

Native Americans in New England Curricular Project

Title(255 characters or fewer): “Trick or Treaty?” Treaty Negotiations in 18th and 19th Century North America

Grade Level (K-2, 3-5, 6-8, 9-12): Grades 9-12

Subject Area Focus: Social Studies

Estimated Number of Days to Complete:

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*This lesson plan will be submitted for inclusion into an on-line database of curricular projects for the NEH program Native Americans in New England.

Curricular Project Summary: When students are asked to summarize interactions between Indian peoples and Euro-Americans on the North American continent, they often describe the relations as tenuous, violent, and one-sided, pointing to the “inevitability” of westward expansion and dispossession of Indian lands. Indians were often manipulated by treaties crafted by shrewd, greedy whites. While this interpretation has some merit, the simple explanation of warfare, deception, and removal does not tell the complete story and undermines the complexities of the relationship between Indian peoples and Euro-Americans from the time of contact to the present day. Historian Colin Calloway argues in “treaty after treaty Europeans and Americans produced documents...to justify, codify, and perpetuate their acquisition and occupation of America.” Indian leaders often understood written treaties had the authority to take away Indian lands, often referring to the process as “pen and ink witchcraft.” However, far from being “victims” Calloway maintains Indians participated in the treaty process in various ways including by signing the agreements, speaking out forcefully, displaying political shrewdness, negotiating, protesting, and at times fighting in the “courts of the conqueror.” Calloway reminds us that as “treaty making and treaty relations changed over time, multiple Indian nations negotiated with changing Euro-American governments in very different circumstances.” The collection of treaties below (both those used in this lesson as well as those available through the online sources cited), provide an opportunity for students and teachers to examine their assumptions about Native Americans and their white competitors and to explore challenging and changing relations which helped to build our nation. **During this lesson, we will look at some specific ways treaty documents reflect attitudes Native American and colonial or US have towards themselves and one another. We will examine and analyze documents from three periods which reflect distinct stages in relations between particular Native groups and Euro-Americans.** The first occurs during America's colonial period and attempts to establish boundaries between Natives and British settlers. The second commences the period of Native American "removal" from eastern lands to Indian Territory. The third reflects an attempt to "settle" the Plains and establish the reservation system.

Desired Results/Objectives

1. Essential Questions/Historical Questions:

- What can you conclude about the legal decisions made by Native Americans in the 18th and 19th centuries?
- What do the documents reveal about the limits of colonial authority and the agency of the Indians who are negotiating the treaties?
- What do the documents reveal about the Indians' struggle for power and sovereignty? Does the struggle for autonomy increase overtime?
- What do the treaties reveal about European and/or American concepts of identity? Native American concepts of identity?
- Do treaties have any value in helping us understand Native American historical experiences?
- In the case of treaties with Native Americans, do the documents reveal compacts between two equal powers that have sufficient authority to force compliance with the stated obligations?
- What impact did the treaties have on Indians who were not present at the negotiations

2. Objectives: By the end of this project students what will students know, understand and be able to do?

- Describe important elements of diplomacy between Euro-Americans and American Indians
- Discern multiple interpretations of treaties
- Analyze the various reasons parties agreed to the terms of the treaties
- Understand the impact treaties had on Indians and whites
- Understand how tracking treaties over time illuminates shifts in power and can be used as a source to track Indian-white relations in North America
- Recognize ways that treaties continue to define relations between Indians and the United States

3. Curriculum Standards (National, State, Local):

Grades 9-10

Key Ideas and Details

- CCSS.ELA-Literacy.RH.9-10.1 Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.
- CCSS.ELA-Literacy.RH.9-10.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text..

Craft and Structure

- CCSS.ELA-Literacy.RH.9-10.4 Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.

- CCSS.ELA-Literacy.RH.9-10.5 Analyze how a text uses structure to emphasize key points or advance an explanation or analysis.
- CCSS.ELA-Literacy.RH.9-10.6 Compare the point of view of two or more authors for how they treat the same or similar topics, including which details they include and emphasize in their respective accounts.

Integration of Knowledge and Ideas

- CCSS.ELA-Literacy.RH.9-10.9 Compare and contrast treatments of the same topic in several primary and secondary sources.

