

Written by Roger Sherman, but
modified for Chapter 9 in his book
Maritime Whidbey
Fish Traps And More

DRAFT

This chapter will inform the reader about a major Puget Sound fishery that was begun in the 1880s and closed in 1934¹. Most salmon are predictable. They are hatched in the upper reaches of our Puget Sound creeks and rivers, travel into the ocean and return to spawn. Our Native Americans had this figured out ten thousand years ago and when the white man came they took advantage of it. Fish traps were one of the methods adapted from the natives. Although there were numerous regulations on fish traps the important one, overfishing, was not enforced adequately. Fish traps became so efficient and numerous that the normal runs were drastically depleted. The state took action and instead of regulation they shut the entire industry down. Of course the Indians² were allowed to continue the practice. A VCR tape was made during the 1990s by Semiamoo Parks Museum and Whatcom Parks and Recreation Foundation about salmon traps:

The aboriginal people who dwelt along the Pacific Rim, depended on salmon for food and trade. The people celebrated the return of the salmon each year. They treated the first fish with great ceremony and respect so that his spirit would advise his brothers and sisters to return as well. Throughout what is now Alaska and the west coast of North America, native people harvested these returning salmon. They used dip nets, spears and primitive weirs or traps made by placing branches or stones across the streambeds. In Puget Sound, they used reef nets which consisted of pairs of canoes with small nets suspended between them.

White settlers observed the native fishing methods. The experiment with the pile trap was the outgrowth of white mans methods applied to Indian experience. Techniques for building traps came from Scandinavia, From New England and from the Canadian maritime where traps or pound nets had been used for generations in cod, herring and salmon harvests. In Puget Sound, pile trap technology reached its zenith.³

Like all of our history, as the years floated by the island fish trap history was crossing over the river. For some reason our island historical publications printed very little about the industry. Fortunately for us and future historians, Beryl Troxell Mason, daughter of John Franklin Troxell spent ten years putting together a fabulous history, "John Franklin Troxell, Fish Trap Man Puget Sound and San Juan Islands, Washington, 1894-1934."⁴ Beryl was a medical doctor. She followed her husband around the country, raised two children and retired on Whidbey where she wrote her book. She credits numerous persons who helped. While cruising through her acknowledgements it is obvious that she did her homework. My only negative comment about the book is she did not do an index. Shame on her.

¹ Beryl Troxel Mason, John Franklin Troxell, Fish Trap Man. 1991. 1

² The term Indian is used in the historical sense. Today the common name for an American Indian is "Native American." In Canada they are called "First Nations." In reality most Indians would rather be called "Indians." They are proud of the name.

³ Semiamoo Parks Museum and Whatcom Parks and Recreation Foundation, VCR tape owned by Theresa Trebon, transcribed by Roger Sherman, March 28, 2000.

⁴ Beryl Troxel Mason, John Franklin Troxell, Fish trap man, 1991, 178

Our local historical collections have several photos of fish traps, some off in the distance, others up close some accidentally in the background. They were all built about the same. Starting at the shore a series of pilings were driven perpendicular to the shore and to deeper water. This was called the lead. A metal screen was hung on the pilings. As the salmon were swimming back to their spawning grounds they encountered the lead and swam away from the beach to try to get around it. At the end of the lead was a series of traps called the heart, inner heart, pot and the spiller. The entrances were made so that it was difficult for the salmon to find their way out. As the spiller became increasingly crowded, it was raised and dumped into flat barges and taken to the canneries. This was no easy task. During that era there were few mechanical means to help load the fish. As many as eight to ten men were needed to lift the spiller. Some salmon were sold fresh but most went to the canneries. The cannery laborers were mostly migrants, Chinese during that era. There were no canneries on Whidbey. All of the salmon were taken to places like Everett or Anacortes.

My Uncle Wilbur Sherman helped build fish traps for many years. He worked on the pile driving crews. His dream was to accumulate the resources to purchase his own site which he did in 1931. His location was near Lake Hancock in Greenbank. The trap was never built and his site location was worthless. He said that if he could have worked it just one year he would have paid off the investment.

Wilbur Sherman reminisces about working in the fish trap industry:

According to the law, a fish trap could extend 2400 feet from the shore or to 78 feet at high water. The traps had to be at least 500 feet apart. If the bottom was good sometimes several would be lined up so you did scoop up a lot of fish when they come that way.

