

Ethnohistory and Membership of the Mooretown Rancheria

**prepared for
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Introduction

The following analysis and discussion of the ethnohistory and membership of the Mooretown Rancheria is presented in connection with issues arising from a report prepared by Grabowski & Associates, LLC, titled *Documentary Review of the Lineal Membership of the Mooretown Rancheria* (hereafter referred to as the Grabowski report). Members of the Mooretown Rancheria who are descendants of Ina Jackson and their attorneys requested that researchers examine the historical documentary evidence relevant to the lineal membership of the Mooretown Rancheria, and to comment on the Grabowski report in light of this research.

In this report, researchers have examined and analyzed the available public record to provide a balanced, objective, and comprehensive picture of the socio-cultural and historical context for and development of the membership of the Mooretown Rancheria. This analysis begins with the late nineteenth century and extends into the latter half of the twentieth century. Historical contexts are necessary to understanding how and why the Mooretown Rancheria was formed, the reasons for its location, and the residence patterns of its members. This report therefore includes some discussion of California Indian history and policy, where it supplements and provides for a qualitative examination of the historical record presented in primary documents such as census records and Bureau of Indian Affairs (BIA) correspondence.

In brief, the Grabowski report concludes that Ina Jackson, one of the four named distributees and dependent members listed in the Plan for the Distribution of the Assets of the

Mooretown Rancheria, was not a distributee of the Mooretown Rancheria at the time of termination (1959-1961); therefore, those who claim to be lineal descendants of Ina Jackson “did not meet the constitutional requirements of lineal membership” of the Mooretown Rancheria.¹ The Mooretown Rancheria Constitution to which the Grabowski report refers states that the lineal members shall consist of “Individuals who are direct descendants of Katie Archuleta, Fred Taylor, Robert Jackson and Ina Jackson, who were listed as distributees in the Plan for the Distribution of the Assets of the Mooretown Rancheria as recorded in the Federal Register dated August 1, 1961.”² The draft Grabowski report reviewed in this report was dated March 2005. In May 2005, the Mooretown Rancheria amended its constitution to remove Ina Jackson from the base roll to which individuals trace ancestry as lineal members of the Tribe.³ Descendants of Ina Jackson were notified that they had been reclassified as non-lineal members – a class of members who do not share privileges with lineal members, including the right to vote in Tribal affairs.⁴

Ina Jackson is listed on Mooretown Rancheria’s Plan for the Distribution of the Assets as a “dependent member” of her husband, distributee Robert Jackson.⁵ Ina Jackson was treated as a

¹ Grabowski & Associates, *Documentary Review of the Lineal Membership of the Mooretown Rancheria* (unpublished rpt., March 2005), p. 11 [Hereafter Grabowski & Associates, *Documentary Review*].

² Constitution of the Mooretown Rancheria, Amended on January 2, 1999, by the General Lineal Voting Membership, presented as Exhibit #1 in Grabowski & Associates, *Documentary Review*.

³ Constitution of the Mooretown Rancheria, amended 14 May 2005, Velie & Velie, Attorneys at Law.

⁴ Constitution of the Mooretown Rancheria, amended 14 May 2005, Velie & Velie, Attorneys at Law.

⁵ A Plan For the Distribution Of The Assets Of The Mooretown Rancheria, According To The Provisions Of Public Law 85-671, Approved August 18, 1958, 21 June 1959, National Archives and

distributee in every way except that Robert received title to the Rancheria lands on which the couple lived.⁶ Most significantly, Ina Jackson's federally recognized status as an Indian was terminated because she was named in the distribution plan. Ina Jackson likely had little control over being categorized as a dependent member of the distributee's family rather than as a distributee in her own right. BIA agents wrote distribution plans in a relatively standard manner and used specific rancheria termination policy criteria for determining distributees and their dependent family members. Listing Ina Jackson as a dependent, then, was congruent with the classification of wives and children in male-headed households throughout California.⁷

