

Part 3

# Tribal Hunting & Fishing Rights

HUNTING & FISHING continued from front page

roamed, and much Grand Ronde history still lives.

It is a tribute to the U.S. Forest Service that they have taken the time to look into the real history, and to reinvigorate Grand



**Traditional**—Tribal Language Specialist and Tribal member Bobby Mercier looks at historic Native artifacts while Tribal Veteran Steve Rife tries to capture the moment on film at the Museum of Natural History.

Ronde people with the richness of it all.

Since the Europeans came and conquered, this rich history of hunting and gathering, of fishing and drying and sharing has named the Indian lifestyle. And without seeking ownership, that is all they have sought to retain or regain from the dominant society that trumpets justice and freedom above all.

Like so much of the promised

land that many in other societies still hope to find, for Indians across this country, it is the land all once shared with plant and animal life, that was lost with the onslaught of Europeans and the signing of one-sided treaties that still were never honored.

The stories of Indian life, of hunting and fishing, have made great memories for every generation of the Grand Ronde peoples. Focused on the life and death matter of killing enough food to eat, the Grand Ronde people often lived outside the law just to survive.

It was a smaller deal to be arrested than to lose the truckload of fish coming back for the people at home. It was a smaller deal to complete a beautiful basket that today is sought by museums for its rarity and workmanship than it was to trade that basket for school clothes for the children.

And you look at the world through the eyes of an Indian hunter, and it was not a race for the best scope on the market. It was putting together whatever guns were on hand or whatever you could borrow, to bring home dinner.

The "Sourcebook on the Indians of the Willamette Valley" called *The Kalapuyans*, described hunting before the Euro-

pean onslaught, "with a bow arrow & spear or trap for deer." The book was written by Harold Mackey, Ph.D. and recently republished and updated by the Tribe's Culture Department in cooperation with the Mission Mill Museum in Salem.

"Trap consisted of rope placed where deer would jump over log or hill. One end of rope tied to a bent pole which was left bent by means of another rope. As soon

Orville Leno, who has passed on, "said he didn't see a lot of change after termination, from 1954-60. They didn't go out and purchase hunting licenses, they just did it like they'd always done it.

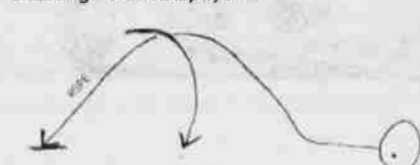
"The biggest change was in the rifles, from open sights, then along came scopes where you could aim out 2-300 yards. When you went with a dog, it was a small area and

*"It's always been about going out and killing a deer to eat it. That was the culture."*

~ Reyn Leno  
Tribal Council member

as deer was caught, the rope holding the pole broke, the tree shot up and tied the deer's neck fast. The rope ended in a loop and was hanging suspended, so as to catch the deer's neck.

Drawing: *The Kalapuyans*



"Other traps: A thick stick sharpened on one end placed so as to pierce the body of a jumping animal." (See drawing above.)

For fishing, "With spear & trap. Water dammed; trap of vertical sticks interlaced with bark. Round. Spear — 8-10 foot long pole. Tip made of hard-wood or bone. Speared also at night with torchlight."

We don't have the step-by-step timeline about how tools and weapons changed, but we do have enough information to guess that changes were practical in nature, and that the idea of culture came from practice rather than the reverse.

"It's always been about going out and killing a deer to eat it," said long time long time hunter and Tribal Council member Reyn Leno. "That was the culture."

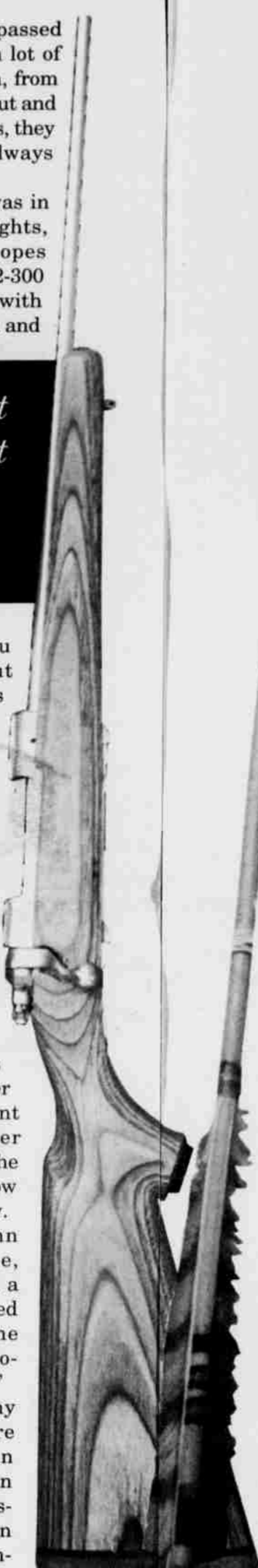
Leno's father, Tribal Elder

the dog went in and you had a deer coming out there." He pointed across the atrium of Governance Building. "It was close in."

