



ELA Common Core Content Standards

Reading Standards for Informational Text 1, 2, 3, 5, 9

Writing Standards 1, 4, 8, 9

Speaking and Listening Standards 1, 3, 4

Language Standards 2

Estimated duration: Two sessions, 1 hour each

Goal: Develop knowledge of how land ownership changed.

Teacher Background: In North America, indigenous peoples were dispossessed of their lands by the U.S. Government and non-Native settlers. The clash of cultures that began in 1492 was inevitable given the settlers' drive to control new lands and the ways in which they justified the acquisition of these lands. For Europeans, land that was not actively improved or permanently settled on was not inhabited or owned. In contrast, the Native concept of land ownership was different. Particular Native families or tribes might have definite but informal rights to use a particular natural resource or natural area, but it was never understood that land itself could or should be "owned." These differences in thought about the use, occupation, and ownership of land sparked serious conflict between Native peoples and settlers in North America.

Originally, treaties were made to limit non-native settlement in the "new land," to reduce animosities between settler governments and tribes, or to establish relations of trade, peace and war. Tribes were concerned with their continued existence as independent self-governing people. However, as non-natives became much more numerous and gained military advantages over Indians, treaties became a means by which tribes attempted to retain portions of their original territories or self-governance in the face of an overwhelming number of settlers and soldiers encroaching on their lands.

Today, treaties have a legacy that is both tragic and a source of hope. Treaties with Native Americans were broken or violated in one way or another by the U.S. Government, resulting in massive losses of land that were set aside originally for the exclusive use and occupancy of

Native people. In addition to the attendant problems land loss created for tribes, the promise of food, goods, services, and payments were not always delivered as specified in the treaty. New non-native settlements were allowed to occupy lands safe-guarded in treaties before the ink had dried.

Generally, Native people were at a disadvantage in the treaty-making process due to the fact that the treaties were almost always set down in English, and because the only recourse tribes had to uphold the treaty was through non-Native legal systems in which they no rights. On the other hand, treaties in general are very important in modern times. Many treaties today protect tribes and support the fact that tribes are sovereign governments and have certain rights, such as the right to hunt and fish on reservation lands.

The Karuk people do not have treaty rights given – or by default, taken away from them – owing in part to the fact that the treaties signed in 1851 and 1864 were not ratified by U.S. Congress. The purpose of this lesson is to give students an understanding of treaties and how they were negotiated. Background to these unratified treaties will introduce them to concepts of property ownership.

Theme/Big Idea:	What are requirements for a fair trade?
Big Questions:	Land ownership concepts, “legal” negotiations
Vocabulary:	negotiate; pacify; indiscriminately; translate; authority; commissioner; reject; tension; accommodate; ratify; establish; acknowledge; reservation; government-to-government relation

Materials:

Background to Treaties with the Karuk people, by Lisa Hillman (included)

Vocabulary List: Treaties (included)

Vocabulary Master: Treaties (included)

Vocabulary Worksheet: Treaties (included)

A copy of the **Treaty with the Pohlik or Lower Klamath, etc. 1851** (included)

1851 Treaty Comprehension Worksheet (included)

Optional: Blank Treaty worksheet (included)

“Gifts” that the children in the class will value, e.g. beads, pine nuts, jelly beans, stickers, etc. (not included). These items will used for negotiation purposes in designing a treaty.

Session 1

Preparation: Read the **Treaty with the Pohlik or Lower Klamath etc., 1851** and highlight sections that you need to explain to the students. Make sure that your students have the tools to highlight vocabulary in the Reading exercise in Session 2.

Preparing to Read: Discuss the concept of treaties with the students. Explain to them that treaties were, at first, agreements between tribes and non-native people to co-exist. Treaties became the legal basis used by the U.S. Government to acquire and change ownership of lands originally occupied by American Indian peoples. These treaties also set the framework for the government-to-government relations that led to eventual federal recognition of many Tribes.

