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UNITED STATES TREATY WITH THE WESTERN SHOSHONI, 1863

Urban Paiute reservation soon to have time in the sun

ACCEPT is Hiring!

Stop the Eviction – Justice for the California Valley Miwok Tribe

Western Nevada routes favored for massive Interstate 11 project

Elwood "Woody" Rakow

Prior to the sesquicentennial of the Nevada Constitution, there was the US Treaty with the Western Shoshoni, signed under duress at Ft. Ruby on October 1, and proclaimed on October 21.

Upheld by the US Supreme Court to thwart staging of the MX Missile System on the Nevada/Utah border and abrogated to facilitate mining expansion and the draining of NE Nevada waters for the Southern Nevada Water Authority, the Treaty has shaped many legacies within the Nevada saga.

Contrary to common public perception, it was not a treaty of land cessation but of peace and friendship, despite the circumstances of the signatories.

Only twelve paragraphs but twelve paragraphs of 856 words that have shaped and continue to impact Nevada's cultural and legal history. Every Nevadan should read it.....several times.

(Disseminate and educate your public. sdc)

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**UNITED STATES TREATY WITH THE WESTERN SHOSHONI, 1863**

**October 1, 1863, 18 Statutes at Large 689**

Treaty of Peace and Friendship made at Ruby Valley, in the Territory of Nevada, this first day of October, A.D. one thousand eight hundred and sixty-three, between the United States of America, represented by the undersigned commissioners, and the Western Bands of the Shoshonee Nation of Indians, represented by their Chiefs and Principal Men and warriors, as follows:

**ARTICLE 1**

Peace and friendship shall be hereafter established and maintained between the Western Bands of the Shoshonee nation and the people and government of the United States; and the said bands stipulate and agree that hostilities and all depredations upon the emigrant trains, the mail and telegraph lines, and upon the citizens of the United States within their country, shall cease.

**ARTICLE 2**

The several routes of travel through the Shoshonee country, now or hereafter used by white men, shall be forever free, and unobstructed by the said bands, for the use of the government of the

United States, and of all emigrants and travellers under its authority and protection, without molestation or injury from them. And if depredations are at any time committed by bad men of their nation, the offenders shall be immediately taken and delivered up to the proper officers of the United States, to be punished as their offences shall deserve; and the safety of all travellers passing peaceably over either of said routes is hereby guaranteed by said bands.

Military posts may be established by the President of the United States along said routes or elsewhere in their country; and station houses may be erected and occupied at such points as may be necessary for the comfort and convenience of travellers or for mail or telegraph companies.

### **ARTICLE 3**

The telegraph and overland stage lines having been established and operated by companies under the authority of the United States through a part of the Shoshonee country, it is expressly agreed that the same may be continued without hindrance, molestation, or injury from the people of said bands, and that their property and the lives and property of passengers in the stages and of the employes of the respective companies, shall be protected by them. And further, it being understood that provision has been made by the government of the United States for the construction of a railway from the plains west to the Pacific ocean, it is stipulated by the said bands that the said railway or its branches may be located, constructed, and operated, and without molestation from them, through any portion of country claimed or occupied by them.

### **ARTICLE 4**

It is further agreed by the parties hereto, that the shoshonee country may be explored and prospected for gold and silver, or other minerals; and when mines are discovered, they may be worked, and mining and agricultural settlements formed, and ranches established whenever they may be required. Mills may be erected and timber taken for their use, as also for building and other purposes in any part of the country claimed by said bands.

### **ARTICLE 5**

It is understood that the boundaries of the country claimed and occupied by said bands are defined and described by them as follows:

On the north by Wong-goga-da Mountains and Shoshonee River Valley; on the west by Su-non-to-yah Mountains or Smith Creek Mountains; on the south by Wi-co-bah and the Colorado Desert; on the east by Po-ho-no-be Valley or Steptoe Valley and Great Salt Lake Valley.

