

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

**The Marshall Trilogy, Klamath Basin Conflicts & Treaty Making (1823-1864)**  
**Grade 8 Lesson #2 – Session 2 (50 minutes)**

NOTE: This session could easily cover 2 50-minute sessions if discussion & and group work on the worksheet are encouraged.

*Italicized words are dialogue that can be used by the teacher.*

<b>Session 1</b>	<b>Teacher is doing...</b>	<b>Students are doing...</b>	<b>Timing</b>
Transition	Have PowerPoint ready to begin with the <b>Tribal History/Shared History</b> logo on the opening slide.	Students are settling in to transition from the previous class.  Students will arrange their seats in a manner that is conducive to writing, viewing the PowerPoint and listening to the teacher.	2 min.
Opening	<i>We are moving to a new section of our <b>Tribal History/Shared History</b> curriculum today. This lesson will focus on Indian-settler conflict in the Klamath Basin in the 1800s and subsequent Treaty-making.</i>  <i>Please take a few minutes to review the questions in the "Klamath Basin Conflict and Treaties" section of the worksheets that were handed out for our lesson on Federal Indian law and the Marshall Trilogy.</i>  <i>Our class today will be in a lecture format with the help of a PowerPoint. You can read along with me, or just listen.</i>	Students will listen and review worksheet.	5 min. (7 min.)
Transition	Teacher moves to the first Klamath Basin Conflict slide in the PowerPoint, saying something like:  <i>It is easy to understand that conflicts developed between the Natives, who had lived in the</i>	Students listen.	30 sec.

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<i>Klamath Basin for thousands of years, and the settler-colonizers who believed in the Doctrine of Discovery.</i>		
Activity 1	<p>Teacher reads <u>Slide 2</u></p> <p><i>“From the first, the settlers were active rivals of the Indians for lands and resources.... Where they did not directly displace the natives, their swine uprooted camas and cous [biscuitroot] and their sheep browsed on berries. After an area had been inhabited by settlers for a time, it could no longer support the Indians....</i></p> <p><u>Slide 3:</u></p> <p><i>One of the early interactions Klamath Basin Natives had with a nonIndian involved John Fremont, an explorer and former military man.</i></p> <p><i>On December 10, 1843, “Wary of the Klamath Indians and seeing smoke from Indian fires around the marsh, Fremont ordered the howitzer to be fired. The smokes in the distance immediately disappeared.”</i></p> <p><i>It spite of the howitzer incident, the Klamath were friendly toward Fremont. Then -</i></p> <p><i>John Fremont returned in 1946. According to historical accounts:</i></p> <p><u>Slide 4:</u></p> <p><i>Fremont “seems to have been followed by a party from one of the villages at the south end of Klamath Lake and his camp attacked, three Delaware Indians of his party being slain. In reprisal, Fremont moved upon the</i></p>	Students look at/read PowerPoint and listen to the teacher.	6 min. (13.5 min.)

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<i>most populous center, which local tradition places along the lower reaches of the Williamson River, where he launched an attack upon a village, neither women nor children being spared in the merciless onslaught of the Delaware.”</i>		
Transition	Teacher can say something like: <i>There began to be a steady stream of settler-colonizers.</i>	Students listen to the teacher.	30 sec. (14 min.)
Activity 2	Teacher reads <u>Slide 5</u> : <i>“... in 1846 an exploring party under Jesse and Lindsay Applegate laid out an alternate emigrant route... from Fort Hall down through Modoc country and past the winter settlements on Tule and Lower Klamath lakes.... The Modoc bitterly resented the invasion of their homeland and waged war against the wagon trains, a war which in turn brought reprisals from the settlers.”</i>  Teacher reads <u>Slide 6</u> : <i>By 1847, many Tribes were angry. “...Crooked Finger, the leader of the Northern Molalla, visited the Umpqua, Rogue River, Pit River, Modoc, and Klamath, seeking recruits” to make war while local settlers were fighting the Cayuse in northeastern Oregon. The settlers were forewarned and struck first. “...approximately eighty Klamath were involved, comprising over half of Crooked Finger’s supporters, and a Klamath chief, Red Blanket, was slain. The triumphant whites gave</i>	Students look at/read PowerPoint and listen to the teacher.	3 min. (17 min.)