Building Vocabulary: Pass out the vocabulary list and read through this list of difficult words. Explicitly teach this vocabulary, projecting the **Vocabulary Master: Treaties** with a document reader for the class to see. Cover the answers on the right. With a pointer, read from left to right and prompt the students to choose from their **Vocabulary List: Treaties** to guess which word should be inserted. You may wish to leave this worksheet projected during the reading exercise, unless you have copied the worksheet for students to fill out.

negotiate – (v) to discuss something formally in order to make an agreement

pacify – (v) to cause (someone who is angry or upset) to become calm or quiet

indiscriminately – (adv) carelessly or unfairly affecting or harming people or things

translate – (v) to change words from one language into another language

authority – (n) the power to give orders or make decisions

commissioner – (n) someone usually in charge of a government department

reject – (v) to refuse to accept or consider something

tension – (n) a state in which people, groups, countries, etc., disagree with and feel anger toward each other

accommodate – (v) to have room for someone or something

ratify – (v) to make a treaty or agreement official by signing it or voting for it

establish – (v) to cause someone or something to be widely known and accepted

acknowledge – (v) to say that you accept the truth of something

reservation – (n) land that is kept separate as a place for Native Americans to live

government-to-government relations – (n) when officials who control and make decisions for one nation, state, tribe, etc. acknowledge the officials of other nations and enter into negotiations with them as equals

Reading: Have the students read the **Background to Treaties with the Karuk people** (included). You may wish to have them take turns in reading this aloud, and clarify meaning when needed. Students may ask about the term “Headmen,” which is one loose translation of the Karuk term *yaas’araaras*¹, who are men that people respected and from which they might solicit advice. Local Natives traditionally never had Chiefs or other types of official leader.

Comprehension and Discussion: Ask students how many treaties were discussed in this text (two: Treaty of Guadalupe Hidalgo and the Treaty with the Pohlik or Lower Klamath). Ask them if they can summarize what the overarching goals of those treaties were. Have the students contrast their understanding of property rights according to Euro-settlers and those according to Native Americans. Discuss the fairness of representation from villages, and non-representation from other villages. Are there examples in student/school leadership that might apply? Who gets to represent students, and how are these representatives chosen? Discuss the problem/impossibility of clearly translating difficult vocabulary to those who speak different languages – especially when one cannot speak their language.

Session 2

Preparation: Copy the “**Treaty with the Pohlik or Lower Klamath etc., 1851**” (included) for each student and the **1851 Treaty Comprehension Worksheet** (included) for each group. Make sure that your students have the tools to highlight vocabulary in the reading exercise.

If you plan to do the optional activity, copy one **Blank Treaty worksheet** (included) for each group, and make sure you have enough “Gifts” that the children in the class will value, e.g. beads, pine nuts, jelly beans, stickers, pencils, etc. (not included). These items will be used for negotiation purposes in designing a treaty.

Preparing to Read: Ask students what they can remember about the treaties lesson if it has been some time ago. You might refer to the **Comprehension** and **Discussion** section above to elicit prompts to refresh the students’ memories.

¹ For more information, see: <http://linguistics.berkeley.edu/~karuk/karuk-dictionary.php?exact-match=&lx=&ge=man&sd=&pos=&lxGroup-id=7023&audio=&index-position=301&index-order=&include-derivatives=&display-derivatives=>

Building Vocabulary: You may wish to assign the **Vocabulary Worksheet** at this point rather than at the end of the lesson in order to bring new vocabulary back to the forefront of students' minds.

Preparing to Read: Remind students that a treaty is an official agreement between two or more groups of people. Each group wants something from the other, and since they haven't been able to work it out before, they have to agree to give something. Each article represents the agreed terms of negotiation.

Reading: Read the title and introduction to the treaty to the whole class, and clarify meaning as needed. Then ask students to read the first two articles of "**Treaty with the Pohlík or Lower Klamath,**" which was signed in 1851 at Weitchpec by Indian Agent Reddick McGee, and individuals from various villages up and down the river (included this lesson). Students will be tasked with highlighting all of the words he or she doesn't understand. The purpose of this exercise is to demonstrate to students that this style of writing and language is very difficult to understand, even for those fluent in the English language.

Discussion: Have the students hold up their marked pages, and let them talk about the words they didn't understand. Ask them if they understood anything at all about these two articles. Let them know that this document is official, and it contains very difficult words that even very intelligent or college students have to look up and memorize their definitions.

Remind them of some of the problems spoken to in the **Background to Treaties with the Karuk People**, such as that interpreters who were hired to translate this document were clearly not fluent in the languages of the signers. You might tell them that you had difficulties understanding everything in this document (if that is true), and sometimes it is good not to get caught up in trying to look up each word in the dictionary in order to understand the meaning.

