the Merced, the Tuolumne River, and parts of the East Fork of the Chowchilla River (Barrett, 1906). He was usually in the Indian Village when other men had to be in the high country working for the Park Service, and people living in the New Indian Village remembered him bringing fish into camp (Parker, 2002). Chris Brown introduced many people to fishing in the Yosemite region such as National Park Interpreters, Scientists, Artists, Linguists, and the youth of the tribal families (Gilmore, 1935; Broadbent, 1954; Skipper, 2002).

Charlie Castro. Anthony (Tony) Brochini’s memories as a 3-or-4-year-old wandering behind his Uncle, Charlie Castro, along the south shore of the Merced River in the El Capitan Meadow, were recalled about struggling to follow along as he was being taught to “keep up with” his Uncle. Years later he asked him why he felt as though he were being left behind, and his Uncle replied that he had to teach him to find his way. This fishing took place where the village named Indian Pasture appears on the Wheeler 1883 map (Gaskell, 2004; Wheeler, 1883). He has early memories of large catches being brought into the Indian Village at Wah-ho-ga as a youth in the early 1950s. His Grandmother told stories about living up in the high country all summer as a cook for the road crew that her husband worked on and how game was caught and prepared (Brochini, 2002).

Captain Mass. The series of habitation sites for the Maas family was reported by Tom Light of Chinese Camp, CA. Part of growing up in the area involved a long tradition of fishing both Salmon and Trout. The homes that the family inhabited over the years included places where the grandparents and great grandparents lived. The fishing technology beginning around the time of Tom's grandfather's birth was still the old style fishing methodology using hand made spears, baskets, nets, and hooks. In the Knights Ferry area, the roundhouse of their family was on the southeast banks of the Stanislaus River. There they had spear fishing privileges late into the teenage years of Tom Light. Other fishing spots of the family ranged from below Knights Ferry and up river to the village area that lies under Phoenix Lake above Sonora. The great grandparents fishing range was told to him by his father and mother as being from French Camp, over to the Calaveras River, and overland route that took them via La Grange to Snelling for the fish runs that occurred at slightly different times in the same seasons (Light, 2006).

Jack Roan. Jack Roan was the informant for the material culture research of the U.C. Berkeley researchers when he was interviewed in 1936 (Aginsky, 1943). He was the person who explained the tools and manufacture of the technology for fishing in the old way for the inventory of # 122-184 items used: nets, basket traps, spears and other fishing paraphernalia. The anthropological record of cultural associations of the salmon with lifeways was based upon interviews with an informant from each culture. Representing the Miwok culture, Jack Roan was from the family use tract near the Chowchilla and Fresno Rivers close to the places where he lived. The tools and items he used that were associated with Salmon were inventoried in this university study. They were recording the types of fishing villages or temporary camps, or whether two or three villages joined together for fishing. Also whether they used nets, or used the seine (dragged or circled). Nets were categorized in the study as being dragged around smaller pools, nets placed into waterfalls, nets with one end higher than the other, or nets that would catch salmon who were unsuccessful at jumping and would fall back into the net. There were also nets counted that could slide ashore. Questions relating to the Salmon Rite, or the ceremonial use of the fish, such as after the ceremony if the salmon was divided and eaten by everyone, or whether the fish was offered during the dance or ceremony, and whether the salmon was offered to the fire to be burned (Aginsky, 1943).

Lancisco Wilson. During the years between 1880-1885 there were accounts of Lancisco Wilson fishing for the hotel owners. The best example of an original source is found in the notes of Marjorie Cook, the daughter of the manager of the Sentinel Hotel. She explains the difference between the fish of her day of 1880s and the fishing in the youth of Lancisco. He had told her about how he would spear fish and about the size of the fish. This was in stark contrast to the



Indian grave markers, foreground in shadow, with encampment area beyond.

Figure 15. Indigenous fishing village at Knights Ferry Maas-Light family markers. Courtesy Stanislaus County Library, from John Criswell's series in Oakdale Leader, 1972.

story she told about the long hours of fishing along the bank for the small trout he had to work hard for. She described how she actually went and skewed the scales to have the owner pay him for a heavier catch of fish. The author of this information was the daughter of the manager of the hotel named Marjorie Cook (Wilson) (Bruce, n.d.).

