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SUMMARY

This nomination of Rattlesnake Island seeks to list the Island on the National Register of Historic Places as an Archaeological District (under Criteria D). It should be remembered that many nominations of archaeological significance could also be nominations of traditional cultural significance. This is true of Rattlesnake Island. Throughout Northern California, both the Native American community and the archaeological community agree that the resources of Rattlesnake Island represent both Archaeological Significance as well as Traditional Cultural Significance. Although not presented here as a Traditional Cultural Property, there are many important cultural events associated with Rattlesnake Island that could be used for such a listing.

RATTLESNAKE ISLAND'S HISTORIC SIGNIFICANCE

As suggested by the archaeological and ethno-historic data provided in Section 7, Rattlesnake Island is clearly of the utmost importance to both the archaeological community and contemporary Elem community heritage values. One of the aspects in establishing National Register status is that the entity being evaluated must meet one or more of the 4 criteria established by the Department of the Interior before it can be considered significant (National Park Service 1991:3). Those criteria require that the property:

- A. Be associated with events that have made a significant contribution to the broad patterns of our history; or
- B. Be associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Has yielded or be likely to yield information important in prehistory or history (36 CFR part 60.6).

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Although Rattlesnake Island and the cultural resources it contains may qualify under several of the above criteria, we have chosen to apply Criterion D to this property.

Criterion D

As outlined by archaeological data presented in Section 7, the Island has yielded and has the potential for providing further information important in history and prehistory. This is based on past archaeological work by Mark Harrington (1948) and the existence of intact historic and prehistoric cultural deposits. The archaeological sites on the Island contain a complete range of cultural materials and features dating from the 1980's all the way back to at least 3,000 years ago. It is likely that cultural materials and features will be found on the Island that date as far back as 11,000 years ago.

Only one archaeologist has conducted excavations at Rattlesnake Island. Mark Raymond Harrington visited the Island to conduct excavations in October 1942. Through studying ethnographic documents, he knew of the recent prehistoric use of the Island by the Pomo and was hoping to find a connection between the late Pomo cultural artifacts and the Paleo-Indian materials that he had excavated at the Borax Lake site during previous months.

His three excavation pits recovered an abundance of historic and prehistoric material. Historic material included:

“pieces of glass, old square nails, buttons, glass beads, the complete bone-handled table fork.” “... a comb tooth”, and “a badly corroded iron axe-head of the Spanish “round eye” type.”

Prehistoric material included:

“a small side-notched arrowpoint, a “lozenge-shape” point small enough for an arrowpoint, various Indian shell beads, marine clamshell for head-making, freshwater musselshell fragments, many small fish-bones, bones of food mammals, wild and domestic.” “scattered obsidian flakes, with some jasper flakes and fragments...a fairly well-made pestle, some shell for bead material, and shell beads,” “The base of

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a lozenge-shape point, the tip of an arrowpoint (both of obsidian), and a piece of an abalone-shell pendant.“
“pointed keeled scraper with flat bottom.“ “a number of small arrowpoints, both triangular and triangular side-notched, and abundant beads of Indian make.“ “saltwater clamshells for bead-making.“ “two bone awls, two pestle fragments, three rather crude drills (one of them uniface), a small abalone pendant, two flat oval whetstones.“ “small willow-leaf point, a good-sized “two-way” scraper, a large turtleback scraper, a grooved “sinew stone” “a cremation pit. In the bottom, under the bones, was the lower part of a broken pestle; on the northeast side of the pit, where lay the remains of a human skull, were numerous beads of stone and shell,” “an unusually good bead grinding stone and an obsidian drill.“ “another cremation pit was found, on the north side of the trench, with abundant beads and a broken pestle; and on the south side a similar pit. The place was evidently a regular cremation ground, not to be excavated.” (Harrington 1948:127-130)

The materials recovered by Harrington from the ethnographic village of Elem (CA-LAK-89/H) on Rattlesnake Island have been used to define the Rattlesnake Aspect, which represents the late prehistoric and early historic period in the North Coast Ranges (Meighan 1955:32). Clement Meighan has used CA-LAK-89/H as the “type site” for the “Clear Lake Complex”. The types of tools and materials from this site are identified all over the North Coast Ranges as the Clear Lake Complex and represent those tools used by prehistoric people during the last 500 years prior to European contact. In fact, the small corner and side notched arrow points from this period are frequently referred to as Rattlesnake Points.

Paleo-Indian Period (12,000 - 8,000 B.P.)

More recent research has determined that early pre-Hokan speaking people first appeared in the Rattlesnake Island arm of Clear Lake and around the Borax Lake obsidian flow sometime before 11,000 years ago (Parker 1994:198). It is likely that remains of this Paleo-Indian Period exist on Rattlesnake Island.