These considerations, and others detailed below, are key to how tribes throughout California have reconstructed their membership rolls after having their status as federally recognized Indian tribes restored. Membership rolls have been reconstructed based on the last available list of members of the tribe when it was last federally recognized – a practice that has become widely standardized. For California tribes terminated under the Rancheria Act of 1958, distribution lists are the last available registers of tribe members. The individuals named in distribution plans – distributees and the named dependent members of their families – form the basis of tribal membership criteria, or the base roll, in the constitutions of California's restored

Record Administration Regional Facility in San Bruno, Record Group 75 [Hereafter NARA-SB, RG75], Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

⁶ The deed grants the land to Robert Jackson and "his heirs." Deed between the United States of America and Herman Steidl, Conservator for the Estate of Robert Jackson, 16 February 1961, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 311/1959-1961 Mooretown Rancheria

⁷ A detailed discussion of this context is provided in later in this report. Only in a few rare instances were husbands and wives listed as "co-distributees" and this was usually under extenuating circumstances, such as when a husband and wife earned independent incomes and neither could be listed as a "dependent" of the other.

rancherias, including the Mooretown Rancheria. Indeed, only one year before the Mooretown Rancheria reclassified Ina Jackson's descendants, her photograph appeared with feature story about the Tribe's casino in which she was described as "one of the four ancestors from whom all of today's 180 lineal tribal members are descended."⁸

The Grabowski report's assertion that Ina Jackson was not a true distributee relies upon an uninformed differentiation between individuals listed on the distribution plan. The Grabowski report makes this differentiation without considering the historical contexts of California Indian policy and the circumstances surrounding the Mooretown Rancheria's inception, existence, and termination. Writers of the Grabowski report also inaccurately and superficially represent the historical record they claim to have fully reviewed. In many cases, interpretations of documents are erroneous and devoid of context; in others, documents containing evidence crucial to the stated goals of the Grabowski report are excluded altogether. Many cited documents provided as "exhibits," or documents in evidence, do not appear in their entirety, are missing pages, or are illegible. Other readily available records – open to the public in the National Archives or on the Internet, for example – are not cited in the Grabowski report, further contributing to its incomplete construction of the Mooretown Rancheria's ethnohistory and membership.

The Mooretown Rancheria relied upon the Grabowski report presumably as a well-researched, accurate, complete, and professionally crafted report to move on revising its constitution. As such, the Grabowski report has negatively impacted the lives of Mooretown's

⁸ The photograph mistakenly identifies Ina Jackson as Ida Jackson, but the fact that she is identified with "her son Herb Young and mother-in-law Ellen MaCauley" confirms that it is Ina, not her daughter Ida, who is pictured. "High-stakes standoff," 19 February 2004, *Chico News and Review (California)*.

reclassified tribal members, placing its writers in violation of the standards of ethical practice of the discipline of anthropology. The following two-part report shows that the Grabowski report failed to meet its stated goals in a fair and comprehensive manner, contains substantial errors, and excludes significant facts pertaining to the ancestors of Ina Jackson's descendants while exaggerating others. In Section I, researchers review the Grabowski report's general flaws, specific errors, and misrepresentations of particular documents. Section II provides a detailed account of the documentary record which support the critical analysis and commentary in Section I.

I. Commentary on *Documentary Review of the Lineal Membership of the Mooretown Rancheria*, prepared Grabowski & Associates, LLC

General Review

There are five problematic and fundamental flaws inherent in the Grabowski report. First, it does not fulfill its stated goals in a fair and comprehensive manner. Second, the report offers legal opinions inconsistent with the stated goals of the report and the broader purpose of a genealogical or ethnohistorical report. Third, the Grabowski report is based on an ill-conceived social analysis of gender relations which is not evenly applied to all the subjects of the report. Fourth, the Grabowski report's lack of consideration of the social history of Indian policy amplifies its erroneous interpretation of historical documents. Finally, the Grabowski report violates the standards and code of ethics established for professional practitioners of the discipline of anthropology by having directly caused harm to its subjects.

