

original

Mrs. Christina Warner

INDIAN TREATIES

MADE AT

Temecula, California,
January 5, 1852

and

Santa Ysabel, California
January 7, 1852



Issued by

Mission Inn Indian Federation

171 E. Prospect Avenue

RIVERSIDE, CALIFORNIA

1920

(K.) Treaty Made and Concluded at the Village of Temecula, State of California, January 5, 1852, Between the United States Indian Agent, O. M. Wozencraft, and the Chiefs, Captains and Head Men of the San Louis Rey, Kah-we-as, and the Co-com-cah-ras Tribes of Indians.

A treaty of peace and friendship made and concluded at the village of Temecula, California, between the United States Indian Agent, O. M. Wozencraft, of the one part, and the captains and head men of the following nations, viz: The nation of San Louis Rey Indians, he Kah-we-as, and the tribe of Co-com-cah-ras.

Article 1. The several nations above mentioned do acknowledge the United States to be the sole and absolute sovereigns of all the soil and territory ceded to them by a treaty of peace made between them and the republic of Mexico.

Art. 2. The said nations of Indians acknowledge themselves, jointly and severally, under the exclusive jurisdiction, authority and protection of the United States, and hereby bind themselves hereafter to refrain from the commission of all acts of hostility and aggression towards the government or citizens thereof, and to live on terms of peace and friendship among themselves, and with all other Indian tribes which are now or may come under the protection of the United States; and furthermore bind themselves to conform to and be governed by the laws and regulations of the Indian bureau, made and provided therefor by the Congress of the United States.

Art. 3. To promote the settlement and improvement of said nations, it is hereby stipu-

8
C. Justice Warner

lated and agreed that the following district of country in the State of California shall be and is hereby set apart forever, for the sole use and occupancy of the aforesaid nations of Indians, still reserving to the government of the United States all minerals found thereon, to wit: commencing at the southwest corner of the San Jacinto grant, and running along the southern and eastern line of the same to the San Geronio Grant; thence running along the southern and eastern line of the same to the northeastern corner thereof; thence due east to the eastern base of the Sierra Nevada mountain; thence to a southerly straight line in the general direction of the base of said mountain to a point due east of the northeastern corner of the grant of San Jose del Valle; thence due west to said corner; thence along the northeastern line of the same to the northwestern corner; thence on a direct line to the southern corner of the grant of Temecula; thence running around said grant, including it, by west, north and east, to its northeastern corner, and from thence on a straight line to the place of beginning. To have and to hold the said district of country for the sole use and occupancy of said Indian nations forever: Provided, That there is reserved to the government of the United States the right of way over any portion of said territory, and the right to establish and maintain any military post or posts, public buildings, school-houses, houses for agents, teachers, and school purposes, and such others as they may deem necessary for its use or the protection of the Indians. The said nations and their tribes, and each of them, hereby engage that they will never claim any other lands within the boundaries of the United States, nor ever disturb the people of the United States in the free use and enjoyment thereof.

Art. 4. To aid the said nations of Indians in their subsistence while removing to and making their settlement upon the said reservation, the United States will furnish them, free of all charge, with two thousand five hundred head of beef-cattle to average in weight five hundred pounds, three hundred and fifty sacks of flour of one hundred pounds each, within the term of two years from the date of this treaty.

Art. 5. As early as convenient after the ratification of this treaty by the President and Senate, in consideration of the premises, and with a sincere desire to encourage said nations in acquiring the arts and habits of civilized life, the United States will also furnish them with the following articles, (to be divided among them by the agent according to their respective numbers and wants,) during each of the two years succeeding the said ratification, viz: one pair strong pantaloons and one red flannel shirt for each man boy; one linsey gown for each woman and girl; seven thousand yards calico, seventeen hundred yards of brown sheeting, seventy pounds Scotch thread, four dozen pairs of scissors, fourteen dozen thimbles, five thousand needles, one two and a half point Mackinaw blanket for each man and woman over fifteen years of age; seven thousand pounds of iron and six thousand pounds of steel; and in like manner in the first year for the permanent use of said tribes, and as their joint property, viz: one hundred and thirty brood-mares and seven stallions, six hundred young cows, thirty-six bulls, twenty yoke of working oxen with yokes and chains, twenty work mules or horses, forty-two ploughs, assorted sizes, three hundred and forty corn hoes, one hundred and forty spades, and twenty grindstones. Of the stock enumerated above, and the product thereof, no part or portion shall

be killed, exchanged, sold, or otherwise parted with, without the consent and direction of the agent.