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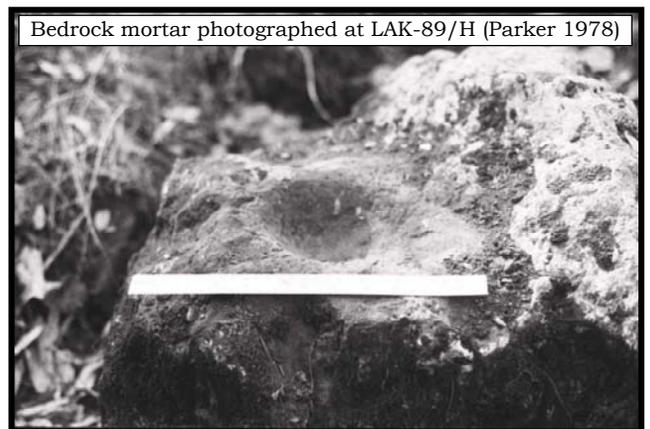
The Lower Archaic (8,000 – 6,000 B.P.)

Early Hokan speaking people had permanent settlements in the Rattlesnake Island arm of Clear Lake creating the early Southeastern Pomo culture. This culture is represented archaeologically by the tools of the Borax Lake Pattern and the Lower Archaic Period as identified by Fredrickson (1973:129) and others. Characteristic tools include the large concave based and square stemmed points and milling equipment (mano and metate). Throughout this period a small and stable population inhabited the Rattlesnake Island and Anderson Marsh areas of Clear Lake. There is no evidence of permanent human use of other areas in the Clear Lake Basin (Parker 1994:200-207). The artifact assemblage suggests a generalized local hunting and collecting economy. There is no evidence of trade or exchange with outside areas.

If remains from this time period are found to exist on Rattlesnake Island, they would be critical in helping to piece together the relationship between the Paleo-Indian cultures (presumably nomadic) and early Archaic cultures (presumably settled).

The Middle Archaic Period (6,000 – 3,500 B.P.)

The Middle Archaic is represented at Rattlesnake Island by materials recovered by Harrington (1948). His three excavation pits recovered evidence of the mortar and pestle and lozenge-shaped dart points (an indication that the dart and atlatl were in use). These materials suggest changes in the subsistence economy. During this period, population growth in the Southeastern Pomo area was dramatic, prompting the expansion of people out of this area until the entire Clear Lake shoreline was settled. Large permanent villages were in use from 6,000 years ago to the historic period (Parker 1994:208). The first evidence of spatial patterning, indicating the establishment of group territorial boundaries, can be seen in sites in the Rattlesnake Island and Anderson Marsh arms of the Clear Lake. The first shell beads appear during this period, as do exotic trade items. This suggests the



Bedrock mortar photographed at LAK-89/H (Parker 1978)

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beginnings of a money economy and supports the concept of well-established village or community territorial boundaries.

Archaeological study of Rattlesnake Island sites inhabited during this period are critical to discovering how these early group territorial boundaries were established and what political and cultural changes accompanied this concept.

The Upper Archaic Period (3,500 – 1,000 B.P.)

The Upper Archaic is also represented at Rattlesnake Island by materials recovered by Harrington (1948). The Elem community was clearly established by this time with the Political and Religious center located on Rattlesnake Island. Each major tribal community around Clear Lake was separated from the next by a fixed shoreline distance of about 12km (Parker 1994:213). Population growth caused a major export of people and cultural influence from the Clear Lake Basin into the Russian River drainage and other surrounding areas at the beginning of this period (Parker 1994:279). Linguistic researchers have been aware of and suggested this Pomo expansion since the 1960's (Whistler 1980:13, Golla 2004, Oswalt 1962).

The shell bead money economy was in full swing and clamshell was being imported from the coast and manufactured into beads along the shores of Clear Lake (Parker 1980).

Rattlesnake Island sites inhabited during this period should contain evidence of the first appearance of private land ownership among California tribal societies. A comparison of sites on the Island with those on the mainland should help flesh out the difference between private vs. public and personal vs. communal cultural activities.

The Emergent Period (1,000 B.P. to 200 B.P.)

The Emergent Period is represented by the Clear Lake Complex tools recovered by Harrington (1948) from the ethnographic village of Elem (CA-LAK-89/H). These artifacts were the ones in use at the time Europeans arrived in the area.

Prehistorically, the Island served as the Political and Religious Center for the Elem Tribe of the Southeastern Pomo. The largest concentration of cultural material and features on the Island is at site CA-LAK-89/H. This was the ethnohistoric village of Elem, whose people and remains have been the subject

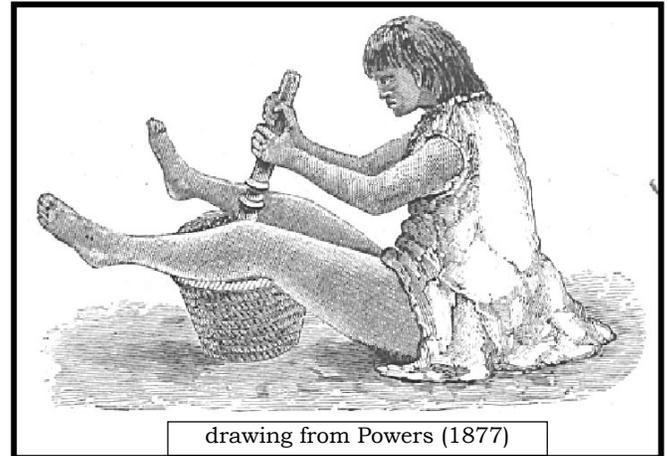
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of many published works in the fields of anthropology and archaeology. Eminent anthropologists such as Barrett (1908, 1933), Kroeber (1925), Gifford (1923, 1926), Kniffen (1939), Loeb (1932), McLendon (1977, 1978), Halpern (1988), Meighan and Riddell (1972) have worked with the Elem people and recorded much about their culture.

