

1868 Navajo Nation Treaty Exercises

Presidential Academy in American History and Civics Ed.

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Historical Voices for Use in Classroom U.S./Navajo Treaty Exercises:

Members of the Navajo Nation are citizens not only of their Nation but also of the states in which they reside and of the United States. Their homeland in the four corners region, before the arrival of the Spanish and annexation of Mexican territory into the United States by the 1948 Treaty of Guadalupe Hidalgo, constituted a significant portion of what is now part of Arizona, Colorado, New Mexico, and Utah. The years 1848 to 1868 leading up to and in the aftermath of the Civil War, culminating in the 1868 Navajo Treaty, are particularly significant to the history of contemporary American citizens throughout the United States.

The texts included in these compiled materials voice the momentous experience of colonization, slavery, warfare, occupation, settlement, peacemaking, law, and the pursuit of justice that is part of our ongoing American experience. These texts are intended for the use of teachers as they prepare exercises in their classrooms for students of history, civics, the environment, writing, speaking, art, dialogue, and the role of individuals in community.

Navajo Spirituality

Excerpts on Dinétah and the Creation Story in Jennifer Nez Denetdale, Reclaiming Diné History: The Legacies of Navajo Chief Manuelito and Juanita 10, 134-35 (Tucson: University of Arizona Press, 2007)

We call ourselves the Diné or The People. . . . Our homeland, called Dinétah or Diné Bikéyah, means Navajo Land or Navajo Country and is bounded by the four sacred mountains: Dził Hajin in the east (Mt. Blanca); Tso'dziil in the south (Mt. Taylor); Dook'o'słííd in the west (San Francisco Peaks); and Dibénitsah in the north (Mt. Hesperus). We Diné trace our origins into Dinétah by a journey from the First World into this present one. The Holy People created the world as we know it today. From the Holy People, the Diné received knowledge, material gifts, and rituals and ceremonies for a proper life. The Holy People also provided knowledge on proper relationships between the world and all beings. . . .

We Diné point to a specific place in Dinétah, in present-day north-eastern New Mexico, as the site of our emergence from the lower worlds into this one. Our stories tell us how our forebears journeyed through a series of worlds to emerge into the present one.

The first world, which was black, was small in size and appeared as a floating island in a sea of water mist. Here, only spirit people and Holy People lived. Here, First Man and First Woman were formed. Insect people also lived in this world. The various beings quarreled among themselves and they began their journey, which started in this place of darkness and chaos. The beings continually moved through the second world, precipitated by their own transgressions, and emerged into the third world, the Yellow world, with the Bluebird being the first to enter. After him came First Man, First Woman, Coyote, and one of the insects.

. . . First Man gathered soil from the mountains in the third world and used it to form the four main sacred mountains. These mountains, which demarcated the boundaries of Navajo Land, were dressed, and various Holy People entered each of them. Each of these was fastened to the earth with elements as follows: Sisnaajiní (East), with a bolt of white lightning; Tsoodzil (South), with a stone knife; Dook'o'oosłííd (West), with a sunbeam; and Dibé (North), with a rainbow. Two other sacred mountains were also formed: Dził ná'oodiíi (Center, Huerfano Mountain) and Ch'óol'í'í (East of Center, Gobernador Knob). . . . From these previous worlds, our ancestors brought valuable things and knowledge that we continue to utilize.

Excerpt from The Night Chant in Alison Hawthorne Deming, ed., Poetry of the American West: A Columbia Anthology 69-74 (New York: Columbia University Press, 1996)

In Tse'gihi,
In the house made of the dawn,
In the house made of the evening twilight,
In the house made of the dark cloud,
In the house made of the he-rain,
In the house made of the dark mist,
In the house made of the she-rain,
In the house made of pollen,
In the house made of grasshoppers,
Where the dark mist curtains the doorway,
The path to which is on the rainbow,
Where the zigzag lightening stands high on top,
Where the he-rain stands high on top,
Oh, male divinity!
With your moccasins of dark cloud, come to us.
With your leggings of dark cloud, come to us.
With your shirt of dark cloud, come to us.
With your headdress of dark cloud, come to us.
With your mind enveloped in dark cloud, come to us.
With the dark thunder above you, come to us soaring.
With the shapen cloud at your feet, come to us soaring.
With the far darkness made of the dark cloud over your head, come to us soaring.
With the far darkness made of the he-rain over your head, come to us soaring.
With the far darkness made of the dark mist over your head, come to us soaring.
With the far darkness made of the she-rain over your head, come to us soaring.
With the zigzag lightning flung out on high over your head, come to us soaring.
With the rainbow hanging high over your head, come to us soaring.
With the far darkness made of the dark cloud on the ends of your wings, come to us soaring.
With the far darkness made of the he-rain on the ends of your wings, come to us soaring.
With the far darkness made of the dark mist on the ends of your wings, come to us soaring.
With the far darkness made of the she-rain on the ends of your wings, come to us soaring.
With the zigzag lightning flung out on high on the ends of your wings, come to us soaring.
With the rainbow hanging high on the ends of your wings, come to us soaring.

With the near darkness made of the dark cloud, of the he-rain, of
the dark mist and of the she-rain, come to us.
With the darkness on the earth, come to us.
With these I wish the foam floating on the flowing water over the
roots of the great corn.
I have made your sacrifice.
I have prepared a smoke for you.
My feet restore for me.
My limbs restore me.
My body restore me.
My mind restore me.
My voice restore me.
Today, take out your spell for me.
Today, take away your spell for me.
Away from me you have taken it.
Far off from me it is taken.
Far off you have done it.
Happily I recover.
Happily my interior becomes cool.
Happily my eyes regain their power.
Happily my head becomes cool.
Happily my limbs regain their power.
Happily I hear again.
Happily for me (the spell) is taken off.
Happily I walk (or, may I walk).
Impervious to pain, I walk.
Feeling light within, I walk.
With lively feelings, I walk.
Happily (or in beauty) abundant dark clouds I desire.
Happily abundant dark mists I desire.
Happily abundant passing showers I desire.
Happily an abundance of vegetation I desire.
Happily an abundance of pollen I desire.
Happily abundant dew I desire.
Happily may fair white corn, to the ends of the earth, come with
you.
Happily may fair yellow corn, to the ends of the earth, come with
you.
Happily may fair blue corn, to the ends of the earth, come with you.
Happily may fair corn of all kinds, to the ends of the earth, come
with you.
Happily may fair plants of all kinds, to the ends of the earth, come
with you.
Happily may fair goods of all kinds, to the ends of the earth, come
with you.
Happily may fair jewels of all kinds, to the ends of the earth, come
with you.

With these before you, happily may they come with you.
With these behind you, happily may they come with you.
With these below you, happily may they come with you.
With these above you, happily may they come with you.
With these all around you, happily may they come with you.
Thus happily you accomplish your tasks.
Happily the old men will regard you.
Happily the old women will regard you.
Happily the young men will regard you.
Happily the young women will regard you.
Happily the boys will regard you.
Happily the girls will regard you.
Happily the children will regard you.
Happily the chiefs will regard you.
Happily, as they scatter in different directions, they will regard
you.
Happily, as they approach their homes, they will regard you.
Happily may their roads home be on the trail of pollen (peace).
Happily may they all get back.
In beauty (happily) I walk.
With beauty before me, I walk.
With beauty behind me, I walk.
With beauty below me, I walk.
With beauty above me, I walk.
With beauty all around me, I walk.
It is finished (again) in beauty.
It is finished in beauty.
It is finished in beauty.
It is finished in beauty.

U.S. Indian Law & Policy & Canons of Treaty Construction

By Alison Flint

The U.S. Constitution gives Congress the power to regulate commerce, or trade, with Indian tribes. It also gives the President the power to make treaties, which are formal agreements between independent political entities like countries. Treaties do not become law, however, until they are ratified (made official) by Congress.