Grades 11-12

Key Ideas and Details

- CCSS.ELA-Literacy.RH.11-12.1 Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.
- CCSS.ELA-Literacy.RH.11-12.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.
- CCSS.ELA-Literacy.RH.11-12.3 Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.

Craft and Structure

- CCSS.ELA-Literacy.RH.11-12.4 Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text.
- CCSS.ELA-Literacy.RH.11-12.5 Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.
- CCSS.ELA-Literacy.RH.11-12.6 Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.

Integration of Knowledge and Ideas

- CCSS.ELA-Literacy.RH.11-12.8 Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.
- CCSS.ELA-Literacy.RH.11-12.9 Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.

Range of Reading and Level of Text Complexity

- CCSS.ELA-Literacy.RH.11-12.10 By the end of grade 12, read and comprehend history/social studies texts in the grades 11–CCR text complexity band independently and proficiently.

4. Transfer Goal:

Assessment/Evidence

Performance Task or Assessment used to gauge student learning: (Please describe)

Each of the first three lessons focuses upon a different treaty. The procedure for each is nearly identical. The only difference will be the text read and the thread of discussion following that particular treaty. Upon completing each of the three, the final lesson will seek to draw the students' attention to comparing and contrasting what they have seen and extracted.

Procedure for engaging the treaties:

- a. **ORIGINAL TEXT:** Provide copies of the treaty language to each student. (If desired, excerpts may be selected by the teacher for this exercise) Have the students read the treaty (excerpts) aloud collaboratively. The teacher should help the students read this, but remind the students that this is unfamiliar wording, unusual spelling, legalese and dated usage ... so students should be prepared for a difficult reading. Add any unfamiliar words encountered to the vocabulary list for this lesson.
 - i. Individually, or in pairs, have students fill out the Graphic Organizer for this treaty (see, Attachment A)
 - ii. Discuss the following questions:

Note: Teachers may organize this discussion in a variety of ways as best suits the students' skill and interest levels (e.g.: in small groups with sharing, then bringing ideas to the larger group; after written notes taken by students individually or in pairs; as a whole group, etc.). At the end of this discussion, a shared, written record of student observations and comments will facilitate later use of this information.

 1. What do we know from the document alone? What is happening? Who are the individual participants? Who do the individual participants represent?
 2. In what ways does the treaty language indicate that the tribes were taken advantage of?
 3. In what ways does the treaty language indicate that the tribes were not taken advantage of?
 4. What questions does the treaty raise?
 5. What do you think were the most important concessions each party had to make?
 6. What do you think were the most important concessions each party wanted the other side to make?
 7. What do you think was the most important objective each side sought to achieve? To what extent do you think they were "successful" in achieving this goal?
- b. **CONTEXT:** Ask the students to research and summarize in writing the events leading up to this treaty negotiation. This need not be done in great detail, but students should be able to present and reach consensus as to the context for this

treaty negotiation. For each of the following points, cite sources for the information shared and agreed to.

- i. What events led to this treaty negotiation?
- ii. Who requested this negotiation?
- iii. Who hosted it?
- iv. Who attended? Who agreed? Who disagreed?
- v. When was it held (what time of year)? How long did it take to gather? To negotiate?

Learning Plan

Lesson Summaries: (add lessons if necessary)

Lesson 1: Treaty of Fort Stanwix (1768)

