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**Concerning Lands Historically Associated  
with the  
Northfork Mono Indians**

**A Report by**

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## **Lands Historically Associated With the Northfork Mono Indians**

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### **Introduction: The Context of this Report**

In May of 2005, at the request of legal counsel for the Chukchansi Yokuts Indians, I testified before the Madera County Board of Supervisors regarding the traditional lands associated with the Northfork Mono Indians and subsequently summarized my testimony in a brief written report. This was done in connection with an application by the Northfork Mono Indians for permission to build a casino approximately four miles north of the city of Madera on Highway 99, a site which appears to be far from their homelands. If the Northfork Mono Indians have no traditional claim to the land near Madera, the construction and operation of a casino would not only violate the promises that the Indian Tribes made to the voters of California in the campaigns for Propositions 5 and 1(A) but it would also violate the restored lands provision of Federal Law as codified in the Indian Gaming Regulatory Act. The Chukchansi Yokuts Indians, who have traditionally occupied lands between the Northfork Monos and Highway 99, oppose the construction and operation of this casino on the grounds that this violates the legal framework in which they, in good faith, built their own casino on their traditional lands at Coarsegold, California.

The conclusions of my testimony and report in 2005 were unequivocal and unconditional, namely, that the historical archives relating to the Northfork Monos Indians clearly specify that the homelands of the Northfork Mono Indians are in the Sierra Nevada Mountains far from their proposed construction site and that there is absolutely no justification for their claim that their traditional homelands included that site. Nevertheless, I am now in receipt of a report written by Dr. Heather A. Howard, a Canadian Indian recently graduated of the University of Toronto and currently teaching in Women's Studies at Michigan State University, which states, without documentation, that the Northfork Monos "have used and occupied lands in the vicinity of the City of Madera, located in the San Joaquin Valley, California, throughout history and up to the present." It is, consequently, the purpose of this report to provide in more detail the documentation of my prior conclusion and to clarify the complexities of events that followed the California gold rush to the degree that they are relevant.

There are only two questions that must be answered here. **First, is the proposed construction site part of the original homelands of the Northfork Monos?** If so, it may or may not be construed that they have current rights to build a casino in that locality but certainly that would give their application more legitimacy. **Second, did the United States effectively cede this land to all of the Indian groups in this area, including the Northfork Monos, by virtue of the treaty of 1851 at Camp Barbour?** If so, again, the Northfork Monos application gains greater legitimacy but the question of current rights remains cogent and there is also a question of whether the Northfork Monos should have the unique right to build a casino in this area.

## **The Northfork Monos Homelands**

The Northfork Mono Indians, also known as Nim (Spier 1978, Lee 1998), were extensively studied in the early decades of the twentieth century by Alfred Kroeber (1925), Edward Gifford (1932) and Anna Gayton (1948). These anthropologists diligently searched for and interviewed Mono Indians, many of whom were living during the nineteenth century and could recount the traditional circumstances of their tribe. Other anthropologists, e.g., Powers (1877), Julian Steward (1938) and Van Dyke (1970), have provided corroborating cultural, archeological, linguistic and historical evidence. These individual researchers provide more than adequate information to answer the first question.

The Northfork Monos were and are part of a larger group of Indians referred to as the Western Mono or Monachi. These people spoke a Shoshonean language and were closely related to the Owens Valley Paiute. Linguistic evidence (Van Dyke 1970:5) suggests that they separated from the Owens Valley people no more than five hundred years ago and began spreading westward over the Sierra Nevada crest. The Monachi, like other Paiutes, were originally characterized by a desert ecology (see Steward 1938:230-237) which emphasized the consumption of pine nuts as one of the closest food items to a staple. Consequently, the upper reaches of the western Sierra Nevada, where pine trees were in abundance, were appealing to them. However, they soon became aware of the resources of the lower elevations, including the California black oak acorns and the greater abundance of fish and deer (Van Dyke 1970:7, Scully 1979:22), and continued their march west.