Art. 6. The United States will also employ and settle among said nations, at or near their towns or settlements, one practical farmer, who shall superintend all agricultural operations, with two assistants, men of practical knowledge and industrious habits; one carpenter, one wheelwright, one blacksmith, one principal school-teacher, and as many assistant teachers as the President may deem proper to instruct said nations in reading, writing, &c., and in the domestic arts upon the manual labor system; all the above named workmen and teachers to be maintained and paid by the United States for the period of five years, and as long thereafter as the President shall deem advisable. The United States will also erect suitable school houses, shops and dwellings for the accommodation of the school-teachers, mechanics, agriculturists and assistants above specified, and for the protection of the public property.

In testimony whereof, the parties have hereunto signed their names and affixed their seals, this fifth day of January, in the year of our Lord one thousand eight hundred and fifty-two.

O. M. WOZENCRAFT, (Seal.)
United States Indian Agent.

For and in behalf of the San Luis Rey Indians.

PEDRO, (Ka-wa-wish) of the Mission, his x mark. (Seal.)
CISTO, (Go-no-nish) of Las Flores, his x mark. (Seal.)
BICENTE, (Poo-clow) of Buena Vista, his x mark. (Seal.)

PABLINO, (Coo-hac-ish) of Pala, his x mark. (Seal.)

FRANCISCO, (Pah-hoo-vole) of Pauma, his x mark. (Seal.)

JOSE, (Cah-lac) of El Potrero, his x mark. (Seal.)

CALISTRO, (Chah-cwal-ish) of Yah-pectcha, his x mark. (Seal.)

SANTIAGO, (Yu-loke) of La Joya, his x mark. (Seal.)

PEDRO, (Pal-e-gish) of La Puerta, his x mark. (Seal.)

BRUNO, (Cwah-si-cat) of Puerta Cruz, his x mark. (Seal.)

YSIDRO, (To-sho-vwul) of Tovin, his x mark. (Seal.)

CERVANTES, (Ca-hal) of Ahuanga, his x mark. (Seal.)

LAURIANO, (Cah-par-ah-pish) of Temcculla, his x mark. (Seal.)

JOSE NOCA, (Chan-gah-lang-ish) of Agua Caliente, his x mark. (Seal.)

JOSE YGNACIO, (Tosh-mah-ken-ma-wish) of San Ysidro, his x mark. (Seal.)

For and in behalf of the Kah-we-as nation of Indians.

JUAN ANTONIO, (Coos-woot-na) chief, his x mark. (Seal.)

LEONARDO, (Parlewit) of the people of Razon, his x mark. (Seal.)

For and in behalf of the people of Too-va.

FRANCISCO JAVIEL, (—) of Tierra Seca, his x mark. (Seal.)

JOSE, (Coos-pa-om-nu-it) of Pah-nuc-say, the country of Cabezon, his x mark. (Seal.)

JUAN, (Kah-we-a) of Pal-se-wish, his x mark. (Seal.)

GINIO, (—) of Wah-ne-pe-ah-pa, his x mark. (Seal.)

YLARIO, (Sah-too) of Wah-kigh-na, his x
mark. (Seal.)

TEODORO, (Chucal) alcalde of Juan An-
tonio and of Cah-be-nish, or Palma Seca, his
x mark. (Seal.)

YGNACIO, (Chin-gal) of the people of
Toro of Pal-kay-witch-ish, or Agua Corta,
his x mark. (Seal.)

JUAN BAUTISTA, (Sah-at) of Pow-ky,
his x mark. (Seal.)

GERONIMO, (—) of Co-ro-vang-ang,
his x mark. (Seal.)

VICTORIANO, (Kwe-vish) of Sow-wah-
wah, his x mark. (Seal.)