### **ARTICLE 6**

The said bands agree that whenever the President of the United States shall deem it expedient for them to abandon the roaming life, which, they now lead, and become herdsmen or agriculturalists, he is hereby authorized to make such reservations for their use as he may deem necessary within the country above described; and they do also hereby agree to remove their camps to such reservations as he may indicate, and to reside and remain therein.

**ARTICLE 7**

The United States, being aware of the inconvenience resulting to the Indians in consequence of the driving away and destruction of game along the routes travelled by white men, and by the formation of agricultural and mining settlements, are willing to fairly compensate them for the same; therefore, and in consideration of the preceding stipulations, and of their faithful observance by the said bands, the United States promise and agree to pay to the said bands of the Shoshonee nation parties hereto, annually for the term of twenty years, the sum of five thousand dollars in such articles, including cattle for herding or other purposes, as the President of the United States shall deem suitable for their wants and condition, either as hunters or herdsmen. And the said bands hereby acknowledge the reception of the said stipulated annuities as a full compensation and equivalent for the loss of game and the rights and privileges hereby conceded.

**ARTICLE 8**

The said bands hereby acknowledge that they have received from said commissioners provisions and clothing amounting to five thousand dollars as presents at the conclusion of this treaty.

Done at Ruby Valley the day and year above written.

- James W. Nye
- James Duane Doty
- Te-moak, his x mark
- Mo-ho-a
- Kirk-weedgwa, his x mark
- To-nag, his x mark
- To-so-wee-so-op, his x mark
- Sow-er-e-gah, his x mark
- Po-on-go-sah, his x mark
- Par-a-woat-ze, his x mark
- Ga-ha-dier, his x mark
- Ko-ro-kout-ze, his x mark
- Pon-ge-mah, his x mark
- Buck, his x mark

Witnesses:

- J. B. Moore, lieutenant-colonel Third Infantry California Volunteers
- Jacob T. Lockhart, Indian agent Nevada Territory
- Henry Butterfield, interpreter

Ratified June 26, 1866

Proclaimed Oct. 21, 1869

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**Urban Paiute reservation soon to have time in the sun**

By TOM RAGAN LAS VEGAS REVIEW-JOURNAL

It's been called "a town within a town," this century-old reservation of the Las Vegas Paiute Tribe.

It's a small, relatively obscure reservation that sits a few blocks north of the Fremont district — directly behind the smoke shop with the drive-through window and the mini-mart that offers all sorts of Native American commodities.

Many Las Vegas Valley residents may be well aware of the Moapa River Reservation, with its coal-fired smoke-spewing power plant north of Las Vegas just off Interstate 15. And they may have had lunch or played golf at the Snow Mountain Reservation, with its Paiute Golf Resort along U.S. Highway 95 on the northern side of the Las Vegas Valley.

But few people know about this sliver of an urban reservation — even though it was the first to be established by the Southern Nevada Paiutes — in December 1911.

That's about to change.

The reservation's history and its residents will be featured in a documentary that's being shot by well-known local filmmaker Stan Armstrong, who's calling it "City Within a City." It's scheduled to be released early next year, possibly making its debut on PBS before it hits the film festival circuit in the Southwest.

#### ON THE RESERVATION

Armstrong's documentary looks into an obscure reservation in the middle of the nation's gambling mecca. The Native American community is more than 100 years old. It has a police department, an administrative building, a health and human services building, a cemetery and more than a dozen houses. Right now it's also filled with scary skeletons and mock graveyards, in a nod to Halloween.

On this Columbus Day, though, one only need look at the white piece of paper that's taped to the front doors of the reservation's administration building to see that these Paiutes have different outlooks and live in a different world: "We will be closed on Monday in honor of Indigenous Peoples Day." Not Columbus Day.

Then there's another sign, one that's permanently screwed into the wall as you drive into this sovereign nation, which sits directly across from the Palms Mortuary and not too far from the Best Western: "No Trespassing." Violators will be prosecuted, the sign reads.

