UNIVERSITY OF CALIFORNIA

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Categorization in Motion:

Duwamish Identity, 1792-1934

A dissertation submitted in partial satisfaction of the

requirements for the degree Doctor of Philosophy

in Sociology

by

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ABSTRACT OF THE DISSERTATION

Categorization in Motion:

Duwamish Identity, 1792-1934

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Corey Susan O'Malley

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Professor Rebecca J. Emigh, Chair

This study uses narrative analysis to examine how racial, ethnic, and national schemas were mobilized by social actors to categorize Duwamish identity from the eighteenth century to the early twentieth century. In so doing, it evaluates how the classificatory schemas of non-indigenous actors, particularly the state, resembled or diverged from Duwamish self-understandings and the relationship between these classificatory schemes and the configuration of political power in the Puget Sound region of Washington state. The earliest classificatory schema applied to the Duwamish consisted of a racial category "Indian" attached to an ethno-national category of "tribe," which was honed during the treaty period. After the "Indian wars" of 1855-56, this ethno-national orientation was supplanted by a highly racialized schema aimed at the political exclusion of "Indians". By the twentieth century, however, formalized racialized exclusion was replaced by a racialized ethno-national schema by which tribal membership was defined using a racial logic of blood purity. In each case, the application of a particular

classificatory schema corresponded to attempts by non-indigenous actors to consolidate their political domination of the Duwamish. These classificatory schemas, however, were resisted by Duwamish actors, whose self-identification was based more on attachment to territory than blood kinship. This research contributes to the sociological literature on racial, ethnic, and national categorization by showing 1) how classificatory schemas applied to Native Americans remain in motion even when the racial and ethnic categories are attached, 2) the relationship between classification and relations of domination and resistance, and 3) the limits of the state in imposing social categories on social actors.

The dissertation of Corey Susan O'Malley is approved.

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Chapter One: Introduction

In 1996, the U.S. Department of the Interior's Branch of Acknowledgment and Research (US BAR) issued its final decision on a 1987 petition for acknowledgment submitted by the Duwamish Tribal Organization (DTO) on behalf of the Duwamish people (DTO 1987; US BAR 1996). As the indigenous people of the eastern shores of the Puget Sound and its tributaries, the Duwamish signed a treaty with the federal government in 1855 which ceded legal title over what is now the greater part of the Seattle metropolitan area. Although the terms of the treaty had not, from their perspective, been honored by the federal government over the ensuing centuries, it was their expectation that the government should at least recognize them as the indigenous people of the region and allow them the benefits were attached to that status. After a string of court rulings related to tribal fishing rights in Washington state found that the contemporary Duwamish lacked the "organized tribal structure" expected by the government, however, the DTO found themselves forced to prove their continued existence to the Branch of Acknowledgment and Research, which began assessing recognition criteria for tribal entities in 1978 (U.S. District Court 1975; U.S. Court of Appeals 1975, 1979; 25 C.F.R. 83.6 1978). The final ruling, which found that the Duwamish did not meet all of the criteria for federal recognition as an "Indian tribe," drew on several hundred years of documentary evidence regarding Duwamish social, cultural, and historical life (US BAR 1996, 1). However, it may have been more revealing for what it demonstrated about how the government conceptualizes the "Indian tribe" as a social entity than for its findings regarding the Duwamish.

The criteria for federal recognition used in this ruling are as strict as they are broad: a claimant must produce evidence of continuous, uninterrupted identification as "American Indian" (or "aboriginal"); inhabit a specific territory or live "in a community viewed as

American Indian" that is "distinct from other populations in the area"; maintain "tribal political influence" continuously "throughout history" to the present; possess governing documents with codified membership criteria; and be composed of members who descend from a historic tribe and are not members of other tribes (25 Code of Federal Regulations 83.7 [a-g] 1994). These criteria therefore require demonstrations of both ethnic distinctiveness and political autonomy that continue without interruption for hundreds of years. The summary of findings, however, also reveals a concern with the blood status of claimants as well, distinguishing between "full-blood Indians" and "pioneer descendants" of both Duwamish and non-indigenous parentage (US BAR 1996, 11-12). While close kinship ties within the Duwamish or between the Duwamish and "other Indians of the region" (15) are accepted as evidence of continued tribal relations, "pioneer marriage descendants" (16) are treated as illegitimating relative to the federal criteria. This suggests that the government's definition of what constitutes an "Indian tribe" is not only ethnic and political, but also racial in that it is through blood relations, and specifically some degree of purity of "Indian" blood, that tribal relations are constituted. My dissertation takes this configuration of classificatory schemas – racial, ethnic, and national – as a historic question, asking how and under what circumstances different categorical frameworks are used to conceptualize Duwamish identity.

The Duwamish, like other indigenous peoples of North America, experienced profound disruptions to almost every aspect of their social lives as a result of the expansion of European-American[1] exploration and settlement to the region beginning in the late eighteenth century.

[1] A note on terminology: I typically use the term "indigenous" (or what could be more completely expressed as "indigenous North American") as a descriptor for people and things which originate in, or claim ancestral ties to, the continent of North America prior to exploration and colonization by peoples of other continents, most notably Europe, but without reference to identity. This category overlaps with, but is not the same as, the category of "Indian," which is better understood as part of a project of racial formation. Likewise, I typically use terms such as "European-originating" or "European-American" as descriptors for people and things which originate in or claim

While European and American exploration was very late to the shores of the interior Puget Sound relative to other parts of the western United States and permanent European-American settlements did not begin until almost midway through the eighteenth century, the destructive effects of these movements on the indigenous peoples of the region were quick to materialize. Within the first decades of European-American settlement, indigenous peoples were physically displaced from their ancestral lands, their traditional modes of subsistence were disrupted, and they were subjected to the rule of European-Americans and the foreign political institutions they imported and imposed. The introduction of European-American rule also corresponded with transformations in the systems of collective self-identification through which social life across the Puget Sound had been organized. As communities throughout the region were transformed or, in many cases, destroyed, so too were their self-understandings and means of identifying themselves in relation to others.

European-American settlement and political control in the region entailed the imposition of foreign concepts for categorizing peoples and positioning them in relation to power, often substantially different than those that had prevailed in the region previously. While undertaking efforts to understand, at least on some level, the prevailing processes of collective identification among the indigenous residents of the region, European-Americans nevertheless most frequently attempted to fit the indigenous peoples of the region into their own pre-existing racial and ethno-national schemes, from which concepts like “tribe” were drawn. The imposition of European-American racial and ethno-national social categorization also tended to have a strategic,

ancestral ties to the continent of Europe, without explicit reference to identity. This category overlaps with, but is not the same as, the racial category of “White”, against which the indigenous communities were racialized as “Indian”. I generally restrict my use of racial category names such as “White” and “Indian” to explicit discussions of dynamics of racial formation; elsewise, I refer most commonly to categories such as “European-originating” and “Duwamish”.

instrumental nature; that is, the particular ways that European-American actors interpreted and applied such schemes and, indeed, the specific elements of the racial and ethno-national structure they worked to construct in the region, were also directly advantageous to other European-American political, economic, and nationalist projects.

European-American categorization schemes were institutionalized primarily through the state (at various levels of government) and through means as varied and far-reaching as treaties, reservations, educational institutions, bureaucratic administration, and legal rulings, constituting a sustained effort to transform how communities identified themselves and interacted. Especially to the extent that they were reflected in law, these schemes necessarily came to have some relevance to the lives of the indigenous peoples of the region. It is not given, however, that these foreign categories undermined or supplanted the identification schemes of the indigenous peoples of the region or that they overwhelmingly account for processes of collective self-identification that occurred following the imposition of European-American rule. Rather, changes in collective self-identification that occurred over time express a complex interaction between prevailing indigenous modes of self-identification and foreign classification schemes that, through varied means, were forcibly imposed on the region but also resisted by those on which they were applied.

Categorization, Identification, and Classification

Social life necessarily entails the development of typificatory schemes which actors can mobilize in interaction (Berger and Luckmann 1966, 30-33). At the collective level, this is manifested in interactional negotiations to define who is similar and different, a process that leads to mutually comprehensible (if not necessarily agreed upon) social categories (or 'identities') (Simmel 1950, 30; Jenkins 1996, 5). This process of social categorization can be

understood, at least analytically, as involving both internal dynamics of self-identification, in which people collectively define themselves ("us"), as well as external dynamics of classification, in which people collectively define others ("them") (Jenkins 1996, 20, 23; Jenkins 1997, 22-23, 53-54). A dialectical relationship exists between the two dynamics: internal identification can shape how external classifications take form and external classification can shape how insiders identify themselves (Jenkins 1996, 20; Jenkins 1997, 53).

Moreover, the categories that result from these processes are not merely properties of thought but both products of, and potential bases for, concrete action and interaction (Barth 1969, 29). Indeed, the social structure reflects struggles between actors to define similarity and difference (Jenkins 1997, 53). To the extent that particular categorizations are patterned and semi-durable, it is possible to recognize schemas of identification or classification that guide action and become inscribed in the social structure at particular historical moments (Berger and Luckmann 1966, 33). These schemas also become reified to the extent that the process of their production and inscription in the social structure is not apprehended by those using them in everyday life (Berger and Luckmann 1966, 89-90).

Race, ethnicity, and nation are among the most historically consequential categorical schemas mobilized in the last several centuries, having profoundly shaped social structures in many parts of the world and the life chances of the individuals in them (Weber 1978, 927; Cornell and Hartmann 2007, 9-10). These are schematic to the extent that they have some general organizational logic (otherwise they would be incomprehensible, both as categories of analysis and categories of practice[2]), but they have been operationalized and deployed differently

[2] I use term "category of analysis" to refer to the categories used by social analysts and the term "category of practice" to refer to the categories used by actors in everyday life. The relationship between the two is complex, as while both sets of categories must be, to some extent, reciprocally constitutive (especially for the former to

at various historical moments. It is therefore necessary to define them in general terms to distinguish their domains as means of categorization and bases of interaction. However, since a major aim of this study is to examine how they have been deployed and negotiated historically by specific actors, as both bases of identification and classification, they must be defined in a manner that allows variation in that deployment and negotiation to be visible.

Conceptualizing Race, Ethnicity, and Nation

Race

Although race may be deployed by social actors as though it is an objective property of persons that has been recognized socially since time immemorial, it is a distinctly modern way of making sense of the world with origins in the age of imperialism. The racial worldview can be traced to the perspectives of European actors in the 17th century as they encountered populations with which they had limited or no prior relations and subsequently sought to position these people, as well as their land and resources, into their expanding empires (Omi and Winant 1986, 58; Smedley and Smedley 2012, 13-14). As a means of categorizing persons, therefore, race originated as a means of classifying others that was inextricably linked to attempts at domination (Jenkins 1997, 77; Omi and Winant 1986, 58). Only after its development as a classificatory scheme for imperial purposes did it also become a basis of self-identification, and even in this capacity it operated first as a means of social domination by providing Europeans with a self-identity that distinguished themselves as the purportedly superior race in relation to the peoples they considered inferior (Omi and Winant 1986, 64). Despite its classificatory function in relations of imperialist domination, however, race remained relatively unsystematic through the

effectively analyze the latter), it is also important that categories of analysis are constructed in a manner that does not merely reify categories of practice (Brubaker and Cooper 2000, 4-6; Brubaker 2004, 31-33).

eighteenth and nineteenth centuries when both social scientific and biological applications of racial categorization began to emerge (Banton 1977, 5; Smedley and Smedley 2012, 219-222, 227-229).

As a sociohistorical and cultural construct, the meaning of race is historically specific and has changed significantly over the course of centuries (Omi and Winant 1986, 60; Bonilla-Silva 1997, 469, 472; Eriksen 1993, 4-5). Likewise, processes of racialization, by which racial meanings are applied to persons, groups, or practices, also occur in historically specific contexts and are therefore socially dynamic (Omi and Winant 1986, 64). Nevertheless, there are commonalities in the racial thinking that has prevailed in the North American context that make it possible to define the broad outlines of a North American conception of race. Racial categorization in this context constitutes an assertion that fundamentally different human "types" exist, with phenotype and putative blood kinship variously employed as the primary markers of differentiation (Smedley and Smedley 2012, 20-21; Cornell and Hartmann 2007, 21-24; Montagu 1997, 45; Eriksen 1993, 4-5; Jenkins 1997, 78; Weber 1978, 385). Although it has come to be understood in explicitly biological terms, it minimally entails the belief that racial categories contain persons that are physically different from one another and to which differences in social or moral status are also attached.

Despite making reference to physical difference or biology, however, racial categorization is not reducible to phenotype or blood kinship. This is both because humans are not objectively divided into such types as the racial worldview defines, but also because the social rules used to 'determine' race are not actually that consistent as a matter of actual practice (Weber 1978, 386-387; Jenkins 1997, 78). Rather, racial formation, as the process by which racial meanings are created, is deeply intertwined with social structure and the relations of

domination out of which racial categories first emerged. Race in the United States, in particular, can be understood as a "a fundamental organizing principle of social relationships" (Omi and Winant 1986, 66), structuring the state as well as other social fields (Omi and Winant 1986, 67; Bonilla-Silva 1997, 467). Understood as an "unstable and 'decentered' complex of social meanings constantly being transformed by political struggle," (Omi and Winant 1986, 68) the categories that emerge from such struggles do not reflect a consistent deployment of ideas about physical difference or biology, but rather both emerge from and work to structure relations of power and domination.

Ethnicity

While the roots of the term 'ethnic' can be traced to antiquity, its modern usage has both changed significantly over the last several centuries and been used in markedly different ways, posing a significant definitional challenge (Smith 1988, 21-22; Cornell and Hartmann 2007, 16; Glazer and Moynihan 1975, 1-3; Parsons 1975, 53; Smith 1988, 21-22). Ethnicity has been variously defined, both in everyday life and by social scientists, in terms of blood ties (and thereby, following the discussion above, resembling race) or political community (and thereby resembling nationality, as will be discussed below), or understood in relation to cultural traits of communities such as the common use of symbols and language (Cornell and Hartmann 2012, 16-17; Parsons 1975, 52-53; Weber 1978, 389). As a social scientific matter, these substantialist approaches to ethnicity, which saw ethnic groups as kinship groups or "culture-bearing units" (Barth 1969, 10-13; Moerman 1965, 1215), have in the last century been supplanted by a perspective that defines ethnicity around "self-ascription and ascription by others" (Barth 1969, 13-15) and which is therefore characterized first and foremost by the maintenance of boundaries rather than by "the cultural stuff that it encloses" (15), which is often only loosely differentiated

or entails “continuous variation” (Moerman 1965, 1216-1217) that defies sharp boundaries. An ethnic group, therefore, is defined more by the act of social distinction than by the particular properties that purportedly distinguish it from others (Weber 1978, 389; Horowitz 1975, 113; Wallerstein 1960, 131; Cornell and Hartmann 2012, 17, 19; Schermerhorn 1978, 12; Moerman 1965, 1220-1222; Eriksen 1993, 18; Leach 1977, 16-17). Like race, then, ethnic boundaries are negotiable and situational based on historical context, not objective or permanent (Barth 1969, 29-30; Moerman 1965, 1222-1223).

Despite this contemporary social scientific consensus that ethnic boundaries are socially constructed, as categories of practice they tend to be perceived and experienced by ethnic actors as primordially rooted and defined substantially (Horowitz 1985, 55-64; Waters 1990, 17; Jenkins 1997, 44-47; Cornell & Hartmann 1998, 71-74; Gil-White 1999, 813-815; Brubaker 2004, 9-10). That is, a working definition of ethnicity that relies solely on its ascriptive nature or basis for boundary formation is absent the meanings that have been attached to it by ethnic actors in both classifying others and identifying selves. The basis on which ethnic identity has been constructed and therefore ethnic boundary formation occurs can be generally defined around the idea of putative common descent; that is, persons who agree that they are part of the same ethnic group are typically acting on the belief that they share kinship with other members of that group (Weber 1978, 389; Horowitz 1985, 57-64; Eriksen 1993, 12, 68; Jenkins 1997, 9-10). What distinguishes ethnicity from race, however, is the understanding of kinship on which it is based. Where racial categorization in the United States is based on attributions of physicality and, especially in the last several centuries, heavily biologized, ethnicity can be understood as constituting a sort of “metaphoric kinship” (Eriksen 1993, 68) built on historical experience and memory rather than exclusively on blood (Smith 1988, 25). This type of kinship may be more

accurately described as shared heritage, which captures a wider set of the substantive traits (including use of symbols, language, shared history, shared relationship to territory, or ancestry) that ethnic actors and groups variously mobilize in boundary construction and maintenance.

Nation

Despite some debate over the relative antiquity of the concept of nation, there is a general consensus that modern nations, like ethnic groups, are defined by mutual agreement; that is, by some mutual understanding by persons that they belong to the same nation (Gellner 1983, 7; Smith 1988, 212-214). Also in common with ethnicity, nations are often understood in terms of the possession of shared cultural attributes, or even in terms of shared ethnicity itself (Gellner 1983, 1; Eriksen 1993, 109; Smith 1988, 3, 212-217). The categorization of communities as nations, however, can be distinguished from ethnicities by their explicitly political character; nations are understood not merely as boundaries containing culture or heritage but separating different claimants to power. The modern ideology of nationalism reflects this political dimension, asserting as its core proposition that "the nation and the political unit should be congruent" in the form of a nation-state (Gellner 1983, 1; Eriksen 1993, 109). To the extent that this political community may or may not be realized in state form, Anderson (1991) characterizes nations as constituting "an imagined political community" (Anderson 1991, 6). Whether these political communities have their roots in ethnic feeling (per Smith 1988, 3, 212-217) or are better understood as products of a particular socio-economic system (per Gellner 1983, 55; Anderson 1991), nations are understood to entail an, at least implicit, claim to sovereignty (Calhoun 1993, 229).

Relating Race, Ethnicity, and Nation

The use of race, ethnicity, and nation as categories of analysis is complicated both by their wide range of differing uses as categories of practice across various social contexts as well as by the differing ways that they have been understood and defined within social science itself. In some cases, these analytical differences are the result of separate literatures addressing each concept, resulting in essentially terminological differences. In others, it is the result of differing attempts to relate race, ethnicity, and nation to each other conceptually.

As categories of analysis and as historical facts, ethnicity and nation are often defined more in terms of self-identification (and thus voluntary affiliation) while race is defined in terms of external classification (and thus involuntary coercion) (Bonilla-Silva 1997, 469; Moerman 1965, 1222; Barth 1969, 10; Banton 1983, 10, 106). Similarly, ethnicity can be posed as inclusionary and race as exclusionary (Jenkins 1997, 81). However, this only partially aligns with how they are used as categories of practice. Categories that meet social scientific definitions of ethnicity and nation can be internally and externally defined. Likewise, although race has long been a powerful classificatory scheme it also acts as a basis for internal self-definition by individuals and collectives.

A distinction has also been made between race as a hierarchical means of categorization and ethnicity and nation as, at least potentially, more lateral (Handelman 1977, 192-194; Bonilla-Silva 1997, 470). While stratification may occur along ethnic lines (Barth 1969, 27), ethnic boundaries are not necessarily hierarchical as racial boundaries are (Jenkins 1997, 74-75; Bonilla-Silva 1997, 470). Ethnicity can also be mobilized in a purely symbolic form, tied to nostalgia and pride rather than an active basis of interaction in everyday life (Gans 1979, 9-13), whereas race's structuring function precludes a purely symbolic role in social life. Even where

race is felt or expressed as pride or nostalgia, it tends to be tacitly linked either to the maintenance or contestation of racial hierarchy.

Some perspectives on race, ethnicity, and nation do not merely distinguish between the conceptual spaces that each occupies, but also position (or even hierarchize) them relative to each other. Historically, it has been common for social scientific views of race to treat it as a "a manifestation of some other, supposedly more profound or more 'real' social relationship" (Winant 2001, 19) particularly that of ethnicity. This, Omi and Winant (1986) argue, characterized the mainstream of the sociological perspective on race for much of the twentieth century (14-15; Bonilla-Silva 1997, 467; e.g., Handelman 1977, 193-194; Horowitz 1985, 52-53). They call instead for a perspective on race that does not subsume it under ethnicity but rather acknowledges it as a "key causative factor in the creation of the modern world" (19). They likewise challenge nation-based approaches to race, which they suggest reduce racial inequality to the colonizer/colonized dynamic, although they grant that this perspective can be useful in examining groups, like indigenous Americans, who were directly colonized (50). To the extent that the creation of the nation-state itself has features of racialization, however, they suggest that race cannot be reduced to a epiphenomenon of nationalism (Omi and Winant 1986, 19).

In this study, I treat race, ethnicity, and nation as distinct means of categorizing persons that, while conceptually overlapping in some regards, can be distinguished analytically without reducing one to another. A categorical schema can be considered racial to the extent that it entails a division of humans into fixed types with reference to phenotype (or other biologized characteristics) and putative common ancestry; a schema can be considered ethnic to the extent that it entails a division of humans with reference to putative common heritage, including shared use of symbols, language, history, relationship to territory, or ancestry; and a schema can be

considered national to the extent that it entails a division of humans with reference to claims, or at least aspirations, to a sovereign political community. Race is therefore a distinctive means of categorizing persons and communities relative to ethnicity in that it entails an explicitly physical understanding of ancestry that is expressed in different human types, which is absent from the understanding of ancestry that characterizes ethnicity. Nationality, even to the extent that it may constitute an imagined community on an ethnic basis, is a distinct means of categorization in that it makes an explicit claim (or aspiration) to sovereignty. To the extent, however, that persons are categorized in a manner that attaches ethnic groups to national units, this can be termed an ethno-national categorical schema. This set of definitions allows race, ethnicity, and nation to be mobilized in both processes of identification and classification, although on a historical level race tends to be mobilized to classify persons more than ethnicity and nation are. Likewise, all three can be bases of hierarchical power structures, although again on an historical level race is more likely to be hierarchized, structural, and formalized. Despite a certain degree of overlap in these definitions, they remain analytically distinguishable (Cornell and Hartmann 2007, 26). This overlap does not, however, mean that one is subsumed by another. As typifications, they each have their own internal logics, those logics just feature fuzzy boundaries. This overlap is indeed a deliberate attempt to be responsive to, while not wholly adopting, their usages as categories of practice. Since this study is aimed at analyzing the typificatory schemas used by actors in everyday life rather than merely imposing analytic ones, the conceptual framework I use is necessarily linked to those schemes. It locates each in a distinct conceptual space while recognizing that it may be impossible to completely disentangle them as they are both conceptually overlapping and used in ways that involve mutual influence.

Race, Ethnicity, and Nation in the United States

Although categorization takes place at many level, the state is among the most consequential and formal contexts in which it occurs (Jenkins 1997, 63, 68-69; Nagel 1986, 96). The state is both a venue for processes of identification and classification by non-state actors as well as constituting a classificatory actor in and of itself. It is also a site in which typifications become inscribed in the social structure, both formally and informally. This is most profoundly true of the relationship between race and the state in the United States of America (Omi and Winant 1986, 76). The United States can be understood as "inherently racial" (Omi and Winant 1986, 76), not only structuring racial understandings but structured by them itself. The state does not merely intervene in disputes over racial definitions, it is itself "the pre-eminent site of racial conflict" (Omi and Winant 1986, 76). This "racial state" is made up of institutions, policies, "social conditions and rules which support and justify them, and the social relations in which they are imbedded" (Omi and Winant 1986, 76-78). Understanding the structure of this racial state requires examining the trajectory of racial formation processes over time, which take place through a negotiation between the racial structure of the state – expressed via policies and programs – and actors with competing (or oppositional) conceptions of race (Omi and Winant 1986, 71, 79; Winant 2001, 35). This racial order is hegemonic to the extent that its logic of domination incorporates opposition and "will therefore simultaneously incorporate and deny the rights, and in some cases the very existence, of the 'others' whose recognition was only so recently and incompletely conceded" (Winant 2001, 35). Although less structuring than race, the United States is also a site of ethnic, national, and ethno-national categorization, adjudicating between the categorical schemes of non-state actors as well as engaging in classification itself through means such as the legal system, bureaucratic institutions, and official information

gathering efforts (Oboler 1995, 32-33; Mora 2014, xii-xiii, 3-6; Padilla 1985, 3-13; Nagel 1996, 243-244; Lopez and Espiritu 1990, 209; Kertzer and Arel 2002, 29-30; Brass 1985, 9; Miller 2004, 8-10).

"Indians" and "Tribes"

The indigenous peoples of what is now the United States were among the first to which a racial classification was applied. Christopher Columbus' well-known geographic confusion between his intended destination in south Asia and the ostensible "New World" in which he actually arrived led to the generation of a new racial category – "Indian" – that persisted long after North America was understood by Europeans to be a separate continent (Berkhofer 1979, 3-5, 26; Nagel 1996, 3; Prucha 1984, 6). The racial category of "Indian," however, gradually came to be attached to another type of categorization: that of the "tribe". While early contact with indigenous peoples of the Americas resulted in the use of homogenizing (and degrading) characterizations by Europeans of the former as "savages," this was eventually accompanied by a conception of indigenous societies as constituting separate "nations" as well (Prucha 1984, 6-9; Weatherhead 1980, 6; Berkhofer 1979, 16). By the time the U.S. federal government took control of relations with indigenous communities, however, the official classification used by the state to distinguish between the heterogeneous communities they sought to displace and administer was that of the "tribe" (Weatherhead 1980, 6; Berkhofer 1979, 16). The U.S. Constitution, for example, specifically reserves for Congress the power to "regulate commerce" with "the Indian tribes" (United States Constitution; Deloria and Lytle 1984, 2-3) and the treaty system in federal Indian policy had, as a central assumption, the tribe as the sovereign unit around which indigenous life was oriented (Prucha 1984, 31; Tyler 1973, 32). This concept of "tribe," however, was not uniformly formalized, either in what distinguished a tribe from other

social groupings or what distinguished one tribal unit from another, until the twentieth century; rather, many differing statutory definitions of tribes emerged over centuries of Indian policy (Weatherhead 1980, 6-7).[3]

This murky categorization was further complicated by early social scientific conceptions of tribe, which tended to use the term as relatively synonymous with "ethnic group", but specifically for groups viewed as undeveloped or primitive – then the primary object of inquiry for early social anthropologists (Eriksen 1993, 8-10; Jenkins 1997, 16). This term therefore had the effect of defining some purported ethnic groups in terms of an earlier stage of socio-cultural development than so-called 'civilized' society and distancing the analyst from the analyzed (Eriksen 1993, 10; Jenkins 1997, 17). To the extent that ethnographic analyses of indigenous communities were mobilized by state actors at various points in Indian administration, including the treaty process to the establishment of reservations, this anthropological view of the tribe as a sort of primitive ethnic grouping also emerged alongside its understanding as a national grouping. As a categorical schema, therefore, the tribe can be understood as ethno-national: it assumes that "Indians," as a racial category, can be disaggregated into heritage-based groups with some claim to political sovereignty.

By the nineteenth century, then, both the United States government and many everyday actors of European descent classified indigenous peoples of North America in a dual manner: as a racial group ("Indian") with a particular ethno-national structure ("tribe"). This very broad categorical structure was institutionalized over the subsequent centuries through a variety of means. On a racial level, the legal system engaged in adjudicating the distinction between

[3] The definitional ambiguity surrounding the term "tribe" is by no means limited to the government; neither popular nor academic uses of the term are especially precise, except to the extent that they suggest a more primitive stage of social evolution than so-called modern forms of social organization (Fried 1975, 1-10).