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<i>the survivors three days to leave, and they departed along the Klamath Trail, bearing their dead with them.”</i>		
Transition	Teacher can say something like – <i>NonNatives were also angry, believing that Manifest Destiny and the Doctrine of Discovery gave them a right to travel through and settle on what they thought of as unused land.</i>	Students listen to the teacher.	30 sec. (17.5 min.)
Activity 3	Teacher reads <u>Slide 7</u> : <i>In November, 1852 “...the citizens of Yreka... organized a party led by one Ben Wright. Under the guise of a [peace] council, they met some forty-six Modoc, to whom they offered a feast of poisoned beef. When the Modoc, forewarned by a Warm Springs Indian, declined to eat, Wright and his followers shot and killed all but five of them.”</i>	Students look at/read PowerPoint and listen to the teacher.	1 min. (18.5 min.)
Transition	Teacher can say something like: <i>It was becoming difficult for Klamath Basin Tribes to find adequate food and other resources that had sustained them for thousands of years.</i>	Students listen to the teacher.	30 sec. (19 min.)
Activity 4	Teacher reads <u>Slide 8</u> : <i>This is what John Smith, a white man, said in 1867 about the reasons for the Snake [Paiute] War that lasted from 1864-1868 – “The rapid advance of white settlements into eastern Oregon... greatly reduced the sources of their supplies. The Indians, friendly and hostile, have [had]</i>	Students look at/read PowerPoint and listen to the teacher.	1 min. (20 min.)

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<p><i>their existence threatened. Farmers and ranchers took all the good land in the valleys and on the borders of the lakes and streams. The natives can no longer gather grass seeds, catch fish or kill wild fowl. ... Immigrants and hunters drove most of the deer and other wild animals from the mountains."</i></p>		
Transition	<p>Teacher can say something like:</p> <p><i>The conflict was very destructive to both the Klamath Basin Natives and settler-colonizers, and some people started thinking about Treaties, which would reserve some land and resources for the Tribes and open up other land for settlement.</i></p>	Students listen to the teacher.	1 min. (21 min.)
Activity 5	<p>Teacher reads <u>Slide 9</u>:</p> <p><i>"Elijah Steele knew he wasn't authorized to negotiate an Indian treaty."</i></p> <p><i>But on Valentine's Day, Feb. 14, 1864, several hundred Klamath Basin Indians surprised the respected Yreka Judge by camping outside his home in Yreka.</i></p> <p><i>In the negotiations, the headmen "agreed to live in peace and friendship with one another and with all settlers in the region. They also [agreed to allow] settlers passage through their country.</i></p> <p><i>"They agreed not to drink alcohol or steal from settlers and to carry weapons only for hunting or when bringing them to towns</i></p>	Students look at/read PowerPoint and listen to the teacher.	8 min. (29 min.)

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<p><i>for repair. And they agreed to end the Indian slave trade and accept a ban on prostitution.</i></p> <p>Teacher continues, reading <u>Slide 10</u>:</p> <p><i>“In exchange for these stipulations, the headmen reserved important rights: Their people would not be confined to a reservation; they could travel freely to visit other settlements; and they could charge fees for their labor – including the right to charge for particular tasks, including serving as guides.</i></p> <p><i>“The treaty was, taken together, a compromise – certainly not everything the Indians wanted, but it achieved their goals of protecting their property rights and maintaining their access to wage labor.</i></p> <p>Finally, teacher reads <u>Slide 11</u>:</p> <p><i>“I have faith to believe that this conference has saved the country a bloody war,” Steele wrote when he transmitted the proposed treaty to the commissioner of Indian Affairs, William Dole, in Washington, D.C. “I hope that my act in the premises will meet with approval.”</i></p> <p><i>“It did not. Opposition to the proposed treaty emerged straightaway. Commissioner Dole rejected it. Congress never considered it.” Instead, Congress made funds available “to negotiate a new treaty, one that</i></p>		
--	--	--	--

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<i>would extinguish Native American land rights in the region and establish a reservation.”</i>		
Transition	<p>Teacher can say something like:</p> <p><i>We will be talking about the Modoc War later. It may be worthwhile to think about how Klamath Basin history might have been different if Congress had considered the Valentine’s Day Treaty.</i></p> <p><i>We’ll talk about some other Treaty negotiations now.</i></p>	Students listen to the teacher.	30 sec. (29.5 min.)
Activity 6	<p>Teacher reads <u>Slide 12</u>:</p> <p><i>In the meantime, a number of Klamath men had lived with whites and become advocates for a peace policy. Among them was <b>Lileks</b> – who traded and lived at The Dalles for several years, <b>Dave Hill</b> - who had lived in Oregon City for about 5 years, <b>Allen David</b> - who had traveled in the Willamette Valley, and <b>Charley Preston</b> -who had lived in Oregon City, worked for white farmers and become “quite civilized and learned many of the white man’s ways.”</i></p> <p><i>According to Chief Chiloquin, the Klamath “knew they could not contend against the whites long, for they had learned they were as numerous as the trees on the mountains.”</i></p>	Students look at/read PowerPoint and listen to the teacher.	2 min. (31.5 min.)
Transition	<p>Teacher can say something like:</p> <p><i>Many Indians and nonIndians continued to be interested in treaty negotiations.</i></p>	Students listen to teacher.	30 sec. (32 min.)