These researchers have discovered that within the Elem community, the mainland was partitioned off as private tracts of land to each of the families in the community (Gifford 1923:81).



drawing from Powers (1877)

Although we have no idea how far back in time this system of “communal political center” and “private mainland ownership” goes, it is a very significant development and of much concern to cultural anthropologists. Worldwide, the idea of private land ownership is a concept that accompanies the development of “State” societies. One of the main tenets of tribal and band societies is that everyone has equal access to food and wealth resources. By definition, tribal and band societies should not have “private” ownership of anything. Everyone in the community should be free to gather food resources anywhere within the tribe’s area. Yet, the tribal Southeastern Pomo did have a form of “private” land ownership. How and when this system developed is of much interest, not only from a historical perspective, but also to those “state” societies who today must interact with tribal people living at or within their borders.

Because of this special cultural circumstance, all Southeastern Pomo sites should be considered archaeologically and historically significant. This is one of the main reasons that the State of California purchased 30 of the prehistoric sites that make up the Anderson Marsh National Register District (now Anderson Marsh State Historic Park).

INTEGRITY

The second step in evaluating National Register status is to consider the integrity of the property. To qualify for the National Register, the property

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must have “integrity of location, design, setting, materials, workmanship, feeling, and association” (36 CFR Part 60). For National Register designation the property must have an integral relationship to the resources for which it is being listed. In addition, the condition of the property must be such that those resources still exist.

Integrity of Location and Setting

Rattlesnake Island and its cultural resources have not moved from its original position in Clear Lake. It has existed within the eastern arm of Clear Lake and been a part of the Southeastern Pomo cultural sphere for at least 11,000 years.

There have been no attempts to bridge from the mainland to the island. There has been no dredging or filling that might have altered the island’s natural or cultural features.

The integrity of Rattlesnake Island and its resources has been maintained by the Elem community throughout its human history. That is until 1982, when the first “owner of record” attempted to prevent the Elem community from using the Island. Although the “owner” has been unable to prevent the Elem Community from using the Island, he was able to place goats on the Island, build a dock and bring in a trailer for a caretaker. For the first time in its thousands of years of existence, Rattlesnake Island was subjected to more than just the foot traffic of the Elem Community and occasional fishermen.

Although the majority of the cultural and archaeological resources on the Island are still intact, the goats ate most of the medicinal plants that had been planted and harvested by the Elem Community. In addition, an ATV trail was created around the perimeter of the Island and the County Planning Department issued permits for the construction of two barns on the property.

Although applications are pending for permits to allow septic systems and a residence to be constructed on the Island, these potentially damaging developments have yet to be approved.

As of the date of this nomination, Rattlesnake Island’s setting and location looks today much as it has for the past 150 years. It is covered with native vegetation and its cultural resources remain intact.

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Integrity of Design, Materials, and Workmanship

The 6 prehistoric sites recorded on Rattlesnake Island are in an excellent state of preservation. At least three different types of sites are represented:

- 1) The largest and most imposing is the ethnographic village of Elem (LAK-89/H) with its 25+ house pits, large ceremonial structural remains, bedrock mortars and petroglyphs, burial area, and historic features.
- 2) The next largest sites (LAK-146, 147, 148) also appear to be permanent habitation areas, but smaller than the Elem Village. These sites contain house pits, rock alignments, bedrock mortars, habitation refuse areas, and historic features.
- 3) The two smallest sites (LAK-1200 and 1201) appear to be special activity sites that may have served as hunting blinds and/or small fishing camps. They contain rock alignments and habitation debris.

Taken together, these sites represent the whole range of cultural activities took place on this “communal” part of the Elem territory. These sites contain features and materials that can be used to more accurately define and explain the cultural changes that have taken place throughout the 11,000-year time span of the Southeastern Pomo.