Comprehension: Remind students that a treaty is an official agreement between two or more groups of people. Each group wants something from the other, and since they haven't been able to work it out before, they have to agree to give something. Each article represents the agreed terms of negotiation.

Use the Treaty of Guadalupe Hidalgo as an example of how we can summarize the terms of a treaty.

You may choose to illustrate the general terms on the board in a simple matrix, for example:

Treaty of Guadalupe Hidalgo, 1848

<i>US Government gives: money, citizenship to Natives and Mexicans living on land (if desired)</i>	<i>US Government takes: land</i>
<i>Mexican Government gives: land</i>	<i>Mexican Government takes: money</i>

Tell students that you will work together in groups to try to get the overall meaning in each Article. Assure them that you will read each article aloud, and that it is alright if they don't understand all of it. You will work together to understand this, because it is important to learn about the history of this land. History helps us understand why things are the way they are right now, and has also shaped how we feel about ourselves – even if we don't know it! Understanding history can also help us to make good decisions about what we do now, for one day that will be history too.

Divide the class into working groups. Make sure each group gets a copy of the **1851 Treaty Comprehension Worksheet** (included). Explain to them that they will listen carefully to each article, and then try to find the corresponding summary matrix. Once they decide which matrix best fits the article content, they will write the number of the article on the line above it. Tell them they may want to use a pencil, so that they can make corrections if needed.

Read the first article of the “**Treaty with the Pohlk or Lower Klamath.**” Students should be silent during the reading portion, but should be allowed to discuss with his or her group to decide upon the best matrix that summarizes the article content. Continue with each article.

Discussion: For the following bullet-pointed questions, you may either assign them as research topics or simply lead the discussion:

- Why was this treaty drafted? [The US Government sent Indian Agent Redick McKee to conduct negotiations with the Indians living on the lower Klamath in order to bring peace between the white settlers and the Natives.]
- Where was this treaty signed? [Camp Klamath – which was located at the confluence of the Trinity and Klamath rivers (now Weitchpec). This was a temporary post established for the signing of a treaty with local tribes.]
- Who were the Pohlik people? [The Indians now known as Yurok people are also known historically as the Pohlik-la, Ner-er-er, Petch-ik-lah and Klamath River Indians.]

Point out some of the features spoken to in the **Background to Treaties with the Karuk People**, such as the names of the two main interpreters (C. W. Durkee was a white settler who had arrived one month prior to the treaty negotiations to become the ferryman; George Gibbs was fluent in the Chinook language, which he admitted in official documents to being absolutely useless in interpreting the languages of the local Natives). These men were clearly not fluent in the languages of the signers, and could therefore be unable to explain what was exactly in the documents they were signing.

Point out the X-marks of the signees, which gives clues to the level of reading and writing they commanded of the English language. Additionally, students should be able to make the connection to the fact that the signees were designated as the leaders of specific tribes living in specific areas, not representatives of the tribes now known as the Hupa, Karuk and Yurok tribes. Discuss the difficulty/impossibility of clearly translating difficult vocabulary to representatives who speak different languages, especially when one has no knowledge of those languages.

Ask students if they think this treaty is easy to understand. Why and why not?

Writing: Students write an opinion piece on the information in this lesson, using proper grammar and writing conventions.

Optional: Divide the students into two groups. One group will represent the U.S. government. This group will select one person as a spokesperson and one person as a scribe. The other group will represent tribal people. This group will select two people as spokespeople.

The students will role-play a treaty-signing between the two above groups. The teacher will speak with each group separately to give them clues regarding their roles.

U.S. Government group:

The students will work as a team and decide what they would like to offer the tribe in exchange for the items of value. Ideas include CD's, hats, jewelry, candy/goodies, or other items of interest to their age group. Or, suggest to the Government group that they make promises to share the items for which they are negotiating with the tribal members.

Once they have determined what items, goods or payment the government group will offer, ask the scribe to prepare a treaty on the legal paper. However, ask the scribe to use shapes that 'look' like letters, but actually are not. When finished have them roll it up.

When presenting the treaty, the spokesman will "tell" the tribe what the treaty says and what they would like to give in exchange for the items of value. They will give the treaty to the tribe and ask if it looks okay. They will also tell the tribe to carefully read the treaty. The tribe will realize they cannot read it. Have the U.S. spokesman assure the tribe that the treaty says just what they were told.