The Treaty of Fort Stanwix was a treaty between representatives of the Six Nations (the Iroquois) and the British Empire. It was signed in 1768 in order to clarify (and change) the boundary line between Indian lands and British colonial settlements as set forth in the Royal Proclamation of 1763. The British government hoped a new boundary line might bring an end to the rampant frontier violence which had become costly. Indians hoped a new, permanent line might hold back British colonial expansion. In exchange for gifts and cash the Indians accepted a Line of Property which extended the earlier proclamation line of the Alleghenies (the divide between the Ohio and coastal watersheds), much farther to the west. Of importance to note with students is that this was the largest cession of Indian land in colonial America. The Iroquois were hoping to divert the tide of British settlement away from major Iroquoian lands onto lands which they claimed but others inhabited. The Iroquois saw the treaty as a way to bolster their authority and standing with the English, however, the Iroquois signed away thousands of miles of other tribe's lands. Instead of preventing warfare and further white settlement, the Treaty of Ft. Stanwix opened up the door for colonist settlements in Ohio and interior parts of West Virginia, Maryland, Pennsylvania, and New York. The treaty did not even help the Iroquois' position over time, western tribes called the Iroquois "slaves of the white people." Western Indians built a coalition against the British and Iroquois and tried to form a confederacy of the western and southern tribes. As such, Kentucky became a battleground between frontiersmen, squatters and the Shawnee, in 1774 leading Virginia to go to war with the Shawnee, which ended in the Shawnee ceding lands south of the Ohio River, again opening up more Indian lands for white settlement, leading to future conflicts in the Ohio territory including the Northwest Indian Wars. Lastly, Ft Stanwix "closed the book on one area of treaty making and opened it on another." Before Stanwix, treaties dealt with issues of trade, war and peace, alliances, relationships, criminal jurisdiction, and sometimes Indian lands. After Stanwix, treaties of accommodation crumbled and more and more treaties became instruments for transferring lands. Ft Stanwix established "Land for loot" and provided a template whereby the US would conduct its diplomacy with Indian nations in the years after the treaty. (Calloway)

Lesson 2: Lesson Two – Treaty of New Echota (1835)

The Treaty of New Echota was signed on December 29, 1835, by officials of the United States government and representatives of a Cherokee tribal faction. The treaty was amended and ratified by the US Senate in March 1836, despite protests from the Cherokee National Council and its lacking the signature of the Principal Chief. The treaty established terms under which the entire Cherokee Nation was expected to cede its territory in the Southeast and move west to the Indian Territory. Although the treaty was not approved by the Cherokee National Council, it was ratified by the U.S. Senate and became the legal basis for forcible removal known as the Trail of Tears. Of importance to note with students is that the Cherokee were feared by whites in Georgia not because they were “uncivilized” but because they were successful. Many Indians in the South (The “Five Civilized Tribes”) owned excellent cotton lands, had thriving plantations and some even owned slaves. Whites in the South did not fear “savage” Indians, but the “civilized” ones who had become too good at the white man’s game, those who participated in the market economy, these Indians prevented further acquisition of lands. Moreover, the Cherokee had a written language. They had established a bicameral legislator, an executive, a judiciary, and a small army; they had dozens of laws, and also adopted a written constitution which asserted that the Cherokee Nation was “sovereign and independent.” Whites in Georgia feared this rising power, if the Cherokee became a successful commonwealth, the whites would never get Indian land, thus whites in the South largely supported the policy of Indian Removal. However, Indian Removal and the Treaty of New Echota raised a storm of protest among Cherokee **and** Americans, (including protests from members of Congress especially New Jersey Senator Theodore Frelinghuysen. There were even objections from members of the US military including General Ellis Wool.) The Treaty of New Echota ultimately plunged the Cherokee Nation into enduring conflict and stands as lasting indictment of a nation of broken treaties and trust. Some also see removal as an act of ethnic cleansing that the US continued to carry out as they moved further west. Students should also understand that despite the promises of good lands and frequent supplies, Cherokee quality of life declined once removed west, promised supplies did not arrive or were inadequate. Also, the Ridge men were killed for signing Echota. (Wallace, Calloway)

Lesson 3: Treaty of Medicine Lodge (1867)

In October 1867 a U.S. Indian Peace Commission signed three treaties at Medicine Lodge Creek near Medicine Lodge, Kansas. One treaty was made with the Kiowa and Comanche, a second confederated the Plains Apache with the Kiowa and Comanche, and a third was negotiated with the Arapaho and Cheyenne. The United States promised the tribes peace and protection from white intruders in return for amity and relocation to reservations in western Indian Territory. Of importance to note with students is that the Indians agreed to terms in the treaty they had initially been opposed to, so for example the tribes present surrendered lands they said they would not give up, they also agreed to have tribal members tried in white courts and to have their children educated in English. They also agreed to be trained and equipped to live as sedentary farmers. In return, the US promised the tribes peace and