Integrity of Feeling and Association

Today the Elem Community is made up of several Native American families who reside on a small reservation located on the mainland ~800 feet from their traditional Rattlesnake Island home. These families have always considered the Island to be part of their reservation (Slaugh 1938, Brown 1978). Ethnographic and historical records discuss the original location of the village of Elem:

“Their principal, and formerly only, abode was on an island on the east side of Clear Lake. In their language *hösch’-la* signifies “island”... In their pride and haughtiness, they insist on an indigenous origin for themselves...” (Powers 1877:216)

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“elem on the southern slope of Rattlesnake or Sulphur Bank Island at the eastern end of East Lake. This is a low island, covering about thirty-five acres, with its northern slope well wooded and its southern entirely open. This village was formerly the largest in the Southeastern dialectic area and was only abandoned about thirty-five or forty years ago, when its inhabitants removed to the adjacent mainland, where they now live.” (Barrett 1908:208)

“Rattlesnake island, on which was located the village of Elem, was communal property, and any villager might help himself to the acorns or other products of the island; not so the mainland, however, which to the north, east, and south was claimed by Elem, but was not communal property. It was divided into nearly ninety named tracts, owned by the various families of Elem.” (Gifford 1923:81)

As the Island village expanded, many families were forced to live on the adjacent mainland. This meant that constant boat travel between the island and mainland took place. This connection between the Island and mainland was reported by Juan Bojorges who accompanied Salvadore Vallejo into Lake County in 1843:

“On the following day Capt. Vallejo commanded the interpreter to speak with the chief of this rancheria.” “They embarked in one of the many tule rafts that there were about the shore. The interpreter was to tell the chief of the rancheria from Capt. Vallejo that he wanted to see and talk with him. After about an hour, 30 or more rafts with an Indian in each came, and among them the chief, who came to carry the men of the expedition to the island....” (Heizer 1973:67)

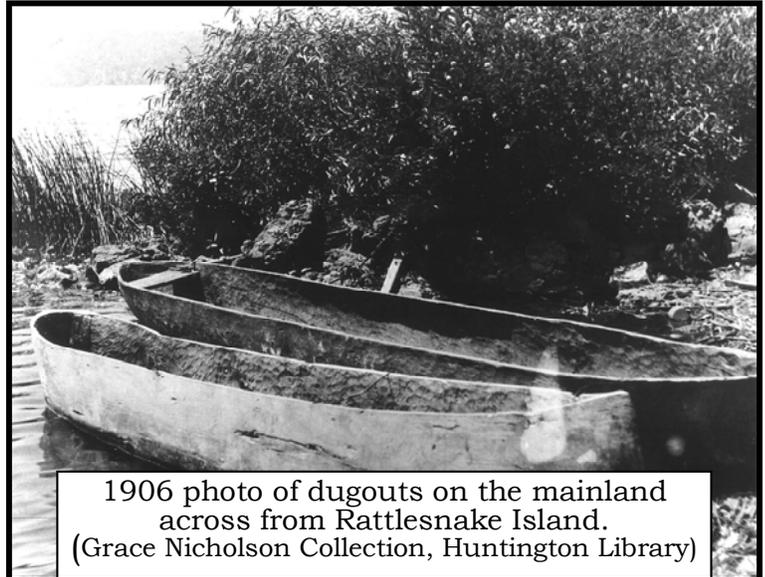
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Although most Elem families moved to the mainland following the 1872 Ghost Dance ceremony, their use of the Island and its resources did not end. They grew and harvested food and medicinal plants on the island and used the “communal” land for ceremonial gatherings and as a place of burial. The island is still used as a resting place for the dead with the most recent burial occurring in 2004.

This discussion as well as the accompanying 1994 video (Johnson 1994) indicates the integrity of feeling and association between Rattlesnake Island and the contemporary Elem Community.



1906 photo of dugouts on the mainland across from Rattlesnake Island.
(Grace Nicholson Collection, Huntington Library)

**ADDITIONAL SUPPORTING NARRATIVE CONCERNING
RATTLESNAKE ISLAND SIGNIFICANCE**

The following section has been added in an effort to more completely document historical events and resources concerning Rattlesnake Island.

Though they were isolated from the expansion of the Spanish Mission system throughout coastal California during the late 1700's and early 1800's, the Elem community was not isolated enough to avoid the impacts of the Mexican Rancho period (1830-1850). In 1843, Salvador Vallejo led an expedition that entered Elem territory and apparently massacred many people at their Rattlesnake Island village.

Vallejo's Visit to Rattlesnake Island

General Mariano Guadalupe Vallejo was born in Monterey 1808 and served as the Commander of the Northern Mexican Frontier following Mexico's Independence from Spain in 1822. The Mexican government granted him a 66,000-acre rancho that included much of Sonoma, Napa and Lake Counties. In 1834, he was Commandant of the San Francisco Presidio and was told to

