

“Their Sleep is to Be Desecrated”: The Central Valley Project and the Wintu People of Northern California, 1938-1943

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O, white man, take the land of ours,
Guard well its hills, streams, and bowers,
Guard well the Mounds where Wintoons sleep,
Guard well these canyons wild and deep.

Alfred C. Gillis, “To The Wenem Mame River”(Excerpt)¹

The morning of July 14, 1944, was intended to be a moment of celebration for the City of Redding, California. Secretary of the Interior Harold L. Ickes had been scheduled to arrive in the booming city to dedicate Shasta Dam, a national reclamation project of great pride to local citizens and construction workers. Just days prior, however, the dedication ceremony had been canceled due to the inability of Ickes to leave Washington D.C.. Instead, a small group of U.S. Bureau of Reclamation (BOR) officials, Sacramento Municipal Utility District (SMUD) officials, and local city officials quietly gathered within the dam’s \$19,400,000 power plant. A BOR official flipped a switch to start one of the plant’s two massive generators, sending a surge of 120,000 watts of hydroelectricity into California’s transmission lines and the Pacific, Gas, and Electric (PG&E) distribution system. This energy would fuel the West’s war industries and the federal defense effort in World War II. Though without fanfare, the switching event signaled the official start of commercial production of power from the world’s second largest dam and keystone of the Central Valley Project (CVP). From Washington, D.C., the event was heralded by BOR Commissioner

Notes

¹ Alfred C. Gillis, “To the Wenem Mame River,” ca 1924, as printed in the collection entitled *Three California Writers* from the *Sequoyah Research Center; American Native Press Archives*, available at [http://www.anpaualr.edu/digital_library/Three California/alfredgillis.htm](http://www.anpaualr.edu/digital_library/Three%20California/alfredgillis.htm). Gillis, who identified himself as a Wirttoon Indian of Shasta County, was a poet, writer, and active member of the Indian Board of Co-operation. He frequently toured California and traveled to Washington D.C. to promote the rights of California’s Native people in the 1920s. Gillis’ poems are printed in editions of the *California Indian Herald* newspaper published in 1923 and 1924. For more information on Gillis, see also Alice R. Hoveman, *Journey to Justice, The Wintu People and the Salmon* (Santee, CA: Bordeaux Printers, Inc., 2002 © Turtle Bay Exploration Park), 58-59.

Harry W. Bashore as “a milestone in the fulfillment of visions Californians have had for nearly 100 years.”²

Yet not all Californians shared in the hopeful “visions” associated with Shasta Dam. Indeed, for one group of Native Californians, the dam was more the making of a tragedy than the fulfillment of dreams. In 1941, U.S. Indian policy was modified in response to political pressures connected to the CVP, an action that resulted in the immediate dispossession of several Native families. Shasta Dam thus fragmented a distinct Native community that had already experienced close to a century of cultural loss. Up until 1943, families of Native descent had lived in the rugged and beautiful river canyons now submerged by the waters of Shasta Reservoir. The words of one local “Indian”, otherwise identified only as “Wintu,” spoke loud and clear: “It was against all Christian ethics to move them—we have laid our dead with tears, and great hope, and we are grieved that their sleep is to be desecrated.”³ Government officials had relocated some, but not all, of his ancestors’ graves to higher ground; yet his traditional homelands and spiritual sites now lay under water.

The Native man who eloquently spoke of his ancestors’ burials belonged to an ancient California tribal group most frequently identified as the Wintu of northern California.⁴ The ancestral territory of the Wintu covered parts of Trinity, Shasta, Siskiyou, and Tehama Counties, and encompassed a substantial portion of the river drainage system that feeds the Shasta Reservoir of Shasta County. This drainage system includes the upper Sacramento River, the McCloud River, the Pit River, and Squaw Creek. The people of the Wintu were originally divided into nine major groups (or bands) identified by the traditional names that referred to their geographic territories,

² “Official Flow of Power at Shasta Begins,” *Sacramento Bee*, 14 July 1944, p. 1, col. 5.

³ Helen Steadman Hogue, *Wintu Trails*, ed. Margaret M. Kardell (Redding: Shasta Historical Society, 1977; reprint, Redding: Shasta Historical Society, 1995), 72. Originally published as *Peaceful Now The Trails* by the Shasta Historical Society in 1948. Hogue was an amateur historian who served as President of the Shasta Historical Society in the 1940s. From 1938 to 1943, she interviewed Native families and tribal elders who lived in the river canyons above Shasta Dam.

⁴ Several variations in the spelling of these names appear in the historical, ethnographic, and anthropological literature/record. According to anthropologist and artist Frank R. LaPena, of Nomtipom Wintu descent, the name “Wintu” (pronounced *wín too*) derives from the Native word “*wín’u’h*” which translates as a single “person.” Anthropologist Alfred Kroeber proposed the name “Wintu” to distinguish this northern group from the Patwin, or Southern Wintun and Nomlaki, or Central Wintun (Frank R. LaPena, “Wintu,” in *Handbook of North American Indians*, vol. 8, California, ed. Robert F. Heizer [Washington D.C.: Smithsonian Institution, 1978], 339; Alfred Kroeber, “The Patwin and their Neighbors,” *University of California Publications in American Archaeology and Ethnology*, vol. 29(4): 253-423 [Berkeley, Los Angeles: University of California Press, 1932]). However, the spelling “Wintu” is not universally used as “Winton,” “Win-toon,” “Wintun,” “Northern Wintun,” “Northern Winton,” “Wyntoon,” “Wintune,” and “Shasta Indians” have also been applied. Family members have variously used “Wintun,” “Wintune”, and “Winton” to describe their cultural heritage per Helen Hogue (Hogue, *Wintu Trails*, 1) and tribal elders. Both “Wintu” and “Winton” are used throughout this paper to honor the historical record (when citing directly from various sources) and to respect Native affiliations with today’s Winnemem Wintu tribe and Winton Tribe of Northern California, INC..

including the *nomti-pom* ('in-the-west ground') on the upper Sacramento River and the *wenemem* or *wene-em* ('middle water') on the McCloud River.⁵ Those individuals belonging to or descended from the *wenemem* (today spelled *Winemem* or *Winnemem*) group, or the McCloud River Wintu, were most heavily affected by construction of the dam. Today, approximately 145 Winnemem descendants belong to the *Winnemem Wintu* tribe.⁶ Five descendants are currently organized as the *Wintoon Tribe of Northern California, INC.*⁷ Other current Wintu groups of Shasta County are the *Wintun Tribe of Northern California*, the *Nor-El Muk Wintu Nation*, and the *Toyon-Wintu*.⁸

Like many other Native groups in California during the nineteenth century, the Wintun experienced serious population loss from disease, starvation, warfare, and raiding that followed the arrival of Euro-Americans.⁹ In 1851, tribal leaders attempted to secure reservation lands from the federal government through the "Cottonwood Treaty;" however, Congress never ratified the treaty and subsequently seized the land.¹⁰ From the 1850s until the turn of the century, gold mining, copper-smelting, and timber harvesting destroyed many of the natural resources relied upon in the

⁵ Frank R. LaPena, "Wintu," in *Handbook of North American Indians*, vol. 8, California, ed. Robert F. Heizer (Washington D.C.: Smithsonian Institution, 1978), 324. For other definitive ethnographies, see also Frank LaPena, "Wintu Ethnography Revised" (M.A. thesis, California State University, Sacramento, 1978); Cora Du Bois, "Wintu Ethnography," *University of California Publications in American Archaeology and Ethnology*, vol. 36(1): 1-148 (Berkeley: University of California Press, 1935); C. Hart Merriam, "Tribes of Wintoon Stock," *Studies of California Indians* (Berkeley, Los Angeles: University of California Press, 1955), 3-25; and Christopher K. Chase-Dunn and Kelly M. Mann, "The Wintu and Their Neighbors," (Tucson: University of Arizona Press, 1988).

⁶ Caleen Sisk-Franco (Spiritual Leader) and Mark Franco (Headman) of the Winnemem Wintu tribe, interview with author at the village of Kerekmet outside Redding, CA, 3-4 November 2005; *Winnemem Wintu Tribe The Long Journey to Justice*, available at <http://www.winnememwintu.us/>; accessed on 5 September 2005.

⁷ Doris Lovely (Chairman), Nellie Bell, Vernon Popejoy, Jr., and Norman Popejoy of The Wintoon Tribe of Northern California, INC., interview with author in Summit City, CA, 11 October 2005.

⁸ As of the date of this writing, these Wintu tribes are not recognized by the U.S. Government.

⁹ Between 1849 and 1864, vigilantes as well as military troops fought a series of wars with California's Native people that resulted in the "massacre" and destruction of many Wintu villages. One example is the "Wintoon War" of 1858-1859. Pre-European contact, the Wintu population is estimated to have been 14,250. By 1910, the population had dropped to an estimated 395 individuals (LaPena, *Handbook*, 325). See also Albert Hurtado, *Indian Survival on the California Frontier* (New Haven, Connecticut: Yale University Press, 1988), 42, 122.