"Indians" (who lacked political rights, specifically citizenship) and "whites," a bureaucratic apparatus was formed to administer the persons and communities who fell in this racial category (the U.S. Department of the Interior's Bureau of Indian Affairs [US BIA]), laws were passed on a racial basis, and federal policies were developed and pursued which aimed at the cultural and political domination of Indians as a race. On an ethno-national level, government actors worked to identify and negotiate with specific tribal groups (Miller 2004, 8-17), government policies variously promoted or discouraged the influence of the tribal structure as the organizing principle in indigenous life (Taylor 1980, 66-68; Deloria and Lytle 1984, 186-187; Tyler 1973, 96; Prucha 1981, 237), and legal rulings defined the limits of tribal sovereignty in relation to the United States government (Deloria and Lytle 1984, 16-17). The two structures – "Indian" race and "tribal" ethno-nationality – have also been intertwined at some historical moments. The understanding of a tribe used on a contemporary basis by the Department of the Interior's Office of Federal Acknowledgement (formerly the Branch of Acknowledgement and Research), which is charged with determining which tribal groups are recognized by the federal government, can be regarded as a form of racialized ethno-nationality. In addition to defining tribes around their cultural and political characteristics (consistent with ethno-nationality) it also has racialized criteria for Indian tribal identity, distinguishing between "pure" and "mixed-bloods" and promoting (if not explicitly mandating) blood quantum as a tribal standard for membership (Blu 2001, 74, 78-84; Snipp 1989, 27-35; Miller 2004, 11-13; McCulloch and Wilkins 1995, 364-365). Tribes are thereby defined in a manner that is at once ethnically primordialist – tying tribal authenticity with the continuation of traditional cultural practices; nationally sovereign – requiring the existence of a political community that organizes social life; and racially distinct –

composed of persons with blood ties (Miller 2004, 6; Berkhofer 1979, 28-31; McCulloch and Wilkins 1995, 364-369).

Race, Ethnicity, and Nation in Motion

The historical relationships between ethnicity, race, and nationality in the U.S. with regards to both identity and structures of power are complex, as recognized in the social scientific literature. Despite previous perspectives that reduced racial issues to a black/white dichotomy and either addressed ethnicity separately or subsumed race into ethnicity, there is a strong consensus in the social constructionist literature that these schemes are complex (and even problematic) depending on the socio-historical context to which they are applied. Many approaches to race, ethnicity, and nation now highlight the extent to which these schemes interact, including through the existence of multiethnic and multiracial identities (Rodriguez 1994, 131; Aranda & Rebollo-Gil 2004, 912), the relationship between racial and panethnic categories (Lopez and Espiritu 1990, 203-204, 208, 219-220; Espiritu 1992, 9-14), the existence of ethnic options that vary by racial group (Waters 1990, 18-19, 157-158); and structures of inequality that combine ethnic, racial, and national features (Aranda & Rebollo-Gil 2004, 913).

Research on race, ethnicity, and nation, however, is often directed at cases where these categorical schemes map onto overlapping but separate sets of boundaries. While recognizing that racial categories can be ethnified and ethnic categories can be racialized, and that both may or may not correspond to nations, such perspectives address cases where there is some difference (or at least contestation) between who is contained in which racial, ethnic, and national boundaries respectively. In some cases, racial categories are understood to be composed of a particular set of ethnic groups, with the historical question of when and how certain ethnic groups are placed in the racial scheme, such as the relationship between the racial category of

"white" and ethnic or national groups such as the Irish, Italians, or Jews (e.g., Ignatiev 2009, 1-3; Sacks 1994, 1-2). In other cases, complications arise as to how particular ethnic or national groups are racialized and/or panethnicized, such as Puerto Ricans (Rodriguez 1994, 132; Almaguer 2003, 213-214) and Filipinos at the ethno-national level (Ocampo 2016, 4), or Latinos at the panethnic level (Almaguer 2003, 208-209; Padilla 1985, 1, 4). Likewise, the analysis of ethnic options at the individual level is premised on the assumption that ethnic categories can, on a historical level, move across racial categories (Waters 1990, 1-2).

However, the classificatory scheme of racial "Indians" and ethno-national "tribes" that has been applied to indigenous persons in the Americas results in a fixed configuration of racial and ethno-national categorization; that is, the two schemas are, as a matter of definition, attached to the same set of individuals. Since the racial and ethnic categories are intertwined in the minds of social actors, the relationship between placement in the racial categorization scheme and the ethnic categorization scheme is essentially given. That is, indigenous ethnic and ethno-national categories are locked into a particular racial category – that of "Indian" (or more recently "Native American") – and the racial category is locked into a particular understanding of ethno-national identity – that of the "tribe". There is, as a historical matter, little to no racial mobility for the ethno-national categories ("tribes") and likewise no ethnic mobility for the racial category except between groups socially classified as tribes. To be clear, the two can still be analytically separated, but in how they are used as categories of practice they are functionally immobile. That is, there is no "mapping" of racial and ethnic categories as with some other grouping, as the two concepts ("Indian" and "tribe") are treated as coterminous. As described above, this has been institutionalized formally through blood quantum, which biologizes ethnicity by legally defining

tribes in racial terms (Smedley and Smedley 2012, 314-315).[4] There are, without doubt, numerous categorical questions with regard to indigenous identity such as questions of who is an Indian (including changes in both self-identification and external categorization), particularly since the emergence of a panethnic (rather than explicitly racial) notion of Native American/American Indian identity, and tribal membership criteria and its relationship to race (Miller 2004, 11-12; Berkhofer 1979, 189-191; McCulloch and Wilkins 1995, 364-369; Lopez and Espiritu 1990, 216-218; Nagel 1996, 241-245; Cornell 1988, 72). But given the historical relationship between "Indians" and "tribes," the racial and ethno-national understandings have a relatively fixed relationship: to be part of an indigenous tribe is to be considered racially Indian and to be racially Indian is the only route to being considered part of a tribe.

This raises historical questions about the nature of the attachment of these categorizations and the ways that they are mobilized over time. This study attempts to address this issue by examining the various ways that race and ethno-national categorization have been used with respect to a particular indigenous ethno-national category: that of the Duwamish. Although the Duwamish have been categorized using both race and ethno-nationality, the two types of categorization have been emphasized differently at various times by both Duwamish people themselves and non-indigenous actors such as the state. Examining the interaction of their self-identification and external categorization as well as how the state has variously emphasized their racial or ethno-national status adds to the sociological literature on racial, ethnic, and national

[4] To a certain extent, this resembles the practical relationship between ethnicity and race for persons and communities of African ancestry to the extent that limited ethnic mobility exists for persons and groups defined in the "black" racial category. But even then, the racial category of black can include people with ethnic identities that extend across racial categories (e.g., the black racial category can potentially include individuals ethnically categorized as Latino, and there are also individuals ethnically categorized as Latinos that are not racially categorized as black).

categorization by showing how these schemas remain in motion, even as the categories to which they are attached remain solidly fixed.

Analytic Strategy and Data

In the subsequent chapters, I examine how a particular set of categorical schemas, specifically racial and ethno-national, were mobilized by social actors in making sense of Duwamish identity and how they changed over time. In so doing, I consider how the classificatory schemas of non-indigenous actors, particularly the state, resembled or diverged from Duwamish self-understandings and the relationship between the classificatory schemes used and the configuration of political power in the region. My overall analytic strategy to answer these questions is an historical narrative analysis, in which dynamics of categorization are treated as social processes unfolding temporally. In common with existing narrative approaches to historical sociology, I seek to draw out temporal patterns in social processes rather than specify the discrete causes of a particular historical outcome through formal causal models or the testing (or construction) of grand theories aimed at reducing complex social processes to uniform causes. A narrative approach has the advantages of allowing the examination of macroprocesses that are temporally dynamic, singular in their specific elements, characterized by details too fine-grained to formalize, constituted sequentially, or composed of elements that occur over multiple time horizons (Abbott 1990; Aminzade 1992; Büthe 2002; Gotham and Staples 1996; Griffin 1992; Quadagno and Knapp 1992; Sewell 1996; Stryker 1996). It also provides an opportunity to embrace, rather than smooth over, the complex contingencies underlying macrohistorical processes. On this point, my approach resembles that of the genealogical method proposed by Foucault (1979; 1980; 1991). That is, my narrative approach does not seek to identify the "origins" of a particular way of thinking that occurs in a linear

fashion, but rather a "history of the present" (Foucault 1979, 31) that "cultivate[s] the details and accidents that accompany every beginning" (Foucault 1991, 80). In so doing, I draw out the processes by which particular types of social subjects are constituted within the context of a particular configuration of power and knowledge (Foucault 1980, 117). This narrative approach therefore allows me to capture changes, both dramatic and subtle, in classification and identification over time as well as to connect the temporal processes by which categorical schemas change to dynamics of power between sets of social actors.

The historical narrative I construct covers the span of about 150 years, from the earliest incursions by Europeans into the Puget Sound region in the eighteenth century until 1934, at the cusp of the so-called "Indian New Deal" in U.S. policy. This span of time was selected because it covers a wide range of events, social actors, and government policies with relevance to social categorization. The narrative is divided into three time periods: the first period spans from the late eighteenth century, when European exploration of the region commenced, to the middle of the nineteenth century, when the first permanent European-American settlements were established on Duwamish territory; the second period begins in the middle of the nineteenth century with the treaty process in Washington Territory and ends in the late nineteenth century when distinctive Duwamish communities had been largely eliminated from the Seattle area; the third period begins in the late nineteenth century with the urbanization of Seattle and ends in 1934 with the resolution of the Duwamish Tribal Organization's case in the U.S. Court of Claims. These particular start and end points were selected because they correspond to events that represent significant turning points in the structure of social relations between the Duwamish and non-indigenous actors, but not because these events necessary constituted causal factors in

classification and identification specifically (Abbott 1997). Indeed, one of the starkest shifts in classification occurs mid-way through the second period.

The narratives in the following chapters were constructed using a variety of sources, both indigenous and non-indigenous. However, the majority of the historical record for these periods was produced by non-indigenous sources and therefore such sources constitute the bulk of the evidence used in this study. Non-indigenous sources are used both to re-construct events that occurred over time as well as to provide insight on the types of thinking and knowledge production that influenced (and constituted) the non-indigenous classificatory schemas applied to the Duwamish. These sources also provide some, though limited, insight on indigenous social life and identity. While a narrative constructed from Duwamish accounts of history in the voices of historical actors themselves would be of enormous value, the documentary record is extremely limited in this regard.

The non-indigenous sources I consulted for this study consist of both governmental and non-governmental records. Although I outline some of the types of documents used as sources below, many records could be placed in multiple categories, as social actors do not fit neatly into mutually exclusive roles. As examples, some government records were produced by individuals who were also settlers or explorers in their private lives, some ethnographic works were conducted by individuals who were, at various points, commissioned by the government, and some sources are best understood as collaborations between indigenous and non-indigenous actors.

The government records I consulted include: records and reports produced in or commissioned by of agencies of the U.S. government, most notably the Department of the Interior's Bureau of Indian Affairs (e.g., Eliot 1915; Gibbs 1877; Roblin 1919; materials found

in BIA Annual Reports); legislation passed by either the U.S. Congress or the Washington Territorial legislature (e.g., Kappler 1904a, 1913; US Congress 1855, 1925; Washington Territory 1855); correspondence between government agencies (e.g., materials found in US House 1857; US Senate 1856; BIA Annual Reports); and records of legal proceedings and determinations, which often include primary sources of both indigenous and non-indigenous provenance (e.g., US BAR 1996; US Court of Claims 1934; US ICC 1957, 1962). Non-governmental records that I consulted include: ethnographic works conducted in the region (e.g., Ballard 1935; Barnett 1968; Smith 1941, 1969; Waterman 1922, 1930); journals, reports, and memoirs produced by explorers of and settlers in the region (e.g., Cook 1784; Denny 1888; Meeker 1905; Vancouver 1798; Yesler 1907); and secondary historical and biographical sources (e.g., Bagley 1916b, 1929, 1931; Bancroft 1886, 1890; Carlson 1903; Meany 1909; Prosch 1906, 1908, 1915; Thrush 2017). Indigenous sources I consulted include: tribal records, including materials submitted in various legal claims (e.g., Duwamish Tribal Council 1934; DTO 1925, 1987); oral histories, including depositions (e.g., Allain 2014; Davis 1927; Roblin 1919); and published works, including works with significant contributions from indigenous linguists and activists (e.g., Bates et. al 1994; Bishop 1915; Waterman et al. 2001).

In order to answer the guiding questions specified above, I sought evidence of schemas used by non-indigenous actors to classify Duwamish persons and groups in the full range of non-indigenous sources. This includes both the practice of classification in formal contexts, such as overt attempts by government actors to produce official knowledge about the indigenous peoples in the region as well as informal or latent classifications carried out in the course of social actions that were not deliberately aimed at producing knowledge about persons and communities, such as the types of language used in describing discrete events or recounting

experiences. I also sought evidence of schemas used by persons who identified themselves as Duwamish in defining themselves in relation to other actors, both indigenous and non-indigenous. Where possible, I sought evidence of how the boundaries of Duwamish identity were defined and transmitted, the extent to which these boundaries corresponded to social groups, and the extent to which these boundaries were mobilized in pursuit of political claims. Additionally, I tried to identify a range of events of social relevance; that is, events with the potential to affect social actors, both indigenous and non-indigenous, on either a material or ideological basis. These include moments in which power was asserted or resisted. I drew heavily on secondary histories of the region to identify these events and moments and used primary sources, where possible, to draw out relevant details. These events and moments were then positioned in the narrative to contextualize shifts in categorization. These observations about schemas of classification, schemas of identification, and events of social relevance were then incorporated into a chronological narrative for each of the three time periods.

Chapter Two: Period One (c. 1792 through c. 1852)

This chapter examines Duwamish collective identity from before first contact with Europeans through the establishment of permanent white settlement around Elliott Bay. During this period, the Duwamish understood themselves as positioned in a network of nested collective identities that was structured by geography, linking peoples with particular territories. These identities did not, however, necessarily correspond to clearly bounded political units with centralized leadership. The categorization schemes used by European-originating people, on the other hand, positioned the Duwamish as part of a racial group ("Indian") to which a particular ethno-national scheme – that of the "tribe" – was presumed to apply.

Indigenous social life around the Puget Sound before the late nineteenth century is difficult to reconstruct from records. In part, this is because much of the indigenous oral knowledge base was destroyed or otherwise lost as a result of persistent violence, both physical and symbolic, against the peoples of the region by non-indigenous actors. It is also, however, the result of limited formal documentation from the periods around first contact between indigenous and non-indigenous actors in the Puget Sound region. Since the Puget Sound was "discovered" relatively late and non-indigenous settlement was particularly slow to reach the Duwamish ancestral homelands in the interior of the Puget Sound region, contact between European-originating peoples and the indigenous residents of the Puget Sound was quite limited through the mid-nineteenth century. Likewise, the earliest records of contact between the peoples of the interior of the Puget Sound and non-indigenous actors are few in number and light on detail. As traders, missionaries, government officials, and settlers were the primary non-indigenous actors engaged in recording information about the peoples of the greater Pacific Northwest in the early contact period, their agendas (variously economic, religious, imperial/colonial, territorial, and

personal) are often visible in the kinds of interactions they report, the types of records they kept, and in their substantive content (or lack thereof).

Despite the obvious limits of such a thin, primarily non-indigenous, and highly agenda-laden corps of records, there are nevertheless still potentially useful observations that can be made about Duwamish social life, including its boundary processes, before and during the periods of early contact. However, since most of these observations are based on documents that were produced as part of various colonial/imperial projects, it would be problematic to remove them completely from that context. Therefore, this chapter addresses the early efforts by European (and later American) actors to explore, settle, and possess the territory of the Puget Sound region, culminating in the establishment of permanent settlements in the Duwamish ancestral homeland, alongside the understandings of their ethnic boundaries that can be drawn out of these efforts and their records. These understandings can be assumed to reflect a mix of more or less motivated reasoning; they are neither wholly biased nor wholly impartial, but should instead be considered in light of known motives. This chapter, therefore, does not attempt to present a 'true' indigenous narrative of Duwamish identity and boundary dynamics through 1852, but to draw out some of its likely features before and during the first periods of sustained contact with Europeans, leading up to the treaty period, as well as how it was perceived by early non-indigenous observers who understood it in terms of their own assumptions and agendas.

The strongest characteristic of collective identity that comes across in this period is its territorial orientation: personal and collective affiliation was expressed primarily using a complex of social identities that were attached to territory. Moreover, the communities to which these identities were attached were understood in relation to 'their' land, such that the social landscape of the period appears almost a re-articulation of the physical landscape. Although there

is some evidence of a regional shared identity across the entire Sound region (Smith 1969, 3), group-feeling across the Sound was limited (Smith 1969, 3; Suttles and Lane 1990, 485) with mode of subsistence and relationship to a particular drainage system providing the primary sources of identity and social unity (Smith 1969, 2-3; Suttles and Lane 1990, 485). Since the settlements identified with the Duwamish were along the Sound (a saltwater estuary) and the rivers feeding it, the Duwamish were understood as a saltwater people, in contrast with river peoples with less proximity to the Sound, peoples who lived on prairies, and inland peoples further removed from the Sound (Smith 1969, 29-31; Smith 1941, 198; Waterman et al. 2001, 18-19, 44). In common with other saltwater peoples, subsistence was based first and foremost on salmon, which in addition to providing sustenance had enormous cultural importance (Gibbs 1877, 196; Gunther 1926, 605, 608; Suttles and Lane 1990, 488). The Duwamish also collected shellfish, berries, and roots as well as cultivated potatoes (Gibbs 1877, 193, 196; Suttles and Lane 1990, 489).

During the winter months, communal life was based in permanent villages composed of large cedar houses; for the rest of the year groups moved between a series of camp sites (Smith 1969, 4; Gibbs 1877, 197; Suttles and Lane 1990, 485). Winter villages were therefore important sources of social unity within a particular drainage system (Smith 1969, 4; Suttles and Lane 1990, 493). The people attached to a particular village referred to themselves as the "people of" that particular drainage system (Smith 1969, 6; Smith 1941, 199, 201; Suttles and Lane 1990, 501; Waterman et al. 2001, 14). The Lushootseed word *D<u>kh</u>^{w}'Duw'Absh*, most commonly Anglicized as "Duwamish," literally means "people of the inside of the bay", as the area of the sound this group inhabited (Elliott Bay) was known throughout the region as the "inside" of the Puget Sound (Bates et al. 1994, 80). Groupness and territoriality were thus inextricably linked

even in language; the only means of linguistically distinguishing one community from another was through these territorial appellations. (Even the local name of the language, Lushootseed, refers to the Puget Sound region [Bates et al. 1994, vii]). These local village names, of which *D<u>kh</u>^{w}'Duw'Absh* is one of many, are what were taken as "tribal" appellations by non-indigenous actors at the point of contact, however these tribal units (or, more precisely, tribal classifications) were often composed of somewhat arbitrary sets of villages in contrast with the non-mutually exclusive complex of localities and attached identities that was used by indigenous actors (Smith 1969, 23; Smith 1941, 197; Waterman et al. 2001, 14-16).

The structure of collective identity in the region was therefore not constituted by clearly bounded units following a European conception of ethnicity but made of nested categories which operated contextually and sometimes non-exclusively. Just as the physical landscape could be conceptualized at different levels (from specific sites to entire regions), so to were the collective identities attached to them. Early efforts to record these collective identities therefore produced dozens of group names, from the single village to the sub-regional level. So while villages provided a limited degree of political unity to the extent that, on occasion, decisions of consequence had to be addressed at the village level, political affiliation was situational (Smith 1969, 6). Even the village itself was fairly arbitrary, as villages were not characterized by strict boundaries (Smith 1969, 7, 24; Smith 1941, 197-198). Because subsistence required migration during the non-winter months, movement was not restricted across the territories attached to different villages (Smith 1969, 24; Gibbs 1877, 186-187). Village-based identity, however, did persist in spite of these seasonal migrations.

Villages were understood as being composed of the people who were born there, raised there, or came to live there as adults and thereby subsisted on the drainage system in common

(Smith 1969, 7, 36, 40). Although villages were largely composed of people with some degree of relation by blood or marriage, this wasn't the basis on which villages were constituted (Smith 1969, 32, 36). Rather, village affiliation was both a connection to the social group with which one lived as well as the land on which the village was settled (Smith 1969, 36; Gibbs 1877, 187, 223). The village itself was composed of house groups which were often, but not necessarily, composed of kin, as the decision of which families shared a house involved considerations beyond kinship (Smith 1969, 7, 34; Suttles and Lane 1990, 493). Within the house group were individual families centered on a husband, wife, and their children (possibly also parents or adult siblings as well) which was, in contrast with the village and house, bonded by obligations of kinship (Smith 1969, 7, 33; Suttles and Lane 1990, 493). Children belonged to the family, house, and village group into which they were born and raised (Smith 1969, 33) but it was also possible to inherit the village identity of both parents (although in practice an individual might adopt the identity of one or the other) (Smith 1969, 43; Gibbs 1877, 185, 197; Norton 1994, 83; Suttles and Lane 1990, 495). Children typically established new family groups upon marriage and also commonly moved into the house group or village group of their spouse (Smith 1969, 33). Since exogamy was the preferred marital practice across the Puget Sound, this often meant joining a spouse in their village and adopting that village (and house) affiliation (Smith 1969, 42-44, 165; Gibbs 1877, 197; Ballard 1935, 111; Norton 1994, 83, 96-97; Smith 1941, 199; Suttles and Lane 1990, 488; Waterman et al. 2001, 19-20).

Political community existed primarily at the village level, although exceptional circumstances, particularly external threats from outside of the Sound, led groups to mobilize

collectively. Although central political authority was limited[5] and certainly did not fit European assumptions about political authority, there were people with greater or less prestige, which was typically achieved through wealth and reputation (Smith 1969, 48; Gibbs 1877, 185; Suttles and Lane 1990, 494; Waterman et al. 2001, 17). The tradition of potlatching, practiced across many northwestern indigenous peoples, represents but one example of the attachment of status to wealth, with great prestige attached to individuals able to acquire the resources necessary to host a potlatch (Barnett 1968, 37-42; Gibbs 1877, 205). Political and social influence however did not operate through top-down authority, as decisions were made collectively with the guidance and counsel of influential persons (*si'ab*s in Lushootseed) rather than by directive (Gibbs 1877, 185; Smith 1969, 49-51; Bates et al. 1994, 14; Waterman et al. 2001, 17).

In the following sections, I describe the first contacts between European-originating peoples and the indigenous peoples of the Puget Sound, with attention to the records generated by these contacts that shed light on collective identity. While these records contain supporting documentation for the understanding of indigenous ethnicity summarized above, they also contain ample evidence of the types of collective identities that European and American actors were looking for and, in many cases, quite intent upon identifying: that is, clearly bounded, mutually exclusive categories based on ancestry and unified by central leaders.

Competition for the Pacific coast, 1523-1790

The Puget Sound region of what is now Washington State was not subjected to European intrusion until comparatively late, even in relation to the rest of the Pacific coast. As early as

[5] The extent to which central political leaders existed in the Puget Sound region has been a point of academic disagreement, with the existence of "chiefdoms" defended vociferously by Toleffson 1987, 1989, and 1996 and adamantly denied by others, most notably Miller and Boxberger 1994, 1997; Waterman et al. 2001, 17; and Gibbs 1877, 185. Miller (1997) has noted, however, that the mobilization of power in the region was highly complex and likely not reducible neither to the claim that political authority was absent nor to the claim that it was characterized by strong "chiefdoms".

1523, Spanish Emperor Carlos V directed Hernán Cortés to obtain information about the existence and location of the mythical "Northwest Passage" that was widely believed to provide a western sea route between Europe and Asia (Pacheco et al. 1875, 366). English privateer Francis Drake also sought the Pacific entrance to the Northwest Passage on his expedition of 1579. While unsuccessful on that front, he did land at least as far north as what is now the San Francisco Bay, affixed a brass plate to a tree, and claimed the land, which he named "Nova Albion," on behalf of Queen Elizabeth (Pethick 1980, 10-11; Whitebrook 1959, 20; Cook 1973, 2). Although both Britain and Spain were committed to possessing and eventually colonizing the region, Drake's landing was the last documented foreign landing on the northern Pacific coast of North America for over a century.

By the time Vitus Bering and his crew reached the strait that now bears his name in 1728, the north Pacific was no longer viewed by the major imperial powers merely as a potential means of transcontinental passage, but also as a potential source of goods for the international market. The rapid expansion of Russian sovereignty throughout northern Asia in the late seventeenth century was both supported and driven by the fur trade, as the depletion of existing stocks of fur-bearing animals, particularly sable, pushed traders ever eastward toward the northern Pacific coast of Asia (Cook 1973, 41; Pethick 1976, 15-16). North America was already known to feature ample fur-bearing animals, but its geographic relationship to Asia had not yet been established (Pethick 1976, 15-16). To this end, Bering's expedition from Kamchatka carried orders from Czar Peter I to survey the as-yet formally uncharted eastern territories of the Russian Empire as well as to conclusively determine whether or not Asia and North America constituted separate continents (Pethick 1976, 16; Cook 1973, 41).

In addition to successfully accomplishing both aims, Bering and his beleaguered crew also acquainted themselves with the fur-bearing wildlife of the Aleutian Islands, which included foxes, fur-seals, and sea otters (Pethick 1976, 25). The latter were already recognized internationally for the particularly high quality of their pelts, having been introduced to Chinese markets in the early 18th century by Spanish traders who obtained them in Baja California. The islands between Kamchatka and mainland North America, however, proved a much more plentiful source of the valuable furs (Cook 1973, 43). Within a decade, Russian ships were arriving in Kamchatka with thousands of Aleutian sea-otter pelts – as well as seal, walrus, fox, mink, and ermine – worth millions of dollars (Cook 1973, 43; Pethick 1976, 27). The Russian government recognized the economic potential almost immediately, devising a tribute system on the native hunters who trapped the animals and granting regional trading rights to expeditions in exchange for a proportion of the furs they obtained (Cook 1973, 43-44; Pethick 1976, 27).

The expansion of the Russian fur trade into North America soon became known elsewhere in Europe, including Spain, around the mid-18th century. Works published in Spain during this period describe the Russian advances in North America as a potential threat to Spanish America and call for expanded settlements and missions in Alta California to buffer against the emerging Russian-American threat (Cook 1973, 44-45). Spanish dominance in the Caribbean was already eroding, with the treaties of Westphalia in 1648 and Madrid in 1670 forcing Spain to accept Dutch and English claims in that region and French and English expeditions in Oceania demonstrating that Spain no longer controlled sea routes to the Pacific. Spain took another symbolic blow to their hegemonic ambitions at the end of the Seven Years' War, agreeing to forfeit Spanish Florida to Great Britain in exchange for the return of Havana and Manila. The French, however, agreed to compensate Spain for their loss of Florida by

ceding to them the immense territory of Louisiana, which allowed Spain to redirect their ambitions to controlling North America west of the Mississippi (Cook 1973, 46-47).

News that Russian Empress Catherine intended to expand Russian control in North America reached Madrid in 1768 (Cook 1973, 46-47). Spanish officials in Alta California, meanwhile, openly concerned that Russian, British, and/or Dutch interests were poised to establish a colony in what is now Monterey (Cook 1973, 49), built a port on the Gulf of California from which they could explore the northern coastline and assert their claims to the region against foreign challengers (Cook 1973, 47, 54-55). As part of his stated effort to prevent or eliminate any foreign activity along the Pacific coast, the Mexican Viceroy commissioned Juan Jose Pérez Hernandez to lead an expedition to record the whereabouts and extent of any Russian settlements on the Pacific coast (Cook 1973, 55).

