

MINUTES OF MEETING OF TREATY COMMISSIONER REDICK MCKEE  
WITH CLEAR LAKE POMO TRIBELETS, AUGUST, 1851\*

CAMP LUPIYUMA, August 18, 1851

According to agreement a number of chiefs and braves of the Clear Lake Indians met agent McKee, at an early hour this morning, in council. Present: Mr. George Gibbs, interpreter; Major Wessells, of the escort; General J. M. Estelle, of the California militia, and staff; and Messrs. Smith, McDonald, and Whitehorn. After an hour spent in ascertaining names and location of chiefs present and their tribes, the secretary reported the following-named chiefs as being present:

Julio, representing the Ca-ba-na-po tribe and captains;  
Prieto, representing the Ha-bi-na-pa tribe and captains;  
Ku-kee, representing the Do-no-ha-be tribe and captains;  
Moh-shaw, representing the Moal-kai tribe and captains;  
Chi-bee, representing the How-ru-ma tribe and captains;  
Cal-i-a-hem, representing the Che-com tribe and captains;  
Con-chu, representing the Cha-net-kai tribe and captains; and  
Coe-ne-ne, representing the Me-dama-rec tribe and captains.

Mr. Ed. Shirland, having lived for several months among the Indians in this neighborhood, offered his services as an assistant interpreter, which were accepted. Mr. George Whitehorn was also employed in the same capacity. The chiefs Con-chu and Co-e-ne live with their tribes upon the hills dividing the waters of Clear Lake from Eel River, and are not familiar with the language of the Clear Lake tribes. Two or three Indians present, and familiar with Spanish, were selected to communicate directly to the chiefs. Agent McKee addressed the chiefs, and said: "Brothers, listen to my talk. We come among you as friends to learn the cause of your troubles, if you have any, and your condition generally. What I say comes straight from the heart, and there shall be no crook in my path, nor fork in my tongue; listen attentively, and give me your minds after you have heard." Chiefs replied, "that they were happy to see us as friends, and that inquiry would be made as to their condition; this is what we want, and we will deal fairly with you; speak the truth only; we are glad to learn you will speak the truth." Agent McKee resumed: "I understand that several treaties have been made with portions, perhaps all of you, by officers of the Spanish-Mexican government and by private individuals.

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\*Documents of the Senate of the United States During the Special Session Called March 4, 1853. Executive Document No. 4, pp. 136-141. G.P.O., Washington, D.C., 1853. (This is a sample of the "Minutes" of McKee's treaty-making expedition to the California tribes north of San Francisco Bay. For some ethnographic accounts by native participants, see S. A. Barrett, Univer. Calif. Publs. in Amer. Arch. and Ethnol. Vol. 6, No. 1, p. 46, 1908).

But I come from the Great Father, the President, at Washington, the most powerful and the richest chief on this continent, and anything I may do in his name will be final and binding upon you, if he approves. That Great Father, my chief, has conquered this country, and you are his children now, and subject in all things to him." Chiefs replied: "It is good." Agent resumed: "Brothers, we know you were the original owners of these broad lands, and that the Spaniards, Mexicans, and Californians have been in turn your conquerors and masters, until finally the President, my great chief, has conquered and owns this country. The President has learned that his red children in California are at war with the whites and among themselves; are very poor and ignorant; and he has sent three commissioners among them to inquire into their condition."