¹⁰ The "Cottonwood Treaty" was signed on August 16, 1851 between several Native headmen representing bands of the Wintu population and U.S. Indian Agent O. M. Wozencraft at Pierson Reading's ranch. See Robert F. Heizer, ed. *The Eighteen Unratified Treaties of 1851-1853 Between The California Indians and The United States Government* (Berkeley: Archaeological Research Facility, Department of Anthropology, University of California, 1972), 49-51 and Hogue, 15.

traditional tribal economy.¹¹ These losses forced Native people to make significant cultural adjustments in order to survive. Several Native women and Anglo men (mostly miners and ranchers) intermarried, producing offspring and families of mixed Native/Anglo descent. These mixed-blooded families, as well as full-blooded Native individuals, adopted Anglo surnames such as Popejoy, Silverthorn, Campbell, McDaniel, and Curl; however, some individuals still possessed Wintu names as well.¹²

Anthropologist and linguist Jeremiah Curtin writes in his journals, “The Wintus in 1884 had no land; they lived where white men would let them, generally on the useless land of some farmer or ranch owner.”¹³ Thus in 1890 Curtin delivered to President William Harrison the *Wintu-Yana Petition* – essentially a letter which translated an appeal from *Nor’el-poo’us* (also referred to as *Norel-putis* and *Norale Pootus*) and *Klencaddy*, Wintu leaders, for the Wintu and the Nosa (later identified as the Yana) tribes. Curtin writes, “At the McCloud I worked with *Nor’el-poo’us* and *Klencaddy*, the two oldest men of the *Wintu* tribe . . . The *Nosas* [Yanas] and *Wintus* wanted me to tell the President what a homeless condition they were in, how the white men drove them from place to place.”¹⁴ However, the U.S. did not respond to the petition for land until President Grover Cleveland was elected in 1892. During Cleveland’s administration, the Department of Interior’s (DOI) Office of Indian granted allotments of 80 to 160 acres to some Wintu individuals along the McCloud River. According to the Winnemem Wintu tribe’s oral history, a total of 4000 acres of land along the river were allotted to the Winnemem or McCloud River Wintu people in 1920.¹⁵ Many of these allotments were either sold or “canceled” yet other allotments were divided into smaller parcels, passed down from the original owners (“allottees”) to their children or other family relatives (“heirs”).¹⁶

¹¹ LaPena, *Handbook*, 324-325. In the 1890s and early 1900s, copper-processing plants established at towns like Kennett and Coram poisoned natural vegetation and tree groves along the Upper Sacramento and Pit River. The upper McCloud River canyon, however, appears to have been less impacted by smelting operations.

¹² Hogue, 1-73.

¹³ Margaret Guilford-Kardell, “Papers on Wintu Ethnography: 239 Wintu Villages in Shasta County Circa 1850,” *Occasional Papers of the Redding Museum Paper No. 1* (Redding: Redding Museum and Art Center, December 1980), 15.

¹⁴ *Ibid.*, 16.

¹⁵ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005.

¹⁶ *Winnemem Wintu position regarding Shasta Dam, ABSTRACT Prepared for the Senate Select Committee Hearings in Washington DC, June 4, 2002*, available at <http://indian.senate.gov/2002hrsgs/060402hrng/Franco.PDF>, accessed on 5 September 2005; Hovernan, 56. Campbell, Curl, and Sisk land patents are listed in an index to federal land records for Shasta County extracted from the Bureau of Land Management’s California Land Patents Database, available at <ftp://ftp.rootsweb.com/pub/usgenweb/ca/shasta/land/shasta.txt>.

By the late 1930s, perhaps 400 to 500 Wintu lived in wooden cabins and lodges scattered up and down the along McCloud River canyon and river tributaries feeding Shasta Reservoir.¹⁷ Many lived and worked in towns such as Copper City, Kennett, or Baird, site of a federal fish hatchery and home to the Baird Auxiliary Council, an important political organization for Wintu descendants.¹⁸ Florence Violet Curl Jones (*Pui-lu-li-met*), a noted Wintu shaman born in 1909, was one such individual who called the McCloud River home.¹⁹ Nellie McDaniel Bell, another Wintu elder born in 1927, was raised in the town and former Wintu village site of *Ydalpom* near Squaw Creek, a tributary of the Pit River.²⁰ Bell states that “a lot of [Native and white] people in those days didn’t own land [along the rivers], they just squatted or lived on it.”²¹ However, the Office of Indian Affairs

¹⁷ Hoveman, 60; Hogue, 1-73; LaPená, *Handbook*, 335. LaPená provides a Wintun population estimate of 380 for the year 1930; however, it is not clear if this number includes both full-blooded and mixed-blooded individuals. U.S. census records indicate that the “Indian” population in Shasta County for 1930 was 687 (see Table 1 in the *Annual Narrative Report of the Superintendent, Sacramento Indian Agency, California for the Fiscal Years 1936 and 1937*, by Roy Nash, 1936-1937, 1 October 1937, U.S. Bureau of Indian Affairs Superintendent’s Annual Narrative and Statistical Reports from Field Jurisdictions of the BIA, 1907-1938, Roll No. 121, Microfilm 386, National Archives Microfilm Publication M1011, Library, California State University, Sacramento).

¹⁸ Lovely et al., Wintoon Tribe, interview, 11 October 2005; Wintoon Tribe to Farnham, 8 December 2005; Hoveman, 35, 57-58. Vernon M. Popejoy Sr., a Wintoon elder, lived in Kennett until the late 1930s and worked in both the gold and copper mines of the area. According to Hoveman, the Baird Fish Hatchery, named after U.S. Fish and Fisheries Commissioner Spencer Fullerton Baird, was established in 1872 by Livingston Stone to harvest the rich salmon runs along the McCloud River. It was the first federal salmon breeding station on the Pacific Coast (Hoveman, 35.)

¹⁹ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005. Flora Jones was recognized as the Spiritual Leader or “Top Doctor” of the Winnemem Wintu tribe until her death in 2003. See also Beverly R. Ortiz, “An Interview with Florence Jones,” *News from Native California* 9, no. 3 (Spring 1996): 39-41; Peter M. Knudson, *The Wintun Indians of California and Their Neighbors*, (Happy Camp: Naturegraph Publishers, Inc., 2002), 59-68; and the website <http://www.winnememwintu.us/memorial.htm>.

²⁰ Lovely et al., Wintoon Tribe, interview, 11 October 2005; The Wintoon Tribe of Northern California, INC. to April Farnham, 8 December 2005, original letter in the hand of April Farnham. According to the Wintoon Tribe, Ida Viola Sisk, the mother of Sarah Popejoy (wife of Vernon M. Popejoy Sr.), also served as a spiritual doctor for the Native people of the Shasta Reservoir region from 1938 to 1943. Nellie Bell’s parents are Arthur and Lala Stacy McDaniel, who married Wes Curl (Florence Jones’s brother) after Arthur McDaniel passed on in 1941. For more information on tribal villages in the Shasta County area, see Margaret Guilford-Kardell, “Papers on Wintu Ethnography: 239 Wintu Villages in Shasta County Circa 1850,” *Occasional Papers of the Redding Museum Paper No. 1* (Redding: Redding Museum and Art Center, December 1980).

²¹ Lovely et al., Wintoon Tribe, interview, 11 October 2005. Nellie Bell’s paternal grandmother was granted a 160-acre allotment, which she divided into 40-acre parcels among her four sons including Bell’s father, Arthur McDaniel. Upon Arthur McDaniel’s death, Bell’s mother (Lala Stacy McDaniel) inherited 40 acres of land near the Pit River.

reported that at least 175 “Indians” owned land (anywhere from one to 160 acres) within the Shasta Reservoir region in 1938/1939.²²

Wintu land allotments became a priority for the DOI following passage of California’s Central Valley Project Act in 1933 (California Statutes of 1933, Chapter 1042).²³ The CVP, planned and implemented by the BOR, had several stated purposes or “beneficial uses.” Among these purposes were water storage for domestic and agricultural use, flood control along the Sacramento River, regulation of salinity levels in the lower Sacramento Delta, improvement of water quality, maintaining reliable river navigation levels, fish conservation, and (most importantly) electric power.²⁴ The CVP comprised several dam-reservoir-hydroelectric plant facilities; however, its keystone would be the Kennett Dam, later renamed Shasta Dam, on the Sacramento River. As planned, the dam would back up the waters of the upper Sacramento, Pit, and McCloud rivers a distance of thirty five miles, creating a reservoir that covered approximately 30,000 acres.²⁵

Bureau of Reclamation officials, anxious to get the CVP underway, surveyed the proposed site for the Shasta Dam and its reservoir from 1935 and 1937. By 1938, Pacific Constructors, Inc. (P.C.I.), the contractor which won the construction bid, had begun building government employee camps and excavating soil for diversion tunnels and dam foundations. These government camps, also called “squatters camps” due to the hundreds of unemployed, Depression-worn laborers who flocked to them, developed into the boomtowns of Central Valley, Project City, Summit City, and Toyon.²⁶ The Civilian Conservation Corps (CCC) established up to eleven camps in Shasta County

²² John G. Rockwell (Field Representative in Charge, Sacramento Indian Agency) to Commissioner of Indian Affairs, 18 February 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco in the village of Kerekmet outside Redding, California.