When the tribe asks for the goods promised them in the treaty, this group will tell them they will get them later. If the negotiations break down, the teacher can step in and warn the tribal group that he or she is siding with the government group, and will take away the valuable items if the tribal group does not agree to make the treaty.

Tribal Group:

As the U.S. government group is working on the treaty, have the tribal group discuss the items for which they are making the treaty. For example, if you have chosen to have them negotiate over the potted flowers, the tribal group can name the plant, talk about how much water it needs, how much light it needs etc.

When this group is told what the treaty promises in exchange for the items, they will discuss the offer. Some students should oppose it, but in the end, it will be accepted and signed.

After the items are given to the U.S. government, this group will ask for the goods promised them in the treaty.

When the treaty is finished, call a meeting of the two groups. Have them sit on opposite sides of the room. They can sit on the floor, or you may wish to have a table they can sit on opposite sides of. The students will role-play the signing of the treaty, using the above ideas to guide them.

After the treaty negotiation, all students will sign in their appropriate column. The items will be given to the U.S. government group.

The role-play will end after the tribal group is told by the U.S. government group that they will get their promised goods later.

Have the students return to their desks. Have them discuss their thoughts and feelings about the treaty enactment.

Evaluation:

- Assess the student's understanding of why treaties were made. It is important that they understand that for the most part, tribes wanted to remain distinct, independent communities. Observe if students understand that the reasons for the treaties changed over time as non-Native settlers became more powerful and numerous, and as the value of their resources rose.
- From the discussion of the treaties, assess if the children grasp that all treaties are different.
- From the role playing and discussion afterwards, observe if the students understand the problems inherent in treaty-making during the latter part of the 19th century.

Resources:

Kappler's Indian Affairs: Laws and Treaties

http://digital.library.okstate.edu/kappler/Vol4/html_files/v4p1117.html

Background to an Indian lands determination claim filed on behalf of the Karuk Tribe in 2203:

http://www.nigc.gov/LinkClick.aspx?link=NIGC+Uploads/indianlands/17_karuktribeofcalifornia.pdf

Link to the Library of Congress' Indigenous Law Portal:

<http://www.narf.org/nill/tribes/karuk.html>

Vocabulary List: Treaties

1. **negotiate** – (v) to discuss something formally in order to make an agreement
2. **pacify** – (v) to cause (someone who is angry or upset) to become calm or quiet
3. **indiscriminately** – (adv) carelessly or unfairly affecting or harming people or things
4. **translate** – (v) to change words from one language into another language
5. **authority** – (n) the power to give orders or make decisions
6. **commissioner** – (n) someone usually in charge of a government department
7. **reject** – (v) to refuse to accept or consider something
8. **tension** – (n) a state in which people, groups, countries, etc., disagree with and feel anger toward each other
9. **accommodate** – (v) to have room for someone or something
10. **ratify** – (v) to make a treaty or agreement official by signing it or voting for it
11. **establish** – (v) to cause someone or something to be widely known and accepted
12. **acknowledge** – (v) to say that you accept the truth of something
13. **reservation** – (n) an area of land in the U.S. that is kept separate as a place for Native Americans to live
14. **government-to-government relations** – (n) when officials who control and make decisions for one nation, state, tribe, etc. acknowledge the officials of other nations and enter into negotiations with them as equals

Vocabulary Master: Treaties

Using the definitions for terms based on our lesson's vocabulary words, try to find the best term to finish the sentence. Remember to read the whole sentence so that you can look for the context.

1. The Yurok Tribe has a *reservation* on both sides and mouth of the lower Klamath River.
2. The hotel receptionist told me he couldn't *accommodate* us tonight: They're booked.
3. The State *Commissioner* of Communications will meet with Tribal Council soon.
4. I *acknowledge* that I have to clean my room, especially since I can't find my wallet.
5. You might have to *negotiate* with your grandma if you want to stay up late on a school night.
6. My little sister doesn't have the *authority* to send me to my room!
7. He tried to *pacify* her with candy, but she kept bawling loudly.
8. She chooses her clothes *indiscriminately*, so she rarely wear an outfit that matches.
9. The nurses *reject* the idea of letting patients come in without shoes.
10. That store was *established* in 1955 and is still run by the family owners.
11. Congress never *ratified* the eighteen 1851 treaties with California Natives.
12. There is a lot of *tension* at her house now that they are fighting with their neighbors over the water rights.
13. Federal agencies are required to enter into *government-to-government relations* before making decisions that affect Tribes.
14. You are going to have to *translate* that for me: I don't speak Karuk!