Scopes came on as Tribal members became more prosperous. Likewise, when the bow and arrow came back into vogue for some Indians, they piqued the interest of a more prosperous Indian. Tribal Elder Marvin Kimsey said he never used a bow because it was hard enough to get a deer with a rifle, but in recent years, Tribal member Bryan Langley went for the bow, in part, because a bow dealer opened up nearby.

Tribal member Shonn Leno hunts with a rifle, bow and arrow and even a muzzle loader. He turned to the muzzle loader, he said, "mainly just to prolong my hunting season."

Ironically, though many more weapon options are available today, Indian hunting on the over run Trask unit makes the prospects more limited than ever. Of course, today, In-



A deer grazes in the grass outside the Tribe's Governance Center.



**Back In The Day** — Hunters (l to r) Roger Aaron, Lonnie Leno, Dustin Leno, Shonn Leno, Reyn Leno and the late Orville Leno pose with their elk in the late 1980s.

dian hunters can use their Indian tags in the Trask and then if Oregon tags are available, they can hunt the rest of the state, like any other hunter, but as always, the laws have been designed to drive the Indian community apart rather than encourage the sense of community that has held it together for so long.

The Trask unit is not even set aside for Indians. It is also available to all hunters and is one of the close in areas for much of Portland and Salem, the state's big population centers. In addition, with all of the Tribe's 300-plus available tags assigned to the Trask unit, over-hunting the area is almost guaranteed. And even the 300-plus tags available to the Tribe are a drop in the bucket for the group that has tripled in size since the original allotment of tags was made in 1986.

### A simpler life is described by almost every Elder.

Community Elder LaVerne Hosford recalls hunting with her late husband, Tribal member Fremond Bean, and another couple. Vernon "Barney" Reibach and his wife, Minnie. "We'd put Barney on a stand (with a rifle) and Minnie and I would stay by watching, and

Hebo by the Cole Ranch — there was no road up that way then, and you had to go by horseback.

When Hosford talks about the parts of the old days that she misses now, it was the camping. Talking with Elders, it seems like everything caught or killed in those days was put on the table after being fried in shortening.

Tribal Elder Nora Kimsey, now 96, the oldest living Elder, raised her family on such fried foods, said Marvin Kimsey, her son, and today, she still can't get used to the Tribal Community Center's offerings, though they look good and are planned as healthy meals.

So much of the Grand Ronde Indian history takes place beyond the scope of the law. Customs and traditions have grown around the difficulty of being hunters and fishers under a government that had assigned them to be farmers; of living in a community where each family watched out for another, while the government set up program after program to push Indians, each separately, off the reserva-

*The whole battle for survival was a fight against a government that aimed to wipe Indians out as a culture. The failure of these ill-conceived plans has been almost universal with only a legal trail remaining, a legal trail without a touchstone in Indian life.*

Fremond would get the deer coming up that way," said Hosford. "It would go toward Barney. We'd shoot it and holler at it to go toward him."

A lot of times, said Hosford, "it was just Fremond and I. We used to ride horses and we'd go — a lot of times, we'd go back out Cospers Creek and come out on the Forest service road, and camp at a place called, 'Thorpes Cabin,' and hunt from there. Or we'd go on horseback going toward Little

tion and into the mainstream. The whole battle for survival was a fight against a government that aimed to wipe Indians out as a culture. The failure of these ill-conceived plans has been almost universal with only a legal trail remaining, a legal trail without a touchstone in Indian life. ■



Tribal Council member Jack Giffen, Jr. in 2004 at the Museum on Natural History in New York City.

Timeline of Tribal History:

- 1850s- Treaties Tribal lands ceded to federal government
- 1872- Tribal families allotted farms at Grand Ronde
- 1887- General Allotment Act
- 1901- Federal government purchased "surplus" land
- 1936- Indian Reorganization Act enable Tribe to purchase land on Reservation
- 1954- Grand Ronde Tribe terminated, reservation dwindled to 2.5 acre cemetery
- 1968- President Lyndon Johnson officially reversed general termination policy
- 1983- Public Law 98-165 Confederated Tribes of Grand Ronde Restored
- 1986- Consent Decree limits Tribal members to hunt and fish only in Trask Game unit
- 1988- Bill H.R. 4143 established 9,811 acre reservation land for Grand Ronde Tribe
- 1990- Hunting in Trask Game overcrowded, state imposes bag and season limits
- 2005- Grand Ronde Tribe works on getting hunting laws changed