And down here at Hancock Lake, there was one of the best fish trap sites that I have ever had anything to do with. And ah, according to law, it was on the person that operated the trap they gave him a year to do everything according to law and be on his location and if he wasn't, on the first day of April of the following year the first man to file on that location had the prior right to drive a trap there.

Well, when I was working down there in 1927, that was the year Lindburg flew across the ocean. I remember that quite so well, anyhow, we had driven a trap there for Fisheries, and it was a dandy, I'll tell you.⁵

Each trap had to be licensed. It was called a pound-net license. Some references called it a fish trap license which made more sense. The applicants had to have the site surveyed and a set of blue prints made. They not only applied to the county but also the Army Corps of Engineers and the State Fish Commission. The State Fish Commission issued the licenses. Sounds about as bad as our current county permitting process.

During 1999 this author received a call from one of my spies in the Island County Court House. He said that all of the old fish trap blue prints had been pulled from the county files and were to be taken to the Northwest Region Washington State Archives in Bellingham. This is standard procedure for most of the counties old records. The Northwest Region Archives store records for five counties. I was able to photograph a

⁵ Wilbur Sherman, Island County Historical Society, Fish Traps and Misc., recorded program, transcribed by Roger Sherman, October 9, 1993.

good sampling from 1905 through 1921 showing their design and where they were located. Most were on the west and south side of the island from Deception Pass to Possession Point. It is interesting to note that one trap was at the head of Penn Cove near the existing gravel pit. This was a mystery. Why would Penn Cove have a trap? It is true that in the 1960s and 70s there was a small run of salmon that tried to come back and spawn in Kennedy's lagoon which is at the west end of Penn Cove. A Washington State Fisheries person decided that Kennedy's Lagoon would be a good place to spawn and cause more salmon to come into the cove. But, this happened 30 years after the traps were shut down. A good guess was the trap was used to catch smelt. At that time and for many years after there were huge runs of smelt in Penn Cove. It was one of several fisheries on the island. Why the smelt have partially disappeared from Penn Cove is another mystery. At this writing, the cove is very pristine and the beaches have changed little.

During my fish trap research in the county archivist's dungeon, many things were found besides trap designs and locations. During 1999 Elizabeth Fairfax was the archivist and her office was called the Island County Records and Information Services Division General Services Administration. Quite a handle. No telling what it is now. The county likes to play with their department names. As of this writing, Elizabeth is still the archivist and on one occasion I was giving her a bad time about where the old county records were stored. They were at the garbage dump, now called the County Land Fill. I was teasing and she took it in good humor. She explained that the land fill was where a good building was available.

Numerous locals were involved in the fish trap industry. A few from central Whidbey were Roy Gillespie, H. W. Libbey, J. B. Libbey, R. L. Maylor, H. C. Davis and S. F. Benson of San de Fuca. Although there were traps all the way along the west and south shore, most were located from Partridge Point to Deception Pass. There were a few on the inside of Whidbey from Dugualla Bay to Strawberry Point. The trap at Ebey's Landing was owned by the Coast Fish Company of Anacortes. It was abandoned in 1911.⁶

There was lots of activity about different phases of the fishing industry. An example is a herring reserve that was established in Holmes Harbor in 1915. During 1912 licenses were issued to individuals for kelp areas, chiefly off Smith Island and Partridge Point. During 1906, two oyster beds were claimed, one in Crescent Harbor and the other in Dugualla Bay.⁷

All of the traps had a little building that was housing for a full time watchman. Sometime the building would house a husband and wife, sometimes a family or maybe it served as a bunkhouse for the trap crews. Many things could happen to salmon traps. They were all exposed to the weather and when a good westerly was blowing through the Strait of Juan De Fuca bad things could happen. The watchmen were in a precarious position. Two deaths were reported in October of 1934. Mr. and Mrs. John Dybdal operated a trap near the entrance to the Skagit River. They apparently drowned when their small shack fell into Skagit Bay during a violent storm.

⁶ Coast Fish Company, Anacortes Washington, letter, July 28, 1911

⁷ Elizabeth Fairfax, Island County Archivist allowed me to record and copy all of the information in this paragraph and numerous other documents.