²³ House Committee on Interior and Insular Affairs, *Central Valley Project Documents, Part 1 Authorizing Documents*, House Document No. 416 (Washington D.C.: U.S. Government Printing Office, 1956), 409-431. The language of the California CVP Act, 1933 does not specifically address the issue of Native title to lands within the CVP area. Congress passed several acts authorizing and modifying the state CVP Act from 1935 to 1941. The U.S. Act of August 26, 1937 declared the CVP’s purposes as “beneficial uses”, among those the “reclamation of arid and semiarid lands and lands of Indian reservations” (*Statutes at Large*, vol. 50, section 844, 26 August 1937).

²⁴ Al Rocca, *America’s Shasta Dam, A History of Construction, 1936-1945* (Redding: Harvest Printing, 1994; reprint, Redding: Harvest Printing, 1995), 5, Special Collections, Shields Library, University of California, Davis. Dr. Rocca’s book is partially based on a dissertation entitled “The Shasta Dam Boomtowns: A Social and Economic History, 1938-1950” he completed for a PhD in history at UC Davis in 1991.

²⁵ California Legislature, Joint Interim Committee on Water Problems 1941-1942, *Data Information and Itinerary Covering Inspection of Central Valley Project and Units of the State Water Plan in the San Joaquin Valley*, No. VI, 11-17 May 1942, *Earl Warren Papers 1924-1943*, Series 315 Central Valley Project, 1941-1953 (26f), F3640:3550, California State Archives, Sacramento, California.

²⁶ Al M. Rocca, “The Shasta Dam Boomtowns: A Social and Economic History, 1938-1950” (PhD. Diss., University of California Davis, 1991), Special Collections, Shields Library, University of California, Davis.

to house the young men hired to clear brush and trees along the rivers and tributaries above the dam site. The fish hatchery headquarters at Baird were in fact converted to one of these CCC camps.²⁷ One of Baird's CCC laborers was Charles T. Popejoy, whose grandmother was full-blooded Wintu.²⁸

With the dam scheduled for completion in 1943, the BOR desired to secure title to "Indian lands" within the proposed reservoir area as quickly as possible. Thus in the fall of 1938, the BOR directed its first requests for land allotment purchases to the Bureau of Indian Affairs (BIA) office in Sacramento, then known as the Sacramento Indian Agency, which had jurisdiction over Native allottees (reservation and non-reservation status) in the Shasta County area.²⁹ At this time, Roy Nash held the post of Agency Superintendent. Nash felt that the overall living conditions for California's Indians needed improvement, yet he also desired to "terminate" BIA services as soon as possible as indicated in a narrative report to the Commissioner of Indian Affairs, John Collier, in 1937.³⁰ Collier, appointed by President Franklin D. Roosevelt in 1933, was in the process of implementing the Indian New Deal - a collection of programs aimed at rebuilding tribal land bases and establishing tribal governments and economic enterprises. However, these programs applied primarily to reservation or rancheria-status Indians, which excluded Native people living in Shasta County outside of the Redding Rancheria (established in 1922), and had little impact on Native people within Sacramento's jurisdiction.³¹ One exception perhaps was the CCC program of Shasta County.

²⁷ Rocca, *America's Shasta Dam*, 17; Hogue, 71. Brush and trees were cleared from the river's edge out to four miles.

²⁸ Lovely et al., Wintoon Tribe, 11 October 2005. It is unknown exactly how many other Wintoon or Wintu men were hired by the CCC as laborers during construction of Shasta Dam.

²⁹ Government correspondence for the years 1938 through 1943 show that "Bureau of Indian Affairs" was alternately used to refer to or describe the DOI's Office of Indian Affairs. The Sacramento Indian Agency, established in 1923, held jurisdiction over Indian reservation and rancheria lands in forty-three counties in California, including Shasta County. Indian allotments in the Shasta Reservoir area did not fall within a reservation but were still considered BIA-administered lands.

³⁰ Department of the Interior, Bureau of Indian Affairs, Sacramento Area Office, *Annual Narrative Report of the Superintendent, Sacramento Indian Agency, California for the Fiscal Years 1936 and 1937*, by Roy Nash, 1936-1937, 1 October 1937, Roll No. 121, Microfilm 386, National Archives Microfilm Publication M1011, U.S. Bureau of Indian Affairs Superintendent's Annual Narrative and Statistical Reports from Field Jurisdictions of the BIA, 1907-1938, Library, California State University, Sacramento. The narrative report is also available at <http://arcweb.archives.gov/arc/> with keyword search "John Collier and Sacramento."

³¹ Thomas S. Melendrez, "John Collier's Indian New Deal in California: Federal Indian Policy and the Sacramento Indian Agency, 1933-1945" (M.A. thesis, California State University, Sacramento, 1979), 19-28, 138.

On September 29, 1938, Secretary of Interior Harold Ickes approved a report submitted by a "Board of Appraisers" which he had appointed to appraise approximately 5,710 acres of land tracts located within the proposed project area for Shasta Dam and Shasta Reservoir.³² Among the tracts listed in the appraisal report were three "Indian Allotments [sic]" owned by the following individuals: Walter Harvey (80 acres, valued at \$1,800), Billy Smithson (80 acres, valued at \$1,850), and Ada E. Stone (143 acres, valued at \$2,830).³³ The Harvey and Smithson allotments were located just north of the Pit River within section 8, township 34 north, range 4 west, Mt. Diablo Meridian (M.D.M.) The allotment of Ada Stone, who had passed on in 1925, was located just west of the upper Sacramento River within section 24, township 35 north, range 5 west, M.D.M.³⁴ In a letter dated October 12, the BOR's Sacramento office requested the Sacramento Indian Agency's approval for the sale of the allotments so BOR officials could "proceed to prepare the required land purchases and deeds."³⁵ Superintendent Nash wrote to the Commissioner of Indian Affairs requesting instructions on how to proceed with land negotiations. Nash warned:

This is the first of many sales this office [Sacramento Indian Agency] will have to negotiate, of Indian lands lying within the proposed reservoir of Shasta Dam Most of the lands will be allotments which have passed from the original allottee to several heirs, some of whom it will not be possible to locate.³⁶

³² John C. Page (BOR Commissioner) to The Secretary of the Interior, 26 September 1938, approved 29 September 1938 by W.C. Mendall (Acting Assistant Secretary of the Interior), RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

³³ Walker R. Young (BOR Supervising Engineer in Sacramento) to Bureau of Indian Affairs' Federal Building in Sacramento, California, 12 October 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. Ada E. Stone was one of the original allottees granted land in 1893, according to an index for federal land records on Shasta County extracted from the Bureau of Land Management's California Land Patents Database, available at <http://ftp.rootsweb.com/pub/usgenweb/ca/shasta/land/shasta.txt>.

³⁴ *Ibid.*; *Petition for the Sale of Inherited Indian Land* for Ada E. Stone (Mitchell), completed by Superintendent Roy Nash of the Sacramento Indian Agency, United States Department of the Interior, Office of Indian Affairs, 9 January 1939, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. The U.S. Department of Interior, California (Shasta County) Redding quadrangle for 1901 indicates that section 24, T35N, R5W, M.D.M. is located near the upper Sacramento River. This quadrangle can be viewed online at http://cricket.csuchico.edu/specfotomaps/topo_search.html.

³⁵ Young to Bureau of Indian Affairs, 12 October 1938.

³⁶ Roy Nash to Commissioner of Indian Affairs, 25 October 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

The belief that it would not be possible to locate all Native heirs became a self-fulfilling prophecy for the U.S. government, one that fit conveniently with the construction schedule for Shasta Dam.

In a key letter dated December 7, 1938, Commissioner Collier responded to Nash's request with a full list of instructions for the land negotiation process. First, he stated that homestead allotments within the proposed Shasta Reservoir area were "not within the boundaries of an Indian reservation, and therefore the sales of these lands are not precluded by the Indian Reorganization Act."³⁷ Following this clarification, he specified that allotment purchases required completion of a certificate of appraisal, petition for sale, and deed of conveyance.³⁸ These papers were to be approved (signed) by both the Commissioner of Indian Affairs and the Secretary of the Interior to bind the agreements. Each deed had to be "executed [signed] by all of the heirs" to the allotment, including minors through guardians legally appointed by court order. It was also advised that petition of sale forms "show that the allottees or heirs agree that the money derived from the sales is to be deposited to their respective credit and subject to disposition in accordance with the Individual Indian Money Regulations."³⁹ All costs for processing these procedures, including court, title conveyance, and deed recording fees, would be "borne by the grantors [allottees]" (the "grantee" was the United States of America).⁴⁰ For the Sacramento Indian Agency, this letter formalized the Office of Indian Affairs' procedures for the completion of Indian land allotment negotiations and purchases associated with Shasta Dam.