Both Pérez's 1774 expedition to 49° 30' N, which corresponds to what is now Nootka Sound on the west coast of Vancouver Island, British Columbia (Cook 1973, 63, 67; Meany 1909, 22), and one the following year to the 55th parallel (under the leadership of Bruno de Heceta y Dudagoitia and Juan Francisco de la Bodega y Quadra) managed to pass the entrance to the strait which connects the Pacific Ocean with the waterways of what is now Puget Sound without a single notice. Heceta and Bodega y Quadra's expedition, however, made the first European landing on the shores of what is now the state of Washington, ceremonially claiming the territory in the name of the Spanish crown (Cook 1973, 67, 69, 77-78; Pethick 1976, 135). By May 1780, having sent expeditions to claim territory at assorted points along the Pacific coast from Mexico to Alaska, Carlos III was satisfied with the strength of Spanish claims to western North America and put a hold on additional voyages in the region (Pethick 1976, 135).

British interests in the region, however, had not been deterred (Pethick 1976, 141). A report of Bering's voyage had been published in London in 1743, which gave just enough indication of the Russian intentions on the Pacific coast to rekindle interest in the Pacific coast (Cook 1973, 86). The following year, British Parliament advertised a 20,000 pound reward to the first British merchant ship to successfully navigate the Northwest Passage, with British navy vessels becoming eligible to claim the prize beginning in 1776 (Cook 1973, 86). The Earl of Sandwich recruited Captain James Cook to lead an official expedition in pursuit of the passage (and the 20,000 pound reward), which in 1778 brought Cook and his crew to the "very latitude that geographers have placed the pretended strait of Juan de Fuca" (Pethick 1976, 59; Cook 1784, 263). Even though his records place him at the northwestern tip of the peninsula which separates the Pacific Ocean from the broad channel that now bears the name of its (apocryphal) discoverer, Cook (1784) confidently reported that he saw "nothing like it; nor is there the least possibility that ever any such thing existed" (263). Poor visibility due to inclement weather is often asserted to be a likely cause of this oversight (Whitebrook 1959, 28).

Between 1788 and 1790, the Pacific coast of North America became a site of open competition between European powers for the first time when Spanish and British officials found themselves at odds over trading rights at the Nootka Sound (Meany 1909, 28-31; Pethick 1980, 20-23). When two ships sent by the Spanish crown in 1788 to again take formal (ceremonial) possession of the west coast arrived at Nootka, where they intended to establish a permanent Spanish trading post, they were surprised to find a number of vessels already there, including two American ships and four more affiliated with John Meares. Meares, a retired British Navy Lieutenant, arrived at Nootka in May 1788 from Macao under Portuguese papers, bought land from a local tribal leader named Maquinna, built a fort for fur trading, and oversaw the

construction of the first western ship constructed in the region, the *North West America*, which was among the ships the Spanish found anchored at Nootka (Meany 1909, 26; Pethick 1976, 114-116; Pethick 1980, 18). Needless to say, the Spanish commander of the expedition, Esteban Martinez, was not pleased to find British vessels in what Spain considered to be her rightful territory and captured all four of Meares' ships (Pethick 1980, 25). The American ships, on the other hand, were left unmolested, as Martinez did not regard the young state as a threat to Spanish claims (Whitebrook 1959, 37). The following fall, two of the British ships, including their captains and crews, were taken back to Mexico as prisoners of the Spanish, prompting a major diplomatic crisis with Great Britain (Pethick 1976, 23). Although the specter of war loomed heavily, a treaty was reached by which Spanish and British traders could both operate in the region, the seized British ships would be returned to their owners, and British-held lands at Nootka would be recognized by Spain (Pethick 1980, 23).

Vancouver's Arrival, 1792

It was because of the Nootka Crisis, as the incident came to be known, that British Captain George Vancouver found himself commissioned to the Pacific coast in 1792 and charged both with exploring the coast and carrying out the articles of the Nootka convention on behalf of the British (Whitebrook 1959, 39). While he and his Spanish counterpart, Juan Francisco de la Bodega y Quadra, were unsuccessful in coming to a final agreement on the execution of the treaty, Vancouver's exploratory missions were quite fruitful (Whitebrook 1959, 39). His crew navigated the *Discovery* southeast through the Strait of Juan de Fuca, with the vast island that now bears Vancouver's name to the northwest and what is now called the Olympic peninsula to the southwest, then shifted south-southeast to become the first Europeans to pass through what is now Admiralty Inlet, between present-day Whidbey Island to the northeast and

the Olympic peninsula and Bainbridge Island to the southwest, and moved into the sound to which Vancouver himself applied the name of his navigator, Peter Puget (Whitebrook 1959, 76-77; Vancouver 1798, 258-259).

Vancouver's (1798) journal for the 19th of May, 1792, describes *Discovery*'s arrival "off a projecting point of land… rising abruptly in a low cliff" on top of which was "a beautiful meadow, covered in luxuriant herbage" (259). At the edge of the meadow, near the woods, he noted the presence of "an Indian village, consisting of temporary habitations, from whence several of the natives assembled to view the ship as [it] passed by" (259). Immediately upon anchoring in a cove adjacent to the village site, Vancouver reported seeing two men in a canoe approach and then circle the ship before returning to shore (260-261). The following day, having anchored even closer to shore, Vancouver himself visited the village, describing it as "the most lowly and meanest of its kind," in which "[t]he best of huts were poor and miserable, constructed something after the fashion of a soldier's tent…" (261). He found the shelters equipped with constantly burning fires, over which a variety of fish and shellfish were being smoked, but observed that the village "did not appear to have been preferred for the purpose of fishing" (262). Rather, he reported that "nearly the whole" (Vancouver 1798, 262) of the 80-100 inhabitants[6] – "men, women, and children", alike – were "busily engaged" in digging up a variety of roots from the "beautiful verdant meadow" next to which they were encamped.

Although frequently derogatory in his description of both the village and its residents, Vancouver (1798) was also quick to mention the "friendship and hospitality" (262) of the village residents. Upon arriving at the village, Vancouver reports that the locals presented the crew with

[6] A member of Vancouver's crew estimated the population of the village at a slighter lower 60 to 70 (Meany 1915, 8).

"such things as they had to dispose of" (262) including a "very palatable" preparation of roots and shellfish. Noting that two men in particular appeared to be "most active" (262) in making these arrangements and were also considered to be the "most important persons of the party" by the rest of the residents, Vancouver presented these individuals with gifts and, through some exchange of gestures (263), understood that they would soon return the visit with a trip to the *Discovery*. That afternoon, seven of the village residents, including the two leaders identified by Vancouver, paddled canoes out into the waters where *Discovery* sat anchored. In keeping with what Vancouver (1798) described as "the custom of Nootka" (263), the party did not immediately approach the ship, but first stopped about 200 yards away. Vancouver (1798) and his crew watched as the party had an internal discussion and then slowly paddled around the ship while engaged in a song, "principally sung by one man, who at stated times was joined in chorus by several others, whilst some in each canoe kept time with the handles of their paddles" (263). At the conclusion of the song, Vancouver (1798) reports that the envoy "came alongside [*Discovery*] with the greatest confidence, and without fear or suspicion immediately entered into a commercial intercourse with our people" (263).

Having convinced the party to board and presented them with valuables that he thought "would prove most acceptable," Vancouver's (1798) report reflects surprise at the next course of events. "[N]o sooner had they quitted the cabin," he explains, "than excepting the copper they bartered away on deck nearly every article I had given them, for others of infinitely less utility or real value, consisting of such things as they could best appropriate to the decoration of their persons, and other ornamental purposes" (263). Although their preference for copper indicated some contact with European commodities, probably through trade with other tribes, one member of Vancouver's crew recorded in his own notes that the generous terms they were willing to

accept and small number of skins they had available for trade suggested that the inhabitants of this village had "but little intercourse with Europeans" (Meany 1915, 9).

The following day, Vancouver (1798) reports that "nearly the whole of the inhabitants" (263) of the village approached and paddled around the ship, with most remaining in their own canoes even as they bartered bows and arrows, various garments, and some sea-otter skins in exchange for items such as "copper, hawk's bells, and buttons" (263-264). By the evening, Vancouver (1798) speculated, village residents had started visiting villages across the sound to encourage them to take advantage of the trading opportunity as well (264). The following morning, Tuesday, May 22nd, he considered his speculation validated with the arrival of his "friends" (264) in the company of "near eighty persons," most of whom "evidently belonged to the other side of the inlet" (264). While noting some differences between this party and the local village residents, including in the style of their canoes, Vancouver (1792) found them similar in the commodities they offered for trade ("trifles") and in their propriety as trading partners (264).

Besides their interest and practices in trading, Vancouver's (1792) journal provides a few more details about the lives of the local residents. He observed that the residents appeared to be at the village site on a temporary basis and "preparing to depart with all their stock and effects," (266) which were modest and portable enough for each family to be able to fit into a single canoe and then "easily conveyed to any station" (266). Before leaving, however, the remaining residents of the village, assisted by "a great number of their dogs" (266), killed a deer and brought the entire bounty to the *Discovery* for which they "gladly accepted" (267) a small piece of copper as compensation.

While the details of this encounter cannot be independently substantiated, European and native sources do agree on the specific location where Vancouver landed in 1792, a site on the

southern end of what is now called Bainbridge Island that Vancouver gave the name "Restoration Point". The memory of Vancouver's arrival was also transmitted orally by the indigenous individuals who were there, both to later white settlers as well as to a younger generation that was not alive when the ship arrived. In 1895, several native informants claimed that one of the (putative) leaders that Vancouver had met was Kitsap, remembered as a man of significant importance to the Suquamish people (Costello 1895, 17-18). Other native sources also identified a man by the name of Schweabe as among the leaders of the party that greeted *Discovery* and her crew. Indeed, Schweabe's son, Si'ahl[7], reportedly recounted, late in his life, his own memory of seeing the ships arrive when he was a child of around six years old (Carlson 1903, 15; Meany 1915, 8).

Vancouver and his crew made only superficial observations about the social and political life of the people he encountered, leaving to speculation the extent to which these actors felt themselves to have a shared identity or the relationship of that identity to a broader field of collective identity and allegiance. However, their notes do give some indication of the mode of life that prevailed, both economically and politically, in the central Puget Sound before sustained contact with Europeans. Although the camp was predominantly occupied with subsistence activities when Vancouver arrived, his account provides significant indication of the importance of trade to the region. Their openness to visitors, displays of hospitality, lack of suspicion, eagerness to barter with their visitors, and almost immediate efforts to then trade their new wares with other peoples across the sound all suggest that trade was already an important part of

[7] Si'ahl is better known to English speakers as "Chief Seattle", based on a popular Anglicization of his Lushootseed name. In order to prevent confusion with the eponymous city, I refer to him as Si'ahl throughout the text. Si'ahl's father was identified as Suquamish and his mother as Duwamish (Prosch 1908, 305); he was born and raised in a Duwamish village and as an adult he resided primarily across the Sound on Suquamish territory (Prosch 1908, 305; Waterman et al. 2001, 20, 46).

social/economic life before Vancouver's arrival. Their goods and trading practices, moreover, did not bear obvious hallmarks of European influence or market effects other than a preference for copper, which could have been introduced indirectly by other indigenous peoples in the region. If the inhabitants of the camp had previously traded with Europeans, their expected terms and available goods did not indicate it.

Vancouver's records also indicate that the inhabitants were engaged in a seasonal migration. The "miserable" (Vancouver 1798, 261) encampments described by Vancouver might have been sufficient for the conditions of late May, but would be intolerable even for the mild winters of the Puget Sound. Vancouver's observations that almost every inhabitant of the site was engaged in digging roots in an adjacent meadow suggests that the encampment may have been made specifically for that purpose, with other sites preferred for fishing and gathering shellfish. That fishing and shellfish were continuously smoking likewise indicates either that the villagers were preserving food that had been acquired at another site or by trade. The impracticality of trading fish and shellfish that had not already been preserved, however, may make the latter option less likely than that the villagers had brought these goods to the present site themselves.

With regards to social organization and political life, Vancouver's notes are perhaps more informative in their lack of detail than in those that are provided, particularly in shedding light on social status and leadership within the village. The seemingly minimal division of labor within the village provides little evidence of what status distinctions prevailed within the community, with the exception of a few individuals who distinguished themselves merely by being "most active" (Vancouver 1798, 262) in organizing the welcome for Vancouver and his crew. Since it is impossible to verify whether or not these individuals were leaders in any meaningful sense,

however, the most that can be said is that this encounter failed to provide positive evidence for a strongly centralized leadership structure before sustained contact with Europeans while, at the same time, not precluding its existence either.

Slow Growth of Settlement, 1827-1850

The final implementation of the Nootka convention with Spain in 1795 ended with the port itself "left for the Indians" (Meany 1909, 32) and British traders without any permanent base north of the Columbia River (present-day border between Oregon and Washington State) for over thirty years. In 1827, the Hudson's Bay Company established Fort Langley on what is now the Fraser River (present-day British Columbia) (Bagley 1915a, 181) and in May 1833 Hudson's Bay Company official Archibald McDonald led a company that established Fort Nisqually (also known as Nisqually House) on a site less than a mile from the Puget Sound and about fifteen miles south of where Vancouver and his crew landed in 1792 (Bancroft 1886, 524; Bagley 1915a, 180). This company became the first known European-originating settlers on Puget Sound (Bagley 1915a, 179).

Journals of the occurrences at Fort Nisqually (reprinted in Bagley 1915a, 1915b, 1916a), maintained by company officials, include detailed records of trading activities between the HBC and indigenous residents from all over the sound, including some attempts at noting the collective identities of the parties involved in those trades. However, with very little knowledge of the local languages and mostly reliant on the use of the regional trade language known as Chinook jargon[8] in communicating with indigenous residents, these records typically rendered phonetically (at least roughly) whatever indication they had about the collective identities of

[8] Meany (1909, 25) asserts that Chinook jargon came about as the result of a list of native words prepared by Captain Cook while at Nootka, but this is doubtful.

indigenous individuals and groups. Although some entries simply refer to "Indians" generally (e.g., Bagley 1915, 182), many attempt to document the author's (mostly Dr. William Fraser Tolmie, a surgeon working for the HBC) understanding of indigenous identity and political affairs. They also show the extent to which European fur traders were already interacting with the indigenous population. One of the earliest entries in the Fort Nisqually Journal, made June 8, 1833, reads, in part:

> 8th Saturday—Having understood last night that Chihalucum the Soquamus Chief was in the vicinity after returning [to]day from a visit to Port Townsend for news about the expected Vessel, we after Breakfast bent our course up the Canal for a Short distance & picked him up" (quoted in Bagley 1915, 183)

This account suggests that non-indigenous traders were already fairly familiar with, if not especially knowledgeable about, indigenous communities even soon after the fort was established and they were actively interacting with parties that they considered to be politically important. Challacum, for example, mentioned in the entry above, is subsequently mentioned in dozens of other records (with a variety of spellings), both by the Hudson's Bay Company as well as the Catholic church (Lewarch 2012, 6, 10). Moreover, given the way that the HBC sought him out so soon after their arrival, it is quite possible that Challacum had a preexisting trading relationship with the HBC at their Fort Langely outpost (Lewarch 2012, 6).

These early records by the officials Hudson's Bay Company represent the first efforts on the part of non-indigenous actors to conceptualize the political communities of the Puget Sound. Lacking an understanding of the language in which these basic terms of collective allegiance and identity were expressed (Lushootseed, not Chinook jargon), much less the cultural understandings that such language encoded, these officials were ultimately limited in their understanding of the local political structure. However, their records nevertheless establish a

basic sense on the part of the traders that the communities to the north of Fort Nisqually on the west side of the sound knew themselves as "Soquamish" (Suquamish) while their neighbors on the opposite bank, who were presumably less frequent visitors to the Fort, referred to themselves by another name, variously rendered in the HBC journal as "Nuamish," (1833, July 17 reprinted in Bagley 1915a, 190) and "Tough-no-wa-mish" (1834, Sept 23 printed in Bagley 1916a, 75) and, in Tolmie's 1833 journal, as "Tuomish" (Longtin 1980, 20; Thrush 2017, 26).[9] He describes them as "miserably poor and destitute of firearms" (Thrush 2017, 26). Although the Hudson's Bay Company attempted to conduct several censuses of the Indian population of the Puget Sound region, their enumerations were largely confined to the southwestern portions of the sound nearest to Fort Nisqually. No estimate of the Duwamish (by name) or even the territory with which they are associated in other HBC records (on the east side of the Puget Sound, near the mouth of the Duwamish river) is made in the 1838-1839 (Taylor 1960, 402-405) or 1844 (US BIA 1855, 251).

In addition to the British presence in the form of HBC and Fort Nisqually, the Puget Sound also soon saw the arrival of increasing numbers of Americans, many of whom saw the region as an untapped potential source of fertile soil and natural resources, such as timber and coal. The U.S. government also began to show interest in the region, beginning with the commissioning of Navy Lt. Charles Wilkes to explore the Pacific coast, including the interior of the Puget Sound. Although his expedition took him through parts of the interior Puget Sound that had not yet been explored by whites, he did not extensively explore the east side of the sound and the Duwamish (or territory associated with them) are not specifically named at any point. He did, however, enter a small pass at the northern tip of what is now known as Bainbridge Island,

[9] These are all renderings of the same Lushootseed word: *Dkh^{w}'Duw'Absh* (Duwamish).

the site of a large longhouse, known to local tribes as Old Man House, located on the territory of the Suquamish people (identified by name) (Longtin 1980, 22-23).

In 1846, the United States and Great Britain resolved their long-standing contest for dominance over the territories north of the Columbia River, completing a treaty which placed all of present day Washington and Oregon, including Fort Nisqually and the rest of the Puget Sound region, in U.S. control (Thrush 2017, 26; Meany 1909, 134-135; Stevens 1859, 3). While the Hudson's Bay Company and its successor, the Puget Sound Agricultural Company, maintained their posts above the Columbia River until the settlement of final claims was completed in 1863, (Meany 1909, 103-104), the majority of settlement activities after this point were by Americans. On August 14, 1848, Oregon Territory was established by an act of Congress. The territorial governorship was attached to the position of superintendent of Indian Affairs for the territory, thereby giving the officeholder *ex officio* authority to negotiate treaties on behalf of the federal government (Reddick & Collins 2005, 376).

In the fall of 1847, American settler Thomas W. Glasgow explored Puget Sound in a canoe and chose a site on the north Puget Sound, in what is now Whidbey Island, to settle. He then traveled to Tumwater, near the southernmost inlet of the Puget Sound [Budd's Inlet], where some Americans were beginning to congregate, to encourage other settlers to consider Whidbey Island for a permanent homestead (Bancroft 1890, 10-11). When he returned to the island in July 1848, he brought another settler Antonio B. Rabbeson back with him (Bancroft 1890, 10-11; Hawthorne 1893, 30; Meany 1909, 225). In August, Rabbeson wrote about the arrival of "about eight thousand" Indians at Penn's Cove, representing every regional tribe including the Duwamish. On the third day of the gathering, a council of the tribes of the Sound was held on the topic of the increasing encroachment of white settlers around the Puget Sound (Bancroft 1890,

11; Hawthorne 1893, 30, 33). By Rabbeson's account, he and Glasgow were permitted to attend this meeting and later reported on the ensuing debate between tribal leaders (North Pacific History Company 1889, 530).

By Rabbeson's account, the first speaker, Patkanim, of Snoqualmie and Soljampsh parentage (Denny 1909, 371; Miller 1997, 375), decried the exploitation of the region by the Hudson's Bay Company, calling for the destruction of Fort Nisqually and expulsion of all King George men [British subjects]. The next speaker suggested that the Boston men [American citizens] settling at the southern end of the southernmost inlet of the Puget Sound, a site called Tumwater, should be attacked as well, having received reports from cohorts in the Willamette Valley [present-day southern Oregon] that the Boston men were extremely numerous and that "if something was not done to check their coming, they would soon overrun the country…" (North Pacific History Company 1889, 530). Another speaker, however, named in settler records as Grayhead and associated with the peoples living in the immediate area of present-day Tumwater [Chehalis and Nisqually], objected that the presence of Bostons had the advantage of providing some protection from slave raids and pillaging by tribes to the east of the sound, including the Snoqualmie and Snohomish. A leader of the Duwamish, however, declared that his own people, as the occupants of the territory between these tribes and Tumwater, could provide that protection instead of depending on the Bostons. By Rabbeson's account, Greyhead replied that he would prefer one Boston with a rifle over "all of the Duwamishes" and the "hard words" continued (North Pacific History Company 1889, 530). Glasgow and Rabbeson fled Whidbey Island soon thereafter, returning south to the Tumwater settlement (Bancroft 1890, 11).

While Glasgow and Rabbeson's return to Tumwater represented a brief setback for non-indigenous settlers in the central Puget Sound, back in Washington, D.C., the federal government

was taking its own actions to open the western territories to white settlement and, ultimately, strip the indigenous inhabitants of title and access to their lands. Federal Indian policy in the Jackson era had sought to solve the "Indian problem," as they understood it, primarily through treaties which removed eastern peoples from their ancestral land into designated territories west of the Mississippi River (Prucha 1981, 153). As the western frontier (and, with it, American settlement) moved westward, however, efforts were made to identify ways of extinguishing native title and removing indigenous peoples from their existing territories (both east and west) without interfering with western expansion and settlement (Hoopes 1932, 7).[10] Commissioner of Indian Affairs William Medill expressed the problem, as it appeared to settlers, in his 1847 Annual Report. Estimating the Indian population of the Oregon territory at around 30,000, he argued that since their knowledge of and relations with the U.S. government were "extremely limited" (21) and that "their principal trade continues to be carried on with the subjects of foreign governments," primarily the British employees of the HBC (US BIA 1848, 21), allowing them to continue to reside along the preferred routes of the settlers posed a threat that the government should not ignore. He wrote that the "unprotected and greatly exposed condition of our fellow citizens in Oregon will no doubt attract, as it merits, the attention and early consideration of Congress" (US BIA 1848, 21). The following year, he offered an outline the beginnings of a new reservation policy, whereby treaties would be negotiated with "border" tribes to remove them to small, isolated tracts of land and thereby create a native-free corridor through which settlers could pass (Trennert 1975, 30-31).

[10] The concept of "Indian title" was established in the Supreme Court's 1823 ruling on *Johnson v. M'Intosh*. This ruling asserted that tribes maintained the right of occupancy over their territories, that tribal territories were (and had always been) communally held with no separate property, and that tribal lands could only be sold to the government by tribal chiefs on behalf of their entire tribe (with payment for said lands made through the chiefs as well) (French 2007, 40-41).

While a coherent policy for dealing with Indian affairs in the Oregon Territory was still being developed, however, settlers to the Puget Sound region continued to arrive and establish their own relations with the existing inhabitants of the area. Among the most historically significant was the arrival of Col. Isaac N. Ebey and his party at Tumwater in January of 1850. In the spring and summer following his arrival, Ebey explored the Sound extensively, following the White and Puyallup Rivers north, through what are now the cities of Auburn and Puyallup, and into the Duwamish River. His reports gave the name "Dwams" to the river that is today known, in a further Anglicized form, as the Duwamish (Farrar 1916, 240-241).[11] According to B.F. Shaw (n.d.), one of these late-summer excursions brought Ebey (with Shaw and a Mr. Kinsey) from Olympia through the central Sound and into what is now Elliott Bay. By Shaw's (n.d.) account, they saw "an Indian village located on a large sand spit, which was alive with moving Indians" (n.p.) and landed on the shore. "In less than a minute after our boat touched the sand," he recalled, "out they came and rushed down to the beach, and such a whooping, such a jumping stiff-legged, such a shaking of knives and blankets and shooting off of guns, I had never seen before." A man emerged through the crowd and presented himself to the newly arrived party, addressing them in Lushootseed with another man providing translations in Chinook jargon.[12] By Shaw's account, the man said:

> My name is Sealt [Si'ahl], and this great swarm of people that you see here are my people; they have come down here to celebrate the coming of the first run of good salmon. As the salmon are our chief food we always rejoice to see them coming early and in abundance, for that insures us a plentiful quantity of food for the coming winter. This is the reason our hearts are glad today, and so you do not want to take this wild demonstration as warlike. It is meant in the nature of a salute in imitation of the Hudson

[11] The following year, another American settler, Samuel Hancock (1927, 115, 122), identified the same river as the Duwamish while surveying the area for coal.

[12] Si'ahl reportedly spoke neither Chinook jargon nor English (Costello 1895, 105).

> Bay Company's salute to their chiefs when they arrive at Victoria. I am glad to have you come to our country, for we Indians know but little and you Boston and King George men know how to do everything. We want your blankets, your guns, axes, clothing and tobacco, and all other things that you make. We need all these things that you make, as we do not know how to make them, and so we welcome you to our country to make flour, sugar and other things that we can trade for. We wonder why three Boston men should wander so far away from home and come among so many Indians. Why are you not afraid?

As the only speaker of Chinook jargon in their party (and having no speakers of Lushootseed), Shaw reports that it was left to him to offer a response to this speech and explanation of their arrival. To the assembled crowd, he explained:

> We have come on a mission of peace and friendship and as our people are becoming so crowded in the East we are looking for a place to locate them; if we find any country for these people to settle in that is suitable a letter will be sent to them bidding them to come. Then our people will perhaps come out and settle in your great country. They will build sawmills, flouring mills, sugar mills, blanket mills and stores, where everything will be kept for trade with the Indians. They will build churches and school houses where your children—if they desire—can learn to do all the things that we can do.
>
> You think you have a great many people, but they are nothing to compare with the great number of our people. Can you count the number of salmon that are running in your bays and rivers, or the trees that are standing on these hills? No more easily can you count our people. We want to be friendly, so that the great Doquebalt (God) will look down upon us all and make us of one heart.

Shaw reports that his speech was received with an ovation and an invitation to stay for a meal. Following the food, the men were invited up to "witness a great war dance" in the home of the chief. The chief's house, located on high ground above the beach, was estimated by Shaw at 200 by 40 feet and constructed of split cedar boards. "In the interior of this house," he recounted, "were long rows of bunks, which lined each side of the building, and a large space was left open in the middle, in which fires were built by different families for cooking." Shaw and company watched as "a procession of four or five hundred Indians" danced and sang and, after the

performance was complete, were invited to another important social function: the initiation of a new medicine man.

While the specifics of Shaw's account are somewhat questionable, having been published at least fifty years after the events in question and including many self-justifying elements, some aspects of it are at least quite plausible. Ebey's contemporaneous journals demonstrate that he was venturing into the central sound in the summer of 1850, the longhouse description that Shaw gives is consistent with local architectural conventions, and the longhouse size is appropriate for the area (Waterman and Greiner 1921, 14-20; Tecumseh 1927, 684).

Land Grabs, 1850-1852

Meanwhile, as Ebey was venturing forward as the first white person to navigate the "Dwams" and enter what is now Lake Washington [east of Seattle], legislators in Washington D.C. made their own efforts to ensure non-native control of the rest of what is now western Washington. On June 5, Congress passed a bill authorizing the negotiation of treaties with the Indians of the Oregon Territory (itself just less than two years old) to accomplish "the Extinguishment of their Claims to Lands lying west of the Cascade Mountains" (reprinted in Prucha 2000, 80). In addition to the relinquishment of native claims to all land west of the Cascades, the bill further suggested that these treaties remove the peoples in question to reservations on the eastern side of the Cascades "if found expedient and practicable" (Prucha 2000, 80-81). To carry out these goals, the bill created a commission consisting of three agents, John P. Gaines, Alonzo A. Skinner, and Beverly S. Allen (Reddick & Collins 2005, 376).

