



### LESSON 3

# Close Reading of The Cow Creek Umpqua Tribe Treaty of 1853

## LEARNING OUTCOMES

- Students will analyze the Cow Creek Umpqua Tribe Treaty of 1853 and determine the main ideas and supporting details of each article.
- Students will design a poster to synthesize the information from the treaty.

## ESSENTIAL QUESTIONS

- What makes treaties unfair?

## LOGISTICS

- Where does the activity take place?  
*Classroom*
- How are the students organized?
  - Whole class
  - Teams: 2 – 4
  - Pairs
  - Individually

## TIME REQUIRED

1.5 – 2 hours

## Overview

As part of a unit to understand the government-to-government relationship the United States has with many American Indian tribes, this lesson supports students' understanding and analysis of the treaty through multiple interactions with the primary source document. Preceding lessons focused on unit vocabulary and the use of treaties, as well as the traditional lifeways of the Cow Creek Umpqua Tribe prior to the Treaty of 1853.

## Background for teachers

As students learned in the two previous lessons, Joel Palmer, the Indian agent for the region, negotiated nine treaties with American Indian tribes in the Pacific Northwest over a two-year period. The white settlers who were encroaching on tribal land thought Palmer was too lenient and too often sided with the tribes, even as tribal members' land was being stolen, their traditional lifeways were being completely disrupted, and they faced disease, famine, and outright genocide. Meanwhile, the U.S. Government's policies and propaganda justified the taking of land, resources, and livelihoods from the Cow Creek Umpqua Tribe and other tribal people who had been living and caring for the land since time immemorial.



In addition to the lawlessness of gold raiders and the theft of tribal land by both the U.S. Government and independent white settlers, the Cow Creek Umpqua Tribe was forced into participating in a treaty that was, by design, unfair and dishonest. The Treaty was written by Palmer, a known instigator of crimes against American Indian people; was negotiated under threat of violence and even annihilation; and was designed to give the Tribe as little as possible in exchange for thousands of acres of land and the rich natural resources that land contained. At the time of the Cow Creek Umpqua Tribe Treaty of 1853, multiple treaties had already been negotiated with tribes in the Eastern United States, and not a single one was being upheld as the “Supreme Law,” as designated in the U.S. Constitution.

The Cow Creek Umpqua Tribe Treaty of 1853 is considered relatively brief, as most of Palmer’s treaties tended to have between four and 12 articles. Most of those treaties also included similar elements—the specific land, if any, that would be reserved for the tribe, money for specific equipment and dedicated buildings for jobs and services deemed necessary by an official of the U.S. Government, and money for possible annuities. Most tribal members living at the time—and for generations after—would never see the benefits outlined in the treaties.

## STANDARDS

### Oregon social studies standards<sup>1</sup>

#### Civics and Government

8.8 Analyze important political and ethical values such as freedom, democracy, equality, equity, and justice embodied in documents such as the Declaration of Independence, the United States Constitution, and the Bill of Rights.

8.9 Analyze the effect of historical and contemporary means of changing societies and promoting the common good.

#### Multicultural Studies

8.31 Analyze intersecting identities and relationships within the living histories of racial/ethnic groups, religious groups, and other traditionally marginalized groups (women, people with disabilities, immigrants, refugees, and individuals who are lesbian, gay, bisexual, or transgender) in the United States.

#### Historical Knowledge

8.22 Evaluating continuity and change over the course of U.S. history by analyzing examples of conflict, compromise, cooperation, interdependence, and social justice from multiple perspectives.

8.23 Evaluate continuity and change over the course of U.S. history by analyzing the key people and events from the 1780s through Reconstruction.

8.24 Evaluate the cause and effect of social, political, and economic factors that motivated westward expansion, the invasion of indigenous peoples, and the resulting impacts.

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<sup>1</sup> Oregon is in the process of revising its social studies standards. This document references the draft 2018 standards for grade 8.



## USING CLOSE ANALYTICAL READING

Close analytical reading is an instructional strategy that gives purpose and focus to students' reading and allows them to make meaning from complex texts. The Cow Creek Umpqua Tribe Treaty of 1853 is worthy of a close analytical reading to ensure students understand its purpose and intent and the implicit biases conveyed in this historical text.