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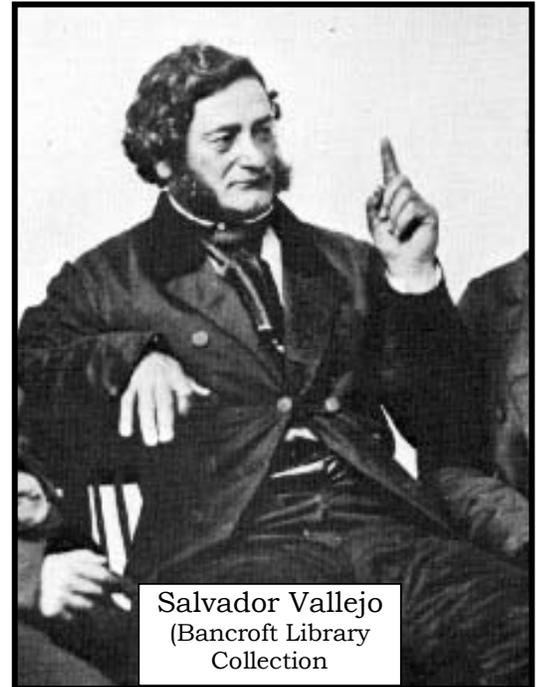
move his garrison to Sonoma, the northern-most part of the Mexican Frontier. Mariano and his brother Captain Salvador Vallejo moved their families to his rancho where they befriended the Suisun Indians who helped them build La Casa Grande. Salvador and Mariano Vallejo founded the Town of Sonoma and ranched the surrounding acres. Mariano and Salvador married sisters, 2 of the 13 children of Maria Ignacia Carrillo. In 1838, Mariano granted his mother two leagues of land along Santa Rosa Creek. She and her sons (including Jose' Ramon Carrillo) built an adobe with the help Salvador and the Indians.

In June of 1846, a group of men commanded by John C. Fremont rode into Vallejo's Casa Grande home in Sonoma to declare California's independence from Mexico (the Bear Flag Revolt).

After several hours of visiting and negotiations it was decided that Mariano and Salvador Vallejo would be taken as prisoners to Sutter's Fort. 23 days later Commodore John Drake took down the Bear Flag and raised the American Flag in Sonoma taking possession of California for the United States.

Between 1835 and 1846, the Vallejo brothers sent more than 100 military expeditions from Sonoma into the Indian country of Northern California to subdue the Wappo, Cainamero, and Satiyomi Indians. Some of these expeditions were led by Mariano, some led by Salvador, and some lead by Francisco Solano who's real name was Sem-Yito as he was chief of the Suisune Indians (Calif. Dept. of Parks and Rec. 1986).

In 1843, Salvador Vallejo and others from Sonoma decided they needed more Indian "workers" for their ranching operations. He led a contingent of 80 citizens and 80 servant Indians into Lake County for the purpose of rounding up Indians (Heizer 1973:67). According to the narrative of the expedition provided by Juan Bojorges (a participant), the group met with the people of Koi on Indian Island near Lower Lake and traded beads and "civilities". The chief of this village came with them as an interpreter.



Salvador Vallejo
(Bancroft Library
Collection)

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“After a day’s travel the expedition arrived in front of another island (Elem on Rattlesnake Island) where Vallejo commanded the Chief of the rancheria to say as before that they must not be frightened as no one was going to harm them. At this rancheria there were no civilities exchanged on either side.” “They set out the next day at eight o’clock in the morning keeping always to the shore of the lake, and arrived after a day’s travel in front of another island (Paradise Cove across from Buckingham Island, location of the village of Kamdot), where we did not speak with anyone because there was so much water between us that our voices could not be heard by them.” “On the following day we marched on from eight in the morning to five in the afternoon. That day we did not speak with any Indians, from that rancheria to the one on the following day about ten in the morning. But here we found ourselves in difficulties, as our interpreter did not understand the dialect these Indians spoke (being Eastern Pomo rather than Southeastern Pomo). Seeing this Capt. Vallejo ordered that we march back again to the previous island (Buckingham or Rattlesnake Island) where we left a rear-guard before which we camped.” “On the following day Capt. Vallejo commanded the interpreter to speak with the chief of this rancheria.” “They embarked in one of the many tule rafts that there were about the shore. The interpreter was to tell the chief of the rancheria from Capt. Vallejo that he wanted to see and talk with him. After about an hour, 30 or more rafts with an Indian in each came, and among them the chief, who came to carry the men of the expedition to the island...” “Vallejo went on to propose to take them to Sonoma to see the place, offering them blankets and whatever he could give them, but the Indians refused. Then Ramon Carillo (Vallejo’s brother-in-law) told Vallejo to shut them up in a temescal (dance house). At the order given, a little more than half the Indians entered the temescal. The chief of the rancheria came unarmed to Carillo to ask that the others might enter. The Indian auxiliaries at that time shut the door of the temescal, Carillo lancing the chief in the stomach and killing him at

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once. Then the other Indians took to the water, the auxiliaries following them in two of the rafts killing with blows those defenseless ones who tried to escape by swimming. Then the expedition fired on them, killing some and wounding others. At this time the auxiliaries who were guarding the entrance to the temescal, made four or five breaches and set fire to the grass there was on the floor. Then the interpreter told them if they would come out nothing would be done to them, but those who were inside said they would rather die by burning than be taken by the soldiers; and their bodies were heard crackling from outside as they burned.” (Heizer 1973:67) (bracketed comments added)

1850’s Treaties between the United States and Native American Governments

In 1850, President Millard Fillmore appointed three commissioners to travel to California “to learn what would satisfy the natives and to make treaties with them” (Heizer et. al. 1971:68). One of these commissioners, Col. Redick McKee met with Native American representatives in Lake County in 1851 and entered into a treaty that promised that the Clear Lake Basin would be set aside for “their sole occupancy and use forever” in exchange for their agreement to “recognize the United States as sole sovereign of all the land occupied by them ceded by Mexico, placed themselves under the protection of the United States, and agreed to keep the peace.” They were also promised measures to improve their condition through the providing of schoolteachers, farmers, blacksmiths, farm animals, and implements (Heizer et. al. 1971:69).