However, before the commission had the chance to take meaningful action on the treaty process, Congress pressed further in its own efforts to divest the indigenous communities of Oregon Territory of their land and ensure that white settlement would continue to expand. In

September 1850, less than 4 months after the treaty process was authorized (and over four years before the first treaty was signed, much less ratified), Congress passed a bill granting each qualified settler or "half-breed Indian" who arrived in the territory before December 1850 up to 320 acres of land with smaller plots granted to settlers arriving after that date but before December 1853 (WA Territory 1855, 43-52). The law, known as the Donation Land Act, made no mention of the pre-existing occupants of the land, their right of occupancy, or their legal title to that land, therefore permitting claims to be filed even on land on which indigenous communities were actively living without obtaining their consent or providing remuneration. This policy directly contradicted prevailing United States law, as expressed in the Supreme Court's 1823 ruling in the case of *Johnson v. M'Intosh*, which had asserted that native occupancy rights could not be terminated by private actors but rather through a (formally) voluntary agreement to removal as part of the terms of a sale to the government (Prucha 1984, 113).

In their contacts with various tribes through the region, however, the newly formed treaty commission quickly concluded that such voluntary removal was not likely to succeed in many cases. In a letter to Commissioner of Indian Affairs Lea dated April 19, 1851, Gaines, Skinner, and Allen describe their efforts with a tribe in the Willamette River valley of what is now northern Oregon. They explain:

> Before entering into these treaties, we exhausted every argument, and availed ourselves of every means of persuasion which we were authorized to make use of, to induce the Indians to remove east of the Cascade mountains; but the Indians, without any exception, manifested a fixed and settled determination not, under any circumstances, or for any consideration, to remove. They urged, as reasons for not wishing to do so, that their fathers had lived and were buried in this country; that it was their native land, and that they wished to be buried by the graves of their ancestors; that they were unacquainted with the country east of the Cascade mountains, and were ignorant of the means of procuring a livelihood in any other than the one in which they now live; and that it would

> be more humane and merciful for the whites to exterminate them at once, than to drive them from this country east of the Cascade mountains. (US BIA 1851a, 205)

According to Gaines, Skinner, and Allen, the tribe also insisted that, while they had always welcomed white settlement, they had repeatedly expressed to the settlers their "determination never to part altogether with the land containing the bones of their fathers" (US BIA 1851a, 205). This strong resistance to part with their land, combined with the fact that members of the tribe were "useful to the white population of the country," both as "useful agricultural laborers" and "living in white families in the capacity of domestic servants" (206), prompted the commissioners to express the following opinion:

> …that the most feasible plan for the civilization and enlightenment of the Indians of this country, is to permit them to remain in the neighborhood of the white settlements, and to be employed in the various industrial pursuits of the white man. The Indians, unlike those on the east side of the Rocky mountains, are not only willing, but anxious, to adopt the habits of civilized life… (206)

While this opinion was not specifically based on interactions with tribes around the Puget Sound, the decision to juxtapose their attitudes against those of the peoples "on the east side of the Rocky mountains" may indicate the commissioners awareness that this attitude was not rare among the peoples of western Oregon Territory.

In a letter to Commissioner Lea dated the following month, Gaines, Skinner, and Allen (US BIA 1851a) described the challenges they faced in negotiating the first four treaties with tribes in western Oregon Territory. Convincing (at least some) members of these tribes to sell most of their land, with only a small area free of white settlement reserved for their own use, was clearly less of a challenge to the commissioners than attempting to convince the tribes to agree to complete removal, but the treaty process had unique challenges of its own. Since the Donation Land Act had already given the land to white settlers "without reference to the previous

extinction of the Indian title," (207) very limited land was left for creating these reservations. At the same time, they noted that "the natives of western Oregon, so far as we have seen, without exception, are possessed of local attachments of the strongest kind," (207) and that their habitations were "not only permanent but hereditary" (207). They elaborated further that the relevant social divisions were largely at this local level as well, describing the tribes as "[d]ivided into bands or families… but retaining each their separate chiefs occupying their own lodges in the different districts of country, having no generic name, and no ties but a common language" (207). For this reason, they argued that it was "generally impossible to amalgamate portions of even the same people" (207) and noted that "their reluctance… to abandon their favorite situations" (207) was quite nearly as great as their resistance to outright removal. Finally, they noted a grim resolve in the tribal leaders with which they negotiated, finding "amongst all of them the fixed impression that the doom of their race was sealed, and the same stubborn determination to die where they were born" (US BIA 1851a, 207). Given the challenges that the Donation Land Act posed to the acquisition of quality land for reservations and the steadfast resistance of the tribes to removal, they therefore wrote that they found themselves "compelled, against the will of the Government, as expressed in our instructions, to accede to reservations in the lands purchased" (207). Nevertheless, they argued that the presence of these reservations should not entail "considerable annoyance to the whites," as the reservations were to be primarily composed "ground unfitted for cultivation, but suited to the particular habits of the Indians" (207). Further, they expressed their opinion that "the only hope of further civilizing them seems to be keeping them with us, and using them to our habits and employments" (208).

The Senate, however, did not share the opinion of the commissioners and ratified none of the treaties they negotiated (Reddick & Collins 2005, 377; Coan 1922, 4).[13] Congress instead transferred treaty making authority for the Oregon Territory back to the Superintendency of Indian Affairs for Oregon Territory, headed at the time by Anson Dart. Dart created a district agency for the Puget Sound based at Steilacoom [south Puget Sound] to develop a better understanding of the local Indian tribes and ultimately carry out his treaty making responsibilities (US BIA 1851a, 211; Hill 1974, 194), noting in his first letter to Commissioner Lea that he had no "reliable information" as to the native population of the Puget Sound (US BIA 1851a, 215). While opining that there "will not be time to visit the Puget sound country before the commencement of the rainy season," he committed to sending an agent to that country as soon as possible, a task that was eventually assigned to agent Edmund A. Starling (US BIA 1851a, 215; US BIA 1852, 156; Hill 1974, 197; Reddick & Collins 2005, 377).

In one of his first letters to Indian Affairs Commissioner Luke Lea after assuming treaty making responsibility for Oregon Territory, Dart noted the challenge to his office posed by the Donation Land Act and further relayed his concern that it would lead to an intractable conflict between the settlers and Indians. His entire letter is reproduced below:

> Sir
>
> In the closing remarks of my letter to you of the 18th inst. – I attended to a subject upon which I should ask your consideration and advice – It is in reference to the awkward position in which our government is placed in Oregon. It is probable, however, that the attention of the Government has already been called to this subject. (It must however have escaped the notice of Congress or the Government never would have been placed in this position) I allude to what is called the Oregon Land Bill – in which Government is bound to give to every actual settler in Oregon three hundred and twenty acres of land or six hundred and forty to a man and his wife at the same time every acre of this land is

[13] In May 1853, Indian Affairs Commissioner Manypenny wrote that "it is assumed that [the treaties] have been virtually rejected" by the Senate (US BIA 1853, 213).

owned and occupied by a people that the Government has always acknowledged to be the bona fide and rightful owners of the soil. These facts however, are not known to the Indians, nor do they know the fact that the Government has never forced the Indians from their land without first having bought them – Were these two facts well understood by the Indians of this country, the end of the trouble growing out of it could not be foreseen.

A serious difficulty, however, is unavoidable – it is this the Indian tribes in Oregon will never consent to part with their lands, without preserving small portions in each Tribe or Band for their own use. All the land of value is claimed by the white people as having been given to them by the Government. The Indian says he must have a small portion reserved to himself without the interference of the white man. The white man says he will not allow the Indian to reserve his claim. I do not now speak of what I fear *may take* place but of what has *already* taken place in all the Treaties made by the Commissioners. The greater part of the land reserved is claimed by the settlers thereon.

While I shall anxiously await your advice on this subject I will go on, and act in a way that will place the Government in the best position that the nature of the case will possibly advise of in my judgement –

I have the honor to be
Respectfully your obt servt
Anson Dart
Superintendent

(US BIA 1851b, n.p.)

Dart's letter is significant not only because it shows that U.S. officials were cognizant of the injustice being committed against the indigenous residents of the region, but also for the additional detail it provides about how that injustice was accomplished. By Dart's account, the native inhabitants of Oregon territory were not made aware of their legal right, in the eyes of the federal government, to their ancestral territory nor did they know that they should expect be paid for their land prior to its seizure. They did, however, have expectations that the U.S. government, as a result of the Donation Land Act, would soon be incapable of fulfilling, as the rapid claims of white settlers threatened to exclude the Indians from any land they might hope to retain.[14]

[14] The applicability of this claim to the Puget Sound is confirmed by Indian agent Starling's first report to Superintendent Dart on the Indians of the Puget Sound district, which states: "Government having granted lands

Unaware that their land was being given away by a government with which they had the most minimal of contacts, many of the indigenous residents of the Oregon territory therefore found themselves helping the settlers who were arriving to displace them. So, on September 25, 1851, when settlers David Denny and John Low arrived in what is now Olympia, they found "scores" of indigenous people on the shore to greet them (Thrush 2017, 27-28). Among them was Si'ahl, who agreed to procure locals to help execute their party's voyage to what is now the Seattle area[15]. The same month, the first white settlement on the Duwamish river was established and, soon after, Denny's party staked a claim at a jutting point on the mouth of the Elliott Bay (Denny 1888, 22; Grant 1891, 46-47, 68-69). On November 13, accompanied by members of the local Indian community, the Denny Party landed at this point and from there established a settlement, known first by the ambitious name of New York but which, by 1853, had come to be known locally by the Chinook jargon word *Alki*, meaning "by and by" (Bagley 1916b, 31). These were the first known non-indigenous settlements people in territory claimed by, and identified with, the Duwamish people (US BAR 1996, 37).

The following March, Denny, along with Carson Boren, and William Bell, circumnavigated the waters of what is now the Elliott Bay in search of the best location to establish a permanent settlement (Thrush 2017, 36). The location that they selected, which was at

upon certain conditions to actual settlers, without reference to the extinction of the Indian title, settlers are scattered all over this part of Oregon in every direction" (US BIA 1852, 173).

[15] In addition to his encounters with Vancouver and Ebey, by this time Si'ahl had also won the regard of another American settler to the region, Doctor David S. "Doc" Maynard, with whom he had become acquainted in Olympia sometime in late 1850 (Bagley 1931, 244-245). He also appears to have been known to the Catholic missionaries around the Sound by this time as well, as the baptismal register of the St. Joseph of Newmarket Mission of the Oblates of Mary Immaculate includes an 1848 listing for "Noe Siattle", a likely variant of the Christian name, Noah Seattle or Sealth, that he used throughout his contacts with whites (Buerge n.d., n.p.).

the time the mouth of the Duwamish River[16], today houses the Seattle Ferry Terminal (on Alaskan Way between Yesler and Cherry), a few blocks from downtown Seattle. Their report says little about the local population, noting only that they saw the remains of an "Indian hut" (quoted in Thrush 2017, 37) on the water's edge. Meanwhile, David Maynard, on the advice of his friend Si'ahl, decided to join the new settlement near Elliott Bay and, in late March 1852, hired Si'ahl and an Indian crew to pilot his boat to the Puget Sound (Bagley 1931, 245). In July, a voting precinct and school district were established for the new settlement by the Thurston county commissioners, which they named "Duwamps" – yet another variation on the Lushootseed word now commonly rendered "Duwamish" (Bagley 1916b, 22). Soon thereafter, Henry Yesler built the first steam-powered sawmill on the Puget Sound in order to more effectively exploit the rich timber resources in the region, which also helped establish the town of Seattle as a potential center of economic development in the region (Bagley 1916b, 25; Ficken 2002, 12).

Identity and Classification, Period One

The period from just before the Duwamish came into contact with European-originating peoples until the establishment of permanent white settlements in Duwamish territory reveals two differing understandings of Duwamish identity: that of the Duwamish themselves, whose self-identification was oriented around territory, and that of European-originating actors who viewed the Duwamish racially as "Indians" and ethnically as part of "tribes".

[16] As chapter four addresses, the Duwamish River as such no longer exists, having been extensively dredged and rerouted and eventually losing its source of water due to the creation of the Lake Washington Ship Canal. The contemporary Duwamish Waterway, an industrialized estuary created by the Army Corps of Engineers, follows the course of the historic river only approximately.

The primary evidence of how collective self-identity was structured both by the Duwamish and other indigenous peoples in the region can be found in the Lushootseed terms used in the region. As early as 1833, Tolmie records the name “Soquamus” [Suquamish] (quoted in Bagley 1915, 183) and several variants of Duwamish, among dozens of other local names. In Shaw’s account of his arrival at Elliott Bay in 1850, Si’ahl is quoted as describing the people with him as “my people”, at least implying some degree of collective identification. These boundaries are repeatedly defined by early white observers around local geography. Even before knowing what these names meant in Lushootseed, early records indicate an awareness of the territorial significance of the terms. Tolmie (1933, reprinted in Bagley 1915a, 1915b) indicated that the “Soquamish” and the “Nuamish”/ “Tough-no-wa-mish”/ “Tuomish” resided on opposite sides of the sound, Wilkes likewise identified the Suquamish people in relation to the area around “Old Man House” in 1840.

The strong resistance to removal may be considered some evidence of territorially-based identity, although it can be difficult to distinguish concern for the loss of existing livelihood from concern for the integrity of group identity in many instances. Where individuals express their identity in terms of an ancestral connection to the land, however, it could be considered an indication that the land itself has some significance to the boundary itself. Perhaps the clearest articulation of this connection between identity and resistance to removal is found in Gaines, Skinner, and Allen’s (US BIA 1851a, 205-210) account of their (ultimately failed) treaty negotiations across the western portion of Oregon Territory. The residents of the Territory, they wrote, “are possessed of local attachments of the strongest kind,” and understood their relationship to their land as “not only permanent but hereditary” (207). Their account also speaks

to the nested nature of the identities in the region, explaining that tribes were divided further into "bands or families…" (207) with leadership existing at that lower level.

That these boundaries corresponded meaningfully to the organization of social life can be illustrated most clearly in the fact that the categories themselves acted as re-articulations of the actual physical spaces that materially (and spiritually) differentiated social life. Territories were conceptualized in relation to their utility, both in terms of the particular subsistence practices that the territory was suitable for and its metaphysical significance, such that these territorial boundaries, as applied to individual persons, serve to express a general mode of life shared in common with others of that same identity. To be a person of the inside, as the word Duwamish translates, is to share in common the mode of life, material and spiritual, of the specific lands around what is now the Elliott Bay. To the extent that everyday life was largely oriented towards particular locations, identities based on those locations were almost necessarily salient.

Because there is evidence of 'nested' identities at multiple levels (from the family up), the relative salience of these identities is also important to consider. Gaines, Skinner and Allen's (US BIA 1851a, 205-206) report on their treaty negotiations supports the view that social life was primarily organized at the local level and that amalgamating those smaller units was "generally impossible" (207). This suggests that fairly localized identities prevailed in most social contexts, such that much of social and political life was organized around categories at the local level.

If his account is true, however, Rabbeson's description of the "council of the tribes" that he and Glasgow allegedly witnessed in 1848 suggests that at least some aspects of political life were organized across village and standard "tribal" lines. Although lacking severely in details on how some individuals wound up "representing" (in some sense) their tribe at this council,

Rabbeson's account at least suggests that individuals who were, in other contexts, tied to more local identities ("tribes") would under certain circumstances (in this case, in response to two potentially threatening 'others' – the Bostons and the King George men – come together across those boundaries and mobilize regionally.

In addition to whether or not the group is socially and politically mobilized as such (that is, that political activity is oriented along ethnic lines), I also consider the mode of political mobilization, in particular the extent to which the group has a centralized political structure or fixed leaders. A nested political structure, in which power relations are structured across a set of overlapping categories, is not particularly compatible with the prevailing conception of ethno-national political mobilization held by most European and American actors in the 19th century.

Whether the "chiefs" described by Rabbeson were formal leaders or simply respected men who wanted to speak is also unclear, though the account implies that decisions were made more by consensus than through deference to an authoritative leader, as the narrative suggests a long, heated discussion between several parties. This ambiguity, whether individuals who appear particularly active in a setting should be thought of as leaders (or 'chiefs'), shows up throughout the early records (indeed, as early as Vancouver's account), with individuals frequently described as 'chiefs' uncritically or without substantiating details. Complicating this is the use of the Lushootseed word *si'ab*, which was taken by early settlers to mean 'chief' but is more accurately translated as 'nobleman, 'person of influence,' or 'leader' (Bates et al. 1994, 14; Waterman et al. 2001, 17). Also ambiguous are cases where such purported leaders use phrases like 'my people' (for example, Si'ahl's speech to Shaw in 1850), which could either state personal affiliation with the group or ownership of the group depending on how it is interpreted.

The classification of the Duwamish by European-originating actors, including both explorers and early settlers, follows a long pre-existing pattern of relations between such actors and the indigenous peoples of the Americas for several centuries. The records of the earliest points of contact between indigenous peoples of the Puget Sound and persons of European ancestry, such as the journals of Vancouver's expedition and the Hudson's Bay Company, follow a standard classificatory scheme whereby indigenous persons are understood racially as "Indians" and thereby assumed to have an ethno-national organization that is "tribal," with chieftainship as the organizing political principle. In addition to this pre-existing classificatory schema, the records for this period also demonstrate the agendas of these non-indigenous actors in their relations with indigenous communities. Although the region was comparatively late in capturing the attention of imperial powers, it was quickly understood to be both economically valuable and well-situated for permanent white settlement.

Chapter Three: Period Two (c. 1853 through c. 1890)

In the second period, spanning from the establishment of permanent non-indigenous settlement in Duwamish territory to the late nineteenth century, the classification of the Duwamish by non-indigenous actors changed due to the treaty process and subsequent Indian Wars. The treaty process required relations with specific, named groups attached to discrete territories that the treaties were meant to secure for white settlement, leading to a heightening of the ethno-national "tribal" scheme in both information collection and attempts to reconfigure the social landscape in a manner that was conducive to the emerging reservation policy. The Indian Wars, on the other hand, quickly led non-indigenous actors to re-emphasize a racial scheme in their relations with indigenous peoples, including the Duwamish.

Rush for Treaties, 1852-1855

Once a permanent non-indigenous settlement in what is now the Elliott Bay was established and the treaty-making process began in earnest, references to the Duwamish in the written record become much more frequent. The expansion of settlement necessitated much more specific information about the indigenous population than had previously been compiled and the treaty process more specifically created an immediate need for an exhaustive accounting of the various tribes in the region, including the enumeration of their populations, specification of their territorial bounds, and identification of political leaders to act as treaty signatories. To this end, Indian Agent Starling reported on the Duwamish in 1852, recording their name as "Nee-wam-ish," locating them on the "Nee-wam-ish river, bay, and vicinity" and stating their "Supposed number" as 60 (US BIA 1852, 170).[17] The same year, however, Starling wrote to

[17] Starling's report on the district dated September 1, 1852 states that while he "attempted to learn with accuracy the number of Indians in each different tribe" (US BIA 1852, 169) and to "prepare a map of the country contiguous to the sound," neither had been possible within his existing means (US BIA 1852, 170).

Dart that he was having a tough time merely identifying the leaders of different groups in the region and that accurate enumeration was impossible (Reddick & Collins 2005, 377). An army officer likewise described the "organization" of tribes in the region as "imperfect" and said it was "difficult to ascertain whom they regard as the chief or head man" (US BAR 1996, 35).

The following March, the United States government created the Washington Territory out of the northern portion of the existing Oregon Territory, again changing the administration of Indian affairs and stewardship of the treaty process (Prucha 1984, 402). The Puget Sound District Agency was transferred to the authority of the new Washington Superintendency (Hill 1974, 194). Isaac Ingalls Stevens, a Lieutenant of Engineers in the Mexican war, accepted the position of territorial governor and superintendent of Indian affairs in March (Ficken 2002, 23). His appointment coincided with a shift in federal Indian policy towards the creation of reservations as a means of limiting contact between whites and indigenous peoples as well as securing land for white settlement in the western territories (Bagley 1916b, 54). In May 1853, Bureau of Indian Affairs Commissioner George W. Manypenny instructed Stevens to direct his office's "earliest attention and efforts to the collection of information… touching the number and localities of the Indians, and all other facts it may be in your power to collect" (US BIA, 214) on a wide range of topics that might help in placing "our Indian relations in that Territory on a proper basis" (215). Although Indian Agent Starling had been assigned to the Puget Sound Agency by Anson Dart and had been living at Steilacoom since October of 1851, by the time Stevens took over, Manypenny asserted that "little progress has been made towards the adoption of suitable measures for placing the department in the possession of full and satisfactory information in regard to the condition of Indian affairs" (US BIA 1853, 213).

At the end of the year, however, Stevens reported to Manypenny that, in his opinion, a quick completion of the treaties would be necessary due to the rapidity of settlement and the risk that no unclaimed land would remain for Indian use once the treaties were ratified (Prucha 1984, 403; Harmon 1998, 78).[18] A few months later, Stevens wrote to the Office of Indian Affairs that it would speed the process of settling the land with non-indigenous people if the indigenous residents of the region were moved onto temporary reservations before later transferring them to a general reservation somewhere in western Washington (Reddick & Collins 2005, 377). He emphasized that the final reservations could be "comparatively small," noting that the British governor of Vancouver reserved only 100 acres for some 500 persons. In March, he appointed Col. Michael T. Simmons as special agent of the Puget Sound District Agency and directed him to identify the chiefs and subchiefs in Western Washington with whom treaties could be made (Hill 1974, 197; Reddick & Collins 2005, 379). Stevens himself spent the summer in Washington D.C. seeking congressional support for the treaty. In July, the efforts of both Stevens and Commissioner Manypenny successfully convinced Congress of the urgency of the treaties and won an appropriation for their negotiation (U.S. Congress 1855, 330).

Governor (and Superintendent) Stevens, however, insinuated himself even further into the process of preparing the territory for exploitation by U.S. interests. At around the same time he was recruited as territorial governor in early 1853, Stevens also successfully solicited a commission from the United States Secretary of War, Jefferson Davis, to report on a prospective route for a northern railroad to pass from the Mississippi to the Puget Sound (Hoopes 1932, 100; US Senate 1860, 31). Because the Cascade Mountains obstructed a direct route from the

[18] This rapid development was apparently slow to reach Seattle, however, if Ezra Meeker's account of his visit to the town in the fall of 1853 is to be believed. Meeker (1905) was "not… very favorably impressed" (66) with the settlement at the time, describing it as "not much of a town, probably twenty cabins in all" (66).

Mississippi to the Puget Sound, the expedition was organized into two divisions: an eastern division led by Stevens and a western division led by Captain George B. McClellan (U.S. Senate 1860, 32).

Accompanying McClellan's western division was ethnologist George Gibbs who was responsible for a survey the Indians of the area in preparation for treaty negotiations (U.S. Senate 1860, 32). His 1854 report for the Pacific Railroad Survey was described by the Branch of Acknowledgment and Research as "the most systematic contemporary account of the native societies of the Puget Sound region at the time of their first sustained contact with the white settlers and agents of the Federal Government" (US BAR 1996, 31). Nevertheless, his report on the people of the central sound is still rather limited. He identified the location of the "D'Wamish" Indians in similar terms to those used by Ebey and Starling, reporting that their "proper" territory was at "the outlet of a large lake emptying into the D'Wamish river" [south Lake Washington[19]] (US BIA 1855, 245). Additionally, he described the political landscape in the central sound in terms of a "connexion" (US BIA 1855, 245) of the Duwamish, Sammamish, and Suquamish. He reported that bands in this alliance lived in sites on both sides of Puget Sound, Vashon Island, and Bainbridge Island and that "most of them are nominally under a chief named "Seattle [Si'ahl], belonging to the Lu-qua-mish [Suquamish] tribe, but residing principally with another, the Dwamish" (US BIA 1855, 245). Although the Duwamish were not "the most numerous" of this pan-sound alliance, he attested that they were among the best known throughout the region and therefore "the whole generally bear their name" (US BIA 1855, 245). However his report also suggests that the connections between these bands were at least somewhat tenuous, stating that "[t]he jealousies existing among all these petty bands, and their

[19] At the time, the Duwamish River flowed into the Black River and from there into Lake Washington.

fear of one another, is everywhere noticeable in their establishing themselves near the whites. Wherever a settler's house is erected a nest of Indian rookeries is pretty sure to follow, if permitted; and, in case of temporary absence, they always beg storage for their valuables" (US BIA 1855, 245).

In a later report, published after the completion of the treaties but based on the same observations, Gibbs (1877) noted that Puget Sound tribes did not have names, but that "each band is distinguished by its appropriate appellation, that of the ground which it occupies" (235-236). He also expressed some doubt about the relationship between named bands at different locations, noting that the Duwamish claimed the Sammamish, Skopahmish, Sk'tehlmish, an St'kamish but had little connection to them (179). He also doubted that political control was particularly centralized, arguing that "nominal chiefs have no control beyond their own petty bands" (185).

Stevens also submitted his own report on the Indians encountered by the Pacific Railroad Survey to Indian Affairs Commissioner Manypenny, including a section on the "Indian Tribes West of the Cascades" (US BIA 1855, 239-247). Most of his language appears to have been derived from the Gibbs report (although he uses the name "Dwa-mish" and not "D'Wamish"), but he also provided a more detailed population estimate for both the Dwa-mish and five named sub-bands, each of which is also identified with a specific location. The Dwa-mish were estimated at 89 men and 73 women with each of their sub-bands enumerated separately.[20] Included are the "Sa-ma-mish" and "S'ke-tehl-mish", located at "Dwamish lake, &c." [present-

[20] Other contemporaneous population estimates: Tolmie estimated the Duwamish population at 195 in 1854 (2/17/1854, cited in BIA 1996, 36), Swanton (1965, 423) reported an estimated Duwamish population of "64 to 312" in "about 1856", Ruby and Brown (1992) refer to "[a] listing in 1856 [that] placed them at 378" (73), and Lt. De L. Floyd estimated about 60 Duwamish "on the Duwamish river and vicinity of the small town of Seattle" (quoted in US ICC 1957, 31).

day Lake Washington and Lake Sammamish]; the "Smel-ka-mish" located at the head of the White River, the "Skope-ah-mish" located at the head of the Green River, and the "St-ka-mish" located on the "Main White River" (US BIA 1855, 250).

On May 23, 1853, the non-indigenous settlers of Duwamps filed plats under the new name of Seattle (Bagley 1916b, 27), which had been in regular use by the fall of 1852 at the earliest (26). In the fall of 1853, a group of settlers reached the Puget Sound by crossing the Cascades at what is now Naches Pass, the first in a new wave of direct migration to the Puget Sound from east of the Cascade Mountains (Ficken 2002, 21). Previously, emigrants wishing to settle in the Puget Sound had to bypass the range entirely, traveling west on the Columbia River, which follows the present-day border between Oregon and Washington, before moving north to the Puget Sound along the Cowlitz River and other tributaries of the Columbia (Ficken 2002, 20). By the end of the year, however, tensions between the settlers and indigenous communities of Puget Sound seemed to be on the increase, with agent Starling reporting to Stevens in early December that the tribes in the Puget Sound district had recently "become more restless and consequently more troublesome" and suggesting the imposition of a simplified white legal code on them (quoted in Ficken 2002, 44).