Chief Julio inquired who this Great Father, the President was, and where he lived, and said he wanted information concerning him; and if he is the good chief represented, that he was willing to live subject to him. The agent endeavored to give them a proper understanding of the locality and power of the United States, and of the President, and said that his warriors were more numerous than the leaves around this camp; that he had many other red children east of the big mountains, and had found by experience that it was good for them to live in one settlement, where they would be protected and taught the arts and habits of civilized life, draw their subsistence from the soil, and have a home of their own; that when once collected the product of their labor should be their own; that these settlements were not designed upon the old mission principle, where the Indian labored to make the white man rich. Some of the Great Father's children were bad men, but the great majority were good; he wished his red children to live together, that they might be protected both from bad whites and bad Indians, and that all who disobeyed his laws would be severely punished and compelled to acknowledge his authority. These matters were dwelt upon and repeated until the chiefs professed to have an understanding of them all. Chief Prieto inquired how the President collected his red children east of the mountains, &c. Agent replied that several tribes sometimes were brought into one settlement and provided with farmers, mechanics, teachers, &c., &c. Several of the chiefs immediately inquired, with some earnestness, if it was intended for them (those present) to live together in one rancheria, or village, and thus make one people of them. This appeared to be an exciting question among the chiefs, as it might affect their authority. Agent McKee explained that they must live upon one reservation of land, and, if they chose, upon different portions of it; but that the President preferred they should all live in one village, and peaceably together, and the advantages of so doing were fully explained; further, that some six or seven treaties had been entered into with Indians in the southern part of this State, who were now living peaceably together, &c. The chief Ku-kee said he lived at the head of Clear Lake, and inquired why he could not be subject to the President, and remain there. Agent McKee again explained the kind intention of the President in settling the tribes together. The chief Moh-shaw said he believed it was through pity for the Indians, and to improve their condition, that these arrangements were proposed; that heretofore the white men among them had derided and made sport of their distress. Chief Prieto said he had heard of treaties made with the Indians on the San Joaquin river, &c., and he was glad to see the agent among them for that purpose, and that he would act in good faith, though they had been often deceived; that he was willing to

do now what the agent might advise, and pledge himself and his people for his own good faith to-day.

Agent McKee resumed: "The President has very many red children living beyond the big mountains, and settled happily upon lands of their own, where white men were not permitted among them; that they were cultivating the soil, raising stock, &c., and had now no cause for war, neither among themselves nor with the whites. The President wishes to improve you in the same way, and has sent his agents among you for that purpose. He is well satisfied that is the best plan for you; if you will agree to be settled in this way you must give up all right to all other lands, and never move again without the President's permission. But your young men may hire out to work upon the different ranches, if they are well-behaved, and the agent gives them permission. Your families, however, must always remain at one place. The agent sent among you will settle all your difficulties and prevent the whites from injuring you, and will cause guilty Indians and guilty whites to be punished. The President will also give you teachers, farmers, and mechanics, to teach you many things and improve your condition very much." After the above was fully explained, the chief Julio said he was fully sensible of the great inferiority of the Indians to the whites, and that it was not important to him whether the teachers given to the tribes were red or white, so they were good men, and would treat his people kindly and improve their condition. He wished his young people to know more than he did, and live at peace with all the world; further, we have all heard your talk, and think well of it. Agent McKee said: "I do not know when these things can be done for you -- the President must first give his permission: it may be one or two years; but I will advise it, and I think it will be done after awhile." Chief Julio said that they (the chiefs) would be governed by the wishes of the agent, as they believed it would result for their good.

Agent McKee again resumed: "It will cost the President much money and trouble to do all these things, and his laws must be obeyed; guilty Indians must be punished, and it must be distinctly understood that all Indians guilty of crime must be delivered up to the authorities of the State of California for trial. Such men must not be harbored among you, and it will be your duty to inform upon them. Whites will be dealt with in the same manner as Indians -- equal justice to all. I wish you fully to understand that these arrangements cannot be completed for you now; but I have a few presents, and some hard bread and beef, which I will give you as an evidence of the good will of the President towards you; but he must first approve of my acts before you can receive any permanent benefit.

"I wish you chiefs to retire and consult upon these three points, viz: Concerning some tract of land you can all agree to live upon; 2. Whether you will agree to have any tribes of Indians, not represented here, live with you upon the same land; 3. Give me, as near as you can, the number of each of your tribes. This last I wish you to be very particular about. You may now retire, and meet me again in two hours." All of these remarks were explained through the interpreters, at suitable intervals, and all the gentlemen present were satisfied the Indians had received a proper understanding of the matters treated of. Council adjourned, to meet at 4 p.m.