The treaty meeting and signing ceremony included the chief of the How-ku-ma tribe (Southeastern Pomo). George Gibb wrote a journal of the expedition in which he states that the Village of Elem of Rattlesnake Island was a signatory to Treaty “O” (Gibbs 1853).

The California Legislature reacted strongly against the 18 Federal Treaties. Senate and assembly committees established to look into the matter concluded that if these lands were set aside, the “enterprising (white) population” residing on them would be “deprived of all their improvements discoveries, and hard-earned acquisitions.” The committee also indicated that the reservations would

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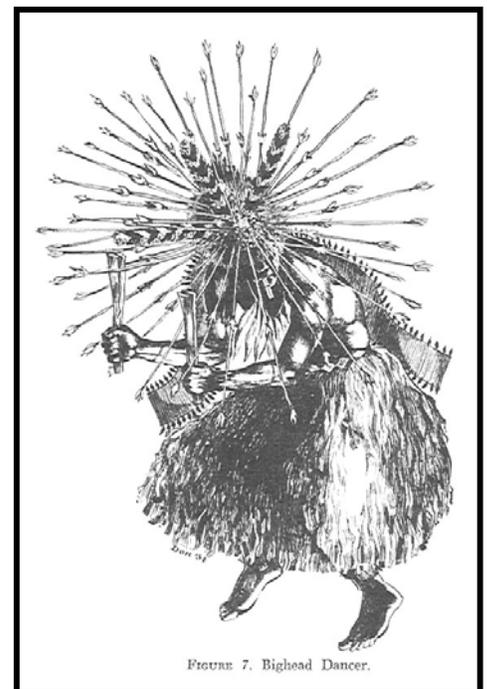
“have a most deleterious effect upon the general prosperity of the whole State. The taxable property which would be swept from the State would be immense, which would bring on a corresponding increase of taxation upon other portions of the State.” The committee’s resolution to the U.S. Congress and President not only urged “that our Senators in Congress... use all proper means to prevent Congress from confirming the Indian reservations”... but asked for a “rigid inquiry into the conduct of the several Indian agents in California, as, in the opinion of the legislature, high-handed and unprecedented frauds have been perpetrated by them against the General Government and the citizens of California.” (Calif. 1852:202-205)

In 1852, the U.S. Senate rejected the treaties secretly and made them classified documents for 50 years (Heizer et. al. 1971:76).

1870’s Ghost Dance Religion

The push of European settlers further and further into Native American traditional lands brought many reactions. One reaction was initiated by Wodziwob, a Northern Paiute Indian from Nevada. In the 1860’s, Wodziwob had visions of another world where he was told an Indian renaissance was at hand. He called his movement the Ghost Dance and it involved giving up all material ties to the White man, the construction of a traditional dance house and several days of dance and ceremony. As the movement spread, it evolved and changed. The Earth Lodge religion and Big Head religion are offshoots (DuBois 1939, Meighan and Riddell 1972).

As European settlers began populating Lake County, between 1866 and 1872 the land under cultivation in the Lake Basin increased from 4,500 to 13,652 acres. During this time 90,614 acres had been enclosed with fences (Halpern 1988:26). The Southeastern Pomo found themselves more and more restricted from their traditional gathering and hunting areas. Word of the Ghost Dance religion came to the Southeastern Pomo from the Patwin. The indication was that the world was going to come to an end and that a very big and deep dance



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house should be built to stay in during that time. Elem was chosen to be one of the centers for the Ghost Dance (Dubois 1939).

In 1872, the Ghost Dance (?abqo) was held at Elem. No white mans things were to be used during the ceremony. Thomas Johnson (father from Elem and Mother from Koi) was 12 or 13 years old at the time and he remembers that:

“we left everything we had at Koi Island, including a little dog belonging to me. When we started for Sulphur Bank by canoe, my mother threw half a sack full of white mans glass beads into the water... At Sulphur Bank we listened to preaching about the end of the world.” (Halpern 1988:28)

Halpern notes that “The most outstanding result of this event was the amalgamation of the three island villages into the one rancheria” at Elem. The Kamdot people never returned to their island. Only a few Koi people returned to the Lower Lake area, but not to Indian Island. Elem has been the ceremonial center for all the Southeastern Pomo since 1872.

The Elem community continues to hold Big Head ceremonies on a regular basis (to which the author has been invited) and full Ghost Dance ceremonies are still called every few years (non-Indians are not allowed).