protection from white intruders, they were even promised the right to continue their way of life, even though the treaty was designed to terminate the practices of the Plains tribes. Both the United States and the tribes failed to honor a number of articles in the treaties. The Indians accepted annuities and gifts, but rejected the new way of life that came with it. The Americans failed to protect the Indian lands, establish clear boundaries on the reservations, and food and supplies were often not delivered. At times, the Indians were on the brink of starvation. In response the Indians continued to raid lands outside their reservations in part to alleviate their starving conditions. The disastrous outcome of this treaty led to disagreements in Congress over the control of treaty making with American Indian nations. Four years after Medicine Lodge, the treaty system itself ended, the United States no longer recognized Native Americans as independent nations. Because of the broken agreements, the Kiowa, Arapaho and Comanche filed several suits for claims against the U.S. government in the 20th century, in many cases receiving compensation. (Calloway)

Lesson Four – **Lessons Learned**

After exploring each of the treaties, have the students reflect on the lessons that can be drawn from the events and documents. This can be done through writing, class discussion, or other means (expository or creative) that enables students to draw from the material. Questions that may be addressed could include, for example:

Broad questions

- How do agreements reflect power relationships between people ...
 - ... in the circumstances leading to the desire for agreement?
 - ... in the actual process of reaching agreement?
 - ... in the document itself?
 - ... in how the parties abide by the agreement?
- Under what circumstances is violating an agreement justified?
- What makes any agreement “binding?”
- Are there differences between the words of documents and their meaning? Who decides this?

Topical questions for discussion, research or analysis

- What can you conclude about the legal decisions made by Native Americans in the 18th and 19th centuries?
- What do the documents reveal about the limits of colonial authority and the agency of the Indians who are negotiating the treaties?
- What do the documents reveal about the Indians’ struggle for power and sovereignty? Does the struggle for autonomy increase overtime?
- What do the treaties reveal about European and/or American concepts of identity? Native American concepts of identity?
- Do treaties have any value in helping us understand Native American historical experiences?
- In the case of treaties with Native Americans, do the documents reveal compacts between two equal powers that have sufficient authority to force compliance with the

stated obligations?

- What impact did the treaties have on Indians who were not present at the negotiations?
- What system of law is at work?
- What does each side appear to want?
- What are some of the concessions from each side?
- Is there any evidence to support the idea that the Indians were cheated or did not know what the treaty meant?
- Is there evidence to support the idea that the Indians understood what they were doing?
- Which party seems to have the power?
- Why do you think Native Americans agreed to this treaty?
- Did the Native Americans show any power in their negotiations?
- What changes do you see in the negotiations between Indian peoples and “whites” overtime?
- Are the treaties legitimate? Why?
- Should the treaties be honored?

Materials and Sources Used

What primary source(s) is/are being used (full citation)? Please annotate each source.

O'Callaghan, E. B. (Ed.). (1857). *Documents Relative to the Colonial History of the State of New York, vol. 8*. Albany, NY: Weed, Parsons, and Co., 111–137,

<http://earlytreaties.unl.edu/treaty.00007.html>]

This is a record of the daily proceedings between British and Native representatives as maintained for British reports. For days, descriptions of encounters, speeches and interactions all lead to the final agreement known as the 1768 **Treaty of Fort Stanwix**. Reading the full report gives insight into the British explanation of the negotiations.

Kappler, Charles J. (Comp. and Ed.), *Indian Affairs: Laws and Treaties, Vol. II, Treaties*, Washington : Government Printing Office, 1904.

Treaty With the Cherokee, 1835, Dec. 29, 1835. 7 Stat., 478, Proclamation, May 23, 1836. (also popularly known as The **Treaty of New Echota**)

<http://digital.library.okstate.edu/kappler/vol2/treaties/che0439.htm>]

*The following three, separately ratified treaties from this collection are collectively and more popularly known as the **Treaty of Medicine Lodge**:*

Treaty With the Kiowa and Comanche. 1867. Oct. 21, 1867, 15 Stats., 581, Ratified, July 25, 1868, Proclaimed, Aug. 25, 1868.