In its introduction, the stated purpose of the Grabowski report is to provide analysis of the "current roll of lineal members of the Mooretown Rancheria of Oroville, California."⁹ The Grabowski report does not provide such analysis. Instead, it presents a biased attack on one group of lineal members of the Mooretown Rancheria: those who descend from Ina Jackson. Ina Jackson was one of the four Native people living on the Mooretown Rancheria lands at the time of the Rancheria's termination in 1959. The Grabowski report is heavily focused on a selective review of Ina and Robert Jackson's genealogies and histories in connection with the Mooretown Rancheria while devoting less attention to other Mooretown family lines, those of the Katie

⁹ Grabowski & Associates, *Documentary Review*, p. 1.

Archuleta and Fred Taylor.¹⁰

Although the Mooretown Rancheria's 1999 constitutional criteria for lineal membership includes Ina Jackson as an ancestor on equal par with Robert Jackson, Katie Archuleta, and Fred Taylor, the Grabowski report makes the legal determination that Ina Jackson was "not named a distributee of the Rancheria."¹¹ This assertion appears to be based on two facts: that Ina Jackson is named in the distribution plan as Robert Jackson's "wife," and that only Robert Jackson voted for the plan and received distributed assets. The legal reevaluation of the Mooretown Rancheria's official documents, upon which the BIA was required to act, is beyond the scope of the research question the Grabowski report set out to answer. A historical overview of the termination policy and process presented later in this report also demonstrates that the erroneous premise of the Grabowski report.

Putting forth legal opinions is beyond the realm of work of an anthropologist or ethnohistorian. The goals of anthropology and ethnohistory are instead to understand the social and cultural aspects of society. The Grabowski report fails to appropriately analyze the social and cultural and historical contexts of Robert and Ina Jackson's involvement in the termination process and instead asserts legal opinion. It contends that Ina Jackson should have stepped forward, insisted to be listed as a distributee independent of her husband, and voted for the plan herself in 1959. It also contends that she should have listed her nine children – all over the age of forty in 1959, and, like most other Native Californians, living away from their rancheria lands

¹⁰ Approximately six of the report's eleven pages are devoted to the family lines of the Jacksons, while the rest of the report, which includes the Fred Taylor and Katie Archuleta families, also contains the introduction, discussions of the constitution, formation of the rancheria, its termination, and general considerations. Grabowski & Associates, *Documentary Review*.

¹¹ Grabowski & Associates, *Documentary Review*, p. 11.

– as separate distributees.¹² Upon these assumptions, the Grabowski report asserts the legal opinion that Ina Jackson was not a “real” distributee, but only the “wife” of a distributee.¹³ In 1959, Robert Jackson was a seventy-seven-year-old head of household acting on behalf of his eighty-three-year-old wife, an action consistent with the gender relations and expectations of the society in which he and Ina lived. To impose contemporary feminist ideas on the elderly couple is unsound scholarship. Furthermore, the conventions of the termination process generally dictated that one person per allocated parcel had the right to vote on the plan.

By excluding Ina Jackson from the base roll of the Mooretown Rancheria, the Grabowski report can then proclaim the descendants of Ina Jackson who trace their ancestry through Ina Jackson to her first husband as not fulfilling the criteria for membership. The Grabowski report also concludes that Ina Jackson’s children from a previous marriage do not meet the Rancheria’s 1999 constitutional membership criteria.¹⁴ Mooretown Rancheria’s constitution makes no such exceptions; instead, it simply states that current lineal members shall be “direct lineal descendants of ... Ina Jackson.”¹⁵

The Grabowski report also cites Ina Jackson’s absence of objection to the distribution plan as evidence that she did not consider herself a distributee, a contention that demonstrates a lack of understanding of the basic aspects of the termination process.¹⁶ Correspondence between

¹² Grabowski & Associates, *Documentary Review*, pp. 6-8.

¹³ Grabowski & Associates, *Documentary Review*, pp. 1, 2, 6-8, 11.

¹⁴ Grabowski & Associates, *Documentary Review*, p. 11.