Based on this constitutional authority, the United States government needed to find a way to take ownership of Indian land in order to expand westward. In an 1823 case called Johnson v. McIntosh, the Chief Justice of the U.S. Supreme Court, John Marshall, found that, because Europeans had "discovered" America, only the U.S. government could assume ownership of Indian lands. Chief Justice Marshall described the legal position of the Indians as follows:

[T]he rights of the original inhabitants were, in no instance, entirely disregarded; but were necessarily, to a considerable extent impaired. They were admitted to be the rightful occupants of the soil, with a legal as well as just claim to retain possession of it, and to use it according to their own discretion; but their rights to complete sovereignty, as independent nations, were necessarily diminished, and their power to dispose of the soil at their own will, to whomsoever they pleased, was denied by the original fundamental principle, that discovery gave exclusive title to those who made it.

In other words, Indians could only give their land to the United States and not to individuals.

The United States obtained Indian land through treaties. But treaty-making required that Indian tribes be treated as political entities, so in 1831 in Cherokee Nation v. Georgia, Chief Justice Marshall characterized tribes as "domestic dependent nations." This means that Indian tribes, legally speaking, are sovereign, self-governing nations capable of entering a treaty with the United States, but they are not independent nations like a foreign country. Instead, they are dependent on the United States, and the relationship between tribes and the United States, as characterized by Chief Justice Marshall, is "that of a ward to his guardian."

Treaties were used not only to acquire Indian land, but also to prevent conflict by establishing a frontier boundary line to separate white settlers from Indians. The Indians would be moved to reservations on the western side of the line where they would continue to govern themselves as sovereign nations but also would be

cared for and protected by the United States. A reservation is particular land that the Indian tribes reserved, or kept, for themselves when they transferred ownership of surrounding lands to the United States.

By 1871, Congress had grown tired of the President exercising his authority to make more and more treaties with the Indians. So it passed a law saying that it would not ratify any more treaties with Indian tribes. Existing treaties remained in force, but no new treaties would be made.

Many treaties that were made between the U.S. government and Indian tribes still are binding law today. Some of these documents are very old and difficult to interpret, so the courts have created "canons of construction" to help interpret the treaties. Under these canons, treaties must be interpreted as they were understood by the Indians who negotiated them, and any confusion must be resolved in favor of the tribe. Treaties also must be interpreted by looking not only at the written words, but also at the context in which they were negotiated. As the U.S. Supreme Court explained in Choctaw Nation v. United States,

treaties are construed more liberally than private agreements, and to ascertain their meaning we may look beyond the written words to the history of the treaty, the negotiations, and the practical construction adopted by the parties. . . . Especially is this true in interpreting treaties and agreements with the Indians; they are to be construed, so far as possible, in the sense in which the Indians understood them, and in a spirit which generously recognizes the full obligation of this nation to protect the interests of a dependent people.

A recent example of the canons of construction at work involves the U.S. Supreme Court's interpretation in Minnesota v. Mille Lacs Band of Chippewa Indians of an 1837 treaty with the Chippewa Indians of present-day Minnesota and Wisconsin. The 1837 treaty stated: "The privilege of hunting, fishing, and gathering the wild rice, upon the lands, the rivers and the lakes included in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States." A later 1855 treaty stated that the Chippewa "fully and entirely relinquish and convey to the United States, any and all right, title, and interest, of whatsoever nature the same may be, which they may now have in, and to any other lands in the Territory of Minnesota or elsewhere." Because the 1855 treaty did not mention the hunting, fishing, or gathering rights from the 1837 treaty, it was unclear whether the Chippewa gave up those rights by relinquishing "any and all right . . . they may now have" in the 1855 treaty. Under the canons of construction,

however, that confusion or ambiguity must be resolved in favor of the Chippewa, so the U.S. Supreme Court held that the Chippewa had retained their rights to hunt, fish, and gather wild rice.

Sources :

Cherokee Nation v. Georgia, 30 U.S. 1, (1831) (domestic dependent nations)

Choctaw Nation v. United States, 318 U.S. 423 (1943) (canons of construction)

Johnson v. McIntosh, 21 U.S. 543 (1823) (doctrine of discovery)

Minnesota v. Mille Lacs Band of Chippewa Indians, 526 U.S. 172 (1999) (recent application of the canons of construction)

Worcester v. Georgia, 31 U.S. 515 (1832) (treaty relationship)

U.S. Const. art. I, § 8, cl. 3 (Indian Commerce Clause)

U.S. Const. art. II, § 2, cl. 2 (Treaty Clause)

25 U.S.C. § 71 (2006) (end of treaty-making)

Excerpts from the Treaty of September 9, 1849 Between the United States of America and the Navajo Tribe of Indians

I. The said Indians do hereby acknowledge that, by virtue of [the Treaty of Guadalupe Hidalgo], . . . the said tribe was lawfully placed under the exclusive jurisdiction and protection of the Government of the said United States, and that they are now, and will forever remain, under the aforesaid jurisdiction and protection.

II. That from and after the signing of this treaty, hostilities between the contracting parties shall cease, and perpetual peace and friendship shall exist

V. All American and Mexican captives, and all stolen property taken from Americans or Mexicans, or other persons or powers in amity with the United States, shall be delivered by the Navajo Indians to the aforesaid military authority

VI. Should any citizen of the United States, or other person or persons subject to the laws of the United States, murder, rob, or otherwise maltreat any Navajo Indian or Indians, he or they shall be arrested and tried, and, upon conviction, shall be subjected to all the penalties provided by law for the protection of the persons and property of the people of the said States.

VII. The people of the United States of America shall have free and safe passage through the territory of the aforesaid Indians

VIII. In order to preserve tranquility, and to afford protection to all the people and interests of the contracting parties, the Government of the United States of America will establish such military posts and agencies, and authorize such trading-houses, at such time and in such places as the said Government may designate.

IX. . . . the Government of the United States shall, at its earliest convenience, designate, settle, and adjust their territorial boundaries, and pass and execute in their territory such laws as may be deemed conducive to the prosperity and happiness of said Indians.

X. For and in consideration of the faithful performance of all the stipulations herein contained by the said Navajo Indians, the Government of the United States will grant to said Indians such donations, presents, and implements, and adopt such other liberal and humane measures, as said Government may deem meet and proper.

XI. . . . this treaty is to receive a liberal construction, at all times and in all places, to the end that the said Navajo Indians shall not be held responsible for the conduct of others, and that the Government of the United States shall so legislate and act as to secure the permanent prosperity and happiness of said Indians.

In faith whereof, we, the undersigned, have signed this treaty, and affixed thereunto our seals, in the valley of Cheille, this the ninth day of September, in the year of our Lord one thousand eight hundred and forty-nine.

J.M. Washington, Brevet Lieutenant-Colonel Commanding
James S. Calhoun, Indian Agent, residing at Santa Fe
Mariano Martines, Head Chief, his X mark
Chapitone, Second Chief, his X mark
J.L. Collins
James Conklin
Lorenzo Force
Antonio Sandoval, his X mark
Francisco Josto, Governor of Jemez, his X mark.

Editorial and Response on Navajo Slavery

**In J. Lee Correll, *Through White Men's Eyes: A Contribution to Navajo History*,
vol. I, 336-37 (Window Rock, AZ: Navajo Heritage Center, 1979)**

Unsigned Editorial, *Santa Fe Weekly Gazette*, July 23, 1852

[T]here are thousands, I might say, of Indian women and children who have been stolen from their families and sold into slavery, worse than Southern slavery. I have seen frequently little children from 18 months to six years old, led around the country like beasts, by a Mexican who had probably stolen them from their mother not more than a week, and offered for sale for forty to one hundred and twenty dollars. They will go out, on the pretence of trading with the Indians, and watch the time when the men are absent, pounce upon the women and children, and take such as they think will sell profitably. All this is known, and has been brought to the attention of the authorities; yet it is still encouraged, and permitted to be carried out openly. I say encouraged, for it could easily be stopped. Hence the continued war with Mexicans, the difficulty of treaties being kept, and the bitter feelings engendered. Why does not the Commissioner of Indian Affairs look into this matter? Or has the "Great Father" at Washington forgot that he has any red children in New Mexico?