Name _____

Vocabulary Worksheet: Treaties**Using the vocabulary in the word box, fill in the correct words to complete the sentences.**

negotiate; pacify; indiscriminately; translate; authority; commissioner; reject; tension;
accommodate; ratify; establish; acknowledge; reservation; government-to-government relations

1. The Yurok Tribe has a _____ on both sides and mouth of the lower Klamath River.
2. The hotel receptionist told me he couldn't _____ us tonight: They're booked.
3. The State _____ of Communications will meet with Tribal Council soon.
4. I _____ that I have to clean my room, especially since I can't find my wallet.
5. You have to _____ with your grandma if you want to stay up late on a school night.
6. My little sister doesn't have the _____ to send me to my room!
7. He tried to _____ her with candy, but she kept bawling loudly.
8. She chooses her clothes _____, so she rarely wear an outfit that matches.
9. The nurses _____ the idea of letting patients come in without shoes.
10. That store was _____ in 1955 and is still run by the family owners.
11. Congress never _____ the eighteen 1851 treaties with California Natives.
12. There is a lot of _____ at her house now that they are fighting with their neighbors over the water rights.
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14. You are going to have to _____ that for me: I don't speak Karuk!

Background to Treaties with the Karuk People

When in 1848 gold was discovered in this region, the news carried wide and far to a wave of white settlers. This year also marked the signing of the Treaty of Guadalupe Hidalgo, an agreement between the United States and Mexico to end a two-year war. The treaty called for the U.S. to pay a certain amount of money to Mexico. In exchange, Mexico agreed to give the U.S. ownership of California as well as large areas that now make up New Mexico, most of Arizona, Nevada, Utah, and parts of Wyoming and Colorado.

Another term of the treaty was that California's Native peoples were to become citizens of the U.S. and their property rights were to be protected by U.S. laws. However, white settlers, timber companies and gold seekers pressured the U.S. government into taking over this land and to ignore the rights of the Natives to populate and manage their territories.

By this time, the treaties **negotiated** between the Native peoples and the U.S. were made mainly for three reasons: 1) to allow for white settlers to populate western states; 2) **pacify** critics of the "volunteer armies" that were reported to be **indiscriminately** killing Indian women, men, and children; and 3) and to prevent costly wars.



White Deerskin Dance at Katimin in 1900

The treaty negotiations between government officials and Natives were discussed in English, which most Natives could not speak. People were hired to **translate** the terms of the treaties; however these people rarely spoke the language of the Natives. Furthermore, the **authority** of those signing treaties for people living in other villages was questionable, for these Headmen were recognized as the leaders only in their own villages.

In this way, between March 1851 and January 1852, three **commissioners** negotiated 18 treaties with Indians, including the one signed at Camp Klamath. This was drafted the "Treaty with the Pohlik or Lower Klamath, etc. 1851," but despite Senator John Fremont's report that the Native peoples had legal rights to their lands according to the Treaty of Guadalupe Hidalgo and recommended that something would be necessary in order to take away "these rights" from them, the U.S. Senate **rejected** the treaties.

Twenty years later, the easy gold was mined away. Many non-Natives stayed, however, to earn money through the sale of timber or other resources. **Tension** between the Natives and the white settlers continued, which led U.S. Congress to pass the Act of April 8, 1864. This was supposed to **establish** four in California to **accommodate** all of the American Indians of the State, but this treaty was also never **ratified**. The Hoopa Valley Reservation was finally established in 1876. A great number of tribes were forced to move to the reservation, but many Natives chose to return to their tribal homelands.

The Karuk Tribe does not have treaty or reservation rights, which would also include hunting and fishing rights on reservation lands. Despite the terms of the Treaty of Guadalupe Hidalgo, the property rights of the Karuk people have never been **acknowledged** under U.S. law, and Indians in general were not granted U. S. citizenship until 1924. The treaty negotiations with the U.S. government, however, did in fact show **government-to-government relations** – a fact that was used to achieve Federal Recognition of the Karuk Tribe in 1979.



Katimin, Center of the World

INDIAN AFFAIRS: LAWS AND TREATIES

Vol. IV, Laws (Compiled to March 4, 1927)

Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1929.