The sign is there not because the Paiutes are a secretive or unwelcoming people. Instead, it is to keep out all the homeless people who live nearby. They have a tendency to either get lost or deliberately drift in from the nearby Shade Tree shelter and the Salvation Army on Owens Avenue.

"Growing up there, we used to play on the streets. Nobody will dare do that these days," said Deanna Domingo, 50, a Paiute and former resident. She now lives and works on the Moapa River Reservation north of Las Vegas.

"Growing up, I also used to live in a house that had no electricity. None of the houses had power. If we saw anything at night, it was by the light of a kerosene lamp. And believe it or not, I thought this was just the way that everybody lived," she said.

“I thought we were rich. Then when I went to school, I discovered we weren’t.”

Armstrong, who spent much of his childhood in San Francisco and now lives in Las Vegas, has spent a lot of time in West Las Vegas, often traveling between the two.

#### FILMMAKER HAS LOCAL ROOTS

Armstrong is a 1972 graduate of Rancho High School in Las Vegas and his mixed-race experience as an African-American and Choctaw has served to inspire several historical documentaries that focus on the sort of history that should be exposed.

He has earned accolades from film critics, who have compared him to documentary filmmaker Ken Burns, who relies on archival footage to tell his stories.

A Civil War buff and a UNLV professor, Armstrong’s first big hit was “The Battle of Fort Pillow,” about a Confederate general who ordered the slaughter of retreating African-American soldiers who fought for the Union; that general later became the first wizard of the Ku Klux Klan.

Armstrong dug deep.

Then there’s “The Misunderstood Legend of the Las Vegas Moulin Rouge,” released in 2011. It lays bare the history behind the hotel-casino, which served as a refuge for many black greats such as Louis Armstrong during segregation in the mid-1950s, and what happened to that hotel during the days of integration.

Armstrong has even drawn on his own personal experiences, reconstructing the riots at his alma mater, Rancho High, in the early 1970s in West Las Vegas.

His latest production, which is an hour long, features downtown Las Vegas but also the Las Vegas Paiute Tribe’s Snow Mountain Reservation near Mount Charleston, and the Moapa River Reservation, where the Moapa Band of Paiutes lives.

The Commission for the Las Vegas Centennial is funding the documentary.

Armstrong said the cultural contrasts found in Las Vegas are so stark they scream for footage.

“Tourists who come to this town look at the glitz and glamour of gambling, but don’t know a thing about the history or the culture,” said Armstrong, who hopes to hand over his finished product to PBS for airing early next year.

“The bottom line, the often overlooked fact is this: The Paiutes were the first to ever live in the Las Vegas Valley. They walked this land long before the Mormons established a fort here in the 1850s.”

For that matter, they were here long before Columbus “discovered” America.

A little bit about the Paiute tribe: Its people come from the Tudu, or Desert People. Their territory has always been rimmed by the Colorado River Valley and the mountains of the

Mojave Desert in Nevada, California and Utah, notes Leon Yazzie, a Navajo who has appeared in Armstrong's documentaries and knows his Native American history well.

**BRIGHT FUTURE SEEN** The only thing that's holding the Paiute people back from becoming a greater and more financially successful sovereign nation is the lack of downtown land, according to Yazzie.

But the fact that the reservation is inside city limits could have advantages.

"Their future looks bright," says Yazzie, who will play the role of a Paiute in Armstrong's documentary, re-creating the scene in which the tribe eventually receives its land deed in the early 1900s. "They just need a decent partner to help them and work with them and develop them. And when that happens, watch out. They're going to be a force to reckon with."

As for the documentary, the hope is that after the PBS airing it, it will enter the film festival circuit starting in 2014.



"The thing I found most fascinating about this tribe was their loyalty to country," Armstrong said. "You'll see many of them in the parades here. They fought for the Army, the Navy, the armed forces. I'm very impressed by their service."

Armstrong remembers his childhood and his days at Rancho High School, when the African-American kids like himself would mix it up with the Native Americans. Because he claims both bloodlines, he can't help but feel there's something mystical about it all, and he's a part of it.

