

I, SATURDAY, JULY 28, 1962

Indian trial

Jury says fishermen are guilty

Two members of the Upper Skagit Indian Tribe were found guilty by a superior court jury Friday night of violating state game laws by net fishing for steelhead on the Skagit River.

The two, Lawrence Joe and Raymond Boome, both of Sedro-Woolley, contended they held the right by treaty to fish in the river. They were arrested in April after ignoring game protectors' orders to stop fishing with set nets.

The trial began Monday in Superior Judge A. H. Ward's court and ended abruptly Thursday when the state waived its right to rebuttal testimony.

Malcolm McLeod of Seattle, defense attorney, asked for a non-jury trial on grounds an impartial panel could not be found here, but his request was denied.

No date has been set for sentencing.

In another development in Indian fishing, a plea for tribesmen fishing the Skagit River to observe state laws and help "provide seed for future runs" was issued Friday by George C. Starlund, director of the State Department of Fisheries.

"Closed periods set up to provide escapement through the

commercial and sport fisheries are not observed by Indian gear, and the future of the 1962 cycle is now in great jeopardy," Starlund wrote Tandy Wilbur Sr., of the Swinomish Tribal Council at LaConner.

Unless the Indians cooperate, Starlund indicated, it may be necessary to curtail still further the fishing by non-Indians.

The chinook gillnet catch in the Skagit through July 20 was 4,500 fish, said Starlund, about the same as in the record low years of 1956 and 1957. He noted, however, that in those years there was no fishing during closed periods, permitting some fish to escape upstream to spawning grounds.