Mary Skipper about Mary Wilson and family. Along the Merced River around the Merced Falls area there were beaches where the family would congregate for the salmon run for the spring and the fall. This was in the 1920s when the salmon run was still coming through Merced Falls. In an interview with her Great nephew, Mary Skipper explained the many parts of the preparation and cooking of the salmon, as well as the information regarding how the salmon was harvested, and by whom, and at what locations along the Merced River in Merced Falls area. This information was written up and edited for publication in a book of recipes for the Merced County Historical Museum. The account begins because during a conversation between the Aunt and Nephew, she was discussing the condition of the salmon that was bar-be-queued on the long scewers at a ceremonial event which had just occurred. She told her nephew that her mother never would let the salmon get so dry. She told him that she only enjoyed the fish when it was prepared the way that her Grandmother had done when she was a little girl on the beaches of the river (Skipper-Brochini, 2002; Lim, 2004).

Cypriano. An early account of the salmon fishing economy was written of in the book of Perlot the French gold rush Argonaut. Cypriano (Scipiano) was the son of Captain Jose Rey who Perlot met at the foot of Cascades Falls near a number of conical huts in the foregrounds of the Valley. Jose Rey had a large range of villages he inhabited along their family use tract. The instance in Perlot's account referenced on 9-20-1854 on the South Fork of the Merced where the Indians left their gold mining to run off and fish the "other fork" of the river (Perlot 1857: 118-119). On the map of the modeled prediction of past historic fish habitation the area that they spoke of is within the boundaries of fish populations. Cypriano's granddaughter was a permanent resident in the Midpines- Colorado area, and today her descendants still have residences there.

Indian Charlie according to Degnan. In 1884 there was an incident where the fishing for supplying the hotels was very competitive. At that time there had been regulations prohibiting the old styles of fishing using nets and basket traps or soaproot. When Degnan showed up in the valley there were already four hotels in Yosemite. W. A. Dennison is quoted in Degnan's report as saying that the fish were 25-30 pounds and that baiting the hook and bringing in fish on the rugged gear would not have been possible for the catch that Indian Charlie brought in for sale. He was caught using homemade willow traps, and was sent out of the valley only to return in about four years to become a woodchopper (Anderson, 1934).

Captain Dick. When George Fiske hired Captain Dick as a photographer's assistant washing film, Dick was also able to sell fish to the photographer. Part of the information about the time that Dick spent with Fiske was told by Anderson in 1934 when George Fiske asked Dick to teach him how to fish. When the fishing commenced, Dick was catching many fish and Fiske had caught none. Captain Dick told George Fiske to stick to photography and he would bring home the fish. (Anderson, 1934; Bates, 1982)

Johnny Brown "Haddagottagit". Found in the interview with Mr. Degnan for the 50th anniversary of his arrival to Yosemite, there is an account of the fishing of Johnny Brown written by a Park Ranger interpreter. John was the son of "Lowa" (Bill Brown) and was the father of Chief Lemee. Mr. Degnan told the Park interpreter that Johnny sold fish to his hotel, and that an Indian "never sells except to a steady customer" (Anderson 1934). In an account from Kneeland's visit to Yosemite, the fish was caught and sold for twenty-five cents apiece to the hotels in Yosemite Valley, and that the fish were caught locally (Kneeland, 1871; Bates, 1984). The

nickname Haddagottagit was given to Johnny Brown because of his tendency to always be on the go. Family knew who was being referenced when this name was used (Skipper, 2002).

Johnny Wilson according to Frank Latta. Johnny Wilson of El Portal, Yosemite and other habitation regions was the stepson of Bill Wilson, the Pahmit of the Table Mountain and region of the river crossing where the Fort Miller of 1851 was located. Johnny Wilson had been taught fishing by his family. Bill Wilson was quoted in the summary of the Salmon fisheries and river elevations in the report by Yoshiyama from a 1933 interview with Frank Latta as saying that he used to harvest “maybe two-to-three thousand come *Coo-you-illik* catch salmon” in his village now under lake Millerton (Yoshiyama, 1996: 92). This village was translated as “Sulphur Water” in Latta’s interview notes, and the salmon run was located on the San Joaquin River.

Bill Wilson, Pahmit. There was a dam built at one of his family use tract villages which stopped the movement of the fish. In his words he says that around 1909 the river dried up and there were no more fish. He explained that a long time ago there was plenty of salmon at the low elevations where Millerton is now. This area was part of the lower tract of the families named in the Southern Sierra Miwuk territories of the Treaty N. Bill Wilson was from a family whose range ran along the eastern edge of the Central Valley from the aforementioned to a place near Snelling where relatives had habitation locations (Latta, 1977).