<http://digital.library.okstate.edu/kappler/Vol2/treaties/kio0977.htm>

Treaty With the Kiowa, Comanche and Apache, 1867. Oct. 21, 1867, 15 Stats., 589, Ratified, July 25, 1868, Proclaimed Aug. 25 1868.

<http://digital.library.okstate.edu/kappler/Vol2/treaties/kio0982.htm>

Treaty With the Cheyenne and Arapaho, 1867. Oct. 28, 1867, 15 Stats., 593, Ratified July 25, 1868, Proclaimed Aug. 19, 1868.

<http://digital.library.okstate.edu/kappler/Vol2/treaties/che0984.htm>

What secondary sources are being used (full citation)? Please annotate each source.

Calloway, Colin G. Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History. Oxford: Oxford University Press, 2013.

Calloway looks at the treaty making process in the 18 and 19th centuries. He argues that far from being victims of "white" political manipulating, Indians participated in the treaty process in various ways and were often able to gain concessions. He also looks at the different philosophies Indians and Europeans and Americans brought to the treaty making process. He examines the transition of treaty making in the colonial era to treaty making in the new nation.

Calloway, Colin G. First Peoples: A Documentary Survey of American Indian History, Third Edition. Boston: Bedford/ St. Martin's, 2008.

This is a survey of Native American history that provides an overview of the important role Native Americans played and continue to play in shaping the United States. The book offers background information and historical context to all the treaties used for this project and also includes a number of primary sources that could be used in addition to the sources provided for this lesson.

Calloway, Colin G. The Scratch of a Pen. Oxford: Oxford University Press, 2006.

This account looks the significant changes brought about by the 1763 Treaty of Paris, assessing its impact on the many facets of North American society and peoples. He argues that the "middle ground" between Native Americans and colonists was increasingly breaking down. The French and Indian war left a bitter legacy, redefined borders and pointed towards future bloody conflicts over land. Calloway mentions Pontiac's Rebellion of 1763, arguing that while the Indians lost the war of 1763 that they did win some concessions from one of the greatest empires of that time, including the attempted "protection" of Indian lands and the regulating of British traders. Calloway also examines what was going on in the Southeast during this time period with his discussion on the Treaty of Augusta. In 1763 Creek Indians including Coweta, Cusseta, and Ocmulgees ceded lucrative hunting lands in Georgia to the British at the Augusta Conference. The treaty was fairly controversial as the Creek violated previous agreements with the British that had prohibited British settlement south of the Savannah River. However, the British guaranteed the Creeks' rights to their remaining territories in Georgia, although Calloway points out that this agreement was violated by land hungry whites. There was a significant display of Indian diplomacy at this conference as representatives of the various tribes gave strings of wampum to the Southern Superintendent of Indian Affairs, John Stuart, in order to ensure the trading path remained open and peaceful. The Indians also utilized the conference as a means to voice complaints against British traders.

Hermés, Katherine A. "Justice Will Be Done Us': Algonquian Demands for Reciprocity in the Courts of European Settlers," in The Many Legalities of Early America, eds. Christopher L. Tomlins and Bruce H. Mann. Chapel Hill: University of North Carolina Press for the Omohundro Institute for Early American History and Culture, 2001.

Hermés article provides a detailed glimpse of Algonquian-settler relations, specifically concerning legal matters. By focusing on law she shows that Algonquian peoples were not passive victims of conquest by the "dominant" and more jurisprudential Europeans. Not only did Algonquians have legal systems in place when the Europeans arrived, but the English Puritan sects experimented with certain Algonquian legal concepts and procedures. She also points out that when Algonquians did participate in Anglo-European legal institutions it was by negotiation and consent, not force. Algonquians were largely able to maintain a degree of legal autonomy and/ or reciprocity until the Seven Year's war "stripped it away." Hermés scholarship shows conquest of native peoples was not inevitable or swift, colonization was gradual and often incomplete; within the colonial law system, Indian peoples continued to exercise an immense amount of power.

Jacobs, Wilbur R. Dispossessing the American Indian: Indians and Whites on the Colonial Frontier. New York: Charles Scribner's Sons, 1972.