¹⁵ Constitution of the Mooretown Rancheria, Amended on January 2, 1999, by the General Lineal Voting Membership, presented as Exhibit #1 in Grabowski & Associates, *Documentary Review*.

¹⁶ Grabowski & Associates, *Documentary Review*, pp. 7-8.

the Jacksons and the BIA shows that Robert and Ina both actively participated in the drafting of the distribution plan and even requested with some urgency that it be completed.¹⁷ In addition, one of the Grabowski report's central arguments is that Ina Jackson should have appealed the distribution plan.¹⁸ This appeal process, however, was generally intended for individuals not named in the distribution plan.¹⁹ Furthermore, as Ina expressed herself with Robert in regards to termination of the Rancheria and distribution of its assets, there is no logical reason she would appeal.

Another flaw in one of the Grabowski report's main arguments is based on the erroneous assumption that it was necessary for Native people to have had long-term, permanent, and continuous residence on rancheria lands to be considered members of their tribe.²⁰ In reality, most Native peoples in California did not live on their rancheria lands, which were often inhospitable, marginally useable, and isolated from places where they could find work. This did not prevent individuals from identifying with their community, tribe, reservation, or rancheria, and most Native people knew who their community members were. Indeed, at the time the Rancheria lands were acquired in 1915, Fred Taylor, considered the leader of the Mooretown Band, was asked to identify the Band members. Fifty-three were named, including Robert Jackson, and his mother, father, brother, and sister, as well as Ina Jackson's sister. Ina and

¹⁷ Robert Jackson & Ina Jackson to Bureau of Indian Affairs, 15 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

¹⁸ Grabowski & Associates, *Documentary Review*, p. 8.

¹⁹ *An Act to Provide for the Distribution of the Land and Assets of Certain Indian Rancherias and Reservations in California, and for Other Purposes*, 18 August 1958, 72 Stat., 619-621.

²⁰ Grabowski & Associates, *Documentary Review*, 4-7.

Robert were not yet married. The BIA used residence on reservation (or rancheria) lands as a criteria for Indians to receive federal benefits reserved for Indians.²¹ The BIA was not concerned with the length of Native residency on rancheria lands, it was only concerned with whether or not Native people resided on rancheria lands when they requested aid and when it came time to distribute the assets of the rancheria upon termination.

At the time of termination, the BIA used a strict definition of residence to determine who would be included in the distribution plans for rancheria lands and assets. Those who qualified as residents on the rancheria were simply those living on the rancheria lands at the time of termination, regardless of the length their residence.²² Typically, the only people who consistently remained on rancheria lands were the elderly and sometimes the very young – those who were not working. This explains why, in most cases, Native people in California did not retain their rancheria lands, and the numbers of individuals listed on distribution plans constituted only a fraction of the populations associated with the respective rancherias. In the case of the Mooretown Rancheria, the BIA used narrowly defined residency to exclude Robert Jackson's half brothers from the distribution list because they could not show that they lived on the Rancheria lands immediately prior to termination, even though they were born and had lived there for about forty years.

²¹ This is particularly evident in the 1920s and 1930s, when the BIA denied federal aid and health care to thousands of Indians it referred to as “non-ward” because they were not living on federal trust lands. For example, the BIA's standard response to requests from county welfare offices for financial assistance for food, clothing, and health care for Indians was that Indians had to be living on federal trust land (reservations or rancherias) to qualify for such assistance. In the vast majority of cases in California, Indians were not living on these lands and were thus denied aid.