³⁷ Commissioner of Indian Affairs to Roy Nash, 7 December 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. The Indian Reorganization Act (IRA), passed in 1934, was the centerpiece of John Collier's Indian New Deal policy. It halted the U.S. allotment policy initiated by the General Allotment Act of 1887, allowed Congress to appropriate up to \$10 million a year to buy back lands for Native reservations, gave reservations the authority to establish tribal governments, and allowed Native people on reservations to organize as legal business entities or corporate enterprises. See Graham D. Taylor, *The New Deal and American Indian Tribalism, The Administration of the Indian Reorganization Act, 1934-45* (Lincoln, Nebraska and London: University of Nebraska Press, 1980) and Elmer R. Rusco, *A Fateful Time, The Background and Legislative History of the Indian Reorganization Act* (Reno and Las Vegas: University of Nevada Press, 2000.)

³⁸ There were two government forms used for the deed of conveyance: "Indian Deed Inherited Lands, form 5-183" and "Deed Noncompetent Indian Lands, form 5-183-a."

³⁹ Individual Indian Money Regulations are a collection of federal statutes governing the expenditure, investment, and deposit of monetary funds credited to individual Indians based on prior treaties, other federal/Indian agreements, and decisions of the U.S. Supreme Court. For a listing of these regulations, see Department of the Interior, Office of the Solicitor, *Handbook of Federal Indian Law*, by Felix S. Cohen (Washington D.C.: United States Government Printing Office, 1941; second and third reprints, 1942; fourth reprint, 1945; fifth reprint 1948), 201-202.

⁴⁰ Commissioner of Indian Affairs to Roy Nash, 7 December 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. Assistant Commissioners signed for Collier on most letters directed from the Office of Indian Affairs.

The first Indian allotment sale took place in the summer of 1939. In June of that year, Nash forwarded papers for the sale to the BIA Commissioner for his and the Secretary of Interior's approval. In his forwarding letter, Nash indicated that the cash amount offered by BOR was "quite fair" and that the BOR was "quite anxious to secure title to this particular piece immediately, as the realignment of the railroad is across the edge of this property."⁴¹ The property belonged to Jimmie Mitchell, full-blooded Native son of Ada E. Stone and heir to Stone's allotment. The BOR desired the land immediately for the purposes of relocating a segment of the Southern Pacific Railroad to make room for the reservoir. On the petition of sale form, Nash indicated "This land will be flooded when the Shasta Dam is completed, and if sale is not made, it will be condemned."⁴² His statement reflects the limited options available to allottees in so-called negotiations over land with the U.S. government. The Stone/Mitchell allotment was broken down into the following land use categories and appraisal values: "Agricultural" (20 acres at \$50 per acre), "Potential Homesites" (20 acres at \$20 per acre), and "Grazing" (103 acres at \$10 per acre).⁴³ Few Wintu allotments contained as many acres of the higher-valued agricultural land use as the Stone/Mitchell property. In addition to \$2,430 worth of lands, the allotment contained improvements (e.g., actual homes, stores, fencing, etc.) valued at \$400.⁴⁴ Thus the allotment was valued at a total of \$2,830, the amount cited in the original Board of Appraisers report approved by Secretary Ickes. Subtracted from the amount was the cost of processing the necessary legal paperwork and procedures for the real estate transaction, which in the case of Stone/Mitchell allotment appears to have been approximately \$830 based on later correspondence submitted by the Sacramento Indian Agency.⁴⁵

The BOR's urgency in obtaining the Stone/Mitchell allotment was clear. "It will be appreciated if you expedite your consideration of said papers," wrote BOR Commissioner John C.

⁴¹ Roy Nash to Commissioner of Indian Affairs, 9 June 1939, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁴² Ibid.

⁴³ *Certificate of Appraisement* for Ada E. Stone, completed by Superintendent Roy Nash of the Sacramento Indian Agency, United States Department of the Interior, Office of Indian Affairs, 21 December 1938, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁴⁴ Ibid.

⁴⁵ A letter written in 1943 from John G. Rockwell, Field Representative in Charge of the Sacramento Indian Agency, to the Commissioner of Indian Affairs indicates that the greatest amount of money owed any Native allottee in connection with the Shasta Dam project land purchase was \$2,000 (John G. Rockwell to the Commissioner of Indian Affairs, 18 February 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.) The Board of Appraisers report indicates that the Stone/Mitchell allotment was the highest valued property of any Native allotment to be sold to the BOR for the project. It appears then that \$830 was deducted from the original appraisal value (\$2,830) between 1938 and 1943.

Page to the Commissioner of Indian Affairs in a letter dated June 22, 1939.⁴⁶ He referred to papers previously forwarded to the Office of Indian Affairs by Superintendent Nash. The Commissioner of Indian Affairs signed the papers on June 26, and the Secretary of Interior approved them on July 12 – a considerably rapid response time for the DOI. In a follow-up letter, J. M. Stewart, Director of Lands for the DOI, informed Superintendent Nash:

Your attention is called to the fact that the land purchase contract is not dated, nor has it been executed by the Supervising Engineer of the Bureau of Reclamation [Walker R. Young] but as the transaction has been completed by the execution of this deed, these defects were not regarded as material.⁴⁷

Stewart so much as admitted that the BOR as well as the Office of Indian Affairs had disregarded proper procedure for completion of land purchase contracts required for the allotment sale. However trivial a missing date and signature might seem (indeed it seems that this might invalidate the purchase contract), this disregard illustrates the haste of the federal government's approach towards Indian affairs associated with the CVP. In addition to the Stone/Mitchell land purchase, the U.S. government completed transactions for twenty seven allotments in the Shasta Reservoir area from 1939 to 1941.⁴⁸

Meanwhile the BOR moved forward with its construction plans. Around 10 a. m. on July 8, 1940, the P.C.I. poured the first eight-cubic-yard bucket (or block) of concrete for Shasta Dam and lowered it to bedrock on the Sacramento River. According to the *Redding Record-Searchlight*, “hundreds of spectators covered the hillside and the rocky excavation. Cameras clicked, and news-reel cameras buzzed.” On hand to watch the occasion were Frank Crowe, Superintendent of Construction for the P.C.I., and Ralph Lowry, BOR Construction Engineer for the dam.⁴⁹ Such

⁴⁶ John C. Page to Commissioner of Indian Affairs, 22 June 1939, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁴⁷ J. M. Stewart to Roy Nash, 17 July 1939, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁴⁸ Specific details on these additional land transactions are yet unknown. Record Group 75 of the National Archives-Pacific Region contains records for the Sacramento Indian Agency under a series entitled “Coded Records, 1910-1958, of Programs and Administration, 1950-1958.” File Nos. 419.3 and 419.4 of this series are folders containing BIA files on the Shasta Dam; however, they were withdrawn from the National Archives by the BIA in 1951 and 1952, respectively, and have not been returned. These files likely contain pertinent information regarding land allotment negotiations for the years 1939 through 1942. However, attempts by the Winnemem Wintu tribe and this author to retrieve these files have so far been unsuccessful.

⁴⁹ “Four Years Ago Today First Concrete Was Poured At Dam,” *Redding Record-Searchlight*, 8 July 1944, p. 1, cols. 2-4.

events precluded much public attention to the dilemma facing both Native and white residents living behind the dam site.

On July 30, 1940, the BOR's Redding office addressed a letter to Florence (Curl) Jones, Winnemem Wintu elder born on the McCloud River. Her address was listed as "Ydalpom P.O." However, in 1938 she had relocated from her home on the McCloud River to a 42-acre parcel of land owned by her then husband Andy Jones; this land (presently the site of the Winnemem Wintu village of Kerekmet) is located at the base of Bear Mountain northeast of Redding. In addition to other tribal elders such as Ida Sisk, Joseph Campbell, and Grant Towendolly, Jones served as a leading informant and representative for the Native people of the Shasta Reservoir region in their dealings with the federal government in the 1940s.⁵⁰ The BOR's letter to Jones stated:

I wish you would meet me at the Curl Cemetery on the McCloud River on Friday Morning at about 9 O'clock A.M. to assist in locating the graves of those persons buried in that cemetery. I also wish you would tell Wess Curl [Florence's brother] to come if he can . . . Anyone you may know who may have knowledge of the exact locations of these graves, would be a help in this job of locating graves.

Yours truly,
John S. Stafford,
[BOR] Right of Way Agent⁵¹

The Curl Cemetery represented just one of many burial sites, at least twenty six in total, that existed along the banks and hills of the river drainage system above the dam site. They included the private cemeteries or burial grounds for several "pioneer" families, Native and white. Many of the cemeteries were assigned family names such as Curl, Radcliff, and Popejoy. The majority of these cemeteries, dating as far back as the 1850s, contained the graves of Native family members; these cemeteries were considered traditional Native burial grounds.⁵² Agent Stafford initiated a two-year (1940-1942) survey to identify as many cemetery sites and graves as possible within the proposed reservoir area, with the eventual plan of moving the graves to a different location. The survey involved interviews with dozens of "Indian" (as specified in Government records) descendants to record family relations as well as birth and death information. These interviewees were the family

⁵⁰ Note that Ida Sisk and Joe Campbell are identified as Wintoon by the Wintoon Tribe (Lovely, et al., 11 October 2005; Wintoon Tribe to Farnham, 8 December 2005.) Campbell has also been described as Wintu by Hogue and Hoveman. Grant Towendolly is identified as Trinity Wintu (LaPena, *Handbook*, 325; Hogue, 35-41; Marcelle Mason, *A Bag of Bones* [Happy Camp, CA: Naturegraph Publishers, Inc., 1966], 7). Jones is identified as Winnemem Wintu (Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005.)