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

Activity 7	<p>Teacher then reads <u>Slide 13</u>:</p> <p><i>“By early March, the newspapers carried the intelligence that Congress had appropriated \$20,000 to effect a treaty and purchase the lands of the Klamath, Modoc, and Paiute.”</i></p> <p><i>“At about the same time, Lileks and a delegation of Klamath are said to have waited on their friend, Captain Kelly, to propose that such a treaty be initiated.”</i></p> <p><i>“The Indians participant in the treaty included some twenty chiefs and headmen of the Klamath, led by Lileks and Chiloquin, representing some 700 Klamath; four Modoc, led by Schonchin, and representing 339 Modoc; and two Paiute led by Kiletoak, and representing twenty-two members then present of the Yahuskin band of Snakes, as well as members said to be absent.”</i></p> <p>Teacher then reads <u>Slide 14</u>:</p> <p><i>Years later, Monchnkasgitk shared the following:</i></p> <p><i>After Indian Superintendent Huntington arrived to negotiate the treaty, he asked those present to “‘Tell me how much land you want to save for your selves?’ The chiefs went back to the camp and talked among themselves.” When they came back, the chiefs basically told Huntington that they wanted all of their lands, except the Modoc, who didn’t know the Valentine’s Day Treaty had been rejected, and claimed</i></p>	Students look at/read PowerPoint and listen to the teacher.	7 min. (39 min.)
------------	--	---	---------------------



**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<p><i>only those lands they had agreed to keep in the Valentine's Day Treaty.</i></p> <p><i>"Huntington replied that was 'too much land for you to take care of and hold....' So we went to camp and all talked it over and over for many hours" before coming back with a proposal for has come to be known as the "peak to peak" boundaries.</i></p>		
Transition	<p>The teacher moves to <u>Slide 15</u> and says something like:</p> <p><i>On this slide, you can see the mountain peaks that the Klamath, Modoc and Yahooskin Paiute negotiated to designate the boundaries of their future Reservation.</i></p> <p><i>It is important to recognize that the Modoc and Yahooskin Paiute were not pleased by the fact that the lands reserved by the Treaty were primarily Klamath homelands.</i></p>	Students listen to the teacher.	1 min. (40 min.)
Activity 8	<p>Teacher then reads the <u>Slide 15</u> text box about the peak-to-peak boundaries:</p> <p><i>"To this Huntington agreed, saying 'That is all right; and the matter is now finished.'</i></p> <p><i>"The final settlement upon the land then occupied by the Klamath..." uprooted the Modoc and Paiute, who were placed in the position later of being "poor relations" living upon the bounty of their wealthier kinsmen, the Klamath.</i></p> <p>Teacher then reads <u>Slide 16</u>:</p>	Students look at/read PowerPoint and listen to the teacher.	3 minutes (43 min.)

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<p><i>“The Klamath...are reported to have signed the treaty willingly but both Modoc and Paiute did so only with reluctance.”</i></p> <p><i>According to the oral history that has been passed down among some Klamath, Modoc and Yahooskin families, some of the Modoc and Paiute leaders signed the Treaty only because they were forced to do so at gunpoint.</i></p>		
Transition	<p>Teacher can then say something like:</p> <p><i>We'll take a few minutes to consider how the Klamath Treaty of 1864 has been characterized.</i></p>	Students listen to the teacher.	30 sec. (43.5 min.)
Activity 9	<p>Teacher reads <u>Slide 17</u>:</p> <p><i>“In consequence of the treaty, a corporate act binding upon each member, the Klamath [as well as the Modoc and Yahooskin Paiute] undertook a revolutionary transformation of their way of life. By its terms, as later amended, and finally proclaimed in 1870, the Indians relinquished title to their lands, save for that reserved to them; and they agreed to remain thereon unless temporary leave had been granted them by the agent.</i></p>	Students look at/read PowerPoint and listen to the teacher.	2 min. (45.5 min.)
Transition	<p>Teacher pauses and says something like:</p> <p><i>The Tribes compromised their freedom, but they also reserved certain rights to themselves.</i></p>	Students listen to the teacher.	30 sec. (46 min.)
Activity 10	<p>The teacher then reads <u>Slide 18</u>:</p> <p><i>According to the Treaty –</i></p> <p><i>“No Whites, save those connected</i></p>	Students look at/read PowerPoint and listen to the teacher.	1 min. (47 min.)