Gazette Response to Unsigned Letter, "Is it True," Nov. 20, 1852

When the Indian's wigwam circle is invaded, and his squaws and papooses rifled from him and carried away into slavery, who has a heart to blame him, when following the instincts of nature, he takes his only redress in reprisal - capture for capture - slavery for slavery. And who can say, with truth, that the Indians were the first transgressors in this infernal work? The whole history of this country, from the time it was first invaded by the Spaniards, shows that the Indians were the first victims - not the first transgressors. From that time to the present this war of mutual plunder, captivity and slavery, has gone on, and, unless some effective measures should be adopted, of even-handed justice to all, it may be expected to go on, till the end of the race. It will be time enough for us to vaunt of our superiority over the savage, when we have proved that superiority by our works."

President Abraham Lincoln's Address
at Gettysburg, November 19, 1863

Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead who struggled here have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us the living rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us -- that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion -- that we here highly resolve that these dead shall not have died in vain, that this nation under God shall have a new birth of freedom, and that government of the people, by the people, for the people shall not perish from the earth.

Poetry of the Navajo-American War and the Long Walk

"The Navajo War Song," Santa Fe Weekly Gazette, Dec. 4, 1858 in J. Lee Correll, Through White Men's Eyes: A Contribution to Navajo History, vol. II, 218-20 (Window Rock, AZ: Navajo Heritage Center, 1979)

I'll sing you a little song,
As signing is all the go;
My subject is a new one,
And will please you all I know—
Not of fairies on a lake,
Nor a love song sweet and low,
But I'll sing you of our scouting with Johnny Navajo.

[Chorus]
Then scouting we will go,
Scouting we will go;
We'll do our best to put to rest
Poor Johnny Navajo.

I think you all remember
When we first got under weigh [sic]
'Twas said no troops could enter
The Canon de Chelle.
We astonished all the "buenos,"
For our movements were not slow;
They struck surprise into the eyes of Johnny Navajo.

[Chorus]

As through the canons we did march
The "buenos" showed their backs:
But we could trail the bullgines [sic]
Wherever they made tracks.
They ran like very devils
When our rifles we did show;
We sent our lead into the heads of Johnny Navajo.

[Chorus]

I think you all remember—
It was on our first scout—
We took from them ten thousand sheep
And the Navajos did rout.
The "buenos" had not spunk enough—
For a fight they could not show;

So we walked off the mutton from Johnny Navajo.

[Chorus]

And ever since that time
They have not shown us fight,
But they've sneaked around the pickets
And bothered us at night.
They soon found that a loosing game,
They had better let us go,
For at every game we always beat Mr. Johnny Navajo.

[Chorus]

Come all ye jolly fellows,
To fight be not afraid,
And we will scare the "buenos"
Till a treaty they have made;
Then with flying colors
Down the country we will go,
And tell the people how we peppered Johnny Navajo.

[Chorus]

When the war is o'er
Home we will return.
There's some pretty girls in Albuquerque,
For us they often mourn, [burn!] [sic]
There's Blazing Star and Trinidad,
Manuelita also;
We will tell them how we fought and whipped poor John Navajo.

[Chorus]

"Johnny Navajo," Rio Abajo Weekly Press, Dec. 8, 1863 in J. Lee Correll, Through White Men's Eyes: A Contribution to Navajo History, vol. III, 422-24 (Window Rock, AZ: Navajo Heritage Center, 1979)

Come dress your ranks my valiant First, and stand up in a row
Kit Carson he is waiting to march against the foe,
This day we march to Moqui - o'er lofty hills of snow
To meet and crush the savage foe - bold Johnny Navajo.

[Chorus]

Johnny Navajo-O Johnny Navajo.
We'll first chastise, then civilize, bold Johnny Navajo.

To the ladies of New Mexico whose hearts and albums too
Bear sad remembrance of the wrongs the savage Indians do
We bid a long farewell, the best recompense we know;
Our absent dangers have their search in Johnny Navajo.

[Chorus]

Of the smile wreathed maids with virgin lips like roses steeped in
dew
Who are to be our better halves, we'd like to take a view.
But duty bids us here remain, amidst the driven snow
To banish from his chosen land, bold Johnny Navajo.

[Chorus]

To the ladies of our Regiment our cups shall overflow
They breathe a prayer for our success against the common foe;
May they see their husbands Generals, with double pay also,
And join us in the chorus of Johnny Navajo.

[Chorus]

Here's a health to Gen'l. Carleton that wise and brave hero
His arrival was a blessing great, to speed New Mexico;
May he win unfading laurels and sorrow never know
And live to see the country free from Johnny Navajo.

[Chorus]

Here's a health to Col. Carson whose swift and crushing blow
Brought terror to the Savage, and reduced the Navajo,
May promotion raise him to the stars and may his country show
She holds him as the conqueror of Johnny Navajo.

[Chorus]

From the field of death and danger, from Pueblo's deadly shore
Resounds the voice of many grief, brave Cummings is no more
In the valley near Fort Canby his head lies buried low
He nobly fell, charging too well, bold Johnny Navajo.

[Chorus]

To our comrades all, of every rank, a cup before we go,
Who nobly share the danger, and face the common foe;
Success attend their arms to smite the daring foe

May story tell they fought right well, with Johnny Navajo.

[Chorus]

A. Muggins, "Carletonia," Santa Fe Weekly Gazette, Aug. 4, 1964 in J. Lee Correll, Through White Men's Eyes: A Contribution to Navajo History, vol. IV, 217-18 (Window Rock, AZ: Navajo Heritage Center, 1979)

Fair Carletonia dressed in flowery pride,
Where the swift Pecos rolls its rushing tide,
Here captive tribes no longer said but gay
In honest labor pass the lengthened day.

By interest bound; but by the bonds confined,
The once wild Indian curbs his roving mind;
Bends his whole will at once to earnest toil,
And draws abundance from the virgin soil.

Here far removed from every hostile cry,
The task imposed to Labor all apply
And Carletonia's rich and verdant lands
In bloom and beauty smile beneath their hands.

Luci Tapahonso, "In 1864," Sáanii Dahataał, The Women Are Singing: Poems and Stories 7-19 (Tucson: University of Arizona Press, 1993)

While the younger daughter slept, she dreamt of mountains,
the wide blue sky above, and friends laughing.

We talked as the day wore on. The stories and highway beneath
became a steady hum. The center lines were a blurred guide.
As we neared the turn to Fort Sumner, I remembered this story:

A few winters ago, he worked as an electrician on a crew
installing power lines on the western plains of New Mexico.
He stayed in his pickup camper, which was connected to a generator.
The crew parked their trucks together and built a fire in the
center.

The nights were cold and there weren't any trees to break the wind.
It snowed off and on, a quiet, still blanket. The land was like
he had imagined it from the old stories - flat and dotted with
shrubs.

The arroyos and washes cut through the soft dirt.
They were unsuspectingly deep.

During the day, the work was hard and the men were exhausted. In the evenings, some went into the nearby town to eat and drink a few beers. He fixed a small meal for himself and tried to relax. Then at night, he heard cries and moans carried by the wind and blowing snow. He heard the voices wavering and rising in the darkness. He would turn over and pray, humming songs he remembered from his childhood. The songs returned to him as easily as if he had heard them that very afternoon. He sang for himself, his family, and the people whose spirits lingered on the plains, in the arroyos, and in the old windswept plants.