For and in behalf of the people or tribe of
Co-com-rah-ras, alias Serranos.

EMETERIO, (—) of Maronga, his x
mark. (Seal.)

Signed, sealed and delivered, after being
fully explained, in the presence of—

J. J. Warner,
G. Williams,
L. D. Vinsonhaler,
R. Sackett,
J. Hamilton, Secretary.

ADDENDA.—In case the government of
the United States and the actual proprietor
of the Temecula grant cannot agree upon
its purchase, the said government agrees to
add some other portion of territory of equal
extent to the above described Indian grant.

O. M. WOZENCRAFT,
United States Indian Agent.

J. J. Warner,
L. D. Vinsonhaler,
G. Williams,
R. Sackett,
Witnesses.

(L.) Treaty Made and Concluded at the Vil-
lage of Santa Ysabel, California, Between
O. M. Wozencraft, United States Indian
Agent, and the Captains and Head Men of
the Nation of Dieguino Indians, January
7, 1852.

A treaty of peace and friendship made
and concluded at the village of Santa Ysa-
bel, California, between the United States
Indian agent, O. M. Wozencraft, of the one
part, and the captains and head men of the
nation of Dieguino Indians, of the other part.

Article 1. The several tribes of the above-
mentioned nation do acknowledge the United
States to be the sole and absolute sovereigns
of all the soil and territory ceded to them
by a treaty of peace made between them and
the republic of Mexico.

Art. 2. The said nation of Indians and
the several tribes thereof, acknowledge them-
selves, jointly and severally, under the ex-
clusive jurisdiction, authority and protection
of the United States, and hereby bind them-
selves hereafter to refrain from the com-
mission of all acts of hostility and aggres-
sion towards the government or citizens
thereof, and to live on terms of peace and
friendship among themselves, and with all
other Indian tribes which are now or may
come under the protection of the United
States; and, furthermore, bind themselves
to conform to and be governed by the laws
and regulations of the Indian Bureau made
and provided therefor by the Congress of the
United States.

Art. 3. To promote the settlement and im-
provement of said nations it is hereby stip-
ulated and agreed that the following district
of country, in the State of California, shall

be and is hereby set apart forever, for the sole use and occupancy of the aforesaid nation of Indians, still reserving to the government of the United States all minerals found thereon, to wit: commencing at the southern line of the State at the eastern base of the Sierra Nevada Mountain and on the desert, and running along the base northerly to the southeastern corner of the reservation set apart for the Kah-we-as, San Luis, and Cocon-cah-ra nations of Indians, thence following the southern lines of the same to the northwestern corner of the grant of the San Jose del Valle, thence following the boundaries thereof by south and east to the southeastern corner of it, thence on a right line to the northwestern corner of the San Felipe grant, thence on the western line of the same to the southwestern corner thereof, thence southerly to the southern line of the State at a point twenty miles from the place of beginning, thence along said southern line to the place of beginning: To have and to hold the said district of country for the sole use and occupancy of the said Indian nation forever; Provided, that there is reserved to the government of the United States the right of way over any portion of said territory, and the right to establish and maintain any military post or posts, public buildings, school houses, houses for agents, teachers, and such others as they may deem necessary for their use or the protection of the Indians.

The said nations and tribes and each of them, hereby engage that they will never claim any other lands within the boundaries of the United States, nor ever disturb the people of the United States in the free use and enjoyment thereof.

Art. 4. To the said nation of Indians, in their subsistence while removing to and mak-

ing their settlement upon the said reservation, the United States will furnish them, free of all charge, one thousand eight hundred head of beef-cattle, to average in weight five hundred pounds, three hundred and fifty sacks of flour of one hundred pounds each, within the term of two years from the date of this treaty.