This movement westward brought them into conflict with the Yokuts Indians to whom they appeared, according to Powers, as "a great terror" (1877:397). The Yokuts were practicing an annual migratory cycle, living in the lowlands during the winter and in higher elevations during the summer (Gayton 1948:175, Van Dyke 1970:4), and the Monachi took advantage of this, occupying the summer camp areas after the Yokuts had left for the winter. This led to violent confrontations the following year such as the fight at Goat Mountain in which the Northfork Monos "sent [the Chukchansi Yokuts] home crying" (Lee 1998:18). As a result, the Yokuts were "slowly giving way before the incursions of the powerful and warlike Paiuti of Nevada" (Powers 1877:369). Relations between the Monachi and the Yokuts were therefore hostile in the pre-Gold Rush time period. Powers states that the Monachi remained "exclusive and refused to intermarry with other tribes" (1877:397). Gaylen Lee, a Mono Indian, projecting back to that period, names several Yokuts Tribes and states that "most of these other tribes were our enemies" (Lee 1998:18).

From this we may conclude that the boundary between the Monachi and the Yokuts prior to the Gold Rush was moving west but also that, at any one time, the boundary was clear and distinct to both people. When Kroeber, Gifford and Gayton interviewed the oldest living Yokuts and Mono Indians in the early twentieth century, their informants were consequently able to pinpoint the boundary by locating the sites occupied by each group about 1850. The Northfork Mono villages, in particular, were located along the north fork of the San Joaquin River, a portion of Little Fine Gold Creek, Whisky Creek, Hallock Creek and Ross Creek (see accompanying map from Gifford), all above about 2,000 feet elevation. At elevations below 2,000 feet, Kroeber's informants

located the Chukchansi, Dalinchi and Toltichi Yokuts villages in an area extending from the Fresno River southeast to beyond the San Joaquin River (see accompanying maps from Kroeber and Gayton). The traditional boundary between the Northfork Mono and the Chukchansi Yokuts was, consequently, a line running from the Fresno River southeast at about 2000 feet elevation. Further, Miwok villages were located on the north side of the Fresno River at higher elevations. These confronted the Northfork Mono and clearly established the northwest boundary of the Northfork Mono at elevations above 2000 feet at the Fresno River. These village locations were confirmed by multiple Northfork Mono Indians (Gifford 1932:17-19), Yokuts Indians (Gayton 1948:175) and Miwok Indians (Kroeber 1925:444-445 and attached map).

The homelands of the Northfork Monos are therefore carefully and distinctly known for the time just before the European invasion of the Gold Rush. The nearest boundary of these homelands is approximately 40 miles from the proposed casino site as the crow flies. *It is therefore impossible to conclude that the Northfork Mono homelands included the proposed casino site.*

Howard attempts to abrogate these cultural boundaries by stating that the "Northfork Monos were key players in the interactive regulation of the material, ceremonial, and intellectual wealth of the San Joaquin Valley's tribes. They controlled trade between the San Joaquin Valley and tribes on the eastern slopes of the Sierra Nevada mountains, from whom important tools, materials, and foodstuffs were obtained." However, these statements are gross exaggerations of the facts. First, trade was limited by the great differences between the languages and confined to the immediate area of the Mono-Yokuts boundary where a few people knew both languages (Gayton 1948:160). Second, the trade was not an essential element to the culture of the Yokuts but rather was conducted for the purpose of adding variety to life. Hence, acorns were traded for pine nuts. Baskets went to the east where a long tradition of basketry already existed (Steward 1938:32, Gifford 1932:26). Shell beads also went to the east and rabbit skin blankets, moccasins and paint went to the west. Salt was brought by the Monos for trade with the Yokuts but the Yokuts had sources of their own (Kroeber 1925:530).