In January 1854, having completed much of his commissioned survey on the proposed northern railroad, Governor Stevens himself visited the town of Seattle for the first time. Reverend David E. Blaine, a recent emigrant to Seattle, described Stevens' arrival on January 10th and spoke to the governor about his intention to explore the region and efforts evaluate its suitability for a Pacific railroad (Bagley 1916b, 33-34).[21] On March 11th, George Gibbs reported

[21] According to H. A. Smith, a prominent white settler, Stevens took the opportunity of this visit to announce to the local natives his appointment as commissioner of Indian affairs, which occasioned "a demonstrative reception in front of Dr. David S. "Doc" Maynard's office near the water" (quoted in Denny 1909, 362). By his account, the

that the "Indians were called together for a talk" (US ICC 1957, 120) for the purposes of identifying the leaders with which treaties could be made, with Seattle (Si'ahl) recognized as the head chief of "the Duwamish, Suquamish and other tribes connected with them" (120).

With exploration behind him, however, Stevens soon turned his attention to the work of making treaties. His orders from the Office of Indian Affairs, sent in August of 1854, instructed him "to unite the numerous bands and fragments of tribes into tribes and provide for the concentration of one or more of such tribes upon the reservations which may be set apart for their future homes" (quoted in Meeker 1905, 237-238), suggesting not merely the creation of treaties but the creation of new, consolidated social units in keeping with the needs of the reservation policy. He was further advised that "[t]he formation of distinct relations with each of the forty or fifty separate bands of Indians in Washington Territory would not be as likely to promote the best interests of the white settlers or of the Indians as if the latter could be concentrated on a limited number of reservations, or on contiguous reservations, in a limited number of districts of country, apart from the settlement of the whites." (237) Stevens took this charge to heart, organizing a commission in December to draft the treaty language and then, over the course of the following month, signing treaties that effectively covered the entire Puget Sound region (Prucha 1984, 403-405). There is little evidence that these treaties were negotiated in any sense of attaining mutual agreement, but rather were imposed in a manner reflective of Stevens' patronizing attitude towards indigenous peoples (Prucha 1984, 404).

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event attracted a large indigenous presence, describing the Sound as "swarmed with canoes" (362) and the "immense multitude" (363) brought to order by the "trumpet-toned voice" (362-363) of Si'ahl. Smith later recounted a speech given by Si'ahl to the assembled natives, settlers, and Stevens himself, reflecting on the impending treaty negotiations. While the meeting itself is corroborated by other sources, including Stevens himself, who claimed to have met with "a large body of Indians of nearly all tribes" [Gifford 2015, 42]), his account of the speech is widely considered apocryphal (Clark 1985, n.p.).

The treaty covering central Puget Sound, known as the Treaty of Point Elliott after the English name of the location where the treaty was signed, was signed by Governor Stevens and representatives of twenty-two named tribes on January 22, 1855 (reprinted in Kappler 1904b, 669) Representatives of the following tribes (as named in the treaty) signed:

> Dwámish, Suquámish, Sk-táhl-mish, Sam-áhmish, Smalh-kamish, Skope-áhmish, St-káh-mish, Snoquálmoo, Skai-wha-mish, N'Quentl-má-mish, Sk-táh-le-jum, Stoluck-whá-mish, Sno-ho-mish, Skágit, Kik-i-állus, Swin-á-mish, Squin-áh-mish, Sah-ku-méhu, Noo-whá-ha, Nook-wa-cháh-mish, Mee-sée-qua-guilch, Cho-bah-áh-bish

Si'ahl signed as the chief of both the Duwamish (Dwámish) and Suquamish (Suquámish) peoples. Other Duwamish signatories were two sub-chiefs, Ts'huahntl and Now-a-chais, as well as an individual named Ha-she-doo-an (or Keo-kuck). The terms of the treaty called for the tribes "to remove to and settle upon" (reprinted in Kappler 1904b, 670) one of several reservations created for the entire region "within one year after the ratification of the treaty, or sooner, if the means are furnished to them" (reprinted in Kappler 1904b, 670). The treaty established a central reservation, Tulalip, about 30 miles north of Seattle on the east side of the Puget Sound in an area populated by the Snohomish people. It also created reservations at Port Madison, about 15 miles northeast of Seattle on the west side of the Sound and populated by the Suquamish people, and at the mouth of the Lummi River, about 80 miles northeast of Seattle on the east side of the Sound and populated by the Lummi people.

None of the reservations created by the Treaty of Point Elliott, however, were on land inhabited (or ceded) by the Duwamish. Since Indians were permitted to remain on any of the ceded territory "not in the actual claim and occupation of citizens of the United States" (reprinted in Kappler 1904b, 670) until the time that the treaties were ratified by the Senate, many Duwamish remained on their land. Ezra Meeker (1905), a prominent settler and hop farmer, described some of the reasoning behind this, asserting that "Stevens made the fatal mistake of

ignoring the wishes of the very tribe whose name the treaty bears, the Duwamish" (263-264) by placing the central reservation on the land of the allied Snoqualmie and Snohomish tribes, of whom the Duwamish were "in deadly terror" (264). By the summer of 1855, the Duwamish were already so dissatisfied with the terms of the treaty that Meeker claimed that the Acting Governor of Washington Territory (Governor Stevens was, by this point, negotiating treaties in eastern Washington) felt compelled to visit them and to attempt, albeit unsuccessfully, to "quiet their fears" (264).

The slow movement of the Duwamish onto the regional reservations, combined with the delay in the ratification of the Treaty of Point Elliott by the Senate, stoked non-indigenous anxieties over the continuing contact between their expanding settlements and the indigenous communities that they were attempting to displace. The sale of liquor (which was banned in Indian country in 1832 [Sharswood 1837, 2305]) and marriages between white settlers and indigenous persons[22] were issues of particular concern at this time. In 1855, the Washington territorial legislature addressed the latter issue with an amendment to the existing marriage law voiding all marriages between white persons and persons with "more than one half Indian blood" (Pierce 1896, 652). That any law regulating marriages between white settlers and indigenous people was necessary demonstrates, indirectly, the extent to which these two communities were not merely coexisting but interacting.[23] This is likely an expression of the limited residential segregation of indigenous and non-indigenous peoples at this point. A letter written by Reverend Blaine's wife in early 1854 to a friend back east, meant to emphasize the difficult conditions

[22] The "more than one half blood" standard was used to determine who is considered an Indian by the act.

[23] According to Thrush (2017), this trend meant that "…a whole generation of mixed-race children called Seattle their [city] by the 1860s" (57).

faced by the settlers, also illustrates these minimal boundaries between settlers and indigenous communities. In it, she writes:

> What would you think to go through a town which has but one street built on, and that but thinly, with nothing to mark the different lots, the sides and middle of the streets all alike, stumpy, with miserable Indian shanties scattered all about and Indians meeting you at every step? (quoted in Bagley 1916b, 36)

Although distinctive indigenous communities continued to dot the Seattle area for several decades longer, within a couple of years they were no longer "scattered all about" in the way that Blaine described.

Indian Wars, 1855-1856

By late 1855, the more or less stable, if uneasy, relations between new settlers and the indigenous communities around the Puget Sound became increasingly dominated by non-indigenous fears of violence and the eventual outbreak of war. According to Governor Stevens, the conflict started in the summer with rumors of murders of several settlers by members of the Yakama tribe in the Yakima valley (about 70 miles southeast of Seattle), of which he claimed to have obtained "positive information" (US House 1857, 28). In September, a party of five settlers traveling from Seattle through Snoqualmie pass, then the main route used for crossing the Cascade Mountains from the Puget Sound area into eastern Washington and the Yakima valley, were allegedly murdered by a party of Yakama who had offered them assistance as guides (Bagley 1916b, 55). Later that month, an Indian agent sent to investigate these allegations was himself killed by the son of a Yakama chief (Prosch 1915, 6-7).

While this violence appeared sudden and unprovoked from the point of view of the Governor, as well as settlers in the region, it followed a number of major changes to the relations between the Yakama and U.S. interests in the middle of 1855. Governor Stevens signed a treaty with the Yakama and "allied tribes" in June of that year in which it was promised that white men

would be prohibited from entering the Yakama reservation with the exception of employees of the Indian Office (US BIA 1855, 101). However, the discovery of gold in eastern Washington in the spring of that year led to an increase in the number of settlers traveling east from the Puget Sound through Yakama land, and with them came allegations of crimes and indignities against Yakama persons and property (Prosch 1915, 5-6; Scott 1917, 151).

Governor Stevens describes a fear among settlers, which he himself shared, that "the hostile Indians on the east side of the Cascade mountains" might communicate with, and thereby incite, the "friendly Indians on the west" into attacks on the settlements around Puget Sound (House 1857, 28). Stevens and representatives of the U.S. Army attempted to investigate these claims and, in October, two volunteer companies were organized to fight "hostile" Yakama and Klickitat forces on the east side of the Cascades and prevent contact between the tribes on either side of the mountains (House 1857, 29).

On October 6, 1855, Acting Superintendent of Indian Affairs Cain opened a letter to Commissioner Manypenny by stating, "[w]e are on the eve of an Indian war; how far it may extend or how long it may last, are at present but questions of vague conjecture" (US BIA 1856, 192). By his estimate, the Yakama and Klickitat warriors numbered about 600 (US BIA 1856, 192), but hostility soon extended outside the Yakima valley into Oregon and western Washington (US BIA 1856, 185). On October 28, 1855, the hostilities spilled into the Puget Sound region when three settler families (nine persons in total) living around White and Green Rivers, in the Duwamish valley, were killed and their cabins burned (Meeker 1905, 213; see also Bagley 1916b, 57). At around the same time, rumors began to circulate suggesting that a Nisqually chief named Leschi, who was Stevens' "guide while on the White River," was also "in

communication with the hostile chiefs of the Yakima, and was mediating an outbreak on the Sound" (House 1857, 29).

By November, Acting Governor Mason had already called up a volunteer force to defend the settlements against anticipated attacks (Governor Stevens was still "negotiating" further treaties at this time) and the U.S. Army was making preparations for war (Taylor 1898, 81). The head of the territorial forces, Adjutant General James Tilton, even reached out to the Governor of Vancouver Island, then administered by the Hudson's Bay Company, to request the assistance of the HBC (Washington Territory 1857, 100).

In January 1856, Leschi was accused by settlers, including Governor Stevens, of leading a band of Nisqually to attack Seattle (US BIA 1857, 185-186). [24] He was believed to be collaborating with a confederation of tribes from east of the Cascades as well as *si'ab*s around the Puget Sound, including a Duwamish *si'ab* named Suquardle, popularly known as Curley. By the account of Rear Admiral Thomas Stowell Phelps, who was serving on the USS *Decatur*, a Navy sloop-of-war sent to the Puget Sound to pacify the "hostile" tribes, an indigenous man named Jim warned Captain Gansevoort, commander of the *Decatur*, that an attack on Seattle was immanent (Bagley 1916b, 63-64, 70). Jim alleged that he had witnessed Suquardle and others resolve to kill all of the whites (72). Henry Yesler (1907), however, disputed elements of this account, asserting that an indigenous man named Russell Sam overheard Jim talking to "his folks" about the impending attack and warned them not to tell Suquardle (138). Russell Sam nevertheless passed the information to Suquardle, Suquardle told Yesler (whose 'country wife'

[24] Leschi was eventually tried for murder twice. His first trial ended with a hung jury and he was convicted in the second trial. (Roberts 2004, n.p.) On February 19, 1858 he was hanged in Pierce County (Schuetz 2002, 1). In 2004, he was exonerated by a special Washington State historical court which found that he should not have been put on trial for murder in the first place, finding that, as a combatant in war time he was not legally accountable for his alleged role in the death of another combatant, Col. A. B. Moses (Roberts 2004, n.p.).

was Suquardle's daughter Susan [Allain 2014, 271]), and Yesler in turn passed the intelligence to Captain Gansevoort (Yesler 1907, 138).[25] The following day, the *Decatur* opened fire on the assembled combatants in Seattle, effectively ending any remaining hostility in the area on the part of indigenous actors (Bagley 1916b, 64-65).

Although Seattle was not a site of open warfare for more than a single day, this chain of events had the effect of instilling on the settlers of Seattle a siege mentality. By their accounts, the city of Seattle was devastated by the brief outbreak of violence. In one letter from Governor Stevens, on January 19th, to Major General John E. Woot, Commander of the U.S. Army's Pacific division, he wrote that "The whole of King county has been deserted, and the inhabitants driven within the line of defenses of the town of Seattle" (Washington Territory 1857, 139). The next month, on February 19th, he wrote to Secretary of War Jefferson Davis: "Since my arrival on the Sound, Seattle has been attacked, and every thing outside its line of defenses burned, except a small place named Alki, on the same bay with Seattle" and noting that "[r]umors of all the places being attacked, have reached us daily" (Washington Territory 1857, 67). Prominent settler and Seattle founder Arthur Denny, then also a representative in the Territorial Legislature (Brazier 2000, 38), corroborated Stevens claims of the impact on the town of Seattle, writing that "With the exception of Alki, which was out of their range and escaped destruction, I do not think there was a house left standing outside of the present limits of the town" (Denny 1888, 71).

[25] Yesler (1907) notes that a popular legend in Seattle after the war credited Si'ahl's daughter Kikisoblu, popularly known as Princess Angeline, rather than Suquardle, with this intelligence. Catherine Maynard, wife of David Maynard, and others also claimed that Si'ahl himself reported on Leschi's plans from his residence in Port Madison and that Kikisoblu assisted in providing Mrs. Maynard safe passage to Seattle (Carlson 1903, 26-27; Prosch 1906, 73-74; Bagley 1916b, 66). Suquardle is also credited (although some accounts suggest it was an indigenous man named Tom or David) with providing food and passage to the *Decatur* to several settler children who survived an attack in which their parents were killed (Bagley 1916b, 57-58).

Preparations for war therefore continued on the part of U.S interests, with Stevens calling up more volunteer companies to prepare to defend the settlements (Washington Territory 1857, 66) as well as "a force of friendly Indians to operate against the hostiles" (67). By March, Stevens wrote to Jefferson Davis that "[o]ver one-half of the able bodied men on the Sound are bearing arms" (Washington Territory 1857, 70) and that "[t]he naval forces occupy Seattle". Indigenous groups that were perceived to be hostile were driven away from the city (Stevens 1857, 73) and individuals that were captured were tried by a military commission in Seattle and either executed or, if found innocent, sent to the reservations (77-78). It wasn't until July of 1856 that the volunteer forces were formally disbanded (Washington Territory 1857, 84).

This period had several effects on the indigenous communities of the Puget Sound, including a shift in their overall geographic distribution as a direct result of government actions. Specifically, it accelerated the movement of indigenous peoples into the reservations even though, at this point, only one of the treaties with tribes from the region (the Treaty of Medicine Creek, which covered tribe living in the south Puget Sound area) had been ratified by this time (Kappler 1904b, 661).

At the direction of Governor Stevens, local Indian agents worked to move indigenous communities on the east side of the Sound westward, with the primary aim being to use the waters of the Sound to separate the 'friendly' Indians from the 'hostile' (Washington Territory 1857, 110-111). In November 1855, David Maynard, was appointed Indian Agent for King County "to look after and take charge of the friendly Indians" (US ICC 1957, 123) and given instructions "to gather and rendezvous at the town of Seattle all friendly disposed among them residing on the east side of the Sound, and there so provide and care for them as to encourage them to remain neutral, if not really friendly" (123). Having traveled up the Duwamish and

Black Rivers, he reported that he returned to Seattle on November 13th "with a few families of the Dwahmish tribe, whom I found scattered on the banks of the Dwahmish and Black rivers" (124). Subsequently, he worked to move these families to Port Madison, on the west side of the Sound, where they were kept for up to a year and a half despite their apparent dissatisfaction (Prosch 1906, 47; Bagley 1916b, 60, 66-67). During the same period, special Indian agent Col. M. T. Simmons also directed the "friendly Indians within the limits of the Puget Sound District" to remove themselves to specific points around the Sound (House 1857, 30; Bagley 1916b, 39). By his own estimate, Governor Stevens claimed that by the following January, "We are now feeding four thousand Indians on the Sound alone" (Washington Territory 1857, 138).

However, reports also suggest that this relocation effort was met with significant resistance on the part of the Duwamish and, to the extent that it was achieved, it was coerced rather than voluntary. According to Governor Stevens' report to Commissioner Manypenny, "These measures were carried into effect at once by Agent Simmons with success everywhere, except with a portion of the bands residing in and about Seattle" (US House 1857, 30). By Simmons' own account, from December 1855, the native residents of Seattle had "a strong determination… not to cross over to their reservation [Port Madison] to receive their goods.[26] They were anxious to have been at Seattle. I informed them that they must go over or they should receive nothing. Finally they obeyed my wishes and those of their head chief. 29th arrived at the Duwamish and Suquamish reservations in Port Madison" (quoted in ICC 1957,

[26] The goods referred to here are presumably the annuities that were promised to the tribes in the yet-unratified Treaty of Point Elliott. It isn't clear why Simmons was offering such goods as an inducement since (despite attempting to move indigenous communities to the reservations), the government had yet to allocate funds for these annuity goods. In fact, in January 1856, when the first annuity distributions were expected by the tribes, David Maynard apparently bought $1,300 in goods from a Seattle merchant "and distributed them among the natives as tho they were a part of the promised government bounty" and was apparently never paid back for this act (Prosch 1906, 45-46).

123). He reported 737 Indians (both Duwamish and Suquamish) at Port Madison with "70 absent" (US ICC 1957, 123). Resistance to the order on the part of the Duwamish was further corroborated by Acting Governor Mason, who wrote to the commanding officer of the *Decatur* on December 28th that "[t]his order has generally been very generally and cheerfully complied with at all points, with the exception of a small band at the town of Seattle" (Washington Territory 1857, 111).

In addition to relocating communities to the other side of the Puget Sound, officials also altered the social landscape by conscripting indigenous peoples to fight on behalf of the white settlers and U.S. interests. Both Governor Stevens and Adjutant General Tilton reported calling up indigenous combatants in early 1856 (Washington Territory 1857, 39, 67). In January 1856, early settler W. N. Bell wrote to Arthur Denny that "from the best information I can obtain the majority of the Indians on the Sound" would join the volunteer forces against the tribes from the east (Bagley 1916b, 65-66). Patkanim, Snoqualmie leader who had, by Rabbeson's account, expressed skepticism about European influence in the region nine years earlier, led about one hundred of his men to prevent "hostiles" from crossing west of the Cascades (US Senate 1856, 28). By April, Adj. General Tilton was even recruiting combatants directly from the reservation, ordering a volunteer regiment to "employ as many more of the Indians now upon Dr. Maynard's reservation, together with such as you may choose to employ of those now at Seattle—organize the whole into a *war party*, and either command them yourself or detail a commander" (Washington Territory 1857, 347). As previously mentioned, the war effort also resulted in the movement of captives who were not found to have been "instigators" (Washington Territory 1857, 77) back into the reservations. According to Governor Stevens, defending the actions of his forces against charges of ill-treatment towards the local indigenous population, "I point to the

two hundred brought in from back of Seattle by the volunteers, now happy on a reservation, as a proof of the humanity of our people. My last communication informed you that those against whom there was evidence were being tried at Seattle. There were tried, and tried by volunteer officers, and have all been found *not guilty*, and they are now secure on the reservation" (US BIA 1857, 187).

In addition to changes in the indigenous settlements, the wars of 1855-56 also had an effect on how the indigenous residents of the Sound were perceived by the growing non-indigenous settlements. Governor Stevens, in his annual report for 1856, elaborated at length about the extent to which the alleged instigators were previously trusted. Leschi, he wrote, was "believed to be an honest man" (US BIA 1857, 185) and Nelson, the accused instigator of the "White River massacre," he wrote "was in like manner treated and respected by the inhabitants of the county of King" (185). "Conceive, therefore, of the consternation of this whole community, when the Indians, believed to be the most reliable, in direct violation of their solemn word, commenced the war by the massacre of an entire settlement" (185). This, he argued, produced an attitude of "universal alarm and consternation through all the classes of the community, and to create a universal distrust of the fealty of all tribes" (185). To Jefferson Davis on March 9, 1856, he also expressed a sense of direct betrayal on the part of the settlers, suggesting that "[t]he most melancholy feature of the war is, that the Indians who have taken the lead in murdering our men, our women and our children, were those who had received the most favors from the whites, and were held by them in the most consideration. Many cases have occurred of Indians killing their friends and benefactors." This, he again suggested, led to a general shift in the attitude of the settlers to their indigenous neighbors, rhetorically asking, "Are

you surprised that a general distrust of all Indians pervades the public mind?" (Washington Territory 1857, 74).

Accounts of prominent white settlers further confirm the shift in attitude towards indigenous peoples that followed the war, as well as the sense that the conflict constituted an existential threat to non-indigenous settlements. Clarence Bagley, who arrived as a settler in Seattle several years after the end of the war and who later wrote several histories of the region that were decidedly sympathetic to (and defensive of) the settlers summarized this view, writing: "That the massacre of every inhabitant of Seattle would have followed [the] attack upon the city without the aid received from the Decatur is generally admitted" (65). Arthur Denny, in his memoirs, described the shift in attitude from before and after the war, suggesting that early in the settlement of the Sound "the Indians were generally friendly" (Denny 1888, 54) but following the fall of 1855, "[t]hose who, a short time before insisted that the Indians were friendly, would now declare most vehemently that all were hostile, and must all be treated as enemies" (Denny 1888, 65). Moreover, he suggested that the settlers who remained in the area "were so discouraged and so much in dread of another outbreak that they were unwilling to return to their homes in the country" (72) for several years. Even Ezra Meeker (1905), who was one of the two hold-outs against convicting Leschi in his first jury trial, felt that the war represented a shift in the relations between whites and Indians. He described the settlers as "stunned" that a population "who had been before only kind to us… we could only look upon as our enemies ready to destroy us." After the war, "all was changed from a condition of peace to that of a war which, it appeared to us, was one of extermination" (213).

On a similar note, the war encouraged a more racialized orientation towards the indigenous population of the region. While efforts were made to distinguish between 'friendly'

and ‘hostile Indians’ – as well as to prevent interaction between them – there was an emerging sentiment that all indigenous groups should be viewed with suspicion and were liable, at any point, to turn against the ‘whites’. In contrast with the rush to differentiate the tribes on at least a nominally ethno-national basis, which served the needs of the early settlers as well as the treaty effort by the government, after the war this ethno-national framework began to break down. In its place, both settlers and government officials converged on an understanding that the most salient social categories explaining the conflict were racial (as opposed to tribal or regional), that the hostilities were at least partially due to the extensive contact between the two races, and that as a consequence the best course of action was to assure that the two did not have the opportunity to mix except as necessary for the ‘whites’ to administer and govern the ‘Indians’. In his Annual Report for the year 1857, J.W. Nesmith, Superintendent of Indian Affairs for Oregon and Washington Territories summarized the conflict in starkly racial terms, suggesting that even previous to the events of 1855, “the facts and history… will in nearly every instance, clearly demonstrate that the Indians have been the aggressors, and that the whites have acted on the defensive” (US BIA 1858a, 315). Of the war, he further asserted that there was “abundant evidence of a well-matured and preconcerted plan of action, by the formation of an alliance of all the principal tribes inhabiting the country from California to the British possessions” (US BIA 1858a, 315), but for which he offered no evidence. Moreover, he suggested that the war did not end this hostility (or alliance), suggesting instead that the Indians of Oregon and Washington Territories “have suffered but little by the war, while its results have emboldened them, and tended to produce the impression in their minds that they have the ability to contend successfully against the entire white race” (US BIA 1858a, 316).

This highly racialized view of the conflict diverges with Governor Stevens' charge during the war that "the Indians not taking part with the hostiles are treated as friends" (Washington Territory 1857, 74). While such a distinction was presumably instrumental with regards to non-indigenous interests during the conflict – justifying the use of indigenous forces to fight on behalf of non-indigenous actors against 'hostile' parties and the movement of populations to reservations before the ratification of the treaties – after the war it was discarded. This occurred despite the fact that indigenous communities in and around Duwamish territory were called up to fight, assisting and presumably also dying in defense of the settlers, that several Duwamish were credited with sounding the alarm regarding an immanent attack, and that Si'ahl and his band were never suspected of any hostility towards the settlements (Bagley 1916b, 63).

However, the often muddy (and conflicting) accounts of the conflict may have contributed to the collapsing of its complexities into a racial frame. The indigenous actors in the war may not have fallen along clean, uncomplicated "tribal" lines. In accounts published after the war, Duwamish actors are variously accused of conspiring against the whites as well as lauded for defending them. The quite limited understanding of non-indigenous actors of the indigenous social landscape, motivated as it was towards securing land for settlement, would not have helped either, as it offered a limited basis for determining which communities felt aggrieved and their network of alliances with others. In this absence of understanding, and with a belief that their very survival was at stake, both settlers and government actors defaulted instead to a simplified, racial frame in which all Indians, whether 'friendly' or 'hostile' were collapsed into the same category.

Gradual Exile

By some accounts, by 1856 all but four or five Duwamish families had fled the Seattle area for the reservations on the other side of the Puget Sound (Ruby and Brown 1992, 73). On September 26, Indian agent George Paige reported that he had moved the "Dwamish" tribe to the eastern shore of Bainbridge Island, then to a location on the west side of Elliott bay to a “favorite fishing ground of theirs at certain seasons of the year” (quoted by US ICC 1957, 124). There is also evidence, however, that some Duwamish families remained on the east side of the Puget Sound after the war. In July, Henry Yesler (now an Indian agent) reported to Governor Stevens that native people were still fishing, clamming, and harvesting berries at Salmon Bay [now part of the Lake Washington Ship Canal] and that two families were still living in an ‘off-limits’ part of Lake Washington (Thrush 2017, 52). On September 17, David Maynard also issued a report estimating the Duwamish population at 312 and describing Duwamish families who remained encamped on the banks of the Duwamish and Black rivers (US ICC 1957, 123). A letter of November 6th from Lieutenant Colonel Silas Casey to Governor Stevens also describes Indians fishing near the mouth of Duwamish Lake (Washington Territory 1857, 218).

Even those who were moved to reservations did not necessarily make the reservations their permanent home. In November 1856, an Army captain at the Muckleshoot Agency reported to Lieutenant Colonel Silas a group of Duwamish who had moved off of the reservation due to poor conditions. A *si’ab* named William claimed that many of his people had died of hunger on the reservation and that many more would have if not for some having gone back to “the old ground to procure Salmon” (quoted in Thrush 2017, 53). Indian Agent Gouty reported to George Paige on November 21st that another Indian Agent, David Maurer, observed about 150 persons

living at this encampment on the Black River and recounted a conversation with William, saying:

> he will not come down or will he let any of his people come back as long as he can stop them… He says his people went to the west side of the sound last fall and they were promised to be feeded and they got nothing and came near starving to death and he has better preparations to live now can get plenty of salmon… He says that none of the Duwamish tribe will cross the sound as it is not their land but the country on the Black river is theirs and they will not sell it but they would live and die on it. (quoted in US ICC 1957, 124)

A report of Indian agent Paige to Governor Stevens contains an even more stark statement of refusal from William, asserting:

> This land on Black River belongs to us—our Fathers died here. Their bones are buried here and we also will die here… we do not wish to fight the whites; if they come drive us from this place we will not resist, but will lie down and be shot like dogs rather than leave. (quoted in Tollefson et al. 1996, 327)

By the midsummer of 1857, Paige wrote to Governor Stevens reporting that 300 natives remained camped at the mouth of the Duwamish River (letter from Paige to Stevens cited by Thrush 2017, 54) and encouraged the creation of a reservation for the Duwamish on or near "the lake fork of the D'Wamish river" (quoted by US ICC 1957, 125).