²² Roger Ernest to Mr. McCauley, 13 October 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

The historical-demographic picture of the Concow Maidu associated with the Mooretown Rancheria (detailed in the next section) shows that, unlike many other Native people in California, the Concow Maidu did not need to migrate very far for work. Most of the men worked in the mining and timber industries, generally located not more than ten to fifteen miles from the vicinity of the Rancheria. The Mooretown Rancheria was established in 1915 for a concentration of Concow Maidu who lived and worked in and around “Mooretown,” an area defined by a ridge running along the Middle Fork of the Feather River, and which is also at the heart of the Concow Maidu aboriginal homeland.²³ In 1915, an eighty-acre parcel (Parcel 1) was purchased and placed in trust by the federal government. This parcel was combined with another eighty-acre parcel (Parcel 2), located at about one half mile distance, which had been placed in trust for the Concow Maidu of the area by Executive Order in 1894. Together the two parcels formed the Mooretown Rancheria. In 1915 the group of Concow Maidu for whom the Rancheria was created consisted of fifty-three persons, including Robert Jackson (who married Ina the following year), Fred Taylor, and Katie Archuleta. Throughout the Grabowski report, efforts are made to portray Robert and Ina Jackson as only marginally associated with the Rancheria, that neither really had a legitimate claim to be there, and that they had not lived there for a very long time at the time of termination. However, all the numerous families associated with the Mooretown Rancheria, including those of Ina and Robert Jackson, lived nearby, if not directly on, the trust lands since well before the Rancheria was established, and continued to do so throughout the first half of the twentieth century.

²³ Appendix A: Map: Places of Residence and Significance to the Membership and Ancestors of the Mooretown Rancheria.

Not only are these claims in the Grabowski report largely irrelevant, they are not supported by the historical record. The historical record shows that Robert Jackson lived most of his life – about seventy-five of his ninety years – on or in the immediate vicinity of the Mooretown Rancheria. Ina Jackson, who was born about twenty-five miles from Mooretown, came to the area some time after she turned fifteen. She was married to Frank Martin, who lived in a Native community neighboring Mooretown (Enterprise, about twelve miles away), for about fifteen years before she was widowed. She was left with seven children, the youngest of whom was born five months after Frank Martin's death. Two years later she married Robert Jackson. She spent about seventy years of her life within ten to fifteen miles of Mooretown, and lived on or in very close proximity to the Mooretown Rancheria lands for almost half that time. The Grabowski report contains no discussion of BIA residence requirements associated with termination, in contrast to the residence patterns of the Concow Maidu of the area. These aspects are therefore detailed further in Section II of this report.

In addition to its exhibition of poor scholarship, the Grabowski report fundamentally violates the standards for professional anthropological practice. Information available in the public record but often accessible only to professional researchers is presented in the report in a partial manner, as the Grabowski report excludes significant facts regarding the Robert Jackson and Ina Jackson family lines and exaggerates other facts. By doing this, writers of the Grabowski report knowingly created a product which has directly harmed the subjects of the report – a violation of the Code of Ethics of the American Anthropological Association (AAA). The Code states that ethical obligations are:

To avoid harm or wrong, understanding that the development of knowledge can lead to change which may be positive or negative for the people ... studied; to

respect the well-being of humans...; to work for the long-term conservation of the ... historical records; to consult actively with the affected individuals or group(s), with the goal of establishing a working relationship that can be beneficial to all parties involved.²⁴

The Code Ethics also says:

Anthropological researchers must do everything in their power to ensure that their research does not harm the safety, dignity, or privacy of the people with whom they work, conduct research, or perform other professional activities ... they should not deceive or knowingly misrepresent (i.e., fabricate evidence, falsify, plagiarize), or attempt to prevent reporting of misconduct, or obstruct the scientific/scholarly research of others... Anthropological researchers should utilize the results of their work in an appropriate fashion... In so doing, they must be truthful; they are not only responsible for the factual content of their statements but also must consider carefully the social and political implications of the information they disseminate. They must do everything in their power to insure that such information is well understood, properly contextualized, and responsibly utilized.²⁵

By misrepresenting the facts of history and making legal statements about the nature of Ina Jackson's status in relation to Mooretown Rancheria's membership, the Grabowski report provided the means through which descendants of Ina Jackson were reclassified into a category that diminished their rights. In this way, the writers of the Grabowski report effected direct harm on the subjects of their report. By participating in the disenfranchisement of American Indians from their nation-communities, and using anthropological research to divest them of their rights as members of federally recognized tribes, the Grabowski report failed to meet basic standards of ethical practice. Furthermore, a cursory examination of the documents provided as supporting evidence for the Grabowski report also reveals that the writers have not acted in accordance with

²⁴ "Code of Ethics," *American Anthropological Association*, approved June 1998, <<http://www.aaanet.org/committees/ethics/ethcode.htm>>, accessed 20 March 2006.