⁵¹ John S. Stafford to Mrs. Flora Jones, 30 July 1940, photocopy from the private collection of Mark Franco.

⁵² A traditional grave was dug very shallow and piled with several inches of dirt, forming a mound. Relatives circled the mounds with smooth round rocks. See Hogue, 45-47.

members or ancestors of today's Wintu tribes. In addition to the interview process, BOR agents mapped and staked specific burial sites.⁵³

The grave records created by the BOR provide a moving glimpse of Wintu family histories. Records for the Curl and Popejoy cemeteries alone (which held twenty one and six "Indian" persons, respectively) reveal the deaths of seven children, many infants – one of whom aged only two days – from 1909 to 1920. The year of death most frequently recorded is 1918, the same year of the Great Flu epidemic. Other deaths were more recent. Within a span of eight years, Florence Jones had lost her three-year-old son Howard Richard Charles (1930), her brother William E. Curl, Jr. (1931), her mother Jennie Curl (1937), and her father William Curl (1938).⁵⁴ Now in 1940, Agent Stafford and the BOR sought the assistance of Native families in exhuming the bodies of their deceased relatives, some of whom had only recently been laid to rest.

Government agents gradually worked their way up the river canyons to negotiate allotment purchases with tribal members and to identify those individuals who might need assistance with relocation.⁵⁵ By the end of 1940, many Native residents (exact number not known) had relocated from Copper City to the "squatters camps" or boomtowns around the dam, particularly to take advantage of employment opportunities. Dr. Al Rocca, historian and author of "The Shasta Dam Boomtowns, A Social and Economic History, 1938-1950", states:

The largest contingent of ethnic non-white minorities to work on the dam and live in the boomtown area were the local Wintu Indians. . . .dozens of Indians worked on Shasta Dam and lived, for the most part, in and around Summit City. Some Indians, in order to increase their chances of securing employment, utilized Anglicized names such as Sisk, Montgomery, and Popejoy.⁵⁶

Dr. Rocca's statement about the use of Anglicized names is misleading. While an Anglo surname certainly did not hurt a Native person's chances of employment in a white-dominated economy, it was not an attempt to conceal Wintu ancestry. The Popejoy family name, for example, had existed in Shasta County since the 1860s. Vernon M. Popejoy (brother to Charles T. Popejoy, CCC worker)

⁵³ U.S. Department of Interior, Bureau of Reclamation, *The History of Cemeteries, Shasta Reservoir Area Central Valley Project, Kennett Division, Volumes I and II*, February 1942, Box 1, Central Valley Project Records of the Bureau of Indian Affairs, Sacramento Office (Sacramento Indian Agency), RG 75, National Archives-Pacific Region.

⁵⁴ *Ibid.*; Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005.

⁵⁵ Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005.

⁵⁶ Rocca, "The Shasta Dam Boomtowns", 211. Dr. Rocca uses the names/terms "Wintu" and "Indians" throughout his paper when referring to the Native people living in the Shasta Reservoir area. He bases his information on a private interview with a boomtown resident named Charles Barros. He also indicates that dam employment records are no longer available, although such records would have likely only noted "Indian" rather than specific tribal affiliations for persons known to have Native blood or heritage.

worked for the P.C.I as a blacksmith from 1937 to 1945; a skilled carpenter as well, he constructed a home one mile from the dam.⁵⁷

However, several Wintu individuals/residents remained on the McCloud River until 1941. In the spring of that year, government pressures for their removal began to escalate. This increase can be attributed to the state Water Project Authority's plans to speed up operations on the CVP, and to new legislation proposed by Secretary of Interior Ickes. According to the *Redding Record-Searchlight*, newly-released federal power commission studies revealed that Northern California would be "faced with a power shortage in 1943 unless new plants [were] brought into production."⁵⁸ As a result, the state wished to complete construction of Shasta Dam and its hydroelectric plant in 1943 instead of 1945. BOR officials concurred that they could meet the new deadline provided that there was adequate funding. Frank W. Clark, the state's Director of Public Works and member of the Water Project Authority, successfully lobbied Congress in January and February of 1941 for an additional CVP appropriation of \$25 million in the upcoming fiscal year.⁵⁹ From 1937 to 1943, Congress consistently appropriated millions of dollars in funding for the CVP. In spite of these generous appropriations, as the December 7, 1938 letter from the Commissioner of Indian Affairs specified, Native allottees (e.g., Jimmie Mitchell) were required to cover the expenses of land purchase transactions (court costs, deed recording fees, etc.) and not the U.S. government.

Specific Congressional legislation was the primary catalyst for the exodus of Native residents that followed. In a letter dated November 7, 1940, Ickes proposed to the Senate a bill that authorized the complete acquisition of Indian lands for the CVP. He wrote: "In view of the progress being made in the construction of the Central Valley project, it is anticipated that a number of Indian allotments will be required in the near future for inundation and other purposes. It is highly desirable, therefore that this legislation be enacted at an early date."⁶⁰ In May and July of 1941, the Senate and House Committees on Indian Affairs drafted bills based on Ickes' proposal (S. 1120 and H.R. 4621, respectively).⁶¹ These bills applied to Indian lands within the proposed project areas for both the

⁵⁷ Lovely et al., Wintoon Tribe, interview, 11 October 2005; Wintoon Tribe to Famham, 8 December 2005.

⁵⁸ "More Money Asked for CV Project; Ickes Opposed to Federal Setup; Plans for Work Speedup Discussed," *Redding Record-Searchlight*, 24 January 1941, p. 4, cols. 1-2.

⁵⁹ "Public Works Director Clark In Statement Additional Allotment By Government Will Speed Project," *Redding Record-Searchlight*, 13 February 1941, p. 1, col. 6.

⁶⁰ U.S. Congress, Senate, *Report No. 245 on the Acquisition of Indian Lands for the Central Valley Project, California*, 77th Cong., 1st sess., 1 May 1941, RG 233, National Archives-Washington D.C., photocopy from the private collection of Mark Franco.

⁶¹ *Ibid.*; U.S. Congress, House, *Report No. 897 on the Acquisition of Indian Lands for the Central Valley Project, California*, 77th Cong., 1st sess., 3 July 1941, RG 233, National Archives-Washington D.C., photocopy from the private collection of Mark Franco.

Shasta Dam and the Friant Dam on the San Joaquin River in Madera and Fresno Counties.⁶² S. 1120 passed a Senate vote in May, 1941. On July 21, 1941, the House of Representatives held a hearing on H.R. 4621. Representative Bertrand W. Gearhart of Fresno, California pleaded the following to the Speaker of the House:

... this bill [H.R. 4261] is one that takes on the characteristics of an emergency. The dam is being constructed and is almost ready for use. Title to some of the land is held by the Indian Bureau. We are very, very anxious that the trade may be made, and that is all the bill provides. The Secretary of the Interior who is the head of the Indian Bureau [Office of Indian Affairs] and also the head of the Bureau of Reclamation will make the trade with the Indians and give them land outside the project and fix the value of the land in the drainage area of the Friant Dam. I ask unanimous consent that a similar Senate bill [S. 1120] may be substituted and considered in lieu of the House bill.⁶³

Representative Gearhart's words once again reflected the U.S. government's urgency in completing the CVP; the project's dams were in fact deemed an "emergency." Furthermore, his statements reveal the tremendous influence and power that Secretary of the Interior Ickes held over the project as the head of both of the Office of the Indian Affairs and BOR (Commissioners Collier and Page reported directly to Ickes.) With the CVP in the national media spotlight, the BOR and State representatives increasingly viewed Shasta Dam as their crown jewel, their shining contribution to Roosevelt's New Deal recovery programs. Completion of the dam within the accelerated time frame was not only critical to California's power supply (and flood control) but for the BOR's image as well. This left little room for land negotiations with Native people, particularly those allottees who were "not possible to locate" according to former Superintendent Nash in his October 25, 1938 letter to the Commissioner of Indian Affairs.⁶⁴

The wording of Representative Gearhart's impassioned speech indicates that he was referring specifically to the Friant Dam. Nonetheless, his speech had the desired effect of convincing

⁶² In 1942, the U.S. House of Representatives introduced a separate bill [H.R. 2989] to acquire a specific tract of land known as the Millerton Rancheria, home of Yokut and Western Mono Indians, located in Madera County. This land tract was located within the proposed reservoir area (Millerton Lake) for the Friant Dam project. H.R. 2989 was signed on July 8, 1942 as Public Law 659 (56 Stat. 650). See the House of Representatives Committee on Interior and Insular Affairs, *Central Valley Project Documents, Part I*, 573-574 and *Use of Millerton Rancheria Act, Statutes at Large*, vol. 56, sec. 659, (8 July 1942).

⁶³ U.S. Congress, House, *Report No. 6191-92 on the Acquisition of Certain Indian Lands for the Central Valley Project*, 77th Cong., 1st sess., 21 July 1941, RG 233, National Archives-Washington D.C., photocopy from the private collection of Mark Franco.