Overseas Chinese Pioneers (1850-1900)

The California gold discovery brought people to California from all over the world. Probably the most populous of the immigrants were the Chinese. Between 1856 and 1866, 5,000-6,000 Chinese were arriving each year in San Francisco. In 1867, the Pacific Mail Steamship Company began regular runs between Hong Kong and San Francisco with an all-Chinese crew. In 1868, the Burlingame Treaty opened immigration between the U.S. and China. By 1890, 10% of all Californians were Chinese (Armentrout-Ma 1979).

Between 1850 and 1880 China was the 3rd largest foreign market for goods in and out of San Francisco. Chinese workers built much of California’s infrastructure from railroads to water projects.

The accomplishments of the Chinese in the Clear Lake Basin are virtually unknown. It is known that Chinese laborers worked at the Sulphur Bank Mine, located on the mainland immediately adjacent to Rattlesnake Island.

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This mine began producing Sulphur in 1865 and in 4 years produced 2,000,000 pounds. In 1873, it was reopened as a quicksilver mine and produced 92,400 flasks (Slocum, Bowan and Co. 1881). The mines employed more than 1,000 people, 600 of which were Chinese. The Sulphur Bank Mine is listed as a California Historical Landmark #428.

It is likely that the Chinese laborers used Rattlesnake Island during their employ at the Sulphur Bank mining operations. Evidence of their use was discovered by Dr. Praetzellis during his inspection of the island.

“The presence of parts from two Chinese Brown Glazed Stoneware food vessels, suggest that Chinese, possibly from the nearby Sulphur Bank Mine, at least visited the island. This notion is supported by the existence in historic times of matrimonial and trading ties between this group and local Indians (James Brown III, personal communication).”
(Praetzellis 1981)

Henry Maulden’s historical notes on Lake County mention the Chinese miners at the Sulphur Bank Mine making use of rattlesnakes that were obtained from the Island:

“During the days of the Sulphur Bank Mine when there were a number of Chinese working there it was the custom for them to make up a concoction of skunk gall and rattlesnake fat. The Orientals did not care to find their own live ingredients but would pay 25¢ each for skunks or rattlesnakes. White boys living at the mine found it no trouble to row over to Rattlesnake Island and come back with a reptile or two.” (Maulden n.d. pg. 6627).

United States Government Indian Policy Changes between 1930 and 1950

Recognizing “events that have made a significant contribution to the broad patterns of our history” includes observing changes in Federal Indian Policy over the years.

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The current private ownership status of Rattlesnake Island is in dispute and not supported by historical documents. Although there is an 1874 recording of U.S. Patents to Fred Billings for land in the Sulphur Bank area, none of these relates to Rattlesnake Island (Griffin 2005:71). Another name mentioned in historical records is S.F. Butterworth who claimed to own Rattlesnake Island, however, there is no evidence of a patent and no mention of this name until 80 years later in 1939 when Billings, Butterworth and various John Does and Jane Does are listed as defendants in a quiet-title action brought by the Federal Government (Quesenberry 1988:3).

The first known and recorded patent issued for Rattlesnake Island was in 1877, when the State of California granted to Thomas Madden and Richard Floyd three islands in Clear Lake. This patent was issued without any mention of aboriginal rights or the Native people living on the Island. Governor William Irwin's grant refers to three acts of Congress, which gave him authority to issue such a patent. Unfortunately, all three of those Congressional acts specifically exclude Indian land from such grants. Because of these Congressional acts, California did not have the authority to issue such a patent. Only the U.S. Congress can extinguish aboriginal title to land as defined in the *Indian Non-Intercourse Act of 1834*. 25 USCA 177 (Griffin 2005:75).

In the 1930's a series of laws were passed to change Federal Indian policy. One of these laws (Indian Reorganization Act of 1934) authorized the Secretary of the Interior to acquire interest in lands, water rights, or surface rights of lands either on or off the reservations for the purpose of providing land for the Indians (Murphy 1996). This law also provided the machinery to allow Indian Tribes the ability for self-government, both politically and economically. As Native American groups learned about the new laws, many worked to regain lands that had been lost or taken illegally (U.S. 1994). These laws led to many land claims cases throughout the U.S. and established the government's policy to allow Native American communities on Federal Trust land to govern themselves.

In the 1940's, a 180-degree turnaround in Federal Indian policy occurred. The change was to a policy of terminating federal trust status of Indian land with the long-term goal being the assimilation of Native American peoples into the "white society". By 1953, House Concurrent Resolution 108 declared as congressional policy the termination of federal control and supervision over Native American tribes.

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With a clouded title, Rattlesnake Island became a “football” in a tug of war between the 1930 and 1950 opposing U.S. Indian policies. In 1939, U.S. District Court Case #4068L was initiated to settle the ownership question of Rattlesnake Island and the mainland reservation of the Elem community. It is unknown whether this case was initiated as a result of knowledge of the Indian Reorganization Act of 1934. It is also not known if this case was initiated on behalf of a member of the Elem community or on behalf of one or more nearby landowners.