No one else heard the thin wailing. After the third night, he unhooked his camper, signed his time card, and started the drive north to home. He told the guys, "Sure, the money's good. But I miss my kids and it sure gets lonely out here for a family man." He couldn't stay there any longer. The place contained the pain and cries of his relatives, the confused and battered spirits of his own existence.

After we stopped for a Coke and chips, the storytelling resumed:

My aunt always started the story saying, "You are here because of what happened to your great-grandmother long ago."

They began rounding up the people in the fall. Some were lured into surrendering by offers of food, clothes, and livestock. So many of us were starving and suffering that year because the bilagáana kept attacking us. Kit Carson and his army had burned all the fields, and they killed our sheep right in front of us. We couldn't believe it. I covered my face and cried. All my life, we had sheep. They were like our family. It was then I knew our lives were in great danger. We were all so afraid of that man, Redshirt, and his army. Some people hid in the foothills of the Chuska Mountains and in Canyon de Chelly. Our family talked it over, and we decided to go to this place. What would our lives be like without sheep, crops, and land? At least, we thought we would be safe from gunfire and our family would not starve.

The journey began, and the soldiers were all around us. All of us walked, some carried babies. Little children and the elderly stayed in the middle of the group. We walked steadily each day, stopping only when the soldiers wanted to eat or rest. We talked among ourselves and cried quietly.

We didn't know how far it was or even where we were going. All that was certain was that we were leaving Dinetah, our home. As the days went by, we grew more tired, and soon, the journey was difficult for all of us, even the military. And it was they who thought all of this up.

We had such a long distance to cover. Some old people fell behind, and they wouldn't let us go back to help them.

It was the saddest thing to see – my heart hurts so to remember that.

Two women were near the time of the births of their babies, and they had a hard time keeping up with the rest. Some army men pulled them behind a huge rock, and we screamed out loud

when we heard the gunshots. The women didn't make a sound, but we cried out loud for them and their babies.

I felt then that I would not live through everything.

When we crossed the Rio Grande, many people drowned.

We didn't know how to swim – there was hardly any water deep enough to swim in at home. Some babies, children, and some of the older men and women were swept away by the river current.

We must not ever forget their screams and the last we saw of them – hands, a leg, or strands of hair floating.

There were many who died on the way to Hwééldi. All the way we told each other, "We will be strong, as long as we are together." I think that was what kept us alive. We believed in ourselves and the old stories that the holy people had given us. "This is why," she would say to us. "This is why we are here. Because our grandparents prayed and grieved for us."

The car hums steadily, and my daughter is crying softly.

Tears stream down her face. She cannot speak. Then I tell her that it was at Bosque Redondo the people learned to use flour and now fry bread is considered to be the "traditional" Navajo bread.

It was there that we acquired a deep appreciation for strong coffee.

The women began to make long, tiered calico skirts and fine velvet shirts for the men. They decorated their dark velvet blouses with silver dimes, nickels, and quarters.

They had no use for money then.

It is always something to see – silver flashing in the sun against dark velvet and black, black hair.

"Hweeldi," Navajo Division of Education, An Indian Shrine at Fort Sumner

Hweeldi (Fort Sumner, New Mexico)
A place where the land is parched.
Where cries of my grandmother and my
grandfather
are heard over the land.
Where soldiers marched my mother and my
father.
This is the place called Bosque Redondo.
She is a memory that all children have of a
time
when
The People
lived in holes,
starved and were ill.
Their fight to live and be remembered was for
our homeland
Sisnajini
Tso Dzil
Dook'o'osliid
Dibenits'aa

"Bosque Redondo Eulogy" from Judge John S. Watts' letter to the Secretary of Interior, May 10, 1867 in J. Lee Correll, Through White Men's Eyes: A Contribution to Navajo History, vol. VI, 46 (Window Rock, AZ: Navajo Heritage Center, 1979)

"We might very properly inscribe on the tombstone of the Bosque Redondo Reservation:

IF SO SOON THAT I AM DONE FOR,
I WONDER WHY I WAS BEGUN FOR."

Excerpts from Navajo Stories of the Long Walk Period

In Broderick H. Johnson, ed., Navajo Stories of the Long Walk Period
(Navajo Community College, 1973)

Howard W. Gorman

This story is about the long walk to Fort Sumner. There are two points of view regarding it - the White Man's and the Navajo's. Many books have been written and many references made to the Long Walk, but always from the White viewpoint; and they usually are distorted and not true. This book gives a Navajo viewpoint - as I learned it from my ancestors.

The Long Walk to Fort Sumner - what was the cause of it? It began because of the behavior of a few Diné. A handful, here and there, riding horseback, killed white people and others that were traveling overland, and took their belongings. So the soldiers, commanded by Kit Carson, were ordered out. Carson was nicknamed *Bi'éé'Łichíí'ii* (Red Clothes).

A man named *Ałtsáabinii'í* (Double Face), a very stubborn man, known as a thief and a killer, killed white people, and he and his group took their property. Today, they could be referred to as gangsters. He and his men troubled the camps of the white people who were traveling overland westward seeking gold. They killed the Whites, taking their mules, horses and other belongings. Then, to the white people, they would say, "We are not harming anyone and don't expect a conflict."

Unexpectedly, *Bi'éé'Łichíí'ii* (Red Clothes' Soldiers) arrived, destroying water wells - contaminating them, breaking the rocks edging the waterholes or filling up the holes with dirt so that they became useless. They also burned cornfields and the orchards of peaches. That is what they did to us unexpectedly and unreasonably, because most of us were not harming anybody. In the open fields we planted squash and corn. And we lived peacefully, not expecting a conflict. We naturally were a peaceful people. We were not warlike, but, still, we had those soldier visitors. . . .

From Fort Defiance the Navajos started on their journey. That was in 1864. They headed for *Shash Bitoo'* (Fort Wingate) first, and from there they started on their Long Walk. Women and children travelled on foot. That's why we call it the Long Walk. It was inhuman because the Navajos, if they got tired and couldn't continue to walk farther, were just shot down. Some wagons went along, but they were carrying army supplies, like clothes and food. *Jaanééz* (mules) pulled the wagons. So the Navajos were not cared for. They had to keep walking all the time, day after day. They kept that up for about 18 or 19 days from Fort Wingate to Fort Sumner, or *Hwééłdi*.

On the journey the Navajos went through all kinds of hardships, like tiredness and having injuries. And, when those things

happened, the people would hear gun shots in the rear. But they couldn't do anything about it. They just felt sorry for the ones beings shot. Sometimes they would plead with the soldiers to let them go back and do something, but they refused. This is how the story was told by my ancestors. . . .

These Navajos had done nothing wrong. For no reason they had been taken captive and driven to Fort Sumner. While that was going on, they were told nothing - not even what it was all about and for what reasons. The Army just rounded them up and herded them to the prison camp. Large numbers of Navajos made the journey. Some of them tried to escape. Those who did, and were caught, were shot and killed.

. . . The Navajos had hardly anything at that time; and they ate the rations but couldn't get used to them. Most of them got sick and had stomach trouble. The children also had stomach ache, and some of them died of it. Others died of starvation. . . .

There was one thing that isn't mentioned in the White Man's histories [of the Treaty of 1868]. A wooden post was put in the ground, and a billy goat was hit in the mid-section with a stick so that he struck the post repeatedly with his head and horns. I don't know how long this continued. But, after a while, the brains of the goat came out, and that's when they got through with him. Then the general turned to the Navajos and said, "Nowhere, at no time in the future, whatever you do, don't break this treaty. If you get in trouble with Washington or the U.S. Government again and do the things you should not do, that is what is going to happen to you people." He meant what had happened to the billy goat.