A frequently mentioned explanation for Duwamish resistance to settling in the reservations is what Paige described on September 26, 1856 as their “aversion to removing on to lands occupied by another tribe” (quoted by US ICC 1957, 124). While Ezra Meeker (1905, 263-264) had mentioned their dissatisfaction with being moved to a reservation on Snoqualmie and Snohomish lands, referring to the central reservation at Tulalip, George Paige’s reports to his superiors in the Office of Indian Affairs suggest that a bigger barrier was their resistance to living on the Port Madison reservation on the west side of the Puget Sound, as it was on Suquamish land. While George Gibbs had, about a decade earlier, described a “connexion” (US BIA 1855, 245) of the Duwamish, Sammamish, and Suquamish tribes, and while Si’ahl was

recognized as a *si'ab* for both the Suquamish and the Duwamish, these two communities had a complicated relationship. Paige's annual report dated August 1st 1857 captures the complexity of the Duwamish/Suquamish dynamic, suggesting "that the most unamicable feelings have long existed between these two tribes," a "feeling so deep rooted that, when the friendly portion of the D'Wamish tribe were directed, by their agent during the war to move to this reservation, they absolutely refused to comply with the order" (US BIA 1858a, 329) and were instead convinced to temporarily relocate to Bainbridge Island. After noting that this "refusal to comply with the request of their agent naturally caused them to be looked upon as little better than the hostiles" (329), he described his challenge in attempting to "bring about an amicable feeling between these two tribes, and, if possible, unite them under one head" (330), which he found to be "impossible" (330). Notably, however, he suggested that the two tribes are not "actually hostile to each other; on the contrary, they are intermarried, and frequently visit each other" (330) but that "this feeling of animosity… I am assured, preclude the possibility of their living peaceably together on one reservation" (330). His suggestion, which is repeated in his annual report the following year, is that a separate reservation be established for the Duwamish "on or near the lake fork of the D'Wamish river" (US BIA 1858a, 330; US BIA 1858b, 249).

Paige's suggestion that a new reservation be established for the Duwamish, as well as his discussion of the challenges of convincing them to move to the reservation at Port Madison, belies the fact that the Treaty of Point Elliott still remained unratified. This was known to the Duwamish, as well as other tribes, and provided another point of resistance against leaving their ancestral lands on the east side of the Sound. It was also a point of contention known to the Indian affairs agents in the field, who saw the delay as a major impediment to their work. In his report of July 1, 1857, Indian Agent M. T. Simmons suggested that the failure to ratify the treaty

led representatives of the government to be viewed as "common liars; consequently we lose their respect, and, ultimately our influence with them" (US BIA 1858a, 333). Meanwhile, he noted, "the white man has moved in and settled on the land; the Indian is told to live on a certain reserve, and give his home to the 'Boston,' and that he will soon be paid. This contract is broken; he gets no pay as yet and (naturally for a savage) thinks he is cheated out of his land" (333).

Indian Agent Paige's reports of 1857 and 1858 likewise express the "considerable anxiety" (US BIA 1858a, 332) and "dissatisfaction" (US BIA 1858b, 247) of the tribes under his charge as a result of the delay. His report of 1858 was particularly pointed, noting:

> At the time the treaty was made with them, they were led to believe it would be confirmed within a year; but they have waited patiently the action of government, and four years have elapsed with no more prospect of their becoming permanently settled than when those treaties were first concluded. In the meantime many of their fisheries and other places… are passing from their possession to that of the white settlers. Even the burial places of their ancestors, places regarded by them as consecrated, have, I regret to say, in several instances not escaped the desecrating hand of the white man. (US BIA 1858b, 247-248)

This situation, Paige suggested, also contributed to animosity between indigenous communities and the white settlers, as the former were increasingly "deprived of his usual means of subsistence" (248) and therefore "often compelled to resort to theft as a means of preventing starvation" (248) and punished for such by the white settlers. "Where does the fault lie? Certainly not with the Indians of the Sound, who during the recent hostilities remained friendly to the whites and obeyed the orders of their agents; and many of them, in common with the whites, were considerable losers by the war" (248). Moreover, he commented on the decidedly negative impact that white settlement had on the indigenous population, noting that "starvation was not a normal condition in the region" (248) until the arrival of whites and that the recent discovery of gold in the northwest would only accelerate the incursion of indigenous land by settlers, dooming the indigenous population to a "wandering and miserable life" (249). Even the

Commissioner of Indian Affairs, George W. Manypenny, recognized the injustice of this situation, writing in his annual report of 1858 to the Secretary of the Interior that the territorial government in Oregon and Washington territories encouraged settlers to "occupy their country without regard to their rights," (Senate 1859, 356) thus leading the indigenous population "to believe that they were to be dispossessed of it without compensation or any provision being made for them" (356).

This sentiment was shared by no less a figure than Si'ahl himself, who had settled at the Port Madison reservation alongside some of his Suquamish brethren. As Port Madison was the site of Old Man House, a longhouse that functioned as the primary meeting place for *si'ab*s in the interior Puget Sound and was the largest indigenous structure in the region at the time, it was a sensible site for Si'ahl to settle in his later years. Upon a visit from Indian Agent Simmons, who arrived with "a few presents from their Great Father in Washington" as "evidence that he had not forgotten them" (US BIA 1858b, 228) despite the lengthy delay in ratification, Si'ahl made a lengthy statement which Simmons recorded, in part, as follows:

> I want you to understand what I say—I do not drink rum… and we constantly advise our people not to do so.
>
> I am not a bad man. I am, and always have been, a friend. I listen to what Mr. Paige says to me, and I do not steal, nor do I or any of my people kill the whites.
>
> Oh, Mr. Simmons, why do our papers not come back to us? You always say you hope they will soon come, but they do not. I fear we are forgotten, or that we are cheated out of our land.
>
> I have been very poor and hungry all winter, and am sick now, In a little while, I will die. I should like to be paid for my land before I die. Many of my people died during the last cold scarce winter, without getting their pay.
>
> When I die my people will be very poor. They will have no property, no chief, no one to talk for them. You must not forget them, Mr. Simmons, when I am gone.
>
> We are ashamed when we think that the Puyallups have their papers. They fought against the whites, while we, who have never been angry with them, get nothing. (US BIA 1858b, 228-229)

Simmons likewise reported a similar meeting the same evening with a Snoqualmie *si'ab,* Hetley Kanim, expressing frustration that the Nisquallies and Puyallups, signatories to the Treaty of Medicine Creek, were already receiving their annuities. "We never fought the whites; they did. If you whites pay the Indians that fight you, it must be good to fight," he opined (US BIA 1858b, 229).

The Treaty of Point Elliott was finally ratified by the U.S. Senate on March 9, 1859, bringing the treaty's stipulations into effect just over four years after it was signed (US ICC 1957, 122). This did not, however, resolve dissatisfaction around the treaty's stipulations or execution, which continued to be a point of contention throughout the region and for the Duwamish specifically. In his annual report of 1859, Indian Agent Simmons noted both that the peoples of his district were "gratified" by its completion, but also "expressed a desire to have their lands located differently than is specified in the treaties," (US BIA 1860a, 395) details that were not likely to have been communicated adequately (if at all) in the rushed process through which the treaty was 'negotiated' and signed. For his part, and similar to the comments made previously by Paige, Simmons noted that "in some instances, I think they spoke wisely" (395). Moreover, Simmons reported that "[i]t was a great disappointment to them to learn that no money had been appropriated, as yet, to carry the treaties into effect" (395), a fact that left the treaty unfulfilled even as it was brought formally into effect.

In 1860, a year after the Treaty of Point Elliott was ratified by the Senate, Simmons claimed that Duwamish families were still living on the river bearing their name and recommended creating a reservation for them there (US BIA 1860b, 193; US ICC 1957, 125). "There will be some trouble probably in prevailing upon the Dwamish who inhabit the east side of the Sound to come over to this reservation" (US BIA 1860b, 193) he explained, but believed

that they could be persuaded to move “a little higher up the same river” (US BIA 1860b, 193) to an area adjacent to the Muckleshoot reservation. Five years later, Indian agent S.D. Howe similarly reported that “A portion of the Indians belonging to the Fort [sic] Madison reservation now live on Black river, which was their place of residence at the time of making the treaty. These Indians desire a reservation at this point” (US BIA 1865b, 72). While he does not describe them as Duwamish by name, this location is consistent with a Duwamish band or sub-band.

These suggestions for the creation of a reservation on Duwamish territory, however, were not acted upon, in part because they were in conflict with the stated goals of the Office of Indian Affairs which sought, first and foremost, to reduce contact between ‘whites’ and ‘Indians’ as much as possible and to do so by concentrating the indigenous population into a small number of reservations. Unlike the treaty process, which sought to disaggregate indigenous political units as to comprehensively extinguish as much native title as possible, the emerging goal was to aggregate the tribes into a single unit that could be administered centrally, ideally at the central reservation at Tulalip, but at least in a small number of reservations in areas peripheral to non-indigenous settlements.

Statements by Indian Affairs administrators in the late 1850s and into the next decade, frequently reference ‘separating the races’ as their primary aim, suggesting that this condition benefits both parties, but with a notably greater measure of concern for maintaining the integrity of the settlements at the expense of the indigenous communities who they recognized were being displaced (US BIA 1858a, 317-319; US BIA 1858b, 231; US BIA 1864, 5-6; US BIA 1865a, 4-5). The corrupting influence of settlers on the indigenous community is repeatedly referenced, but with a greater concern for ‘moral’ issues such as the proximity of alcohol (US BIA 1858a,

317, 319; US BIA 1858b, 218; US BIA 1864, 6) than the arguably larger issue of loss of subsistence and land due to settlement (US BIA 1858a, 318-319).

A consistent narrative, however, emerges that the administrators viewed (or at least hoped that others would view) their actions in support of a policy of apartheid as in the best interest of indigenous people. Superintendent of Indian Affairs Nesmith suggested in 1857 that "some means for the separation of the two races" (US BIA 1858a, 318) would be necessary "unless the government has determined that they should be doomed to extinction at the hands of the whites" (318), seemingly implying that the "rapid encroachment of the white settlements" (318) was itself unavoidable. While noting that "the Indians within this superintendency who have been brought in the most direct contact with the whites, and who have had the best opportunities of observing the benefits of civilization, have profited the least by such advantages," (319) it is the "the protection of the whites" (318) that seems to take precedence in his concern. This is made even more stark in his report the following year, asserting that "the whites should be relieved of their annoying presence by their location upon reservations" (US BIA 1858b, 218). Even Indian Agent Simmons, who repeatedly reported on the unjust conditions faced by the indigenous communities in his district, viewed separation from 'whites' as a way to "return their kindness" for treating the settlers "like brothers" (US BIA 1858b, 231).

Commissioner of Indian Affairs William P. Dole, in his report for 1863, went even further in calling for a total separation of the races, suggesting that even the existing implementation of the reservation policy was insufficient to prevent contact between the two peoples. The policy of creating small reservations throughout a territory, he argued, still allowed too much contact between 'Indians' and 'whites' as the Indians must leave the reservations to subsist and were therefore exposed to gambling, alcohol and other "vice and immorality" (US

BIA 1864, 6). In his view, “the most efficient remedy for these evils will be found in concentrating the various tribes within suitable territories set apart for their exclusive use, and the enactment of such laws as will effectively prevent all whites settling among them,” (6) with the notable exceptions of military officers and federal employees. In his report of the following year, he put the blame for this state of affairs squarely on indigenous peoples, arguing that they “form an exception among all people whose territories have been overrun and wrested from them by a foreign race” (US BIA 1865a, 4) since they refused to assimilate into “the superior nation” (4) and instead “still adhere to their tribal organizations, and pertinaciously maintain their existence as distinct political communities” (4). For this reason, he suggested, “the white and red man cannot occupy territory in common” (US BIA 1865a, 5). In a decidedly anti-pluralist fashion, he suggested that unless the indigenous peoples of what was now the United States and her territories were willing to be absorbed into European-American society, both culturally and politically (itself a controversial premise from the standpoint of settlers who were often fearful of integration between themselves and the ‘Indians’), no contact between the two should be tolerated short of what was necessary for white authority to be maintained.

Despite the suggestion that the ‘separation of the races’ was of mutual benefit to the settlers and the indigenous communities they were displacing, the conditions of this separation clearly benefitted the former at the expense of the latter. While the terms of the Treaty of Point Elliott called both for the settlement of the signatory tribes on reservations as well as the maintenance of the reservations by the government and payment of annuities to the tribes living on them, the enforcement of these terms occurred in a typically asymmetrical fashion. While tribes were repeatedly induced to move over to the reservations, little effort was made to improve the reservation territories for the purposes of subsistence, to provide the annuities guaranteed, or

to prevent incursions by non-indigenous actors on either the land or property of the indigenous peoples settled on them. Year after year in the decade following ratification of the Treaty of Point Elliott, both local Indian agents and the Superintendents to which they reported bemoaned their inadequate (or non-existent) appropriations and improvements made to the reservations (US BIA 1860b, 185-187; US BIA 1861, 173; US BIA 1863, 384, 402, 410-412, 417; US BIA 1864, 439; US BIA 1865a, 68; US BIA 1865b, 68, 72; US BIA 1868b, 105-106; US BIA 1870a, 134). The goods distributed in fulfillment of the annuity agreement were often described as less than the value promised in the treaty, inappropriate for the subsistence of the populations to whom they were distributed, and purchased at much higher prices than were considered fair market value (having been purchased by the federal government on the east coast and shipped at great expense to the Puget Sound) (US BIA 1860b, 185; US BIA 1863, 402, 410, 417; US BIA 1868b, 106; US BIA 1870a, 134). Moreover, reports from 1868 and 1869 suggested that no annuity distributions were made between 1865 and 1869 due to a lack of appropriations and possible mismanagement (US BIA 1868b, 106; US BIA 1870a, 134). One agent was also accused by his successor of selling the oxen belonging to the reservation and initiating a logging camp on the reservation for the benefit of a local business owner, which he claimed had the approval of the Superintendent (US BIA 1870a, 134).

In addition to the poor conditions of the reservations, Indian agents also reported injustices committed by non-indigenous settlers, of which they had little power to prevent or provide restitution. Not having formally defined the boundaries of the reservations, Indian agents noted that settlers had claimed some of the land understood by their offices to be reserved for the signatories of the Treaty of Point Elliott (US BIA 1865a, 58, 68, 70; US BIA 1870b, 30). These incursions were so pervasive that Brevet Colonel Samuel Ross, Superintendent of Indian Affairs

for Washington Territory, wrote to the Commissioner of Indian Affairs in 1870 that, "I verily believe that were the snow-crowned summits of Mount Rainier set apart as an Indian reservation, white men would immediately commence 'jumping' them" (US BIA 1870b, 30). Moreover, serious crimes committed by settlers, including murders and kidnappings of indigenous women, were also largely unpunished as a result of an inadequate legal framework as well as widespread anti-Indian sentiment (US BIA 1865a, 69-70; US BIA 1865b, 72; US BIA 1868a, 31). In his reports of 1864 and 1865, Indian agent S. D. Howe bemoaned the great difficulty in convincing grand juries in Seattle to indict settlers accused of murdering indigenous persons, even in "a plain case, supported by white evidence" (US BIA 1865a, 69). "What view they, as sworn jurors, took of the matter, I am not permitted to know," he wrote in 1864, "but they considered it only an Indian, I suppose, that had been murdered" (69). Even when incitements were obtained, he wrote, "[t]here is very little hope of a conviction, especially when venerable, grey-headed men, with sons and daughters, will arise in their place in the jury box, when being examined as to their fitness to sit as a juror, and say that it would require far more evidence to convict a white man for killing an Indian, than though it was a white man that had been killed" (70). In his view, the "strong prejudice against the Indians by all classes, without, in my opinion, a sufficient reason" (70) made it "almost seem hopeless to prosecute a white man under any circumstances for killing an Indian" (US BIA 1865a, 70). Of this extreme lack of justice, Superintendent of Indian Affairs for Washington Territory T.J. McKenny tellingly noted in 1867, "[w]hite men would not suffer one-tenth the wrong the Indian patiently bears without rebelling" (US BIA 1868a, 31).

While the reservations to which the Duwamish were assigned remained inadequate, even in the view of their administrators, to even their basic subsistence or security, settlers also worked to prevent them from continuing to reside elsewhere. In 1865, the same year that the

town of Seattle was first formally incorporated by the Territorial Legislature, the city passed Ordinance No. 5, which banned Indians from residing within the city limits except those living with white employers (Bagley 1916b, 545; Thrush 2017, 54). The ordinance was not immediately effective in expelling indigenous peoples from the city, however, to which reports of non-indigenous settlers subsequently attest. One woman, Caroline Leighton (1884), went so far to report seeing Si'ahl himself in the city of Seattle on November 5th, 1865, describing him as "a very dignified Indian, old and poor, but with something about him that led us to expect that he was a chief" (38). Whether or not the man she saw was in fact the famous *si'ab*, who died the following year[27], her account, as well as others from this period attest to a continued native presence in the city itself (Thrush 2017, 42-44).

However, efforts to alienate the indigenous population also continued, including a new marriage law passed by the Washington Territorial Legislature in 1866, denying commonlaw legitimacy to any indigenous-white relationships and denying rights to their children (Thrush 2017, 58-59). The following year, following rumors that Indian Agent Paige was recommending the creation of a Duwamish reservation on the Black River, over 150 white men in King County, including most of its founders, signed a petition describing the proposal as "unnecessary to the aborigines and injurious to your constituents" (quoted in Tollefson, Abbott, Wiggins 1996, 321-322) and decrying the "unjust and unnecessary action of the Government in making a Reservation for the remnant of a band which numbers but sixteen families, and whose interests and wants have always been justly and kindly protected by the settlers of the Black River country" (321-322).

[27] Si'ahl died on July 7, 1866 and was buried in Suquamish, WA. His grave was left uncared for until 1890 (Carlson 1903, 24).

Over the next several decades, as the next chapter describes, the Duwamish and other indigenous persons of other tribal affiliations in and around Seattle found themselves increasingly marginalized except to the extent that they could be exploited by white settlers, culminating in a settlement of displaced Duwamish on a man-made island, descriptively named Ballast Island, in the middle of the Elliott Bay following a rash of arson against indigenous communities in west Seattle (Thrush 2017, 82-85; Tollefson et al. 1996, 327; US BAR 1996, 54). With the exception of a few individuals, most notably Si'ahl's daughter Kikisoblu, popularly known as Princess Angeline, who died of tuberculosis in 1896 (Bagley 1931, 275; Thrush 2017, 86), few visible figures remained of what had been an active Duwamish community in the city and surrounding area.

Identity and Classification, Period Two

From the mid to late-nineteenth century, Duwamish communities and actors continued to maintain their physical and affective ties to their land, even as it was increasingly encroached upon and extracted from them by the government and non-indigenous settlers. While they demonstrated a willingness to accommodate the arrival and settlement of non-indigenous persons and communities, by means of treaty as well as acting as allies during the war, this was not accompanied by a willingness to forgo their connections to their territory or distinctive identity relative to other groups. Indeed, the implementation of the reservations created through the Treaty of Point Elliott revealed the extent to which the boundaries between the Duwamish and other proximate groups, most notably the Suquamish, continued to structure social life despite non-indigenous settlement. Even as efforts to physically and politically consolidate the indigenous communities in the region accelerated as a result of the Indian Wars, many Duwamish continued to resist and assert themselves as distinctive.

To the extent that the treaty process necessitated defining the indigenous communities of the Puget Sound in terms of the land that the treaties were meant to secure for white settlement, Governor Stevens and his agents may have inadvertently validated these symbolic attachments to the land. While his instructions called for the consolidation of indigenous communities as much as possible, this largely took place in the implementation, rather than negotiation, of the treaties. The treaties themselves were negotiated with a large number of named groups attached to specific territories rather than through the creation of new confederations that spanned existing social boundaries. While the treaties were negotiated in a manner that flattened the more complex, nested identities that prevailed in everyday life – combining villages and sub-tribal units ("bands") into tribes with distinct, central chiefs – it was only later, in the settlement of the reservations, that an attempt was made to cut across existing social boundaries that had prevailed throughout the region. The treaty negotiation process, based on a territorially-oriented ethno-national scheme, therefore at least partially converged with existing self-identification while the implementation of the reservations, which occurred alongside increased racialization of indigenous peoples by both the state and settlers following the Indian Wars, put the self-identification of the Duwamish in direct conflict with the classificatory scheme preferred by non-indigenous actors.

Chapter Four: Period Three (c. 1890 through c. 1934)

As the Puget Sound experienced rapid changes from the end of the nineteenth century through the first decades of the twentieth century, the dynamics of Duwamish collective self-identity and classification also shifted substantially. The extreme social marginalization of the Duwamish increasingly prevented the continuation of social relations that had prevailed prior to contact, but nevertheless failed to extinguish Duwamish identity or fundamentally alter its characteristics. Rather, a revival of politicized Duwamish identity occurred in the early twentieth century that rejected attempts to classify the Duwamish in a manner that violated their self-understandings. The state, meanwhile, shifted from an explicitly racially exclusionary means of classifying the Duwamish to one that, in seeking to break the influence of tribes, defined tribal membership in racialized terms. This fusion of racial and ethnic classification had the consequence of maximizing exclusion of the Duwamish at the same time that certain aspects of the political structure began to open to claims against the government. Duwamish actors in this period therefore rejected the classificatory scheme of the government through formal political channels.

Although arson, legal exclusion, and discrimination pushed much of the remaining indigenous population out of Seattle, some Duwamish individuals and families remained in the Seattle area through the late nineteenth and early twentieth centuries (Thrush 2017, 82-85, 97-99; Tollefson et al. 1996, 327; Ruby and Brown 1992, 73-74). A band of Duwamish remained, at least as late as 1898, near the Cedar River under the leadership of Chief William, who died in 1896, and several families continued to maintain a subsistence lifestyle despite greater isolation from other Duwamish families (Dorsey 1902, 227, 234; Bagley 1929, 137-144; US BAR 1996, 3; Ruby and Brown 1976, 52). Those who continued to live by traditional means were often

extremely poor and marginalized by white settlers, who viewed them with various degrees of detached bemusement and disdain (Thrush 2017, 87-89). Others eventually moved onto reservations throughout the Puget Sound region, including those at Port Madison, Tulalip, Muckleshoot, Puyallup, and Lummi, often in order to live with spouses belonging to other tribes (US BAR 1996, 6). Although life on the reservations thrust some into new tribal identities, particularly on the Tulalip and Muckleshoot reservations, where pan-tribal identities centered on the reservation emerged among the residents (see Harmon 1998, 131-159 for a discussion of some of the complications of tribal identity throughout the region in relation to reservation policy), many retained a Duwamish personal identity (Davis 1927, 700; Hamilton 1927, 694; James 1927, 706; Joe 1927, 692; Tecumseh 1927, 682; Allain 2014, 3-4). In addition to intermarriage with members of other tribes, and consistent with the pre-existing practice of exogamy among both the Coast Salish generally and the Duwamish particularly, many other Duwamish were integrated, although not unproblematically, into non-indigenous society through marriage (Ballard 1935, 111; Suttles and Lane 1990, 493; Thrush 2017, 74; US BAR 1996, 7). Finally, some Duwamish moved out of the Seattle and Puget Sound region entirely (Davis 1927, 701; US BAR 1996, 8-9; Allain 2014, 22, 107, 161, 293). Although there is evidence of social and cultural persistence, including the maintenance of ties between families both on and off-reservation, by the early twentieth century, the Duwamish may be fairly characterized as a diasporic community (Tollefson 1995 104-110; Allain 2014, 22; US BAR 1996, 8-9).

Changing Landscapes, Losing Livelihoods, 1890-1920

Just as the Duwamish as a people experienced profound changes during this period, so too did their historic homeland and its more recent occupants. The city of Seattle and immediate surrounding areas experienced enormous growth during this time, both in the settler population

and the economic activity of these settlers. This resulted in major changes to both the physical and social landscape of the region, depriving the remaining indigenous residents of the physical environment that had sustained their communities and altering the social ties which coordinated activity across this landscape. In 1890, Congress appropriated funds for a survey of a ship canal north of the city center, between Lake Washington on the east and the Puget Sound to the west of the city (Bagley 1916b, 376). Within five years, the Seattle & Lake Washington Waterways Company had also started filling in the tidelands on Elliott Bay south of downtown Seattle to allow the commercial center of the city to expand southward along the coast (Bagley 1916b, 354). The material used to fill the tidelands was acquired from one of several major regrading projects that started during the same period, which leveled many of the city's prominent hills. Although settlers had been informally altering the physical landscape of the city for decades, the planning of the ship canal, official regrading efforts, and filling of the tidelands south of downtown was the start of a sustained period of centrally-planned construction projects designed to turn Seattle into a major urban center (Loeffler et al 1989, 84-86; Bagley 1916b, 354-397).

Reports of the discovery of gold fields in Alaska also intensified commercial activity in the region beginning in the late 19th century, both by attracting masses of gold seekers as well as becoming home to many companies involved in the gold trade. Word that gold had been discovered in Alaska first reached Seattle in 1869 (*The Daily British Colonist* 1869, 3; Bagley 1916b, 532-533). By the time that gold was discovered near the Klondike River in 1896 and began arriving in Seattle by ship the following year, at least a dozen Alaska mining companies were already operating out of Seattle (Bagley 1916b, 532-533). The sudden influx of gold seekers and mining companies required a massive expansion of the transportation capacity of the region, including an increase in shipbuilding and long-distance transportation. Although the gold

rush had already peaked by the end of 1898, the goal of making Seattle into a major transportation hub, particularly to Alaska, was not abandoned by the white community. Rather, the city and its business leaders continued to work to position Seattle as the next major U.S. commercial seaport (Bagley 1916b, 534).

The ongoing development projects and rapid expansion of both white settlements and the commercial center of Seattle had significant impacts on historic Duwamish territory. Before 1900, the business section of the city was primarily located on a small strip of land by the water, less than a mile between the northern boundary at Pike Street and the southern boundary at Main Street. By 1916, however, Seattle was home to the then-highest skyscraper west of the Mississippi (the Smith Tower) and boasted a business section stretching across over 3.5 miles of waterfront between Denny Way to the north and Spokane Avenue to the south, with the eastern border of the commercial center as far as Beacon Hill (Bagley 1916b, 354). This expanded commercial center incorporated areas historically used by the Duwamish for subsistence and other elements of social and spiritual life (Waterman 1922, 188; Waterman et al. 2001, 45; Thrush 2017, 97). The tidelands at the south end of Elliott Bay, for example, which were being filled with refuse from the downtown regrade projects, had historically provided village sites and resources for the Duwamish (Bagley 1916b, 354, 357, 361-362; Waterman 1922, 188; Waterman et al. 2001, 45). In its place, the city created a large island (Harbor Island) – then the largest artificial island in the world – on which a variety of industrial activities could be performed. In addition to the construction of Harbor Island, the Army Corps of Engineers further disrupted the Duwamish River's path into the Elliott Bay by dredging and re-channeling the river into a wide, straight waterway (only one original bend remains) and reducing its length by four miles (Thrush 2017, 94, 97; King County 2011, n.p.).