Published in 1972 Wilbur's account coincides with a growing consciousness of Indian rights and identity in the 1970s. Wilbur's stated purpose in writing the book is to shed light on the "shadowy" history of native-white relations, specifically the affairs between the "Woodland Indians" and Anglo-Americans. He examines a number of topics including diplomacy and treaty making. He makes the argument that Europeans and Indians conceived of landholding in very different ways, claiming that there was "misunderstanding" when Indians agreed to sign land over to the British. This helps to explain the clash between natives and settlers." He addresses the Treaty of Fort Stanwix, claiming the boundary line agreed to "forecast the oncoming waves of white population that would sweep across the entire continent in a little more than half a century." He also looks at other treaties and concludes that treaty after treaty highlights the "colonists' very low opinion of the Indians." Jacobs' work is commendable in that it attempts to retell the story of white/ Indian interactions; he effectively challenges the viewpoint that Anglo-America's westward expansion was romantic and/or heroic. However, his account still muffles the Indian voice in that he argues all negotiations between Indians and whites in the 18th century "set forces in motion that eventually decided the fate of the Indians in the next century" thus denying them agency.

Prucha, Francis Paul. American Indian Treaties: The History of a Political Anomaly. Berkeley: University of California Press (1994)

Prucha's book is a narrative history of treating between Native Americans and the United States Government. This far-ranging discussion addresses not only the treaties themselves, but also their role in American life. The author argues that the treaties were a political anomaly from the very beginning. That the term "treaty" implies a contract between sovereign independent nations, yet Indians were always in a position of inequality and dependence as negotiators.

Wallace, F.C. The Long, Bitter Trail: Andrew Jackson and the Indians. USA: Hill and Wang, 1993.

Wallace's book is a fairly balanced account of Indian Removal. He argues Indian Removal largely stemmed from the desire for more land and because of racism. Hunger for land was most intense in Southern slave owning states, Andrew Jackson reflected southern economic interests, Jackson wanted to

expand agricultural lands and he fed the land fever of others. The source of Jackson and others' land hunger stemmed from "larger processes of economic change," the industrial revolution occurring in Great Britain and northern parts of the US whetted the appetite for southern lands. White settlers did not view the Indians as using the land; they wanted them off of it so they could put it to "better" use. Georgians threw their support behind Jackson in the 1828 election because of his Indian policy. Wallace makes an interesting point that the Cherokee "half-breed" John Ross' power and influence made white people uneasy as they feared the rising power of these mixed blooded Indians. Wallace details the removal of each of the tribes and spends a lot of time discussing the Cherokee's fight in the Supreme Court to stay on their lands and the divisions the issue of removal created among the Cherokee. Wallace points out, that the most enduring relic of Indian Removal is the BIA or Bureau of Indian Affairs, maintained by the War Department, revamped in 1832 under Jackson and headed by Lewis Cass in 1849. Removal and the BIA took sovereignty away from the Indians, they could not control their lives; Native Americans are not independent, they become wards of the state. Legally, everything was taken from them which has had a lasting impact on Indian Country today.

Frederick Kidder, *The Abenaki Indians, their treaties of 1713 & 1717, and a vocabulary* [microform], with a historical introduction (1859). http://archive.org/details/cihm_36479

The Great Peace of 1701

<http://staff.imsa.edu/socsci/skinner/The%20Great%20Peace%20of%201701.html>

The Great Peace of 1701 Pointe a Callieres Museum, Montreal.

<http://www.pacmusee.qc.ca/en/exhibitions/1701-the-great-peace-of-montreal>

Ghere, David L., "Mistranslations and Misinformation: Diplomacy on the Maine Frontier, 1725 to 1755, *American Indian Culture and Research Journal* 8:4 (1984) 3-26.

"Indian Explanation of the Treaty of Casco Bay (1727)", Edmund B. O'Callaghan, ed., *Documents Relative to the Colonial History of New York*, 15 vols. (Albany: Weed, Parsons, 1855-61), 9:966-67

What other curricular materials do you plan to use to support the curricular project?