Joe Rube, Hawhaw of the “Ap-lache”. According to Johnson in 1860, was reported as living along the Tuolumne, but was told that “they lived farther up the mountain and spoke a different language” than the rest of the indigenous of that group (Johnston 1860:407, Collins, 1949:11-14). The son of Joe Rube married to the sister of Hooky Wilson confirmed by a family member that places him at the locations that his father and grandfather frequented (Skipper, 2002). Old Rube and Bill Brown were known to also frequent the same habitation locations from the Merced Falls area up through Big Oak Flat, over through the origin of the North Fork of the Merced River to Anderson Flat, Grizzly Flat, over to the White Wolfe Area, and into a village region where the Chapel now stands in the Yosemite Valley on the south side of the Merced River. (Paden, 1959; Skipper, 2002; Taylor, 1936; Barrett, 1906). Bunnell explains his encounters with Joe Rube or “Bull Creek Rube” and he places him within these territorial regions as he described the actions of “three families” at Bull Creek, where Bunnell had a trading post in his later years, where he tells of how Rube was “stampeding for the Hetch-Hetchy Valley” around 1853 (Bunnell 1911: 297).

INDIGENOUS TRAILS AND RIVER CROSSINGS

The trail systems and various sightings of their uses appear throughout literature from an historic view. Each culture had a habitation site on either side of the river at the crossing that was owned and inhabited by certain family members at different times in the migratory cycle. Ancestral oral tradition confirms these locations, and physical evidences support the information. Sections of the rivers of each treaty region had villages on each side of the river, and based upon the river turbulence or river water levels at specific times of year, migration followed salmon harvest two times a year relating to the harvest calendar. The family routes had long been established for communication between groups regarding the locations, numbers, quality and conditions of the salmon harvests. As the salmon runs occurred each season, the indigenous information exchange followed managed use routes according to tribal traditional knowledge.

Merced River Crossings Near Treaty M Markers

Village regions at the river crossings of the Merced River between below the Snelling area and the region between the tributaries of Sherlock and Saxon Creeks between 1850 until before the turn of the century are listed below. Different parts of the river experienced impacts to

the river flow based upon the locations of hydraulic mining, blasting for mining, blasting for the railroad, dams or diversions, or other impacts to the river channel or velocity. These alterations affected the amount of use of these crossings. The crossings will be described according to the family lineages that used the crossings and owned the villages nearest to the crossings along the use routes.

The Sayangasi (Siyante) River Crossings near Snelling up river were 1) a crossing from the villages Hok-tcumni (north side) to between Kotka and Chiapo (Tcaiapo) (south side), 2) a crossing from Wilito (north side) to Kuyuka (Koo-yu'kah-che) (south side), and 3) a crossing from Kuk kah hool ache (north side) to Kakawulachi (south side).

The Olwī-ak (Coocoonoon) River Crossings from below Snelling to the mythological location of Owelinhatihu were 1) a crossing from Ya'p-pa (north side) to Ket-watche (Ke' trache) (south side), and 2) a crossing from Alaulache (north side) to Alola (south side).

The Chimteya (Chamhanche) River Crossings from above Piney Creek to between Sherlock and Saxon Creek tributaries were 1) a crossing from Se'-saw-tcī (north side) to Yowoko-tcī (south side), 2) a crossing from Chim'-muto-koe (north side) to Se'-saw-tcī (south side), 3) from the north and south side of the river at Hūm'-emantī where most occupants on both sides were Chamhanche.

The Po-to-yan-te (Sūwosamne) River Crossings from around old Exchequer Dam to above Bagby were 1) a crossing from Hī-kena (north side) to Angiwsawepa (south side), 2) a crossing from a shared area with Chimteya at Hūm'-emantī (north side) to Pu-twu'hu trail down from Hiani-tcī (south side), and 3) a crossing from Haka'iyakto (north side) to a place above Bagby (south side).

The Awalache (Ow-wal-ache) River Crossings from around Piney Creek area up river to just below Briceburg were 1) a crossing from Awalu (Awalache) (north side) to Awalu (south side), 2) a crossing from Naĵ-l-mila (Tamuelen) (north side) to an area near the confluence of Maxwell Creek (south side), 3) a crossing from the place where salmon would hide in pools at Tcut tchut (north side) to near the confluence of Sherlock Creek (south side), 4) a crossing below the waterfall not far from the confluence of the north fork of the Merced River (north side) below Telegraph Hill (south side), 5) the main Awalu crossing was at McCabe Flat meandering bend (north and south sides), and 6) the entire Briceburg area was labeled Awalu and named by ethnographers using the Awalache term. The Awalache fishing camps and crossings were continuous between Bagby and crossing number 6 with other cultural codes being present on south side fishing spots.