Yasdesbah Silversmith

About the whole bad period from before the Long Walk until they got settled back in their homeland, my ancestors said, "We suffered from everything, especially hunger. We ate just about all the birds there were, also bears and porcupines. Crows were about the only bird that couldn't be eaten. Some people tried it, but they said the meat was so bitter they couldn't swallow it."

Selected Quotes from Chief Manuelito

In Jennifer Nez Denetdale, Reclaiming Diné History: The Legacies of Navajo Chief Manuelito and Juanita (Tucson: University of Arizona Press, 2007)

"Herrera, one of the chiefs at the internment camp . . . reported that, after some thought, Manuelito declined to turn himself in, saying:

That his God and his mother lived in the west and he would not leave them; that there was a tradition that his people should never cross the Rio Grande, the Rio San Juan, or the Rio Colorado; that he also could not pass three mountains, and particularly he could not leave the Chusca Mountain, his native hills"

"Just because they capture you and even take your life, it's just you and not all your people who will suffer When you get captured, you just tell them, 'Go ahead and kill me, and I will shed my blood on my own land, not some strange land. And my people will have the land even if I die.'"

"But we still are on our land. There's four sacred mountains. We are supposed to be here. The Great Spirit gave the land to us."

Excerpt from U.S. Army General Carleton's "Report of the Condition of the Navajo Prisoners of War at the B[olsque Redondo, New Mexico" to Army Headquarters, March 12, 1864

Now, when they have surrendered and are at our mercy, they must be taken care of – must be fed, clothed and instructed. This admits neither of discussion nor delay. These six thousand mouths must eat, and these six thousand bodies must be clothed. When it is considered what a magnificent pastoral and mineral country they have surrendered – a country whose value can hardly be estimated – the mere pittance, in comparison, which must at once be given to support them sinks into insignificance as a price for their natural heritage. . . .

The exodus of this whole people from the land of their fathers in not only an interesting but a touching sight. They have fought us gallantly for years on years; they have defended their mountains and their stupendous canyons with a heroism which any people might be proud to emulate; but when, at length, they found it was their destiny too, as it had been that of their brethren, tribe after tribe, away back toward the rising of the sun, to give way to the insatiable progress of our race, they threw down their arms, and, as brave men entitled to our admiration and respect, have come to us with confidence in our magnanimity, and feeling that we are too powerful and too just a people to repay that confidence with meanness and neglect – feeling that having sacrificed to us their beautiful country, their homes, the associations of their lives, the scenes rendered classic in their traditions, we will not dole out to them a miser's pittance in return for what they know to be and what we know to be a princely realm.

**Excerpt from Report to the President by the Indian Peace
Commission, Jan. 7, 1868**

Congress created the Indian Peace Commission on July 20, 1867 "to establish peace with certain hostile Indian tribes." The Commission's three main objectives were to remove the causes of war; to secure frontier settlements and the safe building of railroads; and to plan for the "civilization" of the Indians. The Commission believed that accomplishing these goals necessarily required removing Indian tribes to permanent reservations. Below is an excerpt from the Commission's 1868 Report to President Andrew Johnson.

In making treaties it was enjoined on us to remove, if possible, the causes of complaints on the part of the Indians. This would be no easy task. We have done the best we could under the circumstances, but it is now rather late in the day to think of obliterating from the minds of the present generation the remembrance of wrong. Among civilized men war usually springs from a sense of injustice. The best possible way then to avoid war is to do no act of injustice. When we learn that the same rule holds good with Indians, the chief difficulty is removed. But it is said our wars with them have been almost constant. Have we been uniformly unjust? We answer unhesitatingly yes. We are aware that the masses of our people have felt kindly toward them, and the legislation of Congress has always been conceived in the best intentions, but it has been erroneous in fact or perverted in execution. Nobody pays any attention to Indian matters. This is a deplorable fact. Members of Congress understand the Negro question, and talk learnedly of finance and other problems of political economy, but when the progress of settlement reaches the Indian's home, the only question considered is, "how best to get his lands." When they are obtained, the Indian is lost sight of. . . .

The Navajo Indians in New Mexico were for several years held as prisoners of war at the Bosque Redondo, at a very great expense to the government. They have now been turned over to the Interior Department, and must be subsisted as long as they remain there. We propose that a treaty be made with them, or their consent in some way obtained, to remove at an early day to the southern district selected by us, where they may soon be made self-supporting.

Proceedings of Council, May 28, 29, 30, 1868, Fort Sumner,
New Mexico

May 28, 1868

General Sherman:

The Commissioners are here now for the purpose of learning and knowing all about your condition and we wish to hear from you the truth and nothing but the truth. We have read in our books and learned from our officers that for many years whether right or wrong the Navajos have been at war with us, and that General Carleton had removed you here for the purpose of making you agriculturists. With that view the Government of the United States gave you money and built this fort to protect you until you were able to protect yourselves. We find you have done a good deal of work here in making acequias, but we find you have no farms, no herds, and are now as poor as you were 4 years ago when the Government brought you here. That before we discuss what we are to do with you, we want to know what you have done in the past and what you think about your reservation here.

Barboncito:

The bringing of us here has caused a great decrease of our numbers. Many of us have died, also a great number of our animals. Our grandfathers had no idea of living in any other country except our own and I do not think it right for us to do so, as we were never taught to. When the Navajos were first created, 4 mountains and 4 rivers were pointed out to us, inside of which we should live, that was to be our country, and was given to us by the first woman of the Navajo tribe. It was told to us by our forefathers, that we were never to move east of the Rio Grande or west of the San Juan rivers and I think that our coming here has been the cause of so much death among us and our animals. That our God when he created (the woman I spoke of) gave us this piece of land and created it specially for us and gave us the whitest of corn and the best of horses and sheep. You can see them (pointing to the other chiefs) ordinarily looking as they are, I think that when the last of them is gone the world will come to an end.

It is true we were brought here, also true we have been taken good care of since we have been here. As soon as we were brought here we started into work making acequias &c (and I myself went to work with my party). We made all the adobes you see here, we have always done as we were told to. If told to bring ashes from the hearth we would do so, carry water and herd stock, we never refused to do anything we were told to do.

This ground we were brought on, it is not productive; we plant but it does not yield; all the stock we brought here have nearly all died. Because we were brought here, we have done all that we could

possibly do, but found it to be labor in vain, and have therefore quit it; for that reason we have not planted or tried to do anything this year. It is true we put seed in the ground but it would not grow two feet high, the reason I cannot tell, only I think that this ground was never intended for us. We know how to irrigate and farm, still we cannot raise a crop here, we know how to plant all kinds of seed, also how to raise stock and take care of it. The Commissioners can see themselves that we have hardly any sheep or horses, nearly all that we brought here have died, and that has left us so poor that we have no means wherewith to buy others.

There are a great many among us who were once well off, now they have nothing in their houses to sleep on except gunny sacks. True, some of us have a little stock left yet but not near what we had some years ago, in our old country. For that reason my mouth is dry, and my head hangs in sorrow to see those around me who were at one time well off so poor now. When we had a way of living of our own, we lived happy, we had plenty of stock, nothing to do but look at our stock, and when we wanted meat nothing to do but kill it. (Pointing to chiefs present) they were once rich.

I feel sorry at the way I am fixed here, I cannot rest comfortable at night, I am ashamed to go to the commissary for my food, it looks as if somebody was waiting to give it to me. Since the time I was very small until I was a man when I had my father and mother to take care of I had plenty and since that time I have always followed my father's advice and still keep it viz: to live at peace with everybody.