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<i>with the reservation or the Army were to be permitted to remain [on the Reservation]. The Indians were to retain exclusive right to taking fish and gathering roots, seeds, and berries on the Reservation; although the Government retained ultimate right for roads and railroads to be built across it.”</i>		
Transition	<p>Teacher pauses, and can say something like</p> <p><i>Quite a few people are aware of the Modoc Treaty that the federal government chose not to act on, but less is known about the effort of the Yahooskin Paiute to reserve a particular area of land to themselves.</i></p>	Students listen to the teacher.	30 sec. (47.5 min.)
Activity 11	<p>Teacher then reads the final slide, <u>Slide 19</u>:</p> <p><i>The Yahooskin Paiute, like the Modoc, desired to have a Treaty that recognized and reserved some of their indigenous homelands to themselves.</i></p> <p><i>With that goal in mind, Black Buffalo (aka Tom Chocktoot) was one of 11 Northern Paiute leaders who signed “the Snake (Northern Paiute) Treaty of 1865, as an addendum to the Klamath Treaty....” which recognized specific lands east of a particular line for the Yahooskin Paiute. When Congress ratified that Treaty, however, the negotiated land provision was not included.</i></p>	Students look at/read PowerPoint and listen to the teacher.	2 min. (49.5 min.)
Wrap-up	The teacher can say something like,	Students listen to the teacher.	30 sec. (50 min.)

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

	<i>I know this has been a lot of information, and I look forward to discussing it as we work on the worksheets you were given.</i>		
--	--	--	--

**Resource List for 8<sup>th</sup> Grade History/Social Studies Lesson 2, Session 2**

**Klamath Basin Conflict**

Ogle, Jim and Clayton Chocktoot. *Fort Rock and Paisley Cave Descendants: The Chocktoot Bands of the Paiute Snake Tribes*. Lake County Historical Society, 2018.

**Oregon Historic Trails Fund** - John Fremont Route, 1843

<http://www.oregonhistorictailsfund.org/trails/john-fremont-route-1843/>

Stern, Theodore. "The Klamath Indians and the Treaty of 1864." *Oregon Historical Quarterly*, vol. 57, no. 3, 1 Sept. 1956.

Stern, Theodore. *The Klamath Tribe: a People and Their Reservation*. Washington Press, 1965.

**Modoc Treaty**

Cothran, Boyd. "The Valentine Day's Treaty." *The New York Times*, 14 Feb. 2014.

<https://opinionator.blogs.nytimes.com/2014/02/14/the-valentines-day-treaty/>

Stern, Theodore. "The Klamath Indians and the Treaty of 1864." *Oregon Historical Quarterly*, vol. 57, no. 3, 1 Sept. 1956.

**The Klamath Treaty of 1864**

Stern, Theodore. "The Klamath Indians and the Treaty of 1864." *Oregon Historical Quarterly*, vol. 57, no. 3, 1 Sept. 1956.

Stern, Theodore. *The Klamath Tribe: a People and Their Reservation*. Washington Press, 1965.

**1865 Treaty with the Snake/Northern Paiute**

Ogle, Jim and Clayton Chocktoot. *Fort Rock and Paisley Cave Descendants: The Chocktoot Bands of the Paiute Snake Tribes*. Lake County Historical Society, 2018.

**TRIBAL HISTORY/SHARED HISTORY**  
**THE KLAMATH TRIBES CURRICULUM PROJECT**

**ADDITIONAL RESOURCES**

**Treaty-Making**

Prucha, Francis Paul. ed., Documents of United States Indian Policy (Lincoln Nebraska, University of Nebraska Press, 1975)

Stuchtey, Benedikt: Colonialism and Imperialism, 1450–1950, in: European History Online (EGO), published by the Institute of European History (IEG), Mainz 2011-01-24. URL: <http://www.ieg-ego.eu/stuchteyb-2010-en> URN: urn:nbn:de:0159-20101025319 [YYYY-MM-DD]. <http://ieg-go.eu/en/threads/backgrounds/colonialism-and-imperialism/benedikt-stuchtey-colonialism-and-imperialism-1450-1950>

Twiss, Travers. The Oregon Territory Is History and Discovery. A Public Domain Book. New York, D. Appleton & Co. MDCCCXLVI (1846) [www.gutenberg.org/  
www.gutenberg.org/cache/epub/38942/pg38942-  
images.epub?session\\_id=46650d6eef7256b2a058f3aec9af158aef560e3b](http://www.gutenberg.org/cache/epub/38942/pg38942-images.epub?session_id=46650d6eef7256b2a058f3aec9af158aef560e3b)