As far as "ceremonial and intellectual wealth" is concerned, it is well recognized that the Shoshonean groups from which the Monachi came were culturally impoverished relative to the Californian tribes (Spencer and Jennings 1965:280, Steward 1938:256). Living in the rain shadow of the mountains, these Paiute Shoshoneans had an arid environment that required families to take advantage of widely separated resources and to live dispersed across the landscape. If one goes from the California tribes to those on the east side of the Sierra in aboriginal times, Kroeber notes one would find customs to be "rude. [The Paiute customs] are too flexible to bear any ramifying elaboration. Ritual, symbolism and art attain little intensity and monotonous simplicity takes the place of a rich growth" (1925:583). Spencer and Jennings state that "the very limited number of people who could regularly live close together in the Great Basin resulted in the extremely simple [social] organization present there in aboriginal times" (1965:280). Ritual life was much simpler among the Shoshoneans than among the California tribes and the major intertribal cultural influence was to the Monachi rather than from them. With regard to family structure, it was the influence of the Yokuts that resulted in the Monachi to developing large clan groups (moieties) and adopting all of the ritual and

regulations attendant to those large family groups, e.g., that half of the society would be declared incestuous to the other half (Gifford 1938:34).

Howard also attempts to paint a picture of the San Joaquin Valley floor as a no-mans land where Indians of all tribes hunted but where no permanent settlements existed. She imagines that a "system of sharing allowed all local tribes, including the ancestors of the [Northfork Mono], to extract subsistence from the Valley's diverse environments" (2006:3). But, once again, this is in profound disagreement with the facts. Kroeber documents 29 Yokuts villages in the flat part of the Valley (1925:479-486) and Latta, who lived with and specialized in studying the Yokuts, states that "one of the most marked characteristics of the Yokuts people concerned their organization into tribes and their establishment of boundaries for each tribe" (1949:3). Thus, the Yokuts claimed all of the San Joaquin Valley and subdivided it by mutual agreement into exclusive hunting and fishing territories. Even among Shoshonean groups, a tribe would hunt and gather only in its own territory unless invited to enter another tribes territory (Steward 1938:50).

### **The Treaty of 1851 and The Fresno River Farm**

We now turn to the second question regarding whether the United States ceded reservation land that included the area of proposed casino construction to all local Indian tribes, including the Northfork Mono, by virtue of the Camp Barbour Treaty of 1851. The immediate answer to this question is *no* because the treaty was never ratified, never made the law of the land. However, in 1851 the United States Department of the Interior, Office of Indian Affairs, sent three agents to negotiate treaties with all Indian tribes in the vicinity of the California mother lode and, in 1853, the U.S. Congress passed laws for the establishment and funding of reservations in several parts of California. The Fresno River Farm was established as one such reservation in 1853 and can be regarded as a direct outcome of the Camp Barbour treaty even though it was but a small portion of the land indicated by the treaty.

Howard contends that the Northfork Monos were participants *in absentia* in the Camp Barbour treaty. The treaty proposed to give all of the tribes represented by the Indian leaders present at the signing of the treaty a fifteen-mile wide section of land that extended from the Chowchilla River southeast (the treaty mistakenly says southwest) to the Cowier (Kaweah) River. This would include the area of the proposed casino and, if the Northfork Monos were part of the multi-tribal Indian group represented, it may be argued that their right to the land was recognized by at least an agency of the federal government, if not (by virtue of the funding) the federal government itself. It is this argument that gives importance to the second question we are considering and requires a closer examination of the treaty and the events that followed it.

Between March of 1851 and August of 1852, the three government agents coerced 119 California Indian groups identified as tribes to accept the terms of eighteen treaties (Kappler 1929:1085-1087). The particular treaty here in question was "negotiated" and "signed" at Camp Barbour on April 29, 1851, and involved sixteen tribes. Of these tribes, thirteen can be identified as Yokuts tribes and one can be identified as a southern Miwoks tribe (the Pohonichi). The remaining two tribes challenge identification. One was the "Nook-choos" tribe which was included in the same group (having the same leader) as the Pohonichi and which may be a reference to a