²⁵ "Code of Ethics," *American Anthropological Association*, approved June 1998, <<http://www.aaanet.org/committees/ethics/ethcode.htm>>, accessed 20 March 2006.

the AAA Code of Ethics. This report now turns to these documents.

Specific Errors and Misrepresentations of the Historical Record in the Grabowski Report

As this review turns now to specific errors in the Grabowski report, the reader should keep in mind that the Grabowski report is constructed around the bias that only “three,” not four, family lines – those of Robert Jackson, Fred Taylor, and Katie (Brooks) Archuleta– are legitimately ancestral to the Tribe. By operating from this biased perspective, the Grabowski report can neither provide a fair and accurate representation of the record nor fulfill its stated goals. Furthermore, despite the claim that the Grabowski report provides the “relevant historical background of the Rancheria,” the history presented is incomplete and privileges the histories of some families over others. In addition, the writers of the Grabowski report have not undertaken a thorough review of archival materials or census records in particular, and the records that are cited are presented partially or inaccurately. Section II of this report, which provides a detailed account of the pertinent records and historical overview of relevant aspects in Indian policy, supports the analysis outlined in the remainder of this section.

The Grabowski report most notably misrepresents the Plan for the Distribution of the Assets of the Mooretown Rancheria and ignores its historical context. The Grabowski report states that the distribution plan – a key document in the construction of the base roll of the Mooretown Rancheria – “identified three individuals” as distributees.²⁶ The distribution plan actually states that the “distributees and the dependent members of their immediate families who will receive title to individual lots and a share of the funds involved are: Robert Jackson

²⁶ Grabowski & Associates, *Documentary Review*, p. 2.

(distributee), Ina Jackson (wife), Katie Archuleta (distributee), Fred Taylor (distributee).”²⁷ The plan further states that the named parties would no longer be entitled to services provided by the United States to Indians. The published entry in the *Federal Register* conveys the results of the finalization of the Mooretown termination plan:

Notice is hereby given that the Indians named under the Rancherias listed below are no longer entitled to any of the services performed by the United States for Indians because of their status as Indians, and all statutes of the United States which effect Indians shall be inapplicable to them, and the laws of the several states shall apply to them in the same manner as they apply to other citizens or persons within their jurisdiction. Title to the lands on these Rancherias has passed from the United States Government under the distribution plan of each Rancheria ... [Alexander Valley Rancheria, Chicken Ranch Rancheria, and Lytton Rancheria distributees are listed]...

**Mooretown Rancheria, 80 acres, N1/2 NEW, Sec, 22, T.
20 N., R. 6 E., M.D.B. & M., Butte County, Calif.**

Robert Jackson....	4-15-82	Feather Falls, Star Route, Oroville, Calif.
Ina Jackson.....	8-14-76	Do.
Katie Archuleta...	3-17-99	Feather Falls, Calif.
Fred Taylor.....	12-18-81	Do.

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²⁷ A Plan For the Distribution Of The Assets Of The Mooretown Rancheria, According To The Provisions Of Public Law 85-671, Approved August 18, 1958, 21 June 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁸ Termination of Federal Supervision, 1 August 1961, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination.