WWII intervened and the case did not go to trial until 1947. During the non-jury trial, attorneys representing the “plaintiff” (the United States of America) presented their arguments concerning the Federal trust status of the land, which by then would have been clouded by the new “anti-trust” Federal policy. It is assumed that attorneys for the “defendants” (a long list of adjacent landowners) also presented their arguments concerning the land holdings of their clients.

The final judgment was entered in 1949 (well after the U.S. Indian Policy changes). In the end, the Northern Division of the United States District Court for the Northern District of California failed to rule in favor of Federal trust status for Rattlesnake Island based on the following “Finding of Fact”:

“Neither of the parcels described (encompassing the Island and part of Sulphur Bank Rancheria) is or ever has been occupied, used, cultivated, improved, enjoyed, claimed, or possessed by Indians of the Pomo Indian Tribe, or by Indians of other tribes, or by Indians whomsoever. It is untrue that Indians of the Pomo Tribe, or of other tribes, or any other Indians or the ancestors and progenitors of any Indians have ever cleared either of the said parcels of real property, or any part of either thereof, or have ever built fences, barns, lodges, houses, ceremonial halls, or other improvements thereon, or have ever used the said parcels of real property, or any part thereof, as a burying place for their dead.” (Quesenberry 1988:3)

This finding of fact (used as a basis for the court’s decision) flew in the face of the overwhelming amount of published historical, ethnographic, and archaeological documentation that existed at the time the court’s decision was

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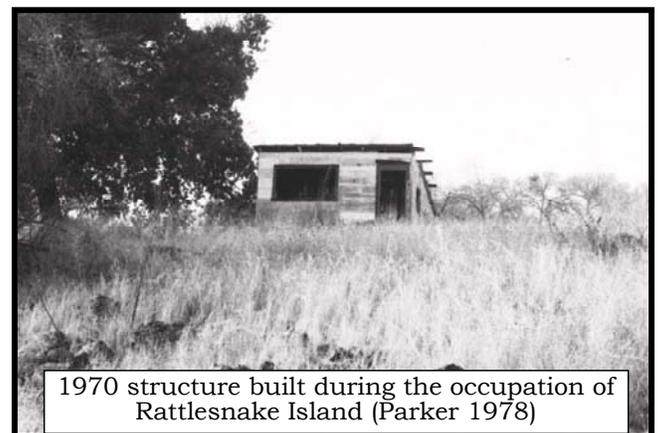
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made. The published documentation clearly indicated that the Elem Community had resided on Rattlesnake Island during the period from 3,000 years ago, through the 1870's. The published documents (many published by Federal Government Agents) described their houses, the fact that they kept horses and had several acres of cultivated gardens on the Island along with ceremonial structures and cemeteries. The documents also described a massacre on the Island led by Salvador Vallejo in 1843 during which several Elem villagers were killed for refusing to accompany Vallejo to his Sonoma Ranch. The documents also demonstrated that the Elem people were still using the Island and its resources at the time of the Court Case (Bancroft 1886; Barrett 1908; Gifford 1923, 1926; Harrington 1948; Hittell 1895; Kniffen 1939; Kroeber 1925; Lathrop 1930; Loeb 1926; Sherman 1945; Stewart 1943; BLM 1854, 1868; Slaugh 1938; and BIA 1939).

Not only is the question of Rattlesnake Island ownership a prime example of this dramatic change in U.S. Indian Policy, the Island is also in a unique position of containing both historic and prehistoric cultural resources that can be used to reopen the case and prove Native American use of the land, thereby settling U.S. District Court Case #4068L.

American Citizen's Disillusionment with their Government (1960-1980)

Spawned by the lies propagated during the Vietnam War, the U.S. population's dissolution with the honesty of its government reached a peak during the 1960's and early 1970's. Popular movements calling into question the government's actions sprang up all across the U.S. This period corresponded with the 100-year anniversary of many of the broken treaties and other atrocities perpetrated on the Native American community by the U.S. Government. The Native American community saw an opportunity to educate the disillusioned masses about the broken treaties of the 1800's. This prompted several peaceful demonstrations including the Trail of Broken Treaties march and the taking of Alcatraz Island (Means 1995:222,



1970 structure built during the occupation of Rattlesnake Island (Parker 1978)

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105-106). The Elem community became part of this movement by joining the Alcatraz Island demonstration in 1964 and by reclaiming Rattlesnake Island.

On Rattlesnake Island, the community built several permanent structures, and lived on the Island (Praetzellis 1981). Praetzellis reports that:

“Adjacent to the camp occupied at one time by Carmalita Baker, the remains of a 15’ by 18’ dwelling were found. The remains consisted of a post and pier foundation - 4” by 4” posts on commercially produced concrete pier bases, which supported a series of parallel 2” by 4” floor joists placed 30” on center. Remnants of a 6” by ½” thick floorboards survived. Modern wire nails were used throughout. The materials and construction methods used are modern and sophisticated.” (Praetzellis 1981:1)

Although many of the original structures representing this movement have been destroyed by the present “owner of record”, cultural remains from this period of use still exist on Rattlesnake Island (Evans 2004:12).