relatively nearby Pohonichi Miwok village called Nochu-chi (Kroeber 1925:442). The other tribe, the Posgisa, is more important in the present context because it is identified by Kroeber as a Shoshonean speaking tribe (1925:585) living on his boundary between the Yokuts and the Monachi Shoshoneans to the southeast of the Northfork Monos. However, Kroeber does not give an informant for the Posgisa and it is not clear how he knows they are Shoshonean. When Gayton studied the area that Kroeber designated for the Posgisa, she could not find a tribe by that name. Similarly, when Gifford studied the Northfork Monos, he named their other neighbors but, looking to the southeast, he avoids naming any group and simply refers the reader to Kroeber and Merriam (Gifford 1938:15). However, Gayton did find that Indians from the Wobonuch Monachi Tribe identified a single village north of them called "apositiona bikwet" and states that these are "probably" Kroeber's Posgisa (Gayton 1948:254). She expresses some doubt about villages like this one on the Yokuts-Shoshonean boundary being clearly either Yokuts or Shoshonean and indicates that they may have been a mixture. After the Gold Rush, conflicts with the invaders led to the crowding of the Indians into the higher elevations and to more mixture of the two linguistic groups on the boundary between them.

In short, we are not certain that the Posgisa named in the treaty were a tribe; nor are we certain, if they were a tribe, that they were Shoshonean. If they were a tribe, it is somewhat strange that they would be grouped with four Yokuts tribes in the treaty and represented by a Yokuts chief, Tomquit (Kappler 1929:1086). However, the treaty goes on to state that "the *monas* or *wild portion* of the tribes herein provided for, which are still out in the mountains, shall, when they come in, be incorporated with their respective bands, and receive a fair and equal interest in the land and provisions hereinafter stipulated to be furnished for the whole reservation;" (Kappler 1929:1087-1088, italics in the original; underlining by the present author). Consequently, an impartial judge would most likely conclude that the Shoshonean Monos *were* included in the treaty even if they were misidentified as portions of the Yokuts tribes.

But now the question becomes whether the Northfork Mono or other Monos did, in fact, "come in." And, since we may presume that "come in" meant "take up residence" on the reservation, the evidence shows that the Northfork Mono never did come in to the Fresno River Farm reservation. This reservation was an unmitigated disaster and lasted only six years before it was abandoned. After one year, when the living conditions of the Indians were still tolerable, the agent in charge, D. A. Enyart, reported in a letter to Thomas Henley, that the population of the reservation was 30 Chowchilla Indians, 220 Chukchansi Indians, 90 Pohonichi Indians and 100 Potohauchi (Heuchi) Indians or a total of 440 Yokuts and Miwok Indians (Heizer 1974). But the living conditions quickly became intolerable because there was never enough food and because Indian women were forced into prostitution by the miners. Gaylen Lee, a Northfork Mono Indian, states that the Fresno River Farm Indians were "destitute, suffering from disease and vice, their numbers greatly reduced since their arrival two years earlier. The only Indians still at the reservation were remnants of the Chowchilla, Chukchansi, Potonochee and Potohowchi tribes who were too ill to move to the Sebastian Indian Reservation. The rest had died or disappeared" (Lee 1998:73). In 1858, 250 Yokuts at a farm further south complained of their living conditions and were forced to march to the Fresno Farm where there was no food for them and where the agent was forced to purchase food to keep them from starving to death (Hurtado 1988:153). The

Inspector of Indian Affairs for the Pacific Coast, J. Ross Browne, later stated that “after an expenditure of some thirty thousand dollars a year for six years, the [Fresno River Farm] had scarcely produced six blades of grass and was entirely unable to support over a few dozen Indians who lived there and who generally foraged for their own subsistence” (Browne 1864:6). Significantly, Lee states that his ancestors remained in the mountains during this time (1998:77).