One benefit of close analytical reading is that it helps students discover meaning not only from what is written but also from what is not written but rather implied. A close-reading strategy emphasizes the act of going deeper into a text—and the ideas and concepts it is putting forward—than is possible in even multiple readings that are less methodical. This instructional strategy is well suited to historical texts, such as treaties between the U.S. Government and American Indian tribes, which frequently perpetuate misinformation, exclude important context, and promote propaganda—such as the concept of “manifest destiny”—that are based on racist ideas of white superiority.

In this lesson, students will be able to look critically at these underlying elements of the Cow Creek Umpqua Tribe Treaty of 1853 and will experience what it is like to view a historical document from multiple perspectives—a document that has legal, ethical, and political ramifications that continue to this day.

## STANDARDS *(Continued)*

### Oregon English language arts standards

6-8.RH.4 Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies

6-8.WHST.10 Write routinely over extended time frames (time for reflection and revision) and shorter time frames (a single sitting or a day or two ) for a range of discipline-specific tasks, purposes, and audiences.

6-8.WHST.1 Write arguments focused on discipline-specific content.

## MATERIALS

### What materials are needed for students to engage in this activity?

Close Reading Annotation Symbols

Close Reading Cow Creek Treaty

Ancestral Territory Map

Large chart paper



## Additional reading

Cow Creek Tribal Lessons: Grade 4 Module 2, Lesson 4-Contact, Lesson 5-Impact, and Lesson 6-Sovereignty and Persistence

Cow Creek Band of Umpqua Tribe of Indians home page <https://www.cowcreek.com/>

NDN History Research: Indigenous, Public & Critical Essays at <https://ndnhistoryresearch.com/>

## Considerations for teachers

### Assessment: How will you know if students are learning?

*Formative:* Teachers should monitor chalk talk, close reading worksheets, and student discussions for completion and accuracy.

*Summative:* Students, working in groups, will create a poster about the treaty. Students will be successful when they can justify the elements they chose for their poster and when it includes the following elements: a title for each article in the treaty, at least two but no more than three details drawn from each article, a question for the reader or author about each article, and a sketch or illustration that conveys the student's understanding of the overall treaty text.

### Practices (group roles, classroom routines)

- *Metacognition modeling* – Metacognition modeling makes visible the process a good reader uses while reading to comprehend text. It is not always intuitive for students to think about all the processes they go through to

## VOCABULARY

This unit has four key vocabulary terms that will be used in all lessons.

### Unit vocabulary

**Treaty** – A formal, legal, ratified agreement between two independent governments. An exchange of promises between governments.

**Ratified** – Formally approved by all parties to a legal agreement. A treaty must be ratified before it can take effect.

**Sovereignty** – A type of political power, exercised through a form of government over people, land and resources.

**Governance** – To have the authority to make decisions for a larger group of people, land or resources.

### Lesson vocabulary

**Preamble** – An introduction in a legal document that states purpose and justification.

**Article** – A paragraph in a legal document usually outlining a single rule.



decode words, make meaning, and comprehend new content. A metacognitive script helps students begin to recognize the connections the brain is making while processing new written information. As students read the treaty and related documents in future lessons, it is critical that they begin to use metacognitive strategies such as identifying why they are reading (purpose setting) and determining whether what they are reading makes sense (self-monitoring).

- *Chalk talk* – Chalk talk is a discussion technique in which students write thoughts, questions, reflections, and responses to a main prompt or to another student’s written “dialogue.” This technique provides flexibility for students to respond to ideas and concepts over time. Students do not have to write their name next to any of their responses or questions, which encourages open dialogue and helps students or teachers identify and clarify misconceptions. Teachers set up a prompt that is open ended and encourages students to read, react, and add to each other’s responses or questions. Students do not talk while they are responding to the posters, although they will typically begin to identify themes, make connections, and note surprising reactions from their peers. Chalk talk posters should be used multiple times throughout a lesson or unit to informally measure student growth in thinking and learning.
- *Bell ringers, gallery walk, and jigsaw* procedures were discussed in lesson 2. For this lesson, the gallery walk does not have the “docent modification. Instead, students move through all the posters and make their own interpretations.