ATTACHMENT A

Graphic Organizer

Copy, word for word, key provisions of each treaty paragraph (Note: do not copy the entire paragraph, but only the essential parts):

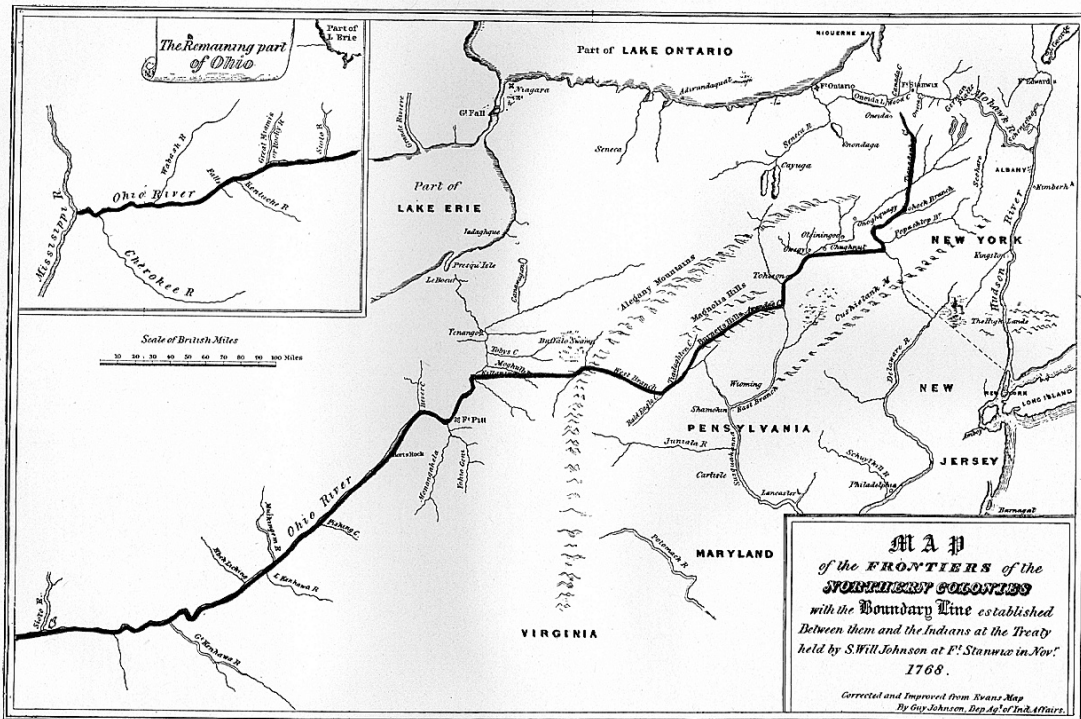
In your own words, what do these provisions mean? What is being agreed to? Is the agreement ambiguous?

ATTACHMENT B



<http://mrnuusbaum.com/fiwar1/1763.jpg>

Treaty of Fort Stanwix (1768)



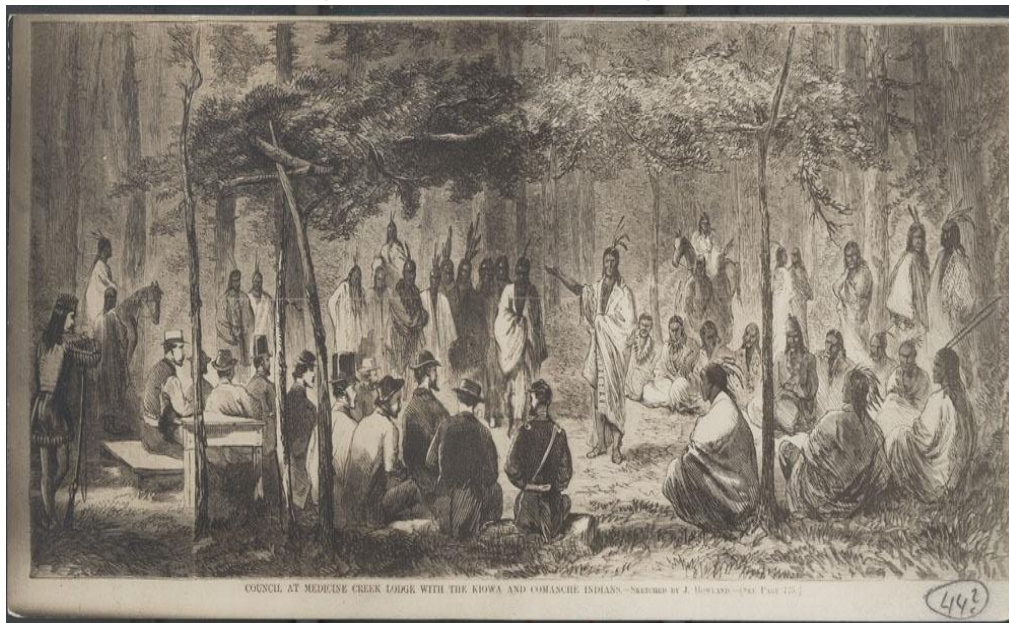
Guy Johnson's map of the boundary line established at the Treaty of Fort Stanwix. ("A Map of the Frontiers of the Northern Colonies with the Boundary Line established between them and the Indians of the Treaty held by Will Johnson at Ft. Stanwix in Novr 1768. DRCHNY, 8, opp. 136; <http://www.digitalantiquaria.com/JOTM/pix/JOTM00X1.jpeg>)