Note that the land description published in the *Federal Register* for the Mooretown Rancheria was inaccurate, and was corrected in 1974. Mooretown Rancheria In California And Individual Members Thereof, Notice of Termination of Federal Supervision over Property: Correction, 3 September 1974, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

Ina Jackson is named in the *Federal Register* as an Indian person who, under the terms of termination, lost her right to be “entitled to any of the services performed by the United States for Indians [etc.]”²⁹ The Grabowski report, however, contends that the *Federal Register* is incorrect by asserting that Ina Jackson is not an ancestor of the Tribe. Based upon this claim, detailed in a March 2005 draft of the Grabowski report, the Mooretown Rancheria revised its constitution on 14 May 2005 to exclude Ina Jackson as an ancestor from whom members can trace lineal descent.³⁰

The Grabowski report also claims that the land deed issued only to Robert Jackson further proves that Ina Jackson was not a distributee. The actual deed was not included in the exhibits supporting the Grabowski report; however, researchers viewed this deed to prepare this critical review. The deed actually grants the land to Robert Jackson “and his heirs.”³¹ The Grabowski report also misrepresents the 1999 Mooretown Rancheria constitution, by paraphrasing that “Pursuant to the requirements set forth in the 1999 Constitution of the Mooretown Rancheria, lineal members must trace their descent from one of the three distributees named in the Plan – i.e., from Robert Jackson, Katie Archuleta or Fred Taylor.”³² This is simply not the letter of the 1999 constitution. Finally, the Grabowski report notes that “The plan was

²⁹ Termination of Federal Supervision, 1 August 1961, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination.

³⁰ Constitution of the Mooretown Rancheria, amended 14 May 2005, Velie & Velie, Attorneys at Law.

³¹ Deed between the United States of America and Herman Steidl, Conservator for the Estate of Robert Jackson, 16 February 1961, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 311/1959-1961 Mooretown Rancheria, emphasis added.

³² Grabowski & Associates, *Documentary Review*, p. 2.

accepted unanimously by the three distributees...”³³ These three voters – who were not distributees at the time they voted – accepted the plan with Ina Jackson’s name included on it. As Ina Jackson was a dependent, Robert Jackson voted on her behalf, acting, as social norms dictated, as the spokesperson for himself and his wife. Also, it was generally the norm that only one representative per allocated parcel voted on the plan.

In the brief and incomplete “History of the Rancheria” provided in the Grabowski report, writers admit that Robert Jackson was born on what became Mooretown Rancheria lands, but that generally he (and Ina Jackson) had not lived there before 1940, saying “Ina and Robert Jackson only moved to the Rancheria sometime after 1940.”³⁴ In an effort to dissociate Robert Jackson from the Mooretown Rancheria lands, the Grabowski report portrays his residence in the “Mountain Spring Township” as though it were at some distance. In fact, Mooretown is within Mountain Spring Township, which itself is not large. From decade to decade, Robert Jackson, and the Taylors, Brooks, Martins, and numerous other Concow Maidu families are consistently listed as living nearby one another on census records.

These census records, as well as other documents, show that Robert Jackson was born near Mooretown and that he, his mother, father, and siblings lived continuously on or in the vicinity of the Mooretown Rancheria. Shortly after he married Ina, he lived for a brief period in the vicinity of Enterprise, less than twelve miles from Mooretown, for likely no more than fifteen years. These records do not indicate the exact parcels of land on which any individual or family lived. However, when examined together with other documents, it is clear that the Taylors,

³³ Grabowski & Associates, *Documentary Review*, p. 2.

³⁴ Grabowski & Associates, *Documentary Review*, p. 7.

Brooks, Jacksons, and several other families (discussed in the next section) lived continuously in the vicinity of the lands acquired or purchased in 1894 and 1915 to form the Mooretown Rancheria – land secured for the benefit of all of these families.

Documents show that Robert Jackson’s father, who died in 1919, lived in the same place for over forty years.³⁵ Documents generated in 1929 state that of the four persons named in the distribution plan, only Fred Taylor (and his wife Rosie Taylor) lived directly on the land purchased for landless Indians in 1915. Katie Archuleta did not, nor did Robert and Ina Jackson, although they were all living in close proximity.³⁶ The Grabowski report emphasizes the Taylors and Brooks families’ ancestral ties to these lands while neglecting those of the Jackson and even Martin families (Ina Jackson’s first husband’s family), who were also Concow Maidu