While these projects changed the southern landscape of the city, progress on the Ship Canal to the north was at least as disruptive to traditional Duwamish life. Construction of the Lake Washington Ship Canal took place between 1911 and 1917, cutting a channel between Portage Bay and Union Bay known today as the Montlake Cut (Larson 1975, 23). The channel was routed through a well-established Indian trail that the Duwamish referred to as "where one lifts one's canoe," since anyone travelling by water from Elliott Bay to Lake Washington would, after passing through Salmon Bay, Lake Union, and Portage Bay, need to bring their canoe(s) ashore in order to reach Union Bay (Waterman 1922, 192). The cut was also located just south of a site where Duwamish longhouses had once stood and just west of the site of a major Duwamish gravesite on Foster Island (Waterman 1922, 192; Lewarch et. al 1995, 10-14; Thrush 2017, 250-251). Following completion of the Hiram M. Chittenden Locks in 1916 on the west end of Salmon Bay (known to the Duwamish as "shoving thread through a bead" for its narrow passage into Lake Union [Waterman 1922, 187; Waterman et al. 2001, 44]), a temporary dam across the Montlake Cut was deliberately breached, allowing Lake Washington to empty into Lake Union and, eventually, the Puget Sound. This action lowered the level of Lake Washington by 9 feet and allowed the Locks to be opened to boat traffic. Prior to 1916, Lake Washington had drained into the Black River (which in, turn, fed into the Duwamish River and then Puget Sound) from the south end of the lake, near the present-day city of Renton. With the completion of the Lake Washington Ship Canal, however, the entire direction of the watershed switched from north-south to south-north, the Black River was left to dry up within the year and its local Duwamish inhabitants were forced find another fishing site (Thrush 2017, 97; Chrzastowski 1983, 3-6).

The specific effects of development on the Duwamish are largely accessible only through the oral histories of various Duwamish families, as little effort was made by the government to

track off-reservation Indians. Written sources, however, generally agree that most of the unassimilated Duwamish families still living in the Seattle area were displaced from their traditional village sites by 1920. In 1893, a white settler set fire to indigenous structures in West Seattle and the media reported that many of the newly homeless began living in canoes on and near the large waterfront landfill known as “Ballast Island”. The last native residents of Portage Bay, to the north, were driven out of that area by the Alaska-Yukon-Pacific exposition of 1909, the site of which was later developed into the campus of what is now the University of Washington at Seattle. By 1910, all Duwamish longhouses had been destroyed by arson at the hands of non-natives (Davis 1927, 704; Thrush 2017, 84). The extreme poverty that resulted from a total loss of their homes was illustrated by anthropologist T.T. Waterman’s almost casual reference in “The Geographical Names Used by the Indians of the Pacific Coast” (1922) to the 1920 death of a Duwamish informant, George Si’towaL, and his wife from starvation (188). The two lived in a float house near Harbor Island in Elliott Bay, increasingly closed in by the expanding activity of the port. By this point, then, the modes of subsistence that that previously characterized Duwamish tribal life were no longer possible to maintain. Arson had destroyed the structures that allowed for multi-family communal living, urban development had pushed them out of their established territories, changes in the watershed prevented access to the system of waterways that had provided transportation and subsistence, and laws abridged their rights to use the natural resources that still remained, including the land and the water.

While the consequences of development for the Duwamish people still living on their ancestral lands were of little concern to local and business elites, the increasingly dire conditions of the Duwamish and other landless Puget Sound Indians did not completely escape the notice of non-indigenous actors in the region. Some Indian Affairs personnel, including Tulalip Indian

Agent Charles Buchanan and Board of Indian Commissioners member Samuel A. Eliot, attempted to draw attention to the loss of indigenous rights to game and fish in their ancestral lands as well as the landlessness of those off-reservation. Writing to the Washington State Legislature in 1915, Buchanan described what he considered the unique condition of the indigenous peoples of the Puget Sound region, writing:

> Never has he been supported or subsisted either by the Federal Government or by the State Government. There is a common misapprehension that the Government feeds, clothes and maintains him but that is a mistake. The Government does none of these things and has never done any of them. The Indian has supported and maintained himself. No Indian has given more to the white man—no Indian has received less. (Buchanan 1915, 109)

This self-sufficiency, however, was increasingly tenuous as a result of both legal barriers to fishing and hunting as well as "activities allied to the fishery industry" (110). "The pinch of poverty and hunger," he noted, "are none the less severe because the man who has taken your means of subsistence has done so under cover of law and the appearance of legal right" (110). He noted also the particular hardship this represented for the older generation, "to whom no other way or manner of life than the old one is known or reasonably possible" (113). The same year, Eliot's (1915) report to the Bureau of Indian Affairs on the "Conditions and Needs of the Indians of the Northwest Coast," noted that "[m]ost of the Indians are still very poor" (17), their fishing and hunting rights were not respected (18), and estimated that "one to three thousand Indians… are landless and homeless" despite the fact that all of the reservations on the Puget Sound had already been allotted to individual tribe members, leaving them no other option but to "wander up and down the Sound" (21). "Whatever may be the justice of the contention of certain bands that their reservations are not as large as contemplated in the treaties," he explained, "the fact remains that there is not now, and never has been, enough room for all the Indians who have rights thereon" (21).

This fundamental inadequacy of the land reserved for the indigenous peoples of the Puget Sound did not, however, lead officials to expand the land available, but instead resulted in efforts to limit who could legally make such claims. Where federal reservation policy had initially been designed to ensure separation between settlers and indigenous communities on the ever-expanding western frontier, even in the mid-1850s it was recognized that, unless the government wished to either exterminate indigenous peoples entirely or keep them cloistered as permanent wards of the state, it was ultimately preferable (from the perspective of non-indigenous actors, at least) for them to eventually be assimilated into non-indigenous society (Tyler 1973, 72-73, 95-96). The allotment system, which had been contemplated and experimented with since the Jefferson administration and was established in 1887 through a bill popularly known as the Dawes Act or the Allotment Act, was a partial product of that effort (Tyler 1973, 75, 95; Prucha 1981, 237-238).

Motivated by the belief that individualization was a necessary component of moral personhood, and that the collectivism that frequently characterized 'tribal' life inhibited the development of the individual, the allotment system sought to break the dominance of the tribe in the lives of indigenous persons. Two means of accomplishing this goal were through converting the conversion of reservation lands that had been promised by treaty to the tribes into personal, rather than collective, property and granting the allottees of this land U.S. citizenship[28] (Tyler 1973, 95-96; Prucha 1981, 237-239; Prucha 1984, 659-661). It also had functions that were more obviously to the direct benefit of the government; by making the allottees citizens, the Dawes Act at least somewhat relieved the government of having to negotiate with tribes collectively

[28] The Burke Act of 1906 altered this second condition, granting citizenship to allottees at the end, rather than the beginning, of the twenty-five year period in which the land was held in trust by the government (Prucha 1981, 254).

and, by opening up unallotted territory on reservations to potential sale to non-indigenous settlers, it also reduced the amount of land reserved exclusively for indigenous use (Tyler 1973, 97; Prucha 1981, 237). The Dawes Act therefore transformed the land on existing reservations into a more finite resource than it had been when held collectively by limiting the number of allottees a given reservation could accommodate. However, an amendment in 1891 also opened up the allotment system to "any Indian not residing upon a reservation," and allotting to these individuals public land that had not already been claimed or settled by non-indigenous actors (Kappler 1904a, 33).

Therefore, by the time the reservations in the Puget Sound were fully allotted, the challenge, at least from the perspective of government agents, was not how to expand the amount of reservation land available but rather how to minimize the number of people who could rightfully make a claim for an allotment. Likewise, limited public land for allotment by non-reservation Indians also provided an incentive to reduce the number of potential claimants under the law. One means for doing this emerged out of another law that was passed for the supposed benefit of indigenous persons, "An act in relation to marriage between white men and Indian women," passed August 9th, 1888, which granted U.S. citizenship to any Indian woman in such a marriage. Although the Act specified that "nothing in this act contained shall impair or in any way affect the right or title of such married woman to any tribal property or any interest therein" (Kappler 1904a, 38), it did not address the rights of any children born to these couples. In his report to the Department of the Interior for 1894, however, Indian Affairs Commissioner D. M. Browning reported that the department had made a determination that:

> …an Indian woman by such marriage separates herself from her tribe and becomes identified with the people of the United States, and her children are citizens of the United States, in all respects, and in no respects can be deemed members of the tribe to which the mother belonged prior to her marriage. (US BIA 1895, 65)

These children, "therefore, have no right to share in the property of the tribe" (65) with respect to the allotment system. This decision, at odds with the traditional attitude towards exogamy and tribal identity practiced by the tribes of the Puget Sound, thereby excluded a significant percentage of Duwamish women from being able to claim land under the Dawes Act.

Mobilizing Identity

This decision was also at odds with an increasing political consciousness within the Duwamish diaspora, as well as among other landless, unenrolled, and off-reservation tribes, who were demonstrating an interest in asserting their identities (and corresponding rights) both individually and collectively. In 1914, the Northwestern Federation of American Indians (NFAI) was formed under the leadership of Thomas G. Bishop, of Snohomish ancestry, to work with members of tribes across the Puget Sound to pursue their abrogated rights under the treaties (Roblin 1919, 2; Marino 1990, 78; Porter 1992, 117). Inspired by the emergence of pan-Indian organizations such as the Society of American Indians (founded in 1911), Bishop's NFAI sought both to uphold the promises made by the U.S. government in Puget Sound-area treaties as well as to promote a certain degree of assimilation for the benefit of persons of "Indian blood" (Harmon 1998, 178-179). To this end, Bishop conducted a series of interviews with tribal elders throughout the Puget Sound, including the Duwamish, which in December 1915 he published in a pamphlet entitled "An Appeal to the Government to Fulfill Sacred Promises Made 61 Years Ago" (Bishop 1915). His informants described a variety of grievances associated with the treaty process and requested relief in the form of payment for lands that had been ceded, the restoration of fishing and hunting rights, and land (Bishop 1915, 4, 25, 33-34).

The same month that Bishop published his pamphlet, several Duwamish elders formally organized as The Duwamish Tribe of Indians with Charles Satiacum designated as chief and

William Rogers as sub-chief, respectively. They reported on the election of an eleven-man Board of Directors and produced a membership roll consisting of 319 individuals (US BAR 1996, 72-75). While most of the board members were settled on a variety of reservations in the region, less than half of the membership was attached to a reservation (US BAR 1996, 75). The membership was also composed of both the older generation with direct ties to a traditional Duwamish mode of subsistence as well as younger, more assimilated individuals many of whom descended from the so-called 'mixed' marriages between Duwamish and non-indigenous settlers. The organization thus reflected the heterogenous composition of the Duwamish in the early twentieth-century: geographically dispersed, variously on- and off-reservation, and reflecting varying degrees of assimilation with non-indigenous society.

Both the NFAI and the Duwamish Tribe of Indians saw the landlessness of the Duwamish both as one of its most salient characteristics as well as one of its most pressing problems to be solved. Bishop wrote in his 1915 pamphlet:

> There are many who for reasons best known to themselves have wandered, till they can go no farther. Many of them have families through marriage to white settlers, and have located on or acquired lands, some of which are very poor for agricultural purposes. (28)

This wandering had not merely dispersed the historic tribal community, but constituted a persistent hardship in their lives. "The actual condition of these Indians, and especially the Duwamish," he explained, "is pitiable to say the least, for in many cases they are driven away from their little homes that they erect on these sand spits … and have no recourse other than to move" (US BAR 1996, 187-188). Duwamish *si'ab* Satiacum expressed the situation similarly in his sworn testimony to Bishop, explaining that "I don't like to have my people all of them driven from one place to another and then told them that they don't own the land, and must move off. Give them a place where they can live and fish or hunt a little…" (Bishop 1915, 34).

One potential opportunity to ameliorate the displacement of the Duwamish came as a result of Congress' 1911 authorization of allotments from the land of the Quinault reservation, located west of the Puget Sound on the Pacific coast of the Olympic peninsula (Kappler 1913, 507). The Superintendent of the reservation, H. H. Johnson, interpreted the law to mean that unallotted Indians living west of the Cascade mountain range (which includes the Puget Sound region) could obtain allotments on the reservation even if they were not members of the Quileute, Hoh, or Ozette tribes assigned to the reservation (Roblin 1919, 2). The NFAI therefore encouraged mass applications for allotments on the Quinault reservation as a means of securing land rights (Roblin 1919, 2; Porter 1992, 118). These applicants, however, were not actually looking to re-settle on the Olympic peninsula, but rather sought to use the formal allotment process as a means of requesting reservation territory on Duwamish land (US BAR 1996, 185, 187-188). As Bishop explained, Duwamish applicants for allotment "do not wish lands upon the Quinaielt [sic] Reservation but would prefer homes on their old Renton reservation or thereabouts" (US BAR 1996, 185).

This strategy, Bishop suggested, would benefit both the older generation and the more assimilated younger generation who wished to provide for their elders. He explained:

> Of these Duwamish Indians, the ones who are able, do work of various kinds – in sawmills, farms and rough work, and are caring for the members of their tribe as best they can besides protecting their own family. The younger members, the ones who are working, are asking that some lands be set aside for homes for the older people as they feel that the government should live up to its part of the Agreement of 1855-1856, and they are very anxious for a tract of land sufficient for the care of them at either Renton reservation or waters adjoining Puget Sound, where they might be near fishing. Of these Duwamish Indians, to my judgment, about 80 are very old men and they would under no consideration take an allotment of land on the Quinaielt [sic] reservation and move thereon. They ask for a money consideration of some kind for their maintenance if homes cannot be furnished them according to the promises made by former Governor Stevens… (US BAR 1996, 187-188)

Duwamish *si'ab* Satiacum likewise framed the issue in terms that reflected the generational divide amongst the Duwamish, suggesting that while the older generation needed land in order to subsist, the "young Indians" should be permitted to "live like white people" (Bishop 1915, 34).

In addition to the NFAI-led effort to obtain allotments under the auspices of the Quinault allotment system, the Duwamish also pursued other efforts to obtain land in their historic homeland. In 1916, the Duwamish Tribe of Indians retained a former Superior Court Judge, Arthur E. Griffin, to represent them in their claim that Governor Stevens had promised them a reservation on the east side of the Puget Sound. They therefore sought the right to an allotment or, if this was not possible, a monetary settlement for the value of an allotment (US BAR 1996, 43, 189-190).

This increase in explicitly political activity on the part of indigenous peoples, particularly those outside of the existing reservation system, did not escape the notice of government officials, who took varying positions on its motivations and desirability. While Samuel Eliot (1915) described the NFAI as a "valuable asset" that "brings together in conference the more competent Indians, focuses public opinion and appears to be administered without undue attention to personal and individual ambitions" (21), Charles Buchanan criticized both the NFAI and Bishop's motives (Harmon 1998, 183). After Bishop and the NFAI submitted 82 enrollment applications for the Quinault reservation to the Office of Indian Affairs in May 1916, Commissioner Cato Sells assigned a Special Indian Agent, Charles E. Roblin, to "carefully examine each application" to ensure that applicants were enrolled with an eligible tribe (quoted in US BAR 1996, 68; Porter 1992, 118). In his instructions, he specifically referenced the policy excluding from tribal affiliation any children of marriages between Indians and whites (US BAR 1996, 68). Moreover, he directed Roblin to produce "'a separate enrollment' of the 'unattached

and homeless Indians' of Washington State" (HR 41), which Roblin completed and submitted to Sells in 1919.

By the time Special Agent Roblin had completed his enrollment, Commissioner Sells had, under the auspices of "liberalism" (US BIA 1917, 3), further institutionalized blood quantum as a basis of Indian administration. In a declaration of policy on April 17, 1917, Sells announced that the Bureau of Indian Affairs would begin "discontinuing guardianship of all competent Indians" (US BIA 1917, 3). In his annual report of 1917, he explained the underlying line of reasoning behind the policy in explicitly racial terms:

> While ethnologically a preponderance of white blood has not heretofore been a criterion of competency, nor even now is it always a safe standard, it is almost an axiom that an Indian who has a larger proportion of white blood than Indian partakes more of the characteristics of the former than of the latter. In thought and action, so far as the business world is concerned, he approximates more closely to the white blood ancestry. (US BIA 1917, 3)

Following this argument, the Bureau of Indian Affairs would release from guardianship "all able-bodied adult Indians of less than one-half Indian blood," as well as those with greater than one-half Indian blood "who may, after careful consideration, be found competent" (4). By 1919, the standard shifted so that those of one-half Indian blood were also deemed competent (US BIA 1919, 8). While the liberal assimilationist goal of this policy – like that of the allotment system – is stated clearly in Sells' stated justifications (US BIA 1917, 4-5), the policy also had the practical effect of freeing the federal government from concern for the well-being of these individuals or the obligation to assist them as needed (Prucha 1984, 880).

This alternative motivation for the emerging termination policies comes through strongly in Roblin's (1919) report to Commissioner Sells on his efforts to enumerate the unattached Indians of the Puget Sound. He writes dismissively of claims made by the "descendants of Indian women who married the early pioneers of the country and founded families of mixed-blood

‘Indians,’” suggesting that they lack associations with “any Indian tribe or tribes for several decades or even generations” and made no “claim for recognition by the United States Government until a few years ago” (Roblin 1919, 1). “It appears that this sudden interest of persons of mixed Indian blood, in obtaining their ‘rights’ and ‘what is justly due’ them,” he explained, “results from the activities of a few mixed-blood Indians who started a movement a few years ago for this purpose,” (2) a direct reference to the Northwestern Federation of American Indians. Of Thomas Bishop, he wrote:

> He and his fellow-workers have spread the doctrine that <u>any</u> person who has Indian blood in his veins, no matter of what tribe or band or in what degree, has a claim ‘against the Government’ for an allotment of land or its equivalent in cash. (2)

Rather than considering that the understanding of tribal identity held by indigenous communities and persons was not reducible to a simple calculation of blood quantum, as preferred by the government, he suggested that it was this “propaganda” (3) that resulted in applications for allotments at Quinault by unenrolled Indians throughout western Washington. Moreover, he interpreted these actions in purely pecuniary terms, suggesting that money was the primary motivation, even as NFAI and Duwamish tribal statements suggested that payment was merely a secondary concession if land on their historic territories could not be secured.

While Roblin himself was openly skeptical of this increased political mobilization, and particularly of the legitimacy of ‘mixed-blood Indians’ and their rights relative to the government, his report nevertheless provides a valuable record of the Duwamish diaspora as it existed in the 1910s. He enumerated 143 unattached individuals who identified with the Duwamish tribe, residents of nine counties in Washington state and as far as Portland, Oregon (US BAR 1996, 69). As part of the enrollment process, Roblin obtained depositions from each

enrollee on his or her personal ancestry (including amount of Indian blood), tribal identity and affiliation, and status vis-à-vis allotments.

The Duwamish enrollees varied in their backgrounds, providing snapshots of how the Duwamish diaspora unfolded between the nineteenth and twentieth centuries. Some individuals attested to 'full-blood' Duwamish heritage, having been born, raised, and in some cases continuing to reside on traditional Duwamish territory. The deposition of Jimmy Daniel, for example, describes his background thusly:

> …I was born in June, 1848, at Renton, King Co., Wash… I have lived all my lifetime in the original country occupied by the D'Wamish tribe of Indians, most of the time near Renton, on the D'Wamish River, Wash." (Roblin 1919, deposition of Jimmy Daniel, n.p.)

Other individuals of full-blood Duwamish ancestry, however, either adopted a migratory lifestyle, moved to other reservations (typically with spouses of other tribal affiliations), or attempted to establish their own homesteads. George Bill, for example, was born in "the original D'Wamish country" and lived with his parents near the Cedar River until they died, "since which time I have lived wherever I could find work to do. I am a woodsman and lumberman" (Roblin 1919, deposition of George Bill, n.p.). Charlie Moses, on the other hand, attempted to settle at Port Madison, on Suquamish territory, and found that he was considered an outsider, explaining "I tried to get an allotment on the Port Madison reservation; but the other Indians objected, on the ground that I am a D'Wamish Indian" (Roblin 1919, deposition of Charlie Moses, n.p.). The deposition of Big John, meanwhile, reflects the challenges of settling on non-tribal land. He testified:

> I had a homestead in King County, and lost the same through fraud; I was told to sign a contract for rent – of my home – and after-wards I found out it was a deed to the property that I had signed. (Roblin 1919, deposition of Big John, n.p.)

The individuals of mixed Indian and non-indigenous heritage were similarly heterogenous in their experiences; some married other individuals of indigenous descent, some married non-indigenous individuals, some retained connections to other Duwamish families and some were relatively assimilated into non-indigenous communities and had little direct connections to other Duwamish families. Most of the individuals of mixed Indian and non-indigenous ancestry, however, applied for enrollment alongside the older, full-blood members of their family, attesting to the continued inter-generational connections within families of the diaspora.

While the observations of Buchanan (1915), Eliot (1915), the NFAI, and others on the immediate conditions of many indigenous peoples in the Puget Sound region had not sufficed to prompt direct relief of their hardships, there was an increasing push for changes to the allotment system, and Indian administration more broadly. Opposition to allotments became an increasingly popular issue within liberal circles throughout the 1920s, in part thanks to the work of many journalists covering various depredations against Indian communities around the country by the Bureau of Indian Affairs and its agents (Downes 1945, 333-33; McNickle 1973, 88-89). The loss of tribal lands due to allotments became a central axis of a burgeoning Indian Reform movement. Although the allotment system did not formally end until 1934, when the Indian Reorganization Act (popularly known as the Wheeler-Howard Act) passed in Congress, the 1920s saw a rise in demands for reform to Indian administration as well as some limited concessions that expanded the political opportunities for making claims against the government, even if they didn't reflect a fundamental shift in policy (Prucha 1984, 790, 962).

Even though breaking tribalism remained the underlying principle behind Indian administration in the nineteen-twenties, this decade was nevertheless one in which practical incentives for tribalism were created, both due to grievances that had to be confronted

collectively and some openings of the political opportunity structure that allowed such. A series of controversial actions by officials in New Mexico, for example, including proposed legislation that would have the practical effect of legitimating the claims of non-indigenous squatters to lands held by the Pueblo peoples, resulted in the first all-Pueblo union since 1680 (Downes 1945, 334-335; McNickle 1973, 89-90). Their success in challenging the bill and prompting Congress to establish a land board to more equitably adjudicate disputes over land demonstrated the efficacy of collective action. Even following the 1924 Indian Citizenship Act, which gave U.S. citizenship to all non-citizen Indians who were born in the territorial United States – a reform that was essentially consistent with the existing aim of breaking tribes and replacing them with individual citizens – tribal approaches to addressing grievances were still preferred (Prucha 1984, 793; McNickle 1973, 91).

This collective approach to addressing grievances was further facilitated by Congress' passage in 1925 of "An Act Authorizing certain Indian tribes, or any of them, residing in the State of Washington to submit to the Court of Claims certain claims growing out of treaties or otherwise," which gave the "tribes and bands of Indians" west of the Cascade Mountains the right to file suit against the federal government (US Congress 1925, 886-887). This legislation, which had been pursued by Thomas Bishop and the NFAI for several years, was required since the U.S. Court of Claims did not yet accept claims from Indians without Congressional intervention (Prucha 1984, 1018; Porter 1992, 119; Harmon 1998, 183). In anticipation of its eventual passage, Commissioner of Indian Affairs Charles H. Burke instructed the Superintendent of Indian Affairs for the Tulalip agency, W. F. Dickens, to meet with potential claimants regarding their intentions (US BAR 1996, 82). At a council held December 10, 1921 on the Tulalip reservation, 470 claimants voted for the NFAI to represent their interests (US

BAR 1996, 82-83; Porter 1992, 119). A subsequent statement of claims was signed by the NFAI and representatives of tribes throughout the region. The signatory on behalf of the Duwamish, Peter J. James, was a board member for the Duwamish Tribe of Indians and had been, with his family, enumerated by and requested an allotment as a member of the Duwamish tribe from Charles Roblin (US BAR 1996, 83; Roblin 1919, deposition of Peter James, n.p.).

On February 8, 1925, eight men belonging to historic Duwamish families met in Renton, WA (south of Seattle) to establish "the Duwamish Tribal Organization, of the Duwamish American Indians" (DTO), with Peter James as its leader. They also passed a tribal constitution, which limited membership to "descendants of the Duwamish tribe" but did not specify a blood quantum standard for its enrolled members (Duwamish Tribal Organization 1925, reprinted in Wilkins 2009, 434-437). Whether the creation of the DTO was continuous with the Duwamish Tribe of Indians led by Charlie Satiacum and William Rogers (both of whom died in the mid-1920s) or a wholly new political entity remains a point of contention between the federal government and the DTO (US BAR 1996, 76).

The following year, the DTO joined representatives of eighteen other indigenous groups – the Lummi, Nooksack, Whidby Island Skagit, Upper Skagit, Swinomish, Kikiallus, Samish, Snohomish, Snoqualmie, Stillaguamish, San Juan Island, Skokomish, Chinook, Squaxin, Upper Chehalis, Suquamish, Puyallup, and Muckleshoot – in retaining the legal services of Arthur Griffin for the purposes of pursuing claims against the United States (US BAR 1996, 84). The suit (The Duwamish, et al. Indians, v. The United States, No. F-275), filed in the United States Court of Claims, accused the U.S. government of violating the terms of the Treaty of Point Elliott and illegally seizing Duwamish tribal lands without providing a reservation "in the Duwamish country" as promised by Isaac Stevens. Several individuals identified in the record as

"members of the Duwamish Tribe of Indians" were deposed by Griffin in 1927 as part of the investigation of their claims, including Sam Tecumseh, Alex Kittle, Jennie Joe, Major Hamilton, Jennie Davis, and Peter J. James. Most of the questioning in these depositions regards the treaty terms as understood in Duwamish communities, the quality of the land taken by white settlers, and the extent to which treaty terms were ultimately fulfilled. A representative exchange comes from the testimony of Sam Tecumseh (1927, 684-685):

> Question. What became of these houses and cleared lands when the white people came?
> Answer. When the white settlers came, then they took possession of their cleared lands and also destroyed the house, some of the houses, they set fire to it.
> Question. Did the Duwamish people have to give up all of their houses and cleared lands because of the treaty?
> Answer. Yes.
> Question. What was the character of the land on the country occupied by the Duwamish Tribe of Indians?
> Answer. The valley country here in the Duwamish Valley was all good farming land.
>
> . . .
>
> Question. When the white people came, did they pay your people anything for their houses or cleared lands or lands that they took away from them before the treaty was made?
> Answer. No.
> Question. Did the Government pay anything for your houses or cleared lands or the lands which the white people took away before the treaty was made?
> Answer. No.
> Question. Did the Government ever pay you any annuity money or goods, to your knowledge?
> Answer. No; neither money nor goods.

In addition to testifying on the negotiation of the Point Elliott Treaty and the appropriation of Duwamish land by white settlers without remuneration, several of the deposed also address the dire conditions of the surviving Duwamish. Kittle testified to the landlessness of the tribe, stating that without their own reservation the Duwamish "are poor, haven't got anything—any place to live" (Kittle 1927, 690). Jennie Joe (1927) testified that, as a result of the broken treaty promises, "to-day we haven't got anything and the younger generation has got nothing" (694). Hamilton, James, and Tecumseh (each of whom lived on Reservations in other

tribal reservations: Muckleshoot, Lummi, and Tulalip, respectively) also testified that even Duwamish living on reservations were unable to get allotments at any point after the treaty was implemented, with Hamilton able to identify only one Duwamish person, Old Chief Rogers, who had received an allotment in another reservation (the Suquamish Reservation at Port Madison) (Hamilton 1927, 694-695; James 1927, 711; Tecumseh 1927, 682).