Art. 5. As early as convenient after the ratification of this treaty by the President and Senate, in consideration of the premises, and with a sincere desire to encourage said nation in acquiring the arts and habits of civilized life, the United States will also furnish them the following articles, to be divided among them by the agent according to their respective numbers and wants in the different tribes, during each of the two years succeeding the said ratification, viz: one pair strong pantaloons and one red flannel shirt for each man and boy, one linsey gown for each woman and girl, five thousand yards of calico, three thousand yards of brown sheeting, sixty pounds Scotch thread, four dozen pairs of scissors, fourteen dozen thimbles, five thousand needles, one 2½-point Mackinaw blanket for each man and woman over fifteen years of age; six thousand pounds of iron and five thousand five hundred pounds of steel; and in like manner in the first year for the permanent use of said nation, and as the joint property of the several tribes thereof, viz: one hundred and twenty brood-mares and six stallions, five hundred young cows and thirty bulls, fifteen yoke working oxen with yokes and chains, sixteen work-mules or horses, thirty-two ploughs assorted sizes, and sixteen grindstones, and the necessary seeds of various kinds.

The stock enumerated above and the product thereof; and no part or portion thereof shall be killed, exchanged, sold or otherwise

parted with, without the consent and direction of the agent.

Art. 6. The United States will also employ and settle among said nation, at or near their towns or settlements, one practical farmer who shall superintend all agricultural operations, with two assistants, men of practical knowledge and industrious habits; one wheelwright, one carpenter, one blacksmith, one principal school-teacher, and as many assistant teachers as the President may deem proper to instruct said nations in reading, writing, &c., and in the domestic arts upon the manual-labor system. All the above-named workmen and teachers to be maintained and paid by the United States for the period of five years, and as long thereafter as the President shall deem advisable.

The United States will also erect suitable school-houses, shops and dwellings for the accommodation of the school teachers, mechanics, agriculturists and assistants above specified, and for the protection of the public property.

In testimony whereof, the parties have hereunto signed their names and affixed their seals, this seventh day of January, one thousand eight hundred and fifty-two.

O. M. WOZENCRAFT, (Seal.)

United States Indian Agent.

For and in behalf of the Dieguino Indians.

SANTIAGO, of Ha-coom, his x mark.

(Seal.)

KWA-PI, of Ta-cah-tay, his x mark.

(Seal.)

SOLADO, of Matirom, his x mark. (Seal.)

NE-CAH, by Coo-lim, of Wah-ti, his x mark. (Seal.)

SURDO, of Sa-quan, his x mark. (Seal.)

AT-CHU-CAL, of Ha-soo-male, his x mark.
 (Seal.)
 TAH-CA-PAN, of Coquilt, his x mark.
 (Seal.)
 LEANDRO, of San Diego mission, his x
 mark. (Seal.)
 TADEO, of San Dieguito, his x mark.
 (Seal.)
 LAZARO, of Santa Ysabel, his x mark.
 (Seal.)
 TOMAS, of Santa Ysabel, his x mark,
 (Seal.)
 AS-SO-TORE, of How-wee Vallcito, his x
 mark. (Seal.)
 PANTHO, of San Pascual, his x mark.
 (Seal.)
 JOSE APAN, of To-co-mac, his x mark.
 (Seal.)
 JUAN PABLO, of Ca-ma-jal, his x mark.
 (Seal.)
 MATEO, (Co-nu-po-ip) of Tah-wee his x
 mark. (Seal.)
 LOENZO (Cho-lo-pe) of Prickaway, his
 x mark. (Seal.)
 TAMOUROO, of Too-weal, his x mark.
 (Seal.)
 HEPERERA, of Mel-co-to-nac, San Felipe,
 his x mark. (Seal.)
 ELOO, of Mat-mak, La Puerta, his x
 mark. (Seal.)
 OON-AH-OON, of Lu-ah-pi, his x mark.
 (Seal.)
 FELIPE, (Am-coo-si) of Matajuai, his x
 mark. (Seal.)

Signed, sealed and delivered, after being
 fully explained, in presence of—

Delavin Davidson, Captain 2d Infantry.

E. Murray, Lieutenant 2d Infantry.

J. J. Warner.

ADDENDA.—From the above district of country, set apart for the Indians, is reserved to the present owner thereof, the Hon. J. J. Warner, one square league at Aqua Caliente, to be selected by him for the purpose of improving the warm springs at said place, in case said ownership be adjudicated in his (Warner's) favor by the land commissioners for California.

J. HAMILTON,
Secretary of the Indian agency.