Some of the Mono Indians did visit the reservation. In a letter from another Indian agent, M. B. Lewis, to Thomas Henley, a visit by some Mono Indians was reported in which they asked for blankets and were turned away in 1857 (Hurtado 1988:152). The Monos recognized the harsh living conditions at the reservation and treated it only as a potential resource. Hurtado states that “some Indians, like the Monos, moved constantly from reservation to private ranches to hunting and gathering grounds” (1988:214). They received some support from the reservation, no doubt meager rations and clothes, but they made their living by never staying in one place. Hurtado quotes an Indian subagent at the time who reported that “Mono Indians worked for the white settlers during planting and harvesting, mined gold in the winter and spring and gathered the natural products of the mountains” (1988:205).

The historical record therefore shows that the Monos, in general, and the Northfork Monos, in particular, did not participate in the California reservation system as more than visitors. And, just as a visitor from another nation today would not be able to claim land in California for his own country by virtue of his visit, the Monos cannot be said to have gained rights to the reservation lands, whatever they might be, by visiting.

### **Summary and Conclusions**

The answer to the question of whether the Northfork Monos have a traditional association or a bequeathed association with the land near Madera, California, where they propose to build a casino is that they did not. Their homelands are clearly delineated by the statements of their descendents to early anthropologists and are many miles from the site. And, for good reason, they did not participate in the dysfunctional California reservation system and, consequently, can not be considered endowed with land rights in the San Joaquin Valley by the treaty at Camp Barbour in 1851. The Northfork Monos could easily defend their right to build a casino on their homelands near Northfork, California, but, regardless of how one looks at it, they have no tribal rights to the construction site near Madera, California.

### **References**

- Browne, J. Ross  
1864 The Indians of California. New York: Publisher unknown.
- Davis, James T.  
1974 Trade Routes and Economic Exchange among the Indians of California.  
Berkeley: Reports of the University of California Archeological Survey No. 54.
- Gayton, Anna H.  
1948 Yokuts and Western Mono Ethnography. Berkeley: University of California

Press

Gifford, Edward W.

1932 The Northfork Mono. Berkeley: University of California Publications in American Archeology and Ethnology v. 32:2

Heizer, R. F.

1974 The Destruction of the California Indians. Santa Barbara: Peregrine Press Inc.

Howard, Heather A.

2006 Executive Summary of Ethnohistory of the Northfork Mono in the Vicinity of the City of Madera, California. Prepared for James M. McClurken & Associates.

Hurtado, Albert L.

1988 Indian Survival on the California Frontier. New Haven: Yale University Press.

Kappler, Charles J.

1929 Indian Affairs: Laws and Treaties. Senate Document 53 v. 4. Washington: U.S. Government Printing Office

Kroeber, Alfred

1925 Handbook of the Indians of California. Bulletin 78, Bureau of American Ethnology, Smithsonian Institution, Washington, D.C.

Latta, F. F.

1949 Handbook of Yokuts Indians. Oildale, CA: Bear State Books Inc.

Lee, Gayton

1998 Walking Where We Lived: Memoirs of a Mono Indian Family. Norman, OK: University of Oklahoma Press.

Merriam, C. H.

1923 Distribution of Indian Tribes in the Southern Sierra and Adjacent Parts of the San Joaquin Valley, California. Science 19:912-917.

Powers, Stephen

1877 The Tribes of California. Contributions to North American Ethnology v. 3. Washington, D.C., Government Printing Office

Scully, Margaret E.

1979 The Wukchumni and the Chukchansi Yokuts: An Analysis and Comparison With Neighboring Tribes. Unpublished Honors Thesis. Berkeley: University of California

Spencer, R. F., and J. Jennings

1965 The Native Americans. New York: Harper and Row.

Spier, R. F.