⁶⁴ Nash to Commissioner of Indian Affairs, 25 October 1938.

the House that it should support S. 1120, which applied to all Native lands within the Central Valley Project at the time.⁶⁵ Therefore, the House voted in favor of substituting their bill (H.R. 4261) with the Senate's version. On July 30, 1941, President Roosevelt signed S. 1120 into Public Law 198, or what is known as the Central Valley Project Indian Lands Acquisition Act.⁶⁶ This act contains four key provisions involving the acquisition of lands, compensation for these lands, the use of funds for acquisition of other lands, and the establishment of new cemetery lands for the relocation of Indian burials. Section 1 grants to the United States "all the right, title, and interest of the Indians in and to the tribal and allotted lands within the area embraced by the Central Valley project." Section 2 indicates that:

The Secretary of Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. As to the tribal lands, the amounts so determined shall be transferred in the Treasury of the United States from the funds now or hereafter made available for the construction of the Central Valley project to the credit of the appropriate tribe . . . The amounts due individual landowners or their heirs or devisees shall be paid from funds now or hereafter made available for construction of said project to the superintendent of the appropriate Indian Agency⁶⁷

Section 3 specifies that the "funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements . . . for the allottees or heirs."⁶⁸ Thus both Sections 2 and 3 indicate that Secretary of Interior Ickes had ultimate discretion over the amount of compensation and whether or not such funds would be used to acquire new lands for Native allottees and non-landowners. More importantly, Section 3 indicates that allottees would have to pay for the cost of acquiring new property out of their own trust accounts. How would Ickes determine compensation for the loss of tribal lands and homes not covered by the allotments and who would end up covering those costs? The intentionally vague wording of Public Law 198 left such questions unanswered.

The fourth provision of the Act authorized the cemetery survey and removal process that the BOR officials had already initiated in 1940. Section 4 of the Act states:

⁶⁵ Note that Congress would later pass an act in 1942 for specific acquisition of Native lands within the Friant Dam/Millerton Reservoir project in Madera and Fresno Counties. See *Use of Millerton Rancheria Act, Statutes at Large*, vol. 56, sec. 659, (8 July 1942).

⁶⁶ *Acquisition of Indian Lands for the Central Valley Project Act, Statutes at Large*, vol. 55, sec. 612 (30 July 1941); House Committee on Interior and Insular Affairs, *Central Valley Project Documents, Part 1*, 572-573.

⁶⁷ *Ibid.*, section 2.

⁶⁸ *Ibid.*, section 3.

As to any Indian cemetery lands required for the project, the Secretary of the Interior is authorized, in his discretion, in lieu of requiring payment therefor [sic], to establish cemeteries on other lands that he may select and acquire for the purpose, and to remove bodies, markers, and other appurtenances to the new sites. All costs incurred in connection with any such relocation shall be paid from moneys appropriated for the project. All right, title, and interest of the Indians in the lands within any cemetery so relocated shall terminate and the grant of title under this Act take effect as of the date the Secretary of Interior authorizes the relocation. Sites of the relocated cemeteries shall be held in trust by the United States for the appropriate tribe, or family⁶⁹

This provision only applied to *known* Indian burial grounds, that is those gravesites that were clearly marked or designated and/or recalled by living descendants to Agent Stafford or other BOR officials. It did not include all Native burials that potentially existed within the proposed Shasta Reservoir area, as demonstrated by the University of California's archaeological survey of the area in 1941. The survey identified at least thirty one burials (containing more than one individual) at a single site along the McCloud River. These burials dated anywhere from 1840 to 1910, most after 1880. The results of the archaeological study were not published until 1952, and the identified burials were not counted among the ones to be relocated by the BOR.⁷⁰ According to Helen Hogue, a BOR official bluntly stated to Joseph Campbell that "The U.S. Government cannot go prospecting for bodies—we must know where they are before we dig."⁷¹ If burials did not lie within the twenty six designated cemeteries recorded by the BOR in its survey of the proposed Shasta Reservoir region, they would be left behind unless Campbell or other tribal leaders insisted that BOR officials find and relocate the graves.⁷²

The Central Valley Indian Lands Acquisition Act essentially superseded all regulations and procedures that had previously applied to negotiations for the purchase of Native land allotments within the CVP area. This included the instructions outlined by the Commissioner of Indian Affairs' December 7, 1938 letter to the Sacramento Indian Agency. Due to the Act's first provision, any

⁶⁹ Ibid., section 4.

⁷⁰ C.E. Smith and W.D. Weymouth, "Reports of the University of California Archaeological Survey, No. 18, Archaeology of the Shasta Dam Area, California," *The University of California Archaeological Survey*, Department of Anthropology, University of California, Berkeley, California, 20 November 1952, 22-31.

⁷¹ Hogue, 45.

⁷² In the spring of 1942, Joe Campbell pointed out to BOR officials the grave of an "Indian girl" located on Norsoni Creek, a tributary of the upper McCloud River. According to Hogue, Campbell pleaded with BOR officials to move the bones of the girl but was at first refused because officials claimed there was no way to identify the grave. Campbell then rowed across the creek and found the two "peculiar" stones marking the girl's grave. As a result, BOR officials relocated the grave. See Hogue, 46.

landowner who had not already signed the necessary allotment sale paperwork before July 30, 1941 was now at a disadvantage. The U.S. held “right, title, and interest” to their property, making the process of completing land purchase contracts irrelevant and unnecessary. According to Nellie Bell, in 1940 and early 1941 some Native landowners received a letter from the U.S. government notifying them that they should apply for a payment on their properties - in other words, that *they* should initiate land purchase negotiations with the Sacramento Indian Agency.⁷³ This may in part have been the Agency’s last attempt to identify and locate allottees and their heirs. Whether or not these notices warned of impending Congressional legislation is unclear. However, by late 1941 residents within the proposed Shasta Reservoir area received notices or “blue sheets” from the Government warning them to evacuate their homes immediately.⁷⁴ Time had run out for Wintu residents on the McCloud and Pit rivers.

The United States’ entry into World War II in early December of 1941 had specific implications for the Wintu community. Once the country entered the war, the Department of Defense classified construction of Shasta Dam and its power plant as a Class A-1 priority defense-related project; this granted the project priority status in the acquisition of money, materials, and labor.⁷⁵ The U.S. needed the expected hydroelectricity from the dam to power war-related industries (primarily ship-building facilities) in the Bay Area and Los Angeles. As many as two thousand dam workers, mostly skilled laborers, left Shasta County to serve in the military or work in higher-paying civilian jobs for the defense industry.⁷⁶ More than fifty Wintu men, some of whom had been working for the P.C.I. or the CCC, also served in the U.S. armed forces during the war. Some Native women (exact number unknown) also worked in support of the war effort.⁷⁷ Thus World War II compounded and accelerated the fragmentation of the Wintu community already initiated in 1938.

⁷³ Lovely et al., Wintoon Tribe, interview, 11 October 2005. Nellie Bell’s mother Lala Stacy (Curt) McDaniel received one of these letters.

⁷⁴ *Ibid.*; Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005. Tribal elders no longer possess the “blue sheets” or notices that were sent by the U.S. government.

⁷⁵ Rocca, *America’s Shasta Dam*, 5.

⁷⁶ Rocca, *Shasta Dam Boomtowns*, 248. Dr. Rocca states that when America entered World War II, the dam working population stood between 3,000 and 4,000 workers. These workers were engaged in various phases of work – including construction of the dam itself (e.g. pipefitting, pouring concrete), conveyor belts, gravel pits, railroad relocation, power lines, grading, and clearing vegetation from the proposed reservoir site.

⁷⁷ Hoveman, 62. Of the Wintu men who served in the military during World War II, Hoveman lists Joseph Campbell Jr., Alvin Popejoy, Albert Thomas Jr., and “the sons of other families such as the Millers, Philpots, Wards, McDaniels, Lievsays, Miles, and Easelys.” Calvin Richard Sisk, father of Spiritual Leader Caleen Sisk-Franco of the Winnemem Wintu, served in the U.S. Navy during the war (Sisk-Franco et al., Winnemem Wintu tribe, 3-4 November 2005.)

By January of 1942, many Native family members had signed consent forms granting permission for the BOR to move their deceased relatives' remains from cemeteries in the proposed Shasta Reservoir area.⁷⁸ The remains of 183 Indian individuals (in addition to 118 white individuals) had been identified by the BOR's survey for removal and re-interment. However, the BOR stated that the "identity of many [of these] individuals could be not be established due to the long time since interment and to the further fact that many of the remains were interred in the early mining days"⁷⁹ On January 5, the BOR entered a contractual agreement with Shasta County indicating that the County accepted a new cemetery, designated the "Central Valley Cemetery" in Summit City, for the re-interment of remains excavated from the Shasta Reservoir cemeteries. However, this new cemetery excluded Indian remains.⁸⁰ According to the *Redding Record-Searchlight*, Public Law 198 (the Central Valley Project Indian Lands Acquisition Act) made "it necessary to have separate places to rebury whites and Indians."⁸¹ While Section 4 of Public Law 198 did not specify separation of white and Native burials, it did indicate that the U.S. government would hold new Indian cemetery lands in trust for "the appropriate tribe, or family."⁸² Therefore, the Secretary of Interior established a separate 4.8-acre cemetery plot, located adjacent to the Central Valley Cemetery (4.3 acres), solely for relocated Native burials. This separate plot was designated the "United States Shasta Reservoir Indian Cemetery."⁸³

⁷⁸ U.S. Department of Interior, *History of Shasta Dam Cemeteries Volumes I and II*. Consent signatures were not handwritten but typed by BOR officials.