"The black kids would ride the freight trains back then. I remember that," Armstrong said. "And the Paiute kids, being the kids that they were there, would throw rocks at the freight train. Those were crazy times, they were fun times, they're etched in my head, and I can't wait to make them come alive on the screen."

Contact reporter Tom Ragan at [tragan@reviewjournal.com](mailto:tragan@reviewjournal.com) or 702-224-5512.

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**Attachments:**      [Employment Application.pdf \(276K\)](#)  
                                 [Adminstrative Assistant Job Description Word.pdf \(323K\)](#)

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**Stop the Eviction – Justice for the California Valley Miwok Tribe**

10/20/2013 – CVMT TRIBAL OFFICES, TRIBAL LAND, STOCKTON, CA

The California Valley Miwok Tribe has been notified that its Tribal Property is scheduled for auction on Monday, October 21, 2013 at 11:00 am, to be held at 222 E. Weber Ave., Stockton California. The Tribe is federally recognized, and is listed in the federal register. CVMT is a "landless Tribe" in that it does not possess land held in trust by the federal government. The State of California expressly recognizes the Tribal Property as the Tribe's principal place of business. The Tribe has no other real estate other than the Tribal Property. The Tribe has no other location from which it can continue to provide governmental services critical to the Tribe and its members. The Tribe is a sovereign nation that is fully entitled to govern its own resources, interests, and rights, including its own property. The Tribe has resided at 10601 N. Escondido Pl., Stockton since 2002, prior to moving to Stockton, the Tribe was located in Tracy (San Joaquin County) California.

The Bank auctioning the Tribal Property will cause harm to the Tribe. The action will paralyze the Tribe's ability to continue governmental operations and administration of essential Tribal benefits to its members. Allowing the seizure of the Tribal Property is in direct contravention of the Tribe's sovereignty and tramples on the Tribe's ability to properly and meaningfully exercise its sovereign authority. The California Valley Miwok Tribe is a self-governing Indian Tribe possessing inherent sovereignty that predates the founding of the United States and the ratification of the United States Constitution. The Tribe possesses a distinct political society capable of managing its own affairs and through its sovereignty, is generally immune from state laws and administrative actions that would interfere with those rights of self-government and sovereign immunity. The Tribe is currently seeking resolution of its interest in ongoing litigation, and such ongoing litigation affects the Tribal Property at issue, any and all disposition of that Property will improperly interfere in that litigation.

At the heart of this foreclosure and pending eviction is the California Gambling Control Commission (CGCC), which has been illegally withholding CVMT's Revenue Sharing Trust

Fund (RSTF) monies since the 4th quarter of 2005. This action stems from a tribal member being taken advantage of and manipulated by outside influences to file a false claim of a leadership dispute. The outside influence then initiated a fictitious group falsely claiming to be members of CVMT. Not one member of this group is or ever was a member or in any way associated with the California Valley Miwok Tribe, in fact, there is not a single individual in this fictitious group that has federal recognition to prove that they are Native American Indian. The fictitious group is after the Tribes Revenue Sharing Trust Fund money, they have no standing to file suit or claims on behalf of the Tribe. In February 2011, in court deposition, the tribal member admitted that he lied about the tribal leader dispute, and that it was an outside influence who told him to say there was a leadership dispute. Even with this admission, the Gambling Control Commission continues to illegally withhold the Tribe's RSTF money saying they do not know who the Tribal leader is. The Gambling Control Commissions' deliberate and continued interference into the California Valley Miwok Tribe's governmental affairs has caused the Tribe to default on its Property payments. CVMT is asking all federally recognized California Tribes who pay into the RSTF to demand that the Commission immediately release the RSTF monies that are owed to the California Valley Miwok Tribe. CGCC's refusal to release CVMT's RSTF monies is in clear violation of the 1999 State compact.