1978 The Monache. In Handbook of North American Indians. V. 8:426-436.

Steward, Julian

1938 Basin-Plateau Aboriginal Groups. Bulletin 120 of the Bureau of American Ethnology. Washington, D.C.: The Smithsonian Institution

Van Dyke, Stanley

1970 Archeological Survey of the Shaver Lake Area. San Francisco: Society for California Archeology

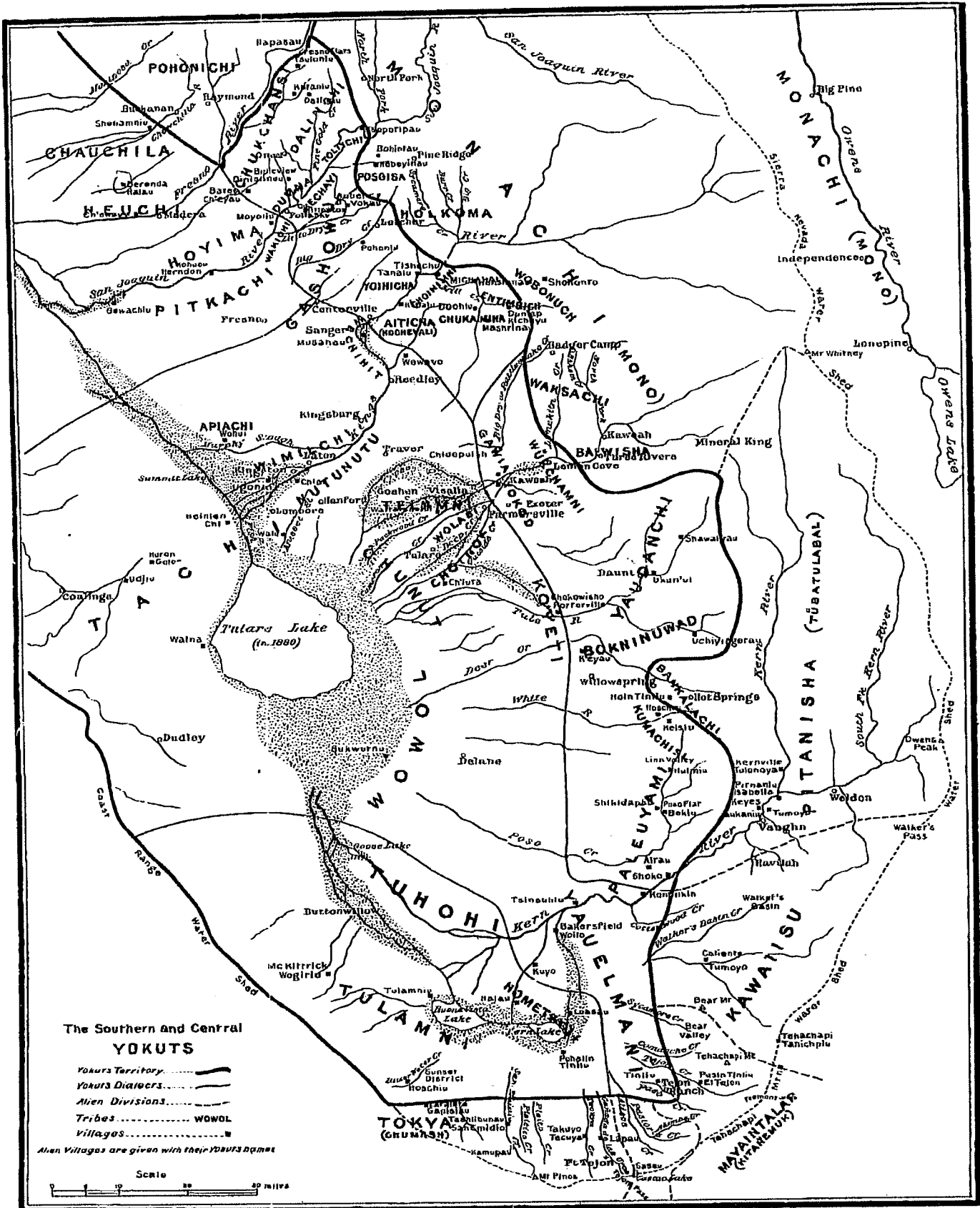


Plate 47 From Kroeber (1925) Showing (at top) the Monachi, Miwok (Pohonichi) and Yokuts Boundaries Relative to the City of Madera