TREATY WITH THE POHLIK OR LOWER KLAMATH, ETC., 1851. October 6, 1851. | Unratified.

TREATY MADE AND CONCLUDED AT CAMP KLAMATH, AT THE JUNCTION OF KLAMATH AND TRINITY RIVERS, STATE OF CALIFORNIA, OCTOBER 6, 1851, BETWEEN REDICK MCKEE, INDIAN AGENT ON THE PART OF THE UNITED STATES, AND THE CHIEFS, CAPTAINS AND HEAD MEN OF THE POHLIK OR LOWER KLAMATH, &C., TRIBES OF INDIANS.

A treaty of peace and friendship made and concluded at Camp Klamath, at the junction of the Klamath and Trinity rivers, between Redick McKee, one of the Indian agents specially appointed to make treaties with the various Indian tribes in California, on one part of the United States, and the chiefs, captains, and head men of the tribes or bands of Indians now in council at this camp, representing the Poh-lik or lower Klamath, the Peh-tsick or upper Klamath, and the Hoo-pah or Trinity river Indians; containing also stipulations preliminary to future measures to be recommended for adoption, on the part of the United States.

ARTICLE 1.

The said tribes or bands acknowledge themselves, jointly and severally under the exclusive jurisdiction, authority and protection of the United States; and hereby bind themselves to refrain hereafter from the commission of all acts of hostility or aggression towards the government or citizens thereof, and to live on terms of peace and friendship among themselves, and with all other Indian tribes which are now or may hereafter come under the protection of the United States.

ART. 2.

Lest the peace and friendship established between the United States and the said tribes should be interrupted by the misconduct of individuals, it is expressly agreed that, for injuries received on either side, no private revenge or retaliation shall take place or be attempted; but instead thereof, complaints shall be made by the party aggrieved to the other, through the Indian agent of the United States in their district, whose duty it shall be to investigate, and, if practicable, adjust the difficulty; or, in case of acts of violence being committed upon the person or property of a citizen of the United States by an

Indian or Indians belonging to or harbored by either of said tribes or bands, the party or parties charged with the commission of the crime shall be promptly delivered up when demanded, to the civil authorities of the State of California for trial; and in case the crime has been committed by a citizen or citizens of the United States upon the person or property of all Indian or Indians of either of said tribes, the agent shall take all proper measures to bring the offender or offenders to trial in the same way.

ART. 3.

The said tribes or bands hereby jointly and severally relinquish, cede, and forever quit claim to the United States, all their right, title, claim or interest of any kind which they or either of them have to lands or soil in California.

ART. 4.

To promote the settlement and improvement of said tribes or bands, it is hereby stipulated and agreed, on the part of the United States, that the following tract or district of land shall be appropriated and set apart as an Indian reservation, and the use and possession thereof forever guaranteed to the said tribes, their successors, and to such other tribes as the United States may hereafter remove from other parts of the valleys of the Trinity or Klamath rivers, or the country adjacent, and settle thereupon, to wit: commencing at the mouth of a stream called John's creek, emptying into Trinity river on the north side thereof, about fourteen miles above this camp; thence running up the middle of the same with its windings, to a distance of five miles; thence north to the summit of the dividing ridge between the waters of the Trinity and Klamath rivers; thence northwestwardly in a straight line to a point on said Klamath river opposite the lower end of what is now known as "Red Cap's" bar; thence due west to the summit of the first ridge lying beyond the Klamath river; thence southwestwardly along the summit of said ridge to a point due north of the mouth of Pine creek; thence south to the mouth of Sand creek; thence up Pine creek with its windings, to a point due south of the place of beginning; and thence north to said place of beginning. The said reservation including, by estimation, a tract twenty miles in length by twelve miles in width, and containing in all six or seven square miles of farming land. It is, however, understood and agreed that the United States reserves the right of way over said lands, and of using for farming purposes any quantity thereof not exceeding one thousand acres; also the right to establish such military posts, erect such buildings, and make such improvements for the accommodation of their agent and other officers or servants as the President may direct; also that said tribes or bands shall never sell or alienate their right or claim to any part thereof, except to the United States, nor shall they ever lease to or permit white men to settle, work or trade upon any part thereof without the written permission of the United States Indian agent for the district.

ART. 5.