I want to tell the Commissioners I was born at the lower end of Canon-de-Chelle. We have been living here five winters. The first year we planted corn it yielded a good crop, but a worm got in the corn and destroyed nearly all of it, the second year the same, the third year it grew about two feet high when a hail storm completely destroyed all of it. We have done all we possibly could to raise a crop of corn and pumpkins but we were disappointed. I thought at one time the whole world was the same as my own country but I got fooled in it. Outside my own country we cannot raise a crop, but in it we can raise a crop almost anywhere; our families and stock there increase, here they decrease; we know this land does not like us, neither does the water. They have all said this ground was not intended for us; for that reason none of us have attempted to put in seed this year.

I think now it is true what my forefathers told me about crossing the line of my own country. It seems that whatever we do here causes death. Some work at the acequias, take sick and die; others die with the hoe in their hands; they go to the river to their waists and suddenly disappear; others have been struck and torn to pieces by lightning. A rattlesnake bite here kills us; in our own country a rattlesnake before he bites gives warning which

enables us to keep out of its way and if bitten we readily find a cure - here we can find no cure. When one of our big men die, the cries of the women cause the tears to roll down on to my moustache. I then think of my country.

I think the Commissioners have seen one thing; when we came here there was plenty of mesquite root which we used for fuel, now there is none nearer than the place where I met the Commissioners 25 miles from here, and in the winter many die from cold and sickness and overworking in carrying wood such a long distance on their backs; for that reason we cannot stay contented where we now are. Some years ago I could raise my head and see flocks of cattle in any direction; now I feel sorry I cannot see any. I raise my head and can see herds of stock on my right and left but they are not mine; it makes me feel sorry thinking of the time when I had plenty.

I can scarcely endure it. I think that all nations round here are against us (I mean Mexicans and Indians); the reason is that we are a working tribe of Indians and if we had the means we could support ourselves far better than either Mexican or Indian. The Comanches are against us, I know it, for they came here and killed a good many of our men. In our own country we knew nothing about the Comanches.

Last winter I heard said that there was a Commission coming here; now I am happy it has arrived for I expect to hear from the Commission today the object of its coming here. We have all declared that we do not want to remain here any longer. If I can complete my thoughts today I will give the General my best thanks and think of him as my father and mother. As soon as I heard of your coming I made three pair of moccasins and have worn out two pair of them since. As you see yourselves I am strong and hearty and before I am sick or older, I want to go and see the place where I was born; now I am just like a woman, sorry like a woman in trouble I want to go and see my own country. If we are taken back to our own country we will call you our father and mother, if you should only tie a goat there we would all live off it, all of the same opinion. I am speaking for the whole tribe, for their animals from the horse to the dog, also the unborn. All that you have heard now is the truth and is the opinion of the whole tribe.

It appears to me that the General commands the whole thing as a god; I hope therefore he will do all he can for the Indians; this hope goes in at my feet and out at my mouth. I am speaking to you (General Sherman) now as if I was speaking to a spirit and I wish you to tell me when you are going to take us to our own country.

General Sherman:

I have listened to all you have said of your people and believe you have told us the truth. You are right, the world is big enough for all the people it contains and all should live at peace with

their neighbors. All people love the country where they were born and raised, but the Navajos are very few indeed compared with all the people in the world; they are not more than seven leaves to all the leaves you have ever seen. Still we want to do to you what is right - right to you and right to us as people. If you will live in peace with your neighbors, we will see that your neighbors will be at peace with you. The government will stand between you and other Indians and Mexicans.

We have got a map here which if Barboncito can understand I would like to show him a few points on it, show him his country, places inhabited by other Indians, the four mountains spoken of and old Fort Defiance &c tell him that in our country nearly every family raises a crop, or works at a trade &c; everybody does something for a living. Those who work hard get rich, those who are lazy are poor. Also in the upper country the ground is high and requires irrigation, in the lower country there is plenty of water, and corn &c can be raised without irrigation. For many years we have been collecting Indians on the Indian Territory south of the Arkansas and they are now doing well and have been doing so for many years. We have heard you were not satisfied with this reservation and we have come here to invite some of your leading men to go and see the Cherokee country and if they liked it we would give you a reservation there. There we will give you cattle to commence with and corn, it being much cheaper there than here; give you schools to educate your children in English and Spanish and take care of you until such time as you will be able to protect yourselves. We do not want you to take our word for it, but send some of your wisest men to see for themselves.

If you do not want that we will discuss the other proposition of going back to your own country and if we agree we will make a boundary line outside of which you must not go except for the purpose of trading. We must have a clearly defined boundary line and know exactly where you belong to. You must live at peace and must not fight with other Indians. If people trouble you, you must go to the nearest military post and report to the Commanding Officer who will punish those who trouble you. The Army will do the fighting, you must live at peace. If you go to your own country the Utes will be the nearest Indians to you; you must not trouble the Utes and the Utes must not trouble you. If however the Utes or Apaches come into your country with bows and arrows and guns, you of course can drive them out but must not follow them beyond the boundary line. You must not permit any of your young men to go to the Ute or Apache country to steal, neither must they steal from Mexicans. You can come to the Mexican towns to trade. Any Navajo can now settle in this Territory and he will get a piece of land not occupied, but he will be subject to the laws of the country.

Barboncito:

I hope to God you will not ask me to go to any other country except my own. It might turn out another Bosque Redondo. They told us this was a good place when we came, but it is not.

General Sherman:

We merely made the proposition to send you to the Lower Arkansas country for you to think seriously over it. Tomorrow at 10 o'clock I want the whole tribe to assemble at the back of the hospital and for you then to delegate 10 of your men to come forward and settle about the boundary line of your country which will be reduced to writing and signed by those 10 men.

Barboncito:

I am very well pleased with what you have said, and if we go back to our own country, we are willing to abide by whatever orders are issued to us. We do not want to go to the right or left but straight back to our own country.

General Sherman:

This is all we have to say to-day; to-morrow we will meet again.

May 29, 1868

General Sherman:

We have come from our capital, Washington, where our Government consists of a President and a great Council. We are empowered to do now what is necessary for your good, but what we do must be submitted to our Great Father in Washington. We heard that you were not satisfied with this reservation, that your crops failed for 3 years and that you wanted to go somewhere else.

We know that during the time you have been here the government has fed and done for you what was considered necessary to make you a thriving people. Yesterday we had a long talk with your principal chiefs and then told them that any Navajo could go wherever he pleased in this Territory and settle with his family, but if he did so would be subject to the laws of the Territory as a citizen, or we would remove you as a nation or tribe to the lower Canadian and Arkansas (Oklahoma Territory) if you were pleased to go there - but if neither of the propositions suited you, we would discuss the other proposition of sending you to your own country west of the Rio Grande. Barboncito yesterday insisted strongly on going back to his own country in preference to the other two propositions. We then asked him and all the Navajoes to assemble here today and for them to select ten of their number as delegates with whom we would conclude terms of treaty &c. We want to know if these 10 men have been chosen.

The 10 men then stood up, viz:

Delgadito, Barboncito, Manuelito, Largo, Herrero, Chiqueto, Muerto de Hombre, Hombre, Narbono, and Armijo and the Navajoes upon being asked if satisfied with these 10 men, unanimously responded, Yes.

We will now consider these 10 men your principal men and we want them to select a chief, the remaining to compose his council, for we cannot talk to all the Navajoes. Barboncito was unanimously elected chief. Now from this time out you must do as Barboncito tells you, with him we will deal and do all for your good. When you leave here and go to your own country, you must do as he tells you, and when you get to your country, you must obey him or he will punish you, if he has not the power to do so, he will call on the soldiers and they will do it. You must all keep together on the march. Must not scatter for fear some of your young men might do wrong and get you all into trouble. All these things will be put down on paper and tomorrow these 10 men will sign that paper, and now we want to know about the country you want to go to.

We heard Barboncito yesterday, if there are any others who differ from him, we would like to hear them; we want also to hear if you want schools in your country, blacksmiths or carpenters shops. We want to put everything on paper so that hereafter there may be no misunderstanding between us; we want to know if the whole Navajo nation is represented by those present and if they will be bound by the acts of those 10 men - unanimous response of "yes".