⁷⁹ R.S. Calland (District Engineer for Bureau of Reclamation) to Mrs. Winona V. Simmons (County Recorder and ex officio Local Registrar of Vital Statistics), 22 December 1942, photocopy from the private collection of Mark Franco.

⁸⁰ United States Department of Interior Bureau of Reclamation, Central Valley Project, California, *Contract with Shasta County, California, California for Relocation of Certain Existing Cemeteries in Shasta Reservoir Area* (Symbol IIR-1373), 5 January 1942, recorded on 7 March 1942 in Book 189 at Pg. 8 of Official Records, Shasta County, California.

⁸¹ "Board Passes Cemetery Plan," *Redding Record-Searchlight*, 5 January 1942, p. 1, col. 2.

⁸² *Acquisition of Indian Lands for the Central Valley Project Act, Statutes at Large*, vol. 55, sec. 612 (30 July 1941).

⁸³ United States Department of the Interior Bureau of Reclamation Commissioner to Honorable Harold T. Johnson, House of Representatives, 12 November 1973, photocopy from the private collections of Nellie Bell (Wintoon Tribe) and Mark Franco (Winnemem Wintu). The letter includes an enclosure entitled "Summary of File Information Relating to Cemeteries Relocated During Construction at Shasta Reservoir, Central Valley Project," compiled by the BOR's review of archives in Denver, Colorado.

According to the BOR, Joseph B. Mashburn, Director of the Madera Funeral Home, conducted the removal and re-interment of Indian graves from February 11 to March 23, 1942.⁸⁴ Mashburn had been previously hired by the BOR to oversee the relocation of Native burials from the proposed area of Friant Dam/Millerton Reservoir project in Madera and Fresno Counties in 1941. He traveled to Redding to continue oversight of Native grave removals and re-interments for the Shasta Dam/Reservoir project. However, other sources indicate that BOR construction workers were actually charged with the excavation and reburials. In *America's Shasta Dam, A History of Construction*, Dr. Rocca states that in March of 1942:

Lowry [BOR Construction Engineer] was informed that local Indians were upset about the possibility of flooding the Curl Cemetery. The cemetery had been a traditional burial site and was still held in high regard. Not wanting to create a situation and in complete compliance, Lowry offered to send a work crew out to the cemetery and reinter the bodies to other locations. This decision and the offer of help satisfied Indian leaders, and the work was carried out without incident.⁸⁵

The above passage underscores the BOR's concern with image and reputation during completion of the CVP. The notion that Ralph Lowry did not want to "create a situation" appears peculiar in light of the fact that BOR Agent Stafford had already initiated dialogue with Florence Jones regarding the Curl Cemetery in 1940. Dr. Rocca's passage implies that Lowry was personally concerned with the excavation and reburials. In contrast, an issue of *The Headtower*, a monthly newsletter produced by P.C.I. employees, stated the following:

"Whitey" Hauk has been off on leave of absence, digging new graves and removing the bodies of Kennett [Shasta] Indians who have long since departed for their happy hunting grounds. He has some great yarns to tell about the trinkets that were interred with the remains of these Indians who passed on years and years ago. Some of the braves were buried with their shooting irons strapped around them; one had a full set of gold teeth. His most fantastic story is of the brave who was buried with his horse and saddle, and he says another one was buried sitting down.⁸⁶

⁸⁴ Calland to Mr. Winona V. Simmons, 22 December 1942; R.S. Calland to Dr. John G. Rockwell (Field Representative in Charge, Sacramento Indian Agency), 3 April 1943, photocopy from the private collections of Nellie Bell (Wintoon Tribe) and Mark Franco (Winnemem Wintu). Attached to Calland's letters is a copy of Joseph Mashburn's report on the "Removal and Disposition of the Remains of Deceased Persons From the Shasta Reservoir Area."

⁸⁵ Rocca, *America's Shasta Dam*, 107; Dr. Rocca's *Shasta Dam Boomtowns* thesis indicates that the information cited from *America's Shasta Dam* was based on an oral interview with Charles Barros, a boomtown resident.

⁸⁶ Quoted from Rocca, *America's Shasta Dam*, 112.

This passage, with its colorful but highly stereotypic references, strongly suggests a lack of respect and that neither Lowry or Mashbum supervised all of the grave excavations. According to Dr. Rocca, “Whitey” Hauk was subcontracted by the BOR to perform the grave removal work. Given Hauk’s apparent penchant for storytelling, it is no wonder then, as Helen Hogue states, that tribal elder Joe Campbell “stood tirelessly by during the moving of the Indian graves, watching and checking the reburial of all objects.” The digging and looting of relics (e.g., jewelry, baskets, pipes, ceremonial items, etc.) from Native burial mounds by treasure hunters had been a significant problem in the past for Shasta County.⁸⁷

By the end of 1942, the U.S. government’s forced evacuation of the Shasta Reservoir area was nearly complete. Tribal elders indicate that either in the fall of 1942 or spring of 1943 the last of their McCloud River homes and towns were cleared and bulldozed by BOR construction workers.⁸⁸ The *Redding Record-Searchlight* is silent on this event. Historian Viola May, who apparently witnessed the final evacuation, wrote that residents within the Shasta Reservoir area had “in frantic haste . . . formed a slow moving parade that crept over the narrow canyons to safety.” They “watched [the] dam construction sadly, bewildered and grieved as the rising waters covered their sacred burial grounds.”⁸⁹ Several Wintu families were now left without either property or economic compensation from the federal government.⁹⁰

In February of 1943, the Sacramento Indian Agency received payment from the BOR for the purchase of twenty eight parcels of “Indian” lands/allotments in connection with the Shasta Dam portion of the CVP. According to a letter dated February 18, the Agency received a check from the BOR in the amount of \$46,225; this money was due to approximately 175 heirs and allottees in

⁸⁷ Hogue, 45, 63. Hogue’s original manuscript for *Peaceful Now the Trails* (1948) states that “It has been known for years that Indian treasures and relics were buried all over [Shasta] county.” Treasure hunters often reburied stolen relics for safekeeping. Hogue also indicates that in 1944 “half a carload of these things [Wintu burial relics] were shipped to Berkeley, and another quantity to Pasadena” (Hogue, 45).

⁸⁸ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005. Florence Jones indicated in several conversations and informal interviews throughout her life that the BOR brought in bulldozers to clear cabins, homes, and other structures that remained in the path of rising flood waters.

⁸⁹ Viola P. May et al., “The Ghosts of Yesterday,” *Shasta Dam and Its Builders*, (Redding: Pacific Constructors, Inc., 1945), 15-17, Special Collections, Shields Library, University of California, Davis.

⁹⁰ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005. Calleen Sisk-Franco indicates that many young Wintu men forced to relocate from the McCloud River area, like her father Calvin Richard Sisk, signed up for military service in the early 1940s to avoid being sent to or recruited by Indian boarding schools. Many Native children from the Shasta Reservoir area had previously been sent to the Sherman Institute in California, the Stewart Indian School in Carson City, Nevada, and other boarding schools before the dam was constructed.

amounts ranging from thirty-three cents to \$2,000.⁹¹ Winnemem Wintu Spiritual Leader and elder Caleen Sisk-Franco, tribal elder Nellie Bell, and historian Alice Hoveman indicate that most Native landowners were offered an average of thirty-five dollars per acre for their allotments.⁹² However, as demonstrated by the Stone/Mitchell allotment, acreage values depended on land use type (agricultural, grazing, etc.). Landowners could have been offered anywhere from ten to fifty dollars per acre and, judging by the amount of thirty-three cents, some allottees or their heirs owned less than one acre of land. If the thirty-five dollar-per-acre average is accurate, then the BOR's \$46,225 check represented the sale of approximately 1,321 acres. This illustrates the substantial amount of Native lands and property improvements lost from the dam's construction. This loss does not take into account the lands of tribal members who were never granted an allotment in the first place or the loss of traditional/ceremonial sites with a social, spiritual, and cultural value beyond monetary figures.

Correspondence between the Sacramento Indian Agency and the Office of Indian Affairs from February to May of 1943 offers a rather blunt and striking glimpse of the U.S. government's views on Indian affairs concerning the Shasta Dam project. In a February 18 letter addressed to the Commissioner of Indian Affairs, Superintendent John G. Rockwell stated:

We can find no instructions in our files to the effect that the money derived from this sale can only be spent in the purchase of new land or homes or both. Before disbursing any of these funds in accordance with Individual Indian Money Regulations we would like to be assured there are no other instructions that would modify those contained in the Office letter of December 7, 1938 . . . It is my feeling that only where a sufficiency of funds and present economic and living conditions warrant, should an individual's money be held for the purchase of new land or home or both. . . . We have given thought to the use of these funds for a possible rehabilitation program for the people of the Shasta area. It is our feeling that such a program would stand little chance of being even partly successful. The interests of many of the Shasta County Indians would be served better if they would leave the county entirely. The entire matter of the sale of these Indian allotments to the Bureau of Reclamation and payment for them has dragged on interminably.⁹³

⁹¹ John G. Rockwell (Field Representative in Charge, Sacramento Indian Agency) to the Commissioner of Indian Affairs, 18 February 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁹² Hoveman, 62; Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005; Lovely et al., Wintoon Tribe, interview, 11 October 2005.