JOHN MCKEE, Secretary

August 18 -- 4 o'clock p.m. -- Council convened, and agent McKee expressed his readiness to listen to any remarks the chiefs might have to make upon the subject given them for consideration in the morning. The chiefs, in turn, said they would prefer remaining at their own homes, if it could be so ordered; but they believed the agent had spoken in good faith, and they would do as he requested. Again, that any Indians the President might send to live with them would be received as brothers and treated kindly. The chiefs here produced several bundles of sticks or broken twigs, as the number of souls in each band. The secretary counted the same, and reported the number claimed by Con-chu and Coe-ne, from the hills in the direction of EEI river, 150 souls; Julio claimed 160; Cal-i-a-hem, 91; Chi-bee, 40; Prieto, 65; Moh-shaw, 45; and Ku-kee, 70. These numbers included all at home and abroad. As these totals fell so far short of the number of Indians living about this lake as estimated by the two gentlemen present, who had lived among them, agent McKee determined to test the accuracy of the report by counting himself the men, women and children of two rancherias, or villages, near the camp, and requested the chiefs Julio and Prieto to bring their whole tribes together in the morning, which was agreed to. Agent again: "The ten cattle I have brought with me are intended as a present to you, and for your women and children, and I will have two bullocks killed for you this evening. You must divide the beef among all the Indians in this neighborhood."

Council was then adjourned, to meet at 10 o'clock to-morrow morning.

JOHN MCKEE, Secretary

CAMP LUPIYUMA, Tuesday morning,  
August 19, 1851.

R. McKee rode out early this morning, in company with several gentlemen, to examine this valley with reference to the expediency of setting it apart as an Indian reservation; returned and commenced the council at 10 o'clock, as per agreement. Present: interpreters, Major Wessells, and same company of gentlemen that were present upon yesterday morning; also the eight chiefs and their captains named in yesterday's minutes.

Chief Prieto reported that his men, women, and children were present. The secretary proceeded to number them, with the following result:

Present, 14 men; 17 women; 8 boys and girls. Reported absent, 15 men; 35 women; 5 boys and girls. Total tribe: 29 men; 42 women; 13 boys and girls -- 84.

Chief Julio was also near with his people.

Present, 52 men; 56 women; 23 children. Reported absent, 33 men; 25 women; 6 children. Total tribe: 85 men; 81 women; 29 children -- 195.

Their numbers, as counted, exceeded the account given yesterday, and Prieto and Julio, upon being questioned as to the cause of the discrepancy, replied that the names of some of their old people had escaped their recollection, but that they had endeavored to deal fairly, and wished to speak the truth. Agent, assuming that the whole number would be increased in same proportion, added 25 per cent to the number given in by the chiefs yesterday, and estimated that the number of Indians living in the Clear Lake valley, who would be affected by a treaty, would be 900 or 1,000 souls, all told -- far short of the generally supposed number. The following questions were asked the chief Julio:

Have you any knowledge of a Supreme Being, or prime cause of all things?

Reply. I know the grass grows, that the trees grow and produce acorns and leaves, but the cause I am ignorant of. I think there is some great power in the heavens, and that it has a good head and wishes the Indian well, but don't know much about it -- how should I know?

Query. Is there a bad spirit?

Reply. I know there are bad men and bad animals, and suppose there must be a bad spirit somewhere; but there shall be no more bad Indians with us.

Query. What becomes of Indians after death?

Reply. I know that we must all die, and are liable to die at any time and place, but what becomes of us I don't know. You ought to know; you are a people of reason, and know more than we do.

Query. Do you think you live at all after death?

Reply. No idea -- you must know.

Query. Why do you burn the body?

Reply. Because it has always been the custom with us; and, besides, it is of no more use.

Many questions of similar import received nearly the same character of replies. They have no definite idea of anything spiritual, but are aware the whites are familiar with these subjects. The object of this questioning of the chiefs was explained, and the council adjourned, to prepare copies of a treaty.

JOHN McKEE, Secretary