### Learning targets

- I can identify the main idea and supporting details of an article in the Cow Creek Umpqua Tribe Treaty of 1853 document.
- I can examine past history by investigating a primary source document (an historical treaty between the U.S. Government and an American Indian Tribe).
- I can describe how treaties with American Indian tribes impacted the development of the United States as a sovereign government.

## Reflection/closure

During the gallery walk, call on students to justify elements in the posters. Also call on students to offer their reactions to the posters of other groups. Let them know that the next lesson will involve conducting research, stating a claim, providing evidence to support that claim, and identifying counter claims. Students should be prepared to participate in a panel discussion at the end of the unit, during which they will be asked to discuss their claim and the evidence they found to support it.

## Appendix

Materials included in the electronic folder that support this lesson are:

- Close Reading Annotation Symbols
- Close Reading Cow Creek Treaty
- Ancestral Territory Map

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## Activity 1

### Chalk talk bell ringer

*Time: 10 to 15 minutes*

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Prepare for the chalk talk by posting large sheets of paper in strategic places around the room. These posters should be large enough that multiple students can write on them as they respond to the prompts. You may choose to have different colored markers or pens for students to use.

Write a prompt on each of the chart papers:

- How can treaties be beneficial?
- How can treaties be destructive?
- What types of things are for the common good for a group of people?

Have students silently read the prompts and use the poster to individually record their ideas and questions. Encourage students to write additional questions or comments related to the prompt or to other students' responses by drawing connecting lines. Students should silently circulate until they have provided a written response on every poster, but they are not required to spend equal time at each poster.

The teacher can model appropriate responses and questions and can facilitate by connecting students' ideas and commenting on what they have written. The teacher should also model how to review the posters and how to note developing themes, common reactions, and interesting questions.

Let students know that they will continue to work with this same set of prompts throughout the unit.

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## Activity 2

# Second reading of the Cow Creek Umpqua Tribe Treaty of 1853

Time: 25 to 30 minutes

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Lead students in a review of the reactions and questions they had to the initial reading of the treaty. Let students know that important texts—particularly those that continue to have legal, ethical, and political consequences—are worthy of close analytical reading. Explain that they will be reading the treaty multiple times and that they will be expected to annotate the text, ask questions, and push themselves to think about what went into creating it and how it transformed the Tribe and the U.S. Government and still has consequences today. Let students know that the treaty will be the topic of a panel discussion at the end of the unit in which they will be asked to state a claim, discuss evidence to support it, and point out counter arguments to it.

Distribute copies of the Cow Creek Treaty Close Reading sheet to each student. Teachers may choose to distribute a copy of the Close Reading Annotation strategies to each student or display them prominently for student reference. Model the use of the annotation symbols and close reading sheet with the preamble and Article I.

### Say:

*So, as I read the preamble, which is an introduction to a legal document that states its purpose and justification, I'm going to practice close reading strategies and how to annotate a text. I will share my thought process as I read and try to understand this complex document. I want you to follow along and make the same notations—or a version of them—with me. I'm modeling what I expect you to be able to do by the end of this lesson.*

From the treaty: *Stipulations of a treaty made and entered into on Cow Creek, Umpqua Valley, in the Territory of Oregon, this 19th day of September, A. D. 1853, by and between Joel Palmer, superintendent of Indian Affairs, on the part of the United States, and Quin-ti-oo-san, or Bighead, principal chief, and My-n-e-letta,*



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## Activity 2 (Continued)

or Jackson; and Tom, son of Quin-ti-oo-san, subordinate chiefs, on the part of the Cow Creek band of Umpqua tribe of Indians.