The Treaty of New Echota



The signing of the Treaty of New Echota on Dec. 29, 1835, as depicted at the New Echota Historic Site in Calhoun, Ga. The signers are shown signing the treaty in the parlor of former Cherokee Phoenix Editor Elias Boudinot. <http://www.cherokeephoenix.org/uploads/2010/12/Dec10.art02.NewEchotaTreaty-L.jpg>

Treaty of Medicine Lodge (1867)



This drawing by J. Howland, originally printed in Harper's Weekly, depicts the council between representatives of the U.S. government and the Kiowa and Comanche tribes at Medicine Creek Lodge, Kansas, in 1867. Date: November 16, 1867 <http://www.kansasmemory.org/item/210666/page/1>



Indian depiction of the Medicine Lodge treaty. "Treaty Signing at Medicine Lodge" by Howling Wolf from a ledger book done at Fort Marion, Florida, 1876. The Cheyenne warrior-artist Howling Wolf, who was probably in Black Kettle's village at the time of the treaty, recorded the scene nine years later when he was a prisoner of war in Fort Marion. Indians encamped at the forks of the river watch the council, with the commissioners wearing hats in a grove of elm trees. (Courtesy of the New York State Library, Manuscripts and Special Collections, PR10672- 11) <http://www4.uwm.edu/letscli/mls/syllabi/702/images/702-1c.jpg>

After teaching the lessons, what suggestions do you have for other teachers who might use this curricular project?

The procedural form for examining treaties is applicable to reading and examining other treaties. The online source cited for the latter two treaties also contains the original, enrolled text of every treaty entered into between any Native American tribe and the U.S government. The particular story arc covered by these three treaties may be modified in any manner the teacher deems appropriate for exploration and comparison relating to Native Americans in different parts of the U.S. Students could, in addition, explore and present findings regarding a wide array of treaties using these resources. This lesson includes several differentiation possibilities for students of varying ability levels and interests. For instance, consider graphic images representing events surrounding to each of the treaties (see, ATTACHMENT B). What do these images convey? What comparisons can be made between the images and the events or treaty language to which they relate?

- Other ideas for this lesson include using what they learned from the documents, the secondary reading, and any other materials, students should **write an essay** on the following questions: "What can you conclude about the legal decisions made by Native Americans? Why would some Native American groups choose to give up land? What was the outcome(s) of their decisions?"
- Negotiating agreements. Have the students identify **an issue of concern to them** (within the school or the community) and prepare to engage in negotiations to resolve the matter.
 - What is the issue? Why is it important?
 - Who should be involved in the negotiations? Why would they be willing to become involved?
 - What needs to be resolved?
 - What negotiation rituals need to be observed? Time? Place? Length? Host? Courtesies?
 - If there is a resolution, what form should it take (e.g., written agreement, posting, action, etc.)?
 - Will this be binding? If so, how?

If a negotiation does take place, consider the following questions during any debriefing: How do the parties' needs/desired outcomes differ from their positions? What uncertainties arose during the discussion? Who are/were the parties bargaining for? How has any agreement stood up to expectations? Has it resolved the matters intended? Has it created unanticipated issues?