Barboncito:

What you have said to me now I never will forget. It is true I never liked this place, and feel sorry for being here. From here I would like to go back the same road we came, by way of Tecalote, Bernal, Tijeras and Paralto. All the people on the road are my friends. After I cross the Rio Grande river I want to visit the Pueblo villages, I want to see the Pueblo Indians to make friends with them. I then want to go to Canon de Chelly - leaving the Pueblo village Laguna to the left. I will take all the Navajos to Canon de Chelly, leave my own family there - taking the rest and scattering them between San Mateo mountain (Mount Taylor) and San Juan river. I said yesterday this was the heart of the Navajo country. In this place there is a mountain called the Sierra Chusque or mountain of agriculture from which (when it rains) the water flows in abundance creating large sand bars on which the Navajoes plant their corn; it is a fine country for stock or agriculture. There is another mountain called the Mesa Calabasa (old name for mesa west of Kayenta, Arizona, and north of Marsh Pass) where these beads which we wear on our necks have been handed down from generation to generation and where we were told by our forefathers never to leave our own country. For that reason I want

to go back there as quick as possible and not remain here another day. When the Navajos go back to their own country I want to put them in different places; it would not do to put them all together as they are here; if separated they would be more industrious. There is one family whose intention I do not know the Sariettas (Cibollettas) (Navajo group later identified as 'Ana' i Dine, "Enemy Navajo"). I do not know whether or not they want to go back to their own country.

General Sherman:

If the "Saviettas" (Cibollettas) choose they can go and live among the Mexicans in this Territory, but if they do they will not be entitled to any of the advantages of the treaty.

Barboncito:

I merely wished to mention it for if they remain with the Mexicans I cannot be held responsible for their conduct. You spoke to me yesterday about putting us on a reservation with a boundary line. I do not think it right to confine us to a certain part; we want to have the privilege of going outside the line to hunt and trade.

General Sherman:

You can go outside the line to hunt. You can go to Mexican towns to trade but your farms and homes must be inside the boundary line, beyond which you have no claim to the land.

Barboncito:

That is the way I like to be and return the Commissioners my best thanks. After we get back to our country it will brighten up again and the Navajoes will be as happy as the land. Black clouds will rise and there will be plenty of rain. Corn will grow in abundance, and everything look happy. Today is a day that anything black or red does not look right; everything should be white or yellow representing the flower and the corn. I want to drop this conversation now and talk about Navajo children held as prisoners by Mexicans. Some of those present have lost a brother or a sister and I know that they are in the hands of Mexicans. I have seen some myself.

General Sherman:

About their children being held as peons by Mexicans, you ought to know that there is an Act of Congress against it. About four years ago we had slaves and there was a great war about it, now there are none. Congress our great council passed a law prohibiting peonage in New Mexico, so that if any Mexican holds a Navajo in peonage he (the Mexican) is liable to be put in the penitentiary.

We do not know that there are any Navajos held by Mexicans as peons, but if there are, you can apply to the judges of the Civil Courts and the Land Commissioners. They are the proper persons, and they will decide whether the Navajo is to go back to his own people or remain with the Mexican. That is a matter with which we have nothing to do. What do you say about schools, blacksmith and carpenter shops for the purpose of teaching your children?

Barboncito:

We would like to have a blacksmith shop as a great number of us can work at the trade; we would like a carpenter's shop and if a school was established among us I am satisfied a great number would attend it. I like it very well. Whatever orders you leave here you may rely upon their being obeyed.

General Sherman:

Whatever we promise to do you can depend upon its being done.

. . .

General Sherman:

We will do all we can to have your children returned to you. Our government is determined that the enslavement of the Navajoes shall cease and those who are guilty of holding them as peons shall be punished.

All are free now in this country to go and come as they please. If children are held in peonage the courts will decide. You can go where any Navajoes are and General Getty will give you an order or send a soldier, and if the Navajo peon wishes to go back or remain he can please himself. We will not use force, the courts must decide.

Tomorrow we will meet with those 10 men chosen and enter into business with them committing it to writing which they must sign.

May 30, 1868

General Sherman:

We are now ready to commence business, we have it all written down on paper and settled, and when agreed on, we will have 3 copies made, one for you, one to keep ourselves, and one to send to Washington. We do not consider it complete until we have all signed our names to it. I will now read it to you, and any changes that may be considered necessary will be made.

The treaty was then read by General Sherman, and interpreted to the Indians, and approved by them.

We have marked off a reservation for you, including the Canon de Chelly, and part of the valley of the San Juan, it is about 100 miles square. It runs as far south as Canon Bonito, and includes

the Chusca Mountain, but not the Mesa Calabasa you spoke of; that is the reservation we suggest to you, it also includes the Ceresca Mountain (Carrizo Mtns.), and the bend of the San Juan river, not the upper waters.

Barboncito:

We are very well pleased with what you have said, and well satisfied with that reservation; it is the very heart of our country and is more than we ever expected to get.

We wish now to have Narbono Segundo and Ganado Mucho admitted as members of our Council, in addition to the 10 elected yesterday - which was agreed to.

General Sherman:

How would old Fort Defiance suit you as a site for your agency?

Barboncito:

Very well.

Ganado Mucho:

After what the Commissioners have said, I do not think anybody has anything to say. After we go back to our country it will be the same as it used to be. We have never found any person heretofore who told us what you now have, and when we return to our own country, we will return you our best thanks. We understand the good news you have told us to be right, and we like it very much; we have been waiting for a long time to hear the good words you have now told us about going back to our own country, and I will not stop talking until I have told all the tribe the good news.

**Treaty of June 1, 1868 Between the United States of America
and the Navajo Tribe of Indians**

ARTICLE I (*peace*)

From this day forward all war between the parties to this agreement shall forever cease. The government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they now pledge their honor to keep it.

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States, will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington city, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also to reimburse the injured persons for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States and at peace therewith, the Navajo tribe agree that they will, on proof made to their agent, and on notice by him, deliver up the wrongdoer to the United States, to be tried and punished according to its laws; and in case they willfully refuse to do so, the person injured shall be reimbursed for his loss from the annuities or other moneys due or to become due to them under this treaty, or any others that may be made with the United States. . . .

ARTICLE II (*reservation boundaries*)

The United States agrees that the following district of country, to wit: bounded on the north by the 37th degree of north latitude, south by an east and west line passing through the site of old Fort Defiance, in Canon Bonito, east by the parallel of longitude which, if prolonged south, would pass through old Fort Lyon, or the Ojo-de-Oso, Bear Spring, and west by a parallel of longitude about 109 degrees 30' west of Greenwich, provided it embraces the outlet of the Canon-de-Ch[e]lly, which canon is to be all included in this reservation, shall be, and the same is hereby, set apart for the use and occupation of the Navajo tribe of Indians, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit among them; and the United States agrees that no persons except those herein so authorized to do, and except such officers, soldiers, agents, and employe[e]s of the government, or of the Indians, as may be authorized to enter upon Indian reservations in discharge of duties imposed by law, or the orders of the President, shall ever be permitted to pass over, settle upon, or reside in, the territory described in this article.

ARTICLE III (*buildings*)

The United States agrees to cause to be built at some point within said reservation, where timber and water may be convenient, the following buildings: a warehouse, to cost not exceeding twenty-five hundred dollars; an agency building, for the residence of the agent, not to cost exceeding three thousand dollars; a carpenter shop and a blacksmith shop, not to cost exceeding one thousand dollars each; and a school house and chapel, so soon as a sufficient number of children can be induced to attend school which shall not cost to exceed five thousand dollars.