It is further stipulated and agreed that the said tribes or bands shall, within three years from the date hereof, or sooner, if thereto required by the United States, remove to and settle upon said reservation; and that whenever said removal and settlement shall be ordered by the United States or made by said tribes, such farmers, mechanics, and

school-teachers to instruct them in the language, arts, and agriculture of the whites as the President may deem expedient and proper, shall be assigned, provided for, and settled among them, so as to place the Indians on said reservation in a situation as favorable for their improvement (being in like manner supplied with facilities for farming, stock-raising, &c.,) as by the treaty of Lu-pi-yu-ma on the 20th day of August, 1851, is stipulated to be assigned to and provided for the Clear Lake Indians. It is understood, however, that if upon examination by the Indian agent it is found that any of the articles or supplies provided in said treaty for the Clear Lake Indians shall be unnecessary for or unsuited to the Indians on the Trinity and Klamath, the President may in his discretion withhold the same, and invest the value thereof in other and more suitable goods. And it is further expressly agreed and understood that if either of said tribes or bands, or other Indians harbored by them shall be guilty of theft, robbery or murder, either upon the persons and property of Indians or whites, the United States may exclude such tribe or band from all the benefits of this treaty.

ART. 6.

As early as convenient after the ratification of this treaty by the President and Senate, the United States will deliver to the said Klamath and Trinity Indians, through their agent, during each of the years 1852 and 1853, viz: five hundred pairs two and a half point Mackinaw blankets, five hundred pairs strong cotton pantaloons, five hundred cotton (hickory) shirts, five hundred red flannel shirts, five hundred strong cotton or linsey gowns, three thousand yards of calico, three thousand yards of four-fourths brown sheetings, thirty pounds Scotch thread, five thousand needles, six dozen pairs scissors, two gross thimbles, ten pounds pins, ten dozen nine-inch flat files, thirty-five dozen large size butcher knives, ten mattocks, one hundred garden or corn hoes, two hundred chopping axes, handled, common size, two hundred chopping axes, handled, small size; one hundred sheet-iron camp kettles, large size; one hundred sheet-iron camp kettles, second size.

It is understood, however, that the agent shall use a sound discretion as to the time when, and the tribes or persons to whom the said goods shall be distributed, having reference to their peaceful disposition and good conduct.

ART. 7.

In consideration of the premises, the United States, in addition to the numerous presents of beef, bread, sugar, blankets, shirts, &c., &c., made to said tribes at this camp, will, within sixty days from the date hereof, furnish them free of charge at the ferry of C. W. Durkee, in Klamath river, to enable them to rebuild the houses recently destroyed by the whites, with four dozen chopping axes, handled, ten sacks of hard bread, and four bullocks, sixteen pairs heavy blankets, to be distributed among them by said Durkee, according to their respective losses.

ART. 8.

These articles to be binding upon the contracting parties when ratified by the president and Senate of the United States.

In testimony whereof the parties have hereunto signed their names and affixed their seals this sixth day of October, anno Domini 1851.

REDICK McKEE, United States Indian Agent for California.

For and in behalf of the Wetch-peck tribe, living at mouth of Trinity:

WUCK-UG-GRA, his x mark
WA-PE-SHAW, his x mark
SA-SA-MICH, his x mark
EN-QUA or AMOS, his x mark

For and in behalf of Wuh-si tribe, living three miles below mouth of Trinity River:

MO-RU-KUS, his x mark

For and in behalf of the Cap-pel tribe:

MAH-ON, his x mark.

For and in behalf of the Mor-ri-ahs:

MAH-ON, his x mark
WUS-SUR, his x mark
UP-PER-GASH, his x mark

For and in behalf of the Ser-a-goines:

UP-LA-GO-PUS, his x mark
MOO-ROO-KUS, his x mark
SA-ET-MA-GEHL, his x mark

For and in behalf of the Pak-wan tribe:

CAP-PEL-LA-WAH, his x mark

For and in behalf of the Ut-cha-pah tribe, living near the mouth of Bluff creek:

E-NE-NUCK, his x mark
MOW-WEIGHT, his x mark

For and in behalf of the Up-pa-goines, living near "Red Cap's" bar, on Klamath river:

KEE-CHAP, his x mark
RED CAP or MIK-KU-REE his x mark

For and in behalf of the Sa-von-ra tribe:

SA-VON-RA, his x mark
UP-PA-GRAH, his x mark
EX-FIN-E-PAH, his x mark

For and in behalf of Cham-ma-ko-nee tribe:

KA-TOP-KO-RISH, his x mark

For and in behalf of the Coc-ko-man tribe:

PA-NA-MO-NEE, his x mark

For and in behalf of the Chee-nah tribe, living ten miles below mouth of Salmon River:

AK-KA-REE-TA, his x mark

For and in behalf of the Hoo-pahs or Trinity River Indians, residing in twelve rancherias or villages:

AH-ROOK-KOS, Principal chief, his x mark
TE-NAS-TE-AH or JOHN, his x mark
MET-POOKA-TA-MAH, his x mark
NIC-A-OVA-EN-NA, his x mark
WASH-TEN, his x mark

Signed, sealed and delivered, after being duly explained, in presence of—

JOHN MCKEE, Secretary
C. W. DURKEE, GEORGE GIBBS, Interpreters
H. W. WESSELLS, Brevet Major, U. S. A., commanding escort
WALTER VAN DYKE, GEO. W. ELLSWORTH, MORRIS. S. THOMPSON, WALTER
McDONALD, Interpreters

Name of Group Members _____

1851 Treaty Comprehension Worksheet

Article _____:

US Government gives: one reservation (20 miles by 12 miles in area) and rights to use its resources as needed by many tribes.	US Government takes: all other land and rights to resources; can establish military posts, farms, roads, etc. on Indian reservation.
Indian Tribes give: all ancestral lands except reservation, and other rights	Indian Tribes take: a safe living place

Article _____:

US Government promises: to uphold treaty.
Indian Tribes promise: to uphold treaty.

Article _____:

US Government gives: instruction in language, arts, and agriculture of the whites; supplies	US Government takes: all land besides reservation
Indian Tribes give: their Native homelands	Indian Tribes take: instruction in language, arts, and agriculture of the whites; supplies

Article _____:

US Government gives: justice for crimes	US Government takes: rights to land
Indian Tribes give: rights to land	Indian Tribes take: justice for crimes

Article _____:

US Government gives: justice for crimes	US Government takes: peace
Indian Tribes give: no private revenge	Indian Tribes take: appeals to State of California

Article _____:

US Government gives: supplies	US Government takes: all land besides reservation
Indian Tribes give: their Native homelands	Indian Tribes take: supplies

Article _____:

US Government gives: protection	US Government takes: peace
Indian Tribes give: peace	Indian Tribes take: protection

Article _____:

US Government gives: food supplies and building materials and tools	US Government takes: peace after destruction of tribal homes; all land besides reservation
Indian Tribes give: their Native homelands	Indian Tribes take: food supplies and building materials and tools

1851 Treaty Comprehension Worksheet Key

Article 4:

US Government gives: one reservation (20 miles by 12 miles in area) and rights to use its resources as needed by many tribes.	US Government takes: all other land and rights to resources; can establish military posts, farms, roads, etc. on Indian reservation.
Indian Tribes give: all ancestral lands except reservation, and other rights	Indian Tribes take: a safe living place

Article 8:

US Government promises: to uphold treaty.
Indian Tribes promise: to uphold treaty.

Article 5:

US Government gives: instruction in language, arts, and agriculture of the whites; supplies	US Government takes: all land besides reservation
Indian Tribes give: their Native homelands	Indian Tribes take: instruction in language, arts, and agriculture of the whites; supplies

Article 3:

US Government gives: justice for crimes	US Government takes: rights to land
Indian Tribes give: rights to land	Indian Tribes take: justice for crimes

Article 2:

US Government gives: justice for crimes	US Government takes: peace
Indian Tribes give: no private revenge	Indian Tribes take: appeals to State of California

Article 6:

US Government gives: supplies	US Government takes: all land besides reservation
Indian Tribes give: their Native homelands	Indian Tribes take: supplies

Article 1:

US Government gives: protection	US Government takes: peace
Indian Tribes give: peace	Indian Tribes take: protection

Article 7:

US Government gives: food supplies and building materials and tools	US Government takes: peace after destruction of tribal homes; all land besides reservation
Indian Tribes give: their Native homelands	Indian Tribes take: food supplies and building materials and tools

Treaty

Date: _____

Signatures: U.S. Government Representatives

Tribal Representatives