During prohibition, the rum runners gave the trap operators many headaches and sometimes other more serious problems. In 1919 the 18th amendment to the constitution was enacted which said "no more booze." This lasted until 1933 when it was repealed. Island County was dry many years sooner, chiefly because of an organization of women called the WCTU, (Women's Christian Temperance Union). United States citizens still had a taste for alcohol which caused a very colorful part of our history. Canada did not have this law so it was natural for them to satisfy the Americans thirst. The fish traps were a convenient place for the rumrunners to tie up and deliver their cargo. My Uncle Wilbur said that these people were mean, you did not mess with them and sometimes the trap keepers would go ashore and come back when they were gone. Others traded with the rumrunners, salmon for whiskey. Another serious problem for the keepers were seals. They had a regular buffet and took advantage of it. The state put a small bounty on seals and they were regularly shot by the watchmen. Another factor was the watchmen themselves. They were not always honest and sometimes sold salmon. Good help was hard to find.

A story in the island newspaper tells about a fish trap robbery which took place in 1933. The trap was located near Swantown on West Beach Road. Four men arrived about midnight, woke the four watchmen and held them at gun point while they seined 500 salmon out of the trap. They were all apprehended the next morning while trying to sell their booty to a cannery in Anacortes. The newspaper called them fish pirates.⁸ It would not be long before the pirates would have nothing to pirate. According to the Island County Times headline, "Island Industry Threatened:"

In a letter to Rathburn, supervisor of game and game fish, Representative Haffman of the county seeks the advisability of presenting a bill that would bar commercial fishing in salt water east of Whidby Island. The bill would also require a license for all sport fishing in salt water. More than 25 Whidby Island families depend upon fishing as a livelihood. There are already periods of time from two to three months in length when fishing is closed. Licenses and taxes on commercial fishing cost each fisherman more than \$30 yearly. The past year these waters have yielded Whidby fisherman more than \$35,000 gross. The suggested bill would kill this valuable industry outright here. It would deprive at least 25 families of a livelihood in favor of resort and sport fishermen who themselves would have to purchase licenses. There were more fish this year than the previous year, so that the bill is not aimed at conservation.

The salt water east of Whidbey Island seems to be a mistake. It should have said surrounding Whidbey Island. Note that "Whidby" is spelled without the "e." The original spelling for Joseph Whidbey, was with an "e" and the "e" was again used in the early 1940s when the Naval Air Station came to Whidbey. There is a little intrigue about how the "e" came to be a bone of contention among some early Whidbey historians. This author will leave you in suspense and maybe tell all in another section of the book.

Wilbur Sherman talked about the year before the demise of the fish trap industry:

And then about 1933, the purseiners and the sportsmen got together and decided they'd fix our clocks. The sad part of that, to me, was I had worked on the water for

⁸ Island County Times, 1933

seven years and listened to a lot of the bunk house chatter about how you could get a fish trap location.⁹

Wilbur actually obtained two pound-net licenses, numbers, 284 and 285. He was going to build his first trap on 285 which was closest to Lake Hancock. We already know that this never happened and he lost his savings.

Find out what law killed the fish traps.

The Island County Times quote is so typical of the fishing industry in our Pacific Northwest inland waters. To this day the sports fishermen are still battling the commercial fishermen and vice-versa. Both want a larger share of the available salmon. The controversial "Boldt Decision," of 1974, stated that half of the salmon catch shall be made by the tribes. That raised a few eye brows. It allowed ¼ of one percent of the population the right to take half of the total allowed salmon. To this day, that is the way it is. The ruling stands. Judge Boldt was able to show that in the 1854 and 1855 Washington Territory Indian treaties the tribes gave up millions of acres of tribal land but retained their right to an equal amount of fish from their traditional fishing grounds. One example, the Treaty of Medicine Creek, 1854, includes the following language:

The right of taking fish, at all usual and accustomed grounds and stations, is further secured to said Indians in common with all citizens of the Territory.¹⁰

Most of the treaties negotiated by Territorial Governor Isaac Stevens included this, or very similar language. The Boldt Decision caused many commercial fishermen to leave the industry and to this day there is a great deal of bitterness and outrage held by the non-Native fisherman. It is also disheartening to watch the tribes descend on our beaches and strip the clam beds. Another problem with the Boldt Decision is it is non-specific about where the "usual and accustomed grounds and stations" are. Whenever the fishing is good in a certain area of the Sound, the tribes claim that as one of their traditional fishing grounds.

⁹ Wilbur Sherman, Island County Historical Society, Fish Traps and Misc., recorded program, transcribed by Roger Sherman, October 9, 1993.

¹⁰ Wikipedia, on line encyclopedia, Boldt Decision, 1974.