I'm going to note with this star that the main idea is "a treaty made and entered into." I'm also going to identify some of the facts and details that support this main idea. For example, the "19th day of September 1853" is when the treaty was formally entered into, so I will draw an arrow from it to the main idea. The names "Joel Palmer, Quin-ti-oo-san, My-n-e-letta and Tom" are also supporting details since they identify the people who formally entered into the treaty as representatives of their respective sovereign governments. I'm also going to draw a circle around this word "subordinate" because I'm not completely sure what it means. Circling the word reminds me that I need to think about it a little more and determine what it means. I can also think of one question I have about the part that says "... on the part of the Cow Creek band of Umpqua tribe of Indians." I'm going to put a question mark next to that, and then in the box I'm going to write: "Did the United States make treaties with the other bands of Umpqua Indians?" Sometimes my questions will get answered in this text, while other times I will have to look at other texts to find an answer.

Now, I'm going to go back and look at this word I circled and see if there are clues that can help me understand its meaning before I go to a dictionary. I see that subordinate is used to describe the word chiefs, and this is being used to describe two people: My-n-e-letta and Tom. This raises another question for me, so I will put a question mark next to it and write in the box: "If My-n-e-letta was also known as Jackson, did Tom also have another name?" The more I read, the more questions I have, and that's the sign of a good reader.

Back to the word "subordinate." My-n-e-letta and Tom are described as subordinate chiefs, while Quin-ti-oo-san is described as the principal chief. I know "principal" means the main leader. I also know that the prefix "sub" means below or beneath, so subordinate chief must be a chief below the main leader.

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## Activity 2 (Continued)

*So, now I'm picturing these four men standing around a piece of paper in September 1853 in Oregon. Maybe they're a little cold and wet and thinking about the coming of winter.*

Ask students if anything they read was surprising to them. Did they make a connection between the main idea and another supporting detail? Did something they read raise a question for them? Continue modeling with Article I. Refer to the Ancestral Treaty map from the previous lesson, as necessary.

Next, divide the class into two groups. Group 1 will be responsible for closely reading and annotating Articles II and III, while Group 2 will be responsible for closely reading and annotating Articles IV, V, and VI. Both groups will be responsible for closely reading and annotating Articles VII and VIII and the signatures. Let them know that after reading, thinking, and annotating, they will be asked to teach the content of their assigned articles to their peers in the opposite group.

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### Activity 3

## Third reading of the Cow Creek Umpqua Tribe Treaty of 1853

*Time: 25 to 30 minutes*

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Organize students in groups of four (two members from each group in the previous activity). Students will read the articles out loud and discuss their annotations. Students from each group should be able to ask clarifying questions about the text and justification questions about why students decided the main idea and details. Students can collaborate to make additional connections and questions.

#### **Say:**

*Ok, we're going to work in groups again, but this time each group will have two people from each of the previous groups, for a total of four. I want those of you who read Articles II and III to read those articles out loud and discuss what you saw as the main idea, what supporting details you identified, and what you found surprising or what connected to something you already knew. In addition, you should point out any words you circled and any questions you wrote in your boxes. I want those who didn't read those articles to listen and ask questions to clarify or better understand the text. Next, those of you who read Articles IV, V, and VI will take your turn reading and discussing. By the end, each one of you will be responsible for knowing and understanding all the articles in the treaty. Finally, I want you to talk within your groups about what you have learned and any additional connections you made or questions you still have about what you read.*

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## Activity 4

# Poster creation and gallery walk

Time: 30 to 45 minutes

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Post expectations for the poster creation in a place all students can easily see. Keeping students in the same groups as in activity 3, give each group a large sheet of paper to create a poster. The posters will then be displayed around the classroom, and students will participate in a gallery walk. The posters will also serve as part of the assessment of student learning for this unit. Students can choose the format and visual style of their poster, but all posters should meet the following expectations:

*Students will be successful when:*

- *The poster includes a heading (or title) for each article in the treaty. The heading should reflect the main idea of the article.*
- *The poster offers at least two but no more than three details that support the main idea for each article.*
- *The poster proposes one question for each article.*
- *The poster includes one sketch or illustration that reflects your group's understanding of the treaty.*
- *All students in the group can justify the elements chosen to be in the poster.*

*Students will use their own notes and those of their teammates to create the poster. Determine a time for students to be ready to put their posters up around the classroom. Once all posters are up, lead students in a gallery walk to look at and discuss each poster.*