⁹³ Rockwell to the Commissioner of Indian Affairs, 18 February 1943. Rockwell succeeded Roy Nash as Superintendent or "Field Representative in Charge" of the Sacramento Indian Agency in 1940.

Rockwell, like his predecessor Nash, favored the termination of BIA services for California's Native people.⁹⁴ Rather than use funds from the BOR purchase to create a new tribal land base or "rehabilitation program" for the Wintu community (actions that would have at least been in keeping with Collier's Indian New Deal), Rockwell wished to pay off the allottees as soon as possible. Each allottee had an Individual Indian Money Account set up for him or her by the Agency; these accounts were credited with a certain portion of funds from the BOR's payment (e.g., Florence Jones' share was \$37.85). Rockwell desired to close the accounts quickly and finalize Sacramento's jurisdiction over a matter that had "dragged on interminably" according to his statement cited above.

Native allottees were also "anxious to get their money," according to Rockwell.⁹⁵ In another letter to the Commissioner of Indian Affairs dated May 18, he enclosed a note from a "Mr. Harvey C. Keluche," a Wintu man living in Napa, California. Mr. Keluche wrote:

Dear Sir:

Will you please send my money to me or give me a definite time when I will get it. I am in need of it. I will be looking for an answer from you right away. If our money is in Sacramento [then] I don't see why we can't have it. It is ours and we want it.⁹⁶

Mr. Keluche's letter expressed the sentiments of many allottees waiting for the U.S. government to meet its promise of compensation. Hogue indicates that Joe Campbell made "frequent trips to Sacramento in order to secure fair dealing" with the Sacramento Indian Agency.⁹⁷

The Office of Indian Affairs, however, did not provide the assurance that Rockwell desired. In a letter dated May 31, Commissioner Collier wrote:

Our letter of December 7, 1938, to which you refer, was approved at the time when the purchase of the land from the Indians was contemplated by means of deeds to be approved by the Secretary of the Interior . . . In view of the fact that many of the Indians could not be located or were deceased, the Act of July 30, 1941 (55 Stat. 612) was enacted to obviate the necessity of attempting to obtain the signature of the Indians. Section 3 of the Act provides . . . [that] 'funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements' . . . It seems, therefore, that it was expected that the money be used for

⁹⁴ Melendrez, 28-29.

⁹⁵ Rockwell to the Commissioner of Indian Affairs, 18 February 1943.

⁹⁶ John G. Rockwell to the Commissioner of Indian Affairs, 18 May 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco. The note from Mr. Keluche was attached to Rockwell's letter.

⁹⁷ Hogue, 63.

purchase of other lands, but the language ‘may be used’ implies that this would not be required. Each case must therefore be considered on its own merits, and as provided in the regulations, any expenditures of more than \$500 for unrestricted use should be submitted to this Office for approval.⁹⁸

Nash’s feeling that it would be impossible to locate all allottees for land sales had now come full circle. The DOI and Office of Indian Affairs passed on two clear messages to the Agency and the Wintu people of Shasta County. First, Public Law 198 did not promise that new lands would be purchased; Ickes’ merely *expected* that lands would be purchased with allotment sale funds. The law’s wording released the U.S. government from the responsibility of providing new lands for Native people dispossessed by the CVP. Second, the Sacramento Indian Agency would have to determine how the funds of individual accounts would be used; this seems like a win/win answer for the Agency and most allottees, as both parties wanted individual checks to be distributed immediately. However, this also meant that Wintu individuals who were not enrolled as members of California’s existing rancherias and reservations (e.g., Redding Rancheria) were left without federally entrusted property on which to restore a tribal land base.

In addition, the U.S. government made clear that Public Law 198 superseded the provisions previously outlined in the Office of Indian Affairs letter dated December 7, 1938. U.S. Indian policy had changed since many landowners had signed over their allotment deeds; therefore, the conditions of the Office of Indian Affairs’ letter no longer applied. The economic fate of many (not all) Native people in Shasta County depended on the actions of the Sacramento Indian Agency, an agency close to being abolished.⁹⁹ Employment in dam construction or other boomtown industries provided the economic means for some Wintu men and women to adjust more readily or easily to the impacts of Shasta Dam and the CVP. Nonetheless, many Native people lost title to all of the lands that the federal government had ever allotted (and would ever grant) to them as Wintu Indians.

By the time the Shasta Dam power plant commenced operation on July 14, 1944, the reservoir area had been entirely deserted and submerged. On December 22, 1944, at 11:30 a.m., the P.C.I. lowered the final bucket of concrete on Shasta Dam. Construction workers along with Superintendent Crowe, proudly posed for a *Redding Record Searchlight* photographer before a large sign stating, “LAST BUCKET OF CONCRETE, SHASTA DAM, PLACED UNDER DIRECTION OF U.S. BUREAU OF RECLAMATION BY PACIFIC CONSTRUCTORS

⁹⁸ Commissioner of Indian Affairs to Mr. John G. Rockwell, 31 May 1943, RG 75, National Archives-Pacific Region, photocopy from the private collection of Mark Franco.

⁹⁹ Melendrez, 147. The Sacramento Indian Agency was abolished in 1945, after Collier resigned as the Commissioner of Indian Affairs.

INC., 6,535,000 YARDS, JULY 8, 1940 TO DEC. 22, 1944.”¹⁰⁰ No Wintu workers were among those photographed with Crowe. Dr. Rocca states that the “building of Shasta Dam was a national effort undertaken at a time when America desperately needed to believe in herself; a time when Depression-weary families migrated thousands of miles in search of government sponsored work projects, with the hope of beginning a new life in California.”¹⁰¹ This dream came at a heavy cost to one group of Native Californians.

The Wintu experienced traumatic personal, spiritual, and economic losses from the CVP. But perhaps their greatest loss was one of cultural unity. Despite previous intrusions on their tribal territory, Native families on the McCloud and Pit rivers had developed a strong community in the early twentieth century – one that accommodated Anglo-American culture and economies while maintaining Native traditions through kinship ties, religious practices, and life on ancestral homelands. Indeed, the Wintu’s spiritual connections with the lands and rivers of the Shasta Reservoir region are deeply rooted.¹⁰² The construction of Shasta Dam triggered a second Gold Rush, with the “gold” taking the form of government-sponsored jobs. Within five years, a combination of factors directly and indirectly tied to Shasta Dam tore apart the social fabric of this Native community. Loss of tribal lands and sacred sites combined with disruption of ancestral graves proved a significant cultural blow and promoted a factionalism that has lingered until the present day.

The people of today’s Wintu tribes possess a different perspective of Shasta Dam than most other Californians, or Americans for that matter. The dam is often extolled as a massive concrete monument to BOR engineering, American labor skill, and national progress. For the tribes, however, the dam represents human tragedy mixed in part with pride in their relatives’ (e.g., Vernon M. Popejoy’s) contributions during the Great Depression, New Deal, and World War II eras. The dam is a bittersweet reminder of the social and cultural sacrifices of Shasta County’s Native people. Caleen Sisk-Franco states that the U.S. government “robbed us [the Winnemem Wintu] of a history of being born on the [McCloud] river.”¹⁰³ This is the real legacy of the Central Valley Project for the

¹⁰⁰ Richard L. Mallery, “PCI Pours Last Concrete on Dam,” *Redding Record-Searchlight*, 23 December 1944, p. 1, cols. 2-3.

¹⁰¹ Rocca, *America’s Shasta Dam*, 5.

¹⁰² Mt. Shasta, known as *Bohem Puyuk* in Wintu, is a traditional spirit mountain for the Wintu people. For more information on Wintu spiritual beliefs associated with Mt. Shasta and the surrounding environment, including sites along the McCloud River, see Dorothea J. Theodoratus and Frank R. LaPena, David. L. Carmichael ed. “Wintu Sacred Geography of Northern California,” in *Sacred Sites, Sacred Places* (New York: Routledge, 1998), 20-32. See also Dorothea J. Theodoratus and Nancy H. Evans, “Native American Interview” in *Native American Folklore of Mount Shasta*, available at <http://www.siskiyous.edu/shasta/fol/nat/theo.htm>.

¹⁰³ Sisk-Franco et al., Winnemem Wintu, interview, 3-4 November 2005.

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people of the Wintu, the severing of a historical link with the lands and rivers behind Shasta Dam. The words of one yet unnamed Wintu man - "Their sleep is to be desecrated" - haunt the waters of Shasta Reservoir.

To the people of Wintu descent in Shasta County, California – living and deceased

To Glenna Belle Richards, my maternal grandmother

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