Above the confluence of Bear Creek and the Merced River, at an elevation of about 3500 feet there were a series of lookouts managed by families of the south fork Merced River who were Chowchilla River headwater residents. Along the divides, the trails were used by Potoyunte and Chauchilla, while the lower elevation drainages were used by the other culture code families. One look out was manned by Francisco Georgely, where a village named Tawkawye had a view of the Merced River, and down the entire drainage leading to the river (Barrett, 1908; Merriam, 1907).

Information for crossings from all of the river mile stretches associated with the treaties occur under the same or similar conditions. The written form of these crossings along rivers not associated with the FERC 2467-019 project will be added here at a later date. All fishing grounds and associated villages continue in the pattern of family ownership and culture code affiliations continuing the pattern along the foothills of the Sierra Nevada.

ASSUMPTIONS OF TREATY FISHING RIGHTS

Historically, the families that have remained in the region of the proposed project have adapted to the changing role of government over time. Adaptation was required for them to remain in their same habitation locations, now under legal ownership holding paper deeds to APN addresses. Tribal Roll archives Geographic Information System layer for the family land ownership deed records for families owning land, maps the locations of these currently held parcels as they relate to the ancient and historic Indian village sites and site variable boundaries (Gaskell, 2009). Traditionally harvested fishing grounds have been retained in memory and partial use, with regular access through the participation of the local Fish and Game Department. Elders have access to various flora and fauna based in a process of application and compliance with governing rules. The records of the use of these resources since controls had been enforced, is evidence of the continued value and use. Any illegal use of the resources throughout history would then follow the previously mentioned indigenous information system knowledge of the location of the game wardens at different times (Light, 2009). The intent of the treaties which were drafted and executed were meant to limit the fishing grounds access to the river miles indicated on the previous pages.

There have been litigations in the United States which stated that whether a Tribe has been labeled as a federally recognized tribe or not, the courts in other examples have held that “a tribe’s recognition, or nonrecognition, has no impact on whether it may exercise treaty rights” (United States v. Washington, 2002). Natural processes across all trophic levels pre-existed legal precedent. When Cypriano was carrying a paper document given to him by the top judiciary official in Mariposa, a short time after a war over salmon occurred, thus proclaiming that his “personhood” was recognized as not being available for scalping as if he were fauna, a legal precedent was made (Perlot, 1985:228). Indigenous presence in the trophic levels before colonization was a shared existence with their relatives the bears, according to mythology. The Southern Sierra Miwuk people have remained on the local earth through administrations of various legal systems, always maintaining their personal concepts of time and space. As each wave of intrusion occurred, the local people were used as guides, laborers, or enemies. Through it all it can be said that it would be a “rare case indeed where a court would deny treaty rights to a signatory tribe on the ground that it lacks an organized tribal structure” let it be added here that ‘structure’ as an ambiguous term has been defined by the courts as a structure imposed by the Department of the Interior. How the terms of political influence or community structure are defined by the government agencies looks different then the structure of community life and resource management that has been put forth in this document.

The “distinct community” of families historically using the river crossings and fishing grounds at locations where associations have been confirmed through tribal mapping between the lineage groups and family names, hold archaeological evidence of the burial grounds affiliated with crossing villages according to living descendants. The links between these people from historic times into the present have been established firmly through documentation, and reinforced by the continued use of indigenous knowledge passed on to the current residents. These American Indian Tribes have documented habitation locations above and below the Crocker-Huffman Diversion Dam along the Merced River in this study, and the other rivers of the California Treaties. Restoration goals have been out of the control of the American Indian Tribes affiliated with the stretches of river miles, although they hold the indigenous knowledge of the historic locations of the fish population spawning, favorite pools, and salmon related ceremonial ritual. The local community believes that the inability for the salmon to function as a part of ceremony is related to the decrease in the fish numbers. Indigenous memory of both a fall and a

spring run as a part of the Bear Ceremonies, and the descriptive language of the quality of the salmon at the different seasons, lends credibility to this knowledge as science has described the differences between the fall and spring salmon relating to environmental conditions.

Tribal lore includes referents in mythology which support scientific fact. As ecological knowledge has increased, the connectedness between all living organisms in a macroclimate are the facts that were used while indigenous informants were historically used as guides and laborers. Their knowledge of the natural systems were innate, and called upon by the early colonial inhabitants. Resource location indicators were saleable commodities for industrious indigenous people when colonial history began in California. The reestablishment of a healthy salmon population with regular spawning along the length of the Merced River may not be fully attainable as it existed before environmental impacts changed the natural system. Even so, it is the wish of the local indigenous communities to be a part of the research and reintroduction of the historic fish species along all of their Treaty M, N, and E river miles, and along the entire stretches of watershed in order to restore the natural setting of their ancestors.

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