The depositions also give some indication of the geographic dispersal of the Duwamish around the greater Puget Sound region, with several of the deposed agreeing with statements that the Duwamish were "scattered" as a result of their landless state. Nevertheless, the depositions also suggest political continuity since the treaty period, even if geographically unified communities couldn't be maintained. Jennie Davis (1927, 701-702) testified that a single line of chiefs had led the tribe in her memory: Si'ahl, Charles Satiacum, William Rogers, and, in the present-day, Peter James. In order to illustrate the wide scattering of Duwamish people across the Sound, the attorney for the tribe also used the opportunity to point out that Satiacum had lived near Tacoma when he died, Rogers had lived in the Port Madison Reservation at the end of his life, and Peter James currently resided at the Lummi Reservation. According to Davis (1927, 701-703), Satiacum died two or three years earlier (in 1924-5) and Rogers only shortly thereafter.

On March 24th 1934, the Tribal Council met and resolved that the Duwamish Tribe of American Indians were opposed to the proposed Indian Reorganization (Wheeler-Howard) bill being considered by Congress. The tribal council expressed concern that the provisions of the bill would give the Secretary of the Interior and Commissioner the power to use, for the benefit of the tribe, any money awarded to the Duwamish as a result of its pending legal claim against the federal government (Duwamish Tribal Council 1934, 794-795). They argued instead that

"after seventy years delay, the members of this tribe are entitled to any moneys which we may receive from said claim, and we desire the right to receive and expend the said money as we see fit" (Duwamish Tribal Council 1934, n.p.). The Court of Claims, however, did not find in favor of the Duwamish, issuing a ruling in 1934 that the Duwamish were not entitled to remuneration for the loss of their land or for the value of the improvements they had made to the land. Jurisdictionally they could not address the homesteading before the treaty had been ratified, and they found that Congressional appropriations for the treaty had been adequate and that more acreage was reserved than necessary, neither of which addressed the Duwamish concern that they had not been the actual beneficiaries of these appropriations or that the treaty had been 'negotiated' in bad faith (US BAR 1996, 84-85; Porter 1992, 120). The formation of the Indian Claims Commission in 1946, however, gave the Duwamish a fresh opportunity to make their claims (Prucha 1984, 1019). In this proceeding, which concluded in 1962, the Duwamish were granted a judgment of only $62,000 for the loss of their land spanning the city of Seattle and surrounding areas (US ICC 1957, 131; US ICC 1962, 449a). Despite this disappointing settlement, the Duwamish Tribal Organization continued throughout the twentieth century to doggedly pursue their collective rights, including fishing rights through the U.S. District Court and federal acknowledgment as a tribe from the Department of Interior, demonstrating marked persistence even in the face of significant odds.

Identity and Classification, Period Three

Formal racial exclusion of the Duwamish as Indians was eliminated in the late nineteenth century, but in many ways the revival of an ethno-national framework on the part of state and federal agencies merely constituted racialization by other means. Explicitly racializing tribes, that is, by treating the Duwamish first and foremost as "Indians," physically and morally distinct

from the white community, was no longer necessary since, outside of the reservations, a separate "Indian" mode of life was no longer possible. For the Duwamish as a landless people, some degree of assimilation became, especially for the younger generations, necessary for survival due to the profound changes to the landscape, the emergence of Seattle and vicinity as a bona fide metropolitan area, and failure of the state to provide the tribe with land that could still provide for their subsistence. This corresponded with an increasingly assimilationist orientation towards Indian administration, in which reducing the socio-cultural distinctiveness of indigenous communities was viewed as advantageous both under the guise of liberalism as well as in an effort to free the state from guardianship. This solution to the "Indian problem" was not merely designed to free the Indian from wardship as a second-class status, but to free the government from responsibility for the damages wrought by the exploitative dynamics of generations of interactions between whites and indigenous communities. An ethno-national framing of Duwamish identity, centered on definitions of tribes and tribal membership, therefore became a more advantageous one from the perspective of the state, as it allowed the application of a more restrictive set of standards for determining legitimate claimants. This ethno-national framing, however, took on a distinctly racialized form to the extent that it was tied to primordialist understandings of what constitutes a tribe as well as the ascendance of blood quantum as a basis for attaching individuals to tribes. This combination of ethno-national and racial categorization was applied in a manner that maximized the number of individuals who could be denied access to resources and status.

Once this ethno-national basis for interaction with the state was re-introduced, however, a revival of Duwamish tribal identity also occurred, reflected in the actions of the Duwamish Tribe of American Indians in the mid-1910s and its successor, the Duwamish Tribal Organization, in

the mid-1920s. While there is no positive evidence that Duwamish identity ever truly disappeared, the legal exclusion of the Duwamish under a racially exclusionary regime, destruction of their historic communities, and subsequent diasporic dispersal severely inhibited its political viability. That is, in the late nineteenth and early twentieth centuries it was not a basis on which Duwamish persons, individually or collectively, could effectively make claims to the state due both to the structure of the reservation system (which, by consolidating multiple groups into large reservations, sought to interact with indigenous communities on a supra-tribal level) and their legal exclusion from the polity on an explicitly racial basis.

Once "tribal" relations with the state as such become politically viable again, however, the Duwamish collective identity again coalesces around land, as it did historically. This is evidenced by a continual concern with the absence of allotments for the Duwamish on the parts of their historic territories that had not been thoroughly urbanized (such as the Renton area, south of Seattle) and desire to restore rights to use the land for subsistence purposes. Despite being landless, their collective claims for territory were not aimed at securing land in other reservations (although some individuals, through their spouses, did accept allotments on other reservations [Tollefson 1995, 106]) and despite lack of formal recognition by the state, they were not satisfied with accepting recognition as part of conglomerated tribes with recognition in other locations. Consistent with other diasporic communities, the Duwamish retained affective and symbolic ties to their historical territory even when they were absent from it. Indeed, DTO adopted a descent based membership standard (and thus ethno-national boundary) which tied subsequent generations to the land of their ancestors even if they themselves were distant from it.

But the relaxation of formal racial exclusion and re-emergence of politicized Duwamish tribal identity by no means blunted the tension between assimilation and native identity among

the Duwamish who intermarried with non-indigenous persons or descended from such unions. Everyday prejudice against indigenous actors persisted despite Seattle increasingly adopting the regalia of Indian pride in various ways. At the same time that the city sought to gloss over its treatment of the original inhabitants of the region, remaining Duwamish felt social pressure not to reveal their racial status for fear of exclusion. The federal government might have opened the door to legal claims tied to tribal identity, but the descendants of Duwamish-pioneer marriages felt informal social pressure to hide their affiliation with that identity. Moreover, the diasporic nature of the community put the onus on families to retain a sense of Duwamish identity rather than centering it on the tribe as a central entity. The re-emergence of the Duwamish tribe as a mechanism for pursuing collective claims thereby provided a means of re-institutionalizing a beleaguered identity in a manner that was limited neither by the exclusionary principle of blood quantum or the anti-indigenous prejudice of everyday life.

Chapter Five: Conclusion

Between the late eighteenth century and the early twentieth century, the Duwamish were subjected to immense challenges as a result of the expansion of non-indigenous settlement in the Puget Sound region. Nevertheless, the Duwamish have resisted numerous attempts to classify them in ways that violated their own sense of self: from the early implementation of reservations, in which they were expected to re-settle on Suquamish land, to later attempts to impose racial definitions of tribal membership. Despite numerous attempts to displace them from their land, break their community ties, and erode their distinctive identity as a people, Duwamish self-identity remains intact and members of the Duwamish Tribal Organization continue to work in pursuit of their collective political rights, including federal recognition, to this day.

The persistence of Duwamish identity does not, however, mean that it has not undergone change over the course of the last several centuries. Indeed, the disruption (and even destruction) of the mode of life that prevailed prior to the arrival of non-indigenous peoples to the region was also accompanied by similar effects on the landscape of social identities of which the Duwamish were a part. While it is beyond the scope of this study to trace how this entire landscape changed, including the extent to which such changes were driven from within or from outside of indigenous communities, it is possible to trace out some elements of Duwamish identity that suggest continuity with the past as well as elements that have diverged from it. Duwamish identity, for example, retains a connection to their ancestral territory as a permanent homeland (Toleffson 1995, 105-106; DTO 2011, n.p.; Allain 2014, iii, 2) and continues to transmit this identity across the generations in a manner that is inclusive to individuals of “mixed” heritage (Allain 2014, 96-97, 152-158; DTO 1925, 435). While the social organization of the Duwamish has undergone change as a result of changes in the watersheds and the need to work within non-

indigenous social institutions, most notably government bureaucracies and the legal system, it also maintains some continuity with previous practices (Toleffson 1995, 104-105).

Of central interest to this study, however, are the ways that racial and ethno-national categorical schemas have been used in relation to the Duwamish, both in terms of their self-identity and their classification by non-indigenous actors. The findings for each of the three time periods under examination reveal differing ways that the Duwamish have been conceptualized and some of the motivations for these changes. The substantive findings for each period are outlined in the next three sections, followed by a summary of their mobilization in relation to self-identification and classification. This is followed by a discussion of how the classificatory schemas of non-indigenous actors, particularly the state, resembled or diverged from Duwamish self-understandings. I then address the relationship of the classificatory schemas used by non-indigenous actors to their actual social relationships with the Duwamish, arguing that their function was to maximize the opportunities for social exclusion and domination. To the extent that the Duwamish resisted these classificatory schemes, therefore, they were also actively resisting their own subjugation.

Period Summaries

Period One: Late Eighteenth Century to Mid-Nineteenth Century

Duwamish self-identity prior to contact with American and European actors was tied to a network of nested, situational group identities that were oriented primarily around geography and subsistence practices. While political leadership was evident, its structure may not have followed the centralized form that was considered conventional to European-originating peoples. Upon their earliest contacts, however, white American and European actors who interacted with the Duwamish viewed them first and foremost through the lens of race – that is, as "Indians" – and

secondarily as part of a particular ethno-national configuration – that is, as a "tribe". This classificatory scheme had been developed through prior contact with indigenous peoples of the Americas and elsewhere and was applied almost automatically as part of an already well-established frontier dynamic during westward expansion. This tribal frame emphasized the existence of clearly-bounded groups with strong central leadership ("chieftainships").

The relatively lengthy period between the start of European imperialism in North America and the arrival of European 'explorers' in the Puget Sound, as well as the slow expansion of the European/American sphere of influence in the region, had two consequences for how the Duwamish were classified by white actors. First, by the time white settlers arrived in Duwamish territory, there was already a well-developed narrative about American indigeneity on which these actors could draw. Vancouver's observations from his exploratory voyage to the region – seeing people on shore as an "Indian village," using his previous knowledge of other indigenous contacts to guide his approach to contact, and seeking out the leaders – as well as the content of Tolmie's HBC journals, illustrate the extent to which these actors already felt that they knew what "type" of people they were seeing even as they in point of fact, knew very little.

Second, by the time white settlers arrived in Duwamish territory, there was also a well-honed set of agendas – primarily economic and political – that informed the actions of these white American/European actors in relation to indigenous people. Vancouver's arrival was a consequence of the Nootka crisis, in which British and Spanish interests were competing for the region, as they thought it was a potentially useful source of goods (including furs) as well as a possible transportation route (the Northwest Passage). Indeed, they viewed the region as potentially useful enough that this event was regarded as involving the threat of a possible war. The establishment of an HBC outpost also illustrates the extent to which the region was viewed

as economically viable. Moreover, by the time the Oregon Treaty was signed in 1846, the U.S. frontier had already shifted westward into western Oregon Territory. Only a year after the treaty was signed, the first non-indigenous settler claimed a homestead in the north Puget Sound and efforts were also already underway to extinguish native title to the land and to establish a reservation policy in Oregon Territory. Commissioner Medill in 1848 expressed concern that pioneers in Oregon would be discouraged by the existing conditions and the act for creating treaties as well as the Donation Land Act followed shortly thereafter in 1850. Moreover, there was already an emerging understanding that the indigenous communities Oregon Territory were not necessarily amenable to voluntary removal and had strong attachments to the particular territories on which they lived. Although the tension between the Donation Land Act and the strong territorial attachments of the indigenous peoples of western Oregon was noted upon, most notably by Superintendent of Indian Affairs for Oregon Territory Anson Dart, this inhibited neither the settlements or efforts to extinguish native title. Therefore, by 1851, when permanent non-indigenous settlers arrived in Duwamish territory for the first time, there was already a pre-existing narrative about their identity as well as a very specific agenda – using treaties to hasten the relinquishment of their territorial claim to the area – that could be mobilized to frame the interactions between Duwamish and non-indigenous actors in the region.

While the dominant framing of Duwamish identity (as well as that of other indigenous peoples) was racial – that is, as "Indians," – this racial category was attached to a particular ethno-national scheme – that of the "tribe" – that long preceded contact and had been forged from previous interactions with peoples understood to be part of the same racial category. Despite this categorical imposition, however, some of the more descriptive works describing early contacts between the Duwamish and other groups with whom they were socially connected

may still provide useful insight into the social landscape that existed immediately prior to sustained contact with non-indigenous peoples. The salience of territory both as a locus of identification and as a basis for subsistence both come through in these observations, as does the nested (and decentralized) structure of social life, from the village level to the regional level.

Period Two: Mid-Nineteenth Century to Late Nineteenth Century

In the second period, two major events changed how the Duwamish were classified by government and white settlers: the treaty process and the Indian Wars. While the treaty process entailed a heightening and elaboration of the ethno-national scheme in classifying the Duwamish, the subsequent war rapidly shifted to the magnification of a racialized classification and culminating in extreme racial exclusion.

The treaty process had two main effects on how the Duwamish were understood and the terms on which non-indigenous actors related to them. First, the treaty process was immediately preceded by a rapid acceleration of official information gathering about indigenous groups with the explicit intention of facilitating treaties which would separate the indigenous peoples from their land and reduce contact between them and the increasing non-indigenous settlers. Because the primary aim of the treaties was to extinguish native title to the lands on which settlers had (or were expected to) made claims, a particular logic prevailed in this information gathering. Such treaties necessitated relations with discrete tribes having identifiable political leaders that were attached to particular territories. To a certain extent, this reinforced the pre-existing understanding of identity that prevailed in the region: identities were already strongly linked to territory. However, it also required simplifying the political landscape, that is, collapsing or flattening the nested political units, that characterized the region in order to ensure that the treaties were signed (although not ratified) quickly. Second, the treaty process also entailed

attempts to create wholly new social groupings by consolidating the existing social groups as much as possible to reduce the number of reservations that would need to be established and centralize indigenous peoples geographically as much as possible. This went beyond flattening nested, localized identities to attempting to combine groups that had not previously understood themselves as a group, even if they had sustained interaction. The reservations that were established by treaty went beyond combining villages and bands to form distinct "tribes" and attempted to combine peoples who had lived on completely different watersheds.

Once the treaties had been signed, however, this ethno-national classificatory scheme was no longer the most advantageous relative to the interests of white settlers or the government that represented them. Having secured legal title to the lands of the Puget Sound to their satisfaction, both settlers and the state no longer viewed specific "tribal" identities as the most salient to their interests. Although the treaties themselves seem to have provided some of the dissatisfaction that led to the outbreak of war with indigenous groups on the east side of the Cascades, as a consequence of the war the ethno-national scheme on which those treaties were based was replaced with a highly racialized scheme that treated all Indians as potential hostiles. This classificatory change occurred in concert with other shifts in indigenous and non-indigenous relations, most notably the acceleration of efforts to move indigenous communities to the reservations despite the fact that the Treaty of Point Elliott had not been ratified and was therefore not yet in effect. While this move for segregation was continuous with the reservation policy's pre-existing goal of ensuring the security of non-indigenous settlers by reducing their contact with indigenous peoples, it took on a more confrontational and hostile character in the shadow of the war.

Nevertheless, neither the racial classificatory scheme nor the concrete actions to physically remove "Indians" from the non-indigenous population centers of Duwamish territory were sufficient to break Duwamish group identity or to disassociate that identity with the land. Group distinctions, such as that between the Duwamish on the east side of the Puget Sound and the Suquamish to the west, continued to structure social relations among indigenous people despite the efforts of government agents. While forced to live in increasingly dire conditions and facing involuntary expulsion from their land, many Duwamish continued to resist to the extent that they were able.

Period Three: Late Nineteenth Century to Early Twentieth Century

The Duwamish communities who remained on their ancestral lands in the late nineteenth and early twentieth century were increasingly challenged by growing urbanization around the city of Seattle. Massive changes to the landscape across traditional Duwamish territory dramatically reduced the possibility of continued subsistence by means that had been practiced previously and those individuals and families that continued to live as they had prior to non-indigenous settlement found their options increasingly dissolving. Some continued to subsist, as best they were able, on Duwamish land and water, but others settled on reservations or, having married non-indigenous settlers, in cities and towns dominated by non-indigenous people throughout the region. Although an indigenous mode of subsistence became more and more difficult to sustain over the course of the decades, the existing reservation policy and its corollary – the allotment system – provided little more opportunity for Duwamish persons and communities. Instead, it created an incentive for the government to again shift their primary classificatory scheme with relation to indigenous people.

The classificatory scheme that emerged resembled neither the highly ethno-national scheme of the treaty period nor the highly exclusionary racial scheme that followed the Indian war. As the traditional mode of subsistence that distinguished "Indians" and "whites" had been substantially destroyed by the early twentieth century, as with the ethno-national scheme of the treaty period, a scheme of overt racial exclusion was no longer integral to the interests of non-indigenous society. Rather, Indian policy nationwide was increasingly oriented toward breaking the tribalism of indigenous communities, especially those centered on reservations. The allotment system was therefore developed to diminish the influence "tribe" on the lives of indigenous people and instead position them as individuals on the path to full citizenship. While the Duwamish did not have their own reservation and had not been administered on a tribal basis for a significant period of time, the allotment system and its assimilationist, anti-tribal orientation led to a shift from overt racial exclusion to the imposition of a classificatory scheme that combined ethno-national and racial elements. Since the allotment system sought to break tribal lands into individual parcels, it was necessarily administered on the basis of tribal membership. However, the limited availability of land for allotment created an incentive to reduce the number of legitimate claimants – that is, the number of people who could legitimately claim to be part of a known tribe. One means of exclusion was to define individuals who were of "mixed" indigenous and non-indigenous ancestry as having no tribal rights. From the perspective of the government, tribal identity thereby took on a racial definition; to be considered a member of a tribe, one must have "pure" racial ancestry.

Where the previous racialized schema produced exclusion by defining individuals as "Indians," thereby negating their claim to the rights afforded white citizens, the new schema additionally produced exclusion by invalidating individual claims to tribal identity on the basis

of their racial composition. The continued discrimination against persons of indigenous ancestry in everyday life created a double bind for many Duwamish given the number of "mixed-blood" Duwamish people in the region by the early decades of the twentieth century. Socially marginalized for being non-white, and excluded from the allotment system for not being "full-blood Indians," they were subjected to a racialized ethno-national scheme that maximized their exclusion.

This period also, however, saw a revival of politicized Duwamish identity to the extent that the allotment system and other 'reforms' to Indian policy created opportunities for claims to be made against the government. Motivated in part by pan-tribal activism, the effect was nevertheless to revitalize the tribe as a basis for collective action. To the extent that this movement was composed of Duwamish persons of varying racial compositions (that is, "full-" and "mixed-blood" Indians) as well as varying tribal identities (that is, "full-" and "mixed-blood" Duwamish), it constituted a rejection of the racialized ethno-national classificatory scheme of the state as well as a rejection of the exclusionary and discriminatory basis on which indigenous and non-indigenous relations had long been constituted. Moreover, it represented a continuation of the pre-existing territorial orientation to identity that had prevailed prior to the start of white settlement but that the treaty process had (albeit inadvertently or, at least, for markedly different motivations) endorsed and validated.

Ethno-national and Racial Schemas in Self-Identification and Classification

Despite the limits of available evidence on Duwamish self-identity through the generations, there are indications that Duwamish self-identity for all three periods has ethnic and national elements. Though the social structure of the Puget Sound may have been different from the ethnic expectations of European-originating peoples, the Duwamish had an understanding of

themselves as sharing a common heritage (tied closely to their territory) that can be characterized as ethnic according to the definition used here. Likewise, their status as a nation is not necessarily that of a bounded, politically centralized state-attached unit normatively expected by non-indigenous actors, but they clearly viewed themselves as a people around which political power in their homeland was organized. After treaty relations with the U.S. government pulled into a new political system that, at least nominally, regarded them as semi-sovereign, they mobilized within it on that basis. This is most strongly evident in the beginning of the twentieth century when they established formal institutions to make claims against the government on a tribal basis. While the material conditions under which the Duwamish were forced to grapple severely limited documentation of both their ethnic self-understanding and political mobilization, it can minimally be concluded that they viewed themselves as sharing a common heritage and possessing political power over themselves.

Racial self-understanding, however, does not appear to have been evident among the Duwamish until it was imposed on them. Even once they were drawn into the racial worldview of the imperialist project, however, they resisted being defined in predominantly racial terms and resisted defining tribal membership in the racialized terms of blood quantum. It is only in the early twentieth century, when pan-Indian organizations worked with individual tribes to make claims against the government, that they explicitly mobilized as “Indians”. Even then, this appears more as a pan-ethnic mobilization on the basis of a shared historical experience of oppression by non-indigenous actors rather than a manifestation of explicitly racial self-understanding. Therefore, while they were responsive to their having been classified on a racial basis, the Duwamish did not adopt an explicitly racial self-identity and were, by the early

twentieth century, mobilized on a basis that used pan-ethnic institutions as a means of pursuing their own distinct ethno-national identity.

In terms of external classification, beginning with the first interactions between the Duwamish and non-indigenous actors there is evidence of a dual understanding of the Duwamish as part of a particular race – "Indian" – with an accompanying form of ethno-national organization – the "tribe". While this framing persists across all three time periods, it takes on distinctive forms depending on the historical context. In the period immediately prior to the treaties, a very particular ethno-national schema took predominance. Government actors, especially, sought to classify the Duwamish as a tribe with defined central leadership, attached to a defined territory, and possessing native title that could be extinguished by treaty. Moreover, these tribes were viewed as having the potential to be combined with other tribes to form larger, easier to administer tribal units. In this sense, the racial schema was not completely subsumed by the ethno-national: they ultimately saw the tribal unit as something that could be reshaped (or even destroyed) arbitrarily as long as it was composed with racially similar peoples. The Indian Wars, however, elevated the racial schema to the point that it effectively overshadowed the ethno-national as a basis for classification. From this vantage point, the Duwamish were barely relevant as a distinct tribe but understood rather as members of a race that was viewed as a potential threat to white settlement. After legal exclusion and urbanization made a wholly separate indigenous mode of life impossible to maintain, however, and official racial exclusion was no longer the most effective means of social domination, a new schema emerged. In this conceptualization, the Duwamish were understood as an explicitly racialized ethno-national group, with tribal identity tied to purity of blood.

As previously mentioned, while this study is not sufficient to definitively assess how the Duwamish saw themselves or the exact moments where their self-identifications changed, it does provide some evidence as to how Duwamish self-identity differed from their classification. In terms of ethno-national categorization, there was originally some alignment between Duwamish self-understanding as being rooted in a particular territory and the ethno-national classification before and around the treaty period, in which the government and other actors 'needed' to identify specific tribes from whom they could extract title to the land. This alignment, however, seems to be incidental in that it does not appear that the Duwamish developed a territorial identity in response to their classification or that, had Duwamish self-identity been oriented solely around non-territorial referents (such as language or cultural traits)[29] that those would have been the basis of their classification by non-indigenous actors during the treaty period. To the extent that the treaty recognized their ties to particular land, however, and was the only codified basis of interaction with the territorial and federal governments, this momentary partial alignment between Duwamish self-identity and non-indigenous classification may have inadvertently encouraged continued Duwamish identification on a territorial basis. By the time that the Treaty of Point Elliott was ratified, the heightening of the racial frame in classification represented a significant divergence from Duwamish ethno-national self-identification. The Duwamish continued to view themselves as distinct from surrounding indigenous communities, not merely part of a larger racial group. Moreover, once the classificatory schema shifted to an understanding of the Duwamish as a racialized ethno-national group, they resisted this definition, instead defining themselves in descent-based terms that were ancestral rather than racial.

[29] To be clear, the Duwamish do assert a distinctive cultural identity and are positioned in a cultural division of labor with other indigenous communities in the region; their distinctiveness cannot be reduced to territory.

Classification, Domination, and Resistance

Throughout the three time periods analyzed here, there is a clear pattern in the shifts in classification by non-indigenous actors – from the pre-dominance of the ethno-national schema before and during the treaties, to an overtly racially exclusionary schema following the Indian Wars, to the racialization of the ethno-national schema in the early twentieth century. That is, the classification of the Duwamish consistently follows a logic of maximizing social exclusion and domination of indigenous peoples. The pre-existing categories of "Indian" and "tribe" were already part of an imperialist project which aimed at subordinating indigenous communities for the benefit of white expansionism, positioning them as socially and culturally inferior and, quite ironically, as "savages" in comparison to the supposedly enlightened peoples attempting to supplant them. Classifying them racially as "Indians" entailed defining them as a fundamentally different type of person and classifying them ethno-nationally as a "tribe" defined their social organization as that of a lower level of civilization than those of European-origins. To the extent that the details of their ethno-national identity was the object of information gathering in the treaty period, it was with the aim of securing land for white settlement, creating reservations on the land that was least valuable from the perspective of white settlers, and forming social units that would be easiest to administer and separate from white settlement. As soon as the white settlers and their representatives in the territorial and federal governments perceived (if wrongly, and too broadly) an existential threat to their growing settlements, as followed the Indian Wars, they shifted their classifications to emphasize race, thus facilitating overt racial exclusion as a means of ensuring that the region remained dominated by white persons and interests. Finally, after the extreme marginalization of indigenous communities made the previous indigenous mode of life virtually impossible to maintain and facing a political structure in which certain

rights were meted out on a tribal basis, the dominant schema shifted to one in which indigenous rights could be abridged by defining tribal society according to a racial logic. This study therefore demonstrates how different social classifications, in this case race, ethnicity, and nation, are variously mobilized at different times in the service of relations of social exclusion and domination.

In contrast with other approaches to race and ethnicity which emphasize the extent to which racial classifications move across ethnic categories and vice versa, this case illustrates how classificatory schemes remain in motion even when race and ethnicity are attached in the understandings of classifiers. There is no point at which indigenous ethnic identities are classified as anything other than racially "Indian" and at no time are individuals racialized as "Indian" given ethnic options other than "tribal". That is, the categories of "Indian" and "tribe" are coupled at all times in classification of the Duwamish. *How* the ethnic and racial dimensions of this classification are mobilized, however, varies depending on their capacity to exclude and dominate given the prevailing historical conditions. So, while the Indian racial scheme is never untied from the tribal ethno-national scheme, the relationship between these schemes is reconfigured and deployed as needed. Driving this process of reconfiguring race, ethnicity, and nation to fit the needs of exclusion and domination is a racialized state acting in the interest of a hegemonic white power structure. While the state has the capacity, however, to engage in these exclusionary practices they are not sufficient to fundamentally alter the self-identification of the people to whom these changing classificatory frameworks apply. Rather, to the extent that the state initially mobilized a classificatory scheme that converged with the self-identification of the Duwamish they may have set themselves up for the revival of politicized Duwamish identity that occurred in the early twentieth century. This is not to say that Duwamish processes of self-

identification did not undergo change – certainly they did – but not in the ways sought or imposed by the state. Rather, the Duwamish demonstrated a capacity for resistance that belies the exclusionary function of these classifications.

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