The Tribe has made numerous good faith attempts to negotiate an amicable resolution with the Bank towards resolving any outstanding debt on the Tribal Property. Instead of trampling on the rights of a sovereign Indian Nation, the Bank should be working with the Tribal government against the California Gambling Control Commission to pressure the Commission to follow the law and release the RSTF monies so that the Tribe can pay its bills. The California Valley Miwok Tribe is hereby asking for all media, the general public, concerned citizens, other federally recognized Tribes, local, state and federal officials and representatives to help the California Valley Miwok Tribe save the only Tribal Property that it has.

An impending eviction is causing the Tribe an inability to provide essential services such as public safety, education, health care, and basic infrastructure critical to its members. This is of no fault of the Tribe. The public is well aware that the United States has just come out of a 16 day government shutdown. We all have the images fresh in our minds of some of the 800,000 federal workers who were protesting the shutdown because they were worried about the uncertainty of how they were going to pay their bills, buy food, etc... In the brief time allowed for the federal workers to contact via email or otherwise, CVMT received many calls and emails from federal workers telling us they have been furloughed. Little did the people contacting us know that the California Valley Miwok Tribe has endured years of abuse and financial strangulation from the California Gambling Control Commission, and the government shutdown was no different than what the Tribe has been dealing with since CGCC unilaterally stopped releasing CVMT's Revenue Sharing Trust Fund money, in which the Tribe is an eligible tribe to receive. The California Gambling Control Commissions' lack of respect for Tribal sovereignty needs to be addressed so that no other Tribes and their membership have to suffer the way we are suffering. The People of California deserve to know the truth.

The California Valley Miwok Tribe has suffered far too long. It's sad to think of what our Indian ancestors had to survive through while California was becoming a State, but, in this day and age, to think that officials employed by the California Gambling Control Commission have no



empathy towards the suffering of the tribal members of the California Valley Miwok Tribe bring us to tears each time we wake up to another miserable day of existence. As long as the CGCC Commissioners get their paycheck each month and pay their bills, they don't worry about their property being foreclosed on, or about being evicted with winter around the corner. What our Tribe has to look forward to is empty holiday cheer, with no reason to celebrate. At least with the government shutdown being over, we are grateful to have commodity food to prepare meals. As we search through our faded and torn clothing, and think back on the embarrassment of closing out our bank accounts because the balance statement showed zero. We are asking people to imagine themselves in our situation, feel the anger, the pain and the distrust for the system that has failed us so miserably.

No one should have to live in constant fear of being thrown in the streets. Of wondering how you are going to pay the utility bills or purchase tribal office supplies to correspond with federal, state and local agencies. Or to sit in a cold office because you are afraid to turn the heat on because heating the office would cause the utility bills to be too big to pay. Or to have to make a decision not make an appointment with a doctor or dentist because you have no money to pay the medical bill or gas for the vehicle to take you to the appointment.

The California Valley Miwok Tribe is a tribe member of many organizations, listed is an example of such organizations: National Indian Gaming Association (NIGA), California Tribal TANF Partnership (CTTP-TANF), California Association of Tribal Governments (CATG), Sierra Nevada Native American Graves and Repatriation Act Coalition (SNNC) NAGPRA, The American Indian Chamber of Commerce of California (AICC of CA), National Congress of American Indians (NCAI).

This is a very critical situation the Tribe is in. We are asking for all who read this article to save the California Valley Miwok Tribe, stop the eviction, and assist the Tribe in getting its Revenue Sharing Trust Fund (RSTF) money released from the California Gambling Control Commission (CGCC) so the Tribe can save its property, pay its bills, and keep the tribal day-to-day operations / programs running to serve its tribal members, and to continue to carry out its responsibilities to the planning departments, transportation departments, social departments, FCC Tower Construction projects, general public inquiries, etc.

The United States has a trust responsibility and November is Native American Heritage Month. Please help us put an end to these unwarranted and shameful abuses against the California Valley Miwok Tribe.