ARTICLE IV (*duties of the Indian agent*)

The United States agrees that the agent for the Navajos shall make his home at the agency building; that he shall reside among them and keep an office open at all times for the purpose of prompt and diligent inquiry into such matters of complaint by or against the Indians as may be presented for investigation, as also for the faithful discharge of other duties enjoined by law. In all cases of depredation on person or property he shall cause the evidence to be taken in writing and forwarded, together with his finding, to the Commissioner of Indian Affairs, whose decision shall be binding on the parties to this treaty.

ARTICLE V (*individual title to land for farming*)

If any individual belonging to said tribe, or legally incorporated within it, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding one hundred and sixty acres in extent, which tract, when so selected, certified and recorded in the "land book," as herein described, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select, and cause to be certified to him or her for purposes of cultivation, a quantity of land, not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

For each tract of land so selected a certificate containing a description thereof, and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded, shall be delivered to the party entitled to it by the agent, after the same shall have been recorded by him in a book to be kept in his office, subject to inspection, which said book shall be known as the "Navajo Land Book."

The President may at any time order a survey of the reservation, and, when so surveyed, Congress shall provide for protecting the rights of said settlers in their improvements, and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property between the Indians and their descendants as may be thought proper.

ARTICLE VI (*education*)

In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted, especially of such of them as may be settled on said agricultural parts of the reservation, and they therefor pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that, for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided, and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians, and faithfully discharge his or her duties as a teacher.

The provisions of this article to continue for not less than ten years.

ARTICLE VII (*farming supplies*)

When the head of a family shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, not exceeding in value one hundred dollars, and for each succeeding year he shall continue to farm, for a period of two years, he shall be entitled to receive seeds and implements to the value of twenty five dollars.

ARTICLE VIII (*supplies and annuities*)

In lieu of all sums of money or other annuities provided to be paid to the Indians herein named under any treaty or treaties heretofore made, the United States agrees to deliver at the agency house on the reservation herein named, on the first day of September of each year for ten years, the following articles, to wit:

Such articles of clothing, goods, or raw materials in lieu thereof, as the agent may make his estimate for, not exceeding in value five dollars per Indian - each Indian being encouraged to manufacture their own clothing, blankets, etc.; to be furnished with no article which they can manufacture themselves. And in order that the Commissioner of Indian Affairs may be able to estimate properly

for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians, on which the estimate from year to year can be based.

And in addition to the articles herein named, the sum of ten dollars for each person entitled to the beneficial effects of this treaty shall be annually appropriated for a period of ten years, for each person who engages in farming or mechanical pursuits, to be used by the Commissioner of Indian Affairs in the purchase of such articles as from time to time the conditions and necessities of the Indians may indicate to be proper; and if within the ten years at any time it shall appear that the amount of money needed for clothing under the article can be appropriated to better uses for the Indians named herein, the Commissioner of Indian Affairs may change the appropriation to other purposes, but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named, provided they remain at peace. And the President shall annually detail an officer of the army to be present and attest the delivery of all the goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of the delivery.

ARTICLE IX (*cession of land and miscellaneous terms*)

In consideration of the advantages and benefits conferred by this treaty and the many pledges of friendship by the United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy any territory outside their reservation, as herein defined, but retain the right to hunt on any unoccupied lands contiguous to their reservation, so long as the large game may range thereon in such numbers as to justify the chase; and they, the said Indians, further expressly agree:

1st. That they will make no opposition to the construction of railroads now being built, or hereafter to be built, across the continent.

2nd. That they will not interfere with the peaceful construction of any railroad not passing over their reservation as herein defined.

3rd. That they will not attack any persons at home or travelling, nor molest or disturb any wagon trains, coaches, mules or cattle belonging to the people of the United States, or to persons friendly therewith.

4th. That they will never capture or carry off from the settlements women or children.

5th. That they will never kill or scalp white men, nor attempt to do them harm.

6th. They will not in future oppose the construction of railroads, wagon roads, mail stations, or other works of utility or necessity which may be ordered or permitted by the laws of the

United States; but should such roads or other works be constructed on the lands of their reservation, the government will pay the tribe whatever amount of damage may be assessed by three disinterested commissioners to be appointed by the President for that purpose, one of said commissioners to be chief or head man of the tribe.

7th. They will make no opposition to the military posts or roads now established, or that may be established, not in violation of treaties heretofore made or hereafter to be made with any of the Indian tribes.

ARTICLE X (*future treaties*)

No future treaty for the cession of any portion or part of the reservation herein described, which may be held in common, shall be of any validity or force against said Indians unless agreed to and executed by at least three-fourths of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed as to deprive, without his consent, any individual member of the tribe of his rights to any tract of land selected by him as provided in Article V of this treaty.

ARTICLE XI (*removal to the reservation*)

The Navajos also agree hereby that any time after the signing of these presents they will proceed in such manner as may be required of them by the agent, or by the officer charged with their removal, to the reservation herein provided for, the United States paying for their subsistence en route, and providing a reasonable amount of transportation for the sick and feeble.

ARTICLE XII (*appropriations*)

It is further agreed by and between the parties to this agreement that the sum of one hundred and fifty thousand dollars appropriated, or to be appropriated, shall be disbursed as follows, subject to any conditions provided in law, to wit:

1st. The actual cost of the removal of the tribe from the Bosque Redondo reservation to the reservation, say fifty thousand dollars.

2nd. The purchase of fifteen thousand sheep and goats, at a cost not to exceed thirty thousand dollars.

3rd. The purchase of five hundred beef cattle and a million pounds of corn, to be collected and held at the military post nearest the reservation, subject to the orders of the agent, for the relief of the needy during the coming winter.

4th. The balance, if any, of the appropriation to be invested for the maintenance of the Indians pending their removal, in such manner as the agent who is with them shall determine.

5th. The removal of this tribe to be made under the supreme control and direction of the military commander of the Territory of

New Mexico, and when completed, the management of the tribe to revert to the proper agent.

ARTICLE XIII (*Navajo promise to stay on the reservation*)

The tribe herein named, by their representatives, parties to this treaty, agree to make the reservation herein described their permanent home, and they will not as a tribe make any permanent settlement elsewhere, reserving the right to hunt on the lands adjoining the said reservation formerly called theirs, subject to the modifications named in this treaty and the orders of the commander of the department in which said reservation may be for the time being; and it is further agreed and understood by the parties to this treaty, that if any Navajo Indian or Indians shall leave the reservation herein described to settle elsewhere, he or they shall forfeit all the rights, privileges, and annuities conferred by the terms of this treaty; and it is further agreed by the parties to this treaty, that they will do all they can to induce Indians now away from reservations set apart for the exclusive use and occupation of the Indians, leading a nomadic life, or engaged in war against the people of the United States, to abandon such a life and settle permanently in one of the territorial reservations set apart for the exclusive use and occupation of the Indians.

In testimony of all which the said parties have hereunto, on this the first day of June, eighteen hundred and sixty-eight, at Fort Sumner, in the Territory of New Mexico, set their hands and seals.

W.T. Sherman, Lt. Gen'l, Indian Peace Commissioner
S.F. Tappan, Indian Peace Commissioner
Barboncito, Chief, his mark
Armijo, his mark
Delgado, his mark
Manuelito, his mark
Largo, his mark
Herrero, his mark
Chiqueto, his mark
Muerto de Hombre, his mark
Hombro, his mark
Narbono, his mark
Narbono Segundo, his mark
Ganado Mucho, his mark
Riquo, his mark
Juan Martin, his mark
Serginto, his mark
Grande, his mark
Inoetenito, his mark

Muchachos Mucho, his mark
Chiqueto Segundo, his mark
Cabello Amarillo, his mark
Francisco, his mark
Torivio, his mark
Desdendado, his mark
Juan, his mark
Guero, his mark
Gugadore, his mark
Cabason, his mark
Barbon Segundo, his mark
Bacares Colorados, his mark