If you can help us, please contact the California Valley Miwok Tribe via Tribal Office phone (209) 931-4567, Fax: (209) 931-4333, Office Email: [office@cvmt.net](mailto:office@cvmt.net) , Tribal Council: [tribe@californiavalleymiwoktribe-nsn.gov](mailto:tribe@californiavalleymiwoktribe-nsn.gov) , Chairperson Silvia Burley at [s.burley@californiavalleymiwoktribe-nsn.gov](mailto:s.burley@californiavalleymiwoktribe-nsn.gov).

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*Check and hold on to your your right-of-ways! sdc*

## Western Nevada routes favored for massive Interstate 11 project

### I-11 MEETING IN LAS VEGAS

By SEAN WHALEY LAS VEGAS REVIEW-JOURNAL CAPITAL BUREAU

CARSON CITY — Routes through western Nevada that could become part of an Interstate 11 freeway corridor linking Mexico and Canada have made the first cut for future study, local officials and the public were told Wednesday by transportation officials studying the options.

Routes through central and eastern Nevada that would run to Elko or Wells did not make the final list of potential routes for the proposed Intermountain West Corridor, although one of the preferred alternatives would see the freeway head northeast from Fernley to Winnemucca and then on to Idaho close by Boise.

The recommendations were up for review by regional officials and the public at separate meetings held in the capital. A meeting to review the routes through the Las Vegas region will be held today.

An Intermountain West Corridor is being evaluated as part of the proposed Interstate 11 project that would connect Phoenix and Las Vegas, but it is years away from reality.

The top-rated route north from Las Vegas would follow U.S. Highway 95 to Fernley, head west to Reno then up U.S. Highway 395 into southern Oregon.

The second option would follow U.S. 95 to Fernley, but then head northeast through Winnemucca to Idaho.

The third option closely mirrors the first but would depart from U.S. 95 at Tonopah, heading west to U.S. 395 in California and running through Douglas County and Carson City before moving through Reno north into southern Oregon.

Criteria to evaluate the different routes included economics, land use and ownership, community acceptance and cost, among others. The Reno-Fernley area has substantially more economic activity than the Elko-Wells region in the eastern part of the state.



Sondra Rosenberg, who is heading up the review for the Nevada Department of Transportation in cooperation with the Arizona Department of Transportation, said that following the public meetings, the Northern Nevada Future Connectivity Segment Assessment Report will be completed.

Future studies will be needed to analyze in greater detail the three recommended corridors, she said. Public comments, which could change the rankings of the various alternatives, will be accepted through Nov. 1.

“There is this big gap in the interstate system in Nevada in terms of north-south connectivity,” Rosenberg said.

There is no such link between Interstate 5 in California, Oregon and Washington and Interstate 15 in Utah, a 600-mile gap, she said.

“This study is really looking at what is the demand for an additional high-capacity corridor,” Rosenberg said.

The public session was sparsely attended.

Ron Vance, 74, of Dayton, said he won’t likely see the creation of the corridor in his lifetime but said it would be a boon for the economies of Las Vegas, Reno and other points along the route.

“But it really needs to have a rail capability between the two cities,” he said.

Rosenberg said California officials have indicated support for the new corridor because of the heavy use of I-5, and there is also interest from Boise about the route option that would run through Idaho. A new corridor in Nevada would provide a new transportation alternative while providing economic opportunities for Nevada, she said.

Contact Capital Bureau reporter Sean Whaley at [swhaley@reviewjournal.com](mailto:swhaley@reviewjournal.com) or 775-687-3900. Follow @seanw801 on Twitter.

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In Memory of **Elwood "Woody" Rakow**. Off Rez. Washoe Tribal Councilman Rep. Born Feb. 17, 1945. Passed away Oct. 13, 2013.

Woody was dedicated to the Washoe people and loved working for the Washoe Tribe. He touched people in many ways and was known for his gruff, quick wit and keen sense of humor. Woody was a good character to say the least; he had a good heart and always wanted to do was right... Woody will be greatly missed.

Respectively, Geoffrey B. Ellis, Woodfords Chairman

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