³⁵ Robert Jackson is variously named Jack Jack, Jack Jackson, Fry (or Frey, or Frye) Creek Jack, Old Jack, and Old Jack the old Chief (see footnote 42 of this report for a more detailed explanation). Affidavit of M. F. Whittier, 25 August 1918, National Archives and Record Administration Regional Facility in Washington D.C., Record Group 75 [Hereafter NARA-DC, RG75] Central Classified Files, 1907-1939, California Special, 38388-1914, 300 Part 1 to 57858-1908, 302, Box 4, 130155-1916, 300; Affidavit of Jackson Mullings, 25 August 1918, NARA-DC, RG75, Central Classified Files, 1907-1939, California Special, 38388-1914, 300 Part 1 to 57858-1908, 302, Box 4, 130155-1916, 300.

³⁶ Application No. 7004 of Katie Archuleta Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932 application [Note: Pages 3-6 of Katie Archuleta’s have been misfiled at the National Archives (switched with Fred Johnson’s application (7002). Researchers have corrected this misfiling in the Documents in Evidence for this report; however, the files have not been corrected at the National Archives.]; Application No. 7019 of Fred Taylor Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 7020 of Rosey Taylor for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6997 of Ina Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

and have a longstanding presence in the vicinity, although they resided closer to what would become the Enterprise Rancheria.

The Grabowski report emphasizes the importance of Fred Taylor's role in acquiring Parcel 2 of the Mooretown Rancheria in 1915. Indeed, Fred Taylor was the contact person for Special Agent John Terrell, who was charged with purchasing lands for landless Indians in California and responsible for the Mooretown transaction (purchase details are provided in the next section). Significantly, Agent Terrell's census of the Indians living in the vicinity of Mooretown, which he represented as "Taylor's band," listed the people Terrell intended to move on to the Rancheria lands. The Grabowski report does not disagree with these basic facts.³⁷

However, it does state that:

Neither he [Robert Jackson] nor his father nor his brother were included in the 73 Indians of the Mooretown band recorded in 1916 by Special Agent J. J. Terrell for whom an additional parcel was purchased by the federal government. This is no doubt due to the fact that Robert Jackson was living with Iny [sic] in Enterprise (a separate parcel of land was purchased for the landless Indians there).³⁸

This statement is incorrect. In fact, Terrell lists "Old Jack the old Chief" on this census of the Indians in and near Mooretown, with three "children": Bob (age 36), Harry (age 26) and Birdie. These are Robert Jackson, his brother Henry, and sister Birdie Williams.³⁹ Henry (a.k.a. Harry) is listed with his unnamed wife who, based on other documents, researchers determine is Selena,

³⁷ Grabowski & Associates, *Documentary Review*, p. 4.

³⁸ Grabowski & Associates, *Documentary Review*, p. 10.

³⁹ Census of the Indians in and near Mooretown, Butte County, California, taken by John J. Terrell and submitted to Commissioner of Indian Affairs, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

Ina Jackson's sister.⁴⁰ A stepdaughter, Hazel (age 13) is listed with the couple. Another document lists Hazel Young as the daughter of Henry and Selena Jackson.⁴¹ Mrs. Ellen Jack (McCauley – Robert Jackson's mother) and Jennie Logan (possibly Ellen's sister) are also listed with this group of people on Terrell's 1915 census of the Mooretown Indians living on or near to the Rancheria lands.⁴² Robert Jackson's family had lived in near proximity to the Mooretown

⁴⁰ See explanation in footnote 42 of this report.

⁴¹ Hazel Young appears as the fifteen year-old daughter of Henry and Selena Jackson on a 1916 census, Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

⁴² Census of the Indians in and near Mooretown, Butte County, California, taken by John J. Terrell and submitted to Commissioner of Indian Affairs, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

It is possible to fill in these additional facts about this household by examining the information on this census in the context of other documents. First, this grouping basically resembles the household counted on the 1910 census, which contained Ellen McCauley, her sons Robert and Henry Jackson, and the boarder named "Jack Jack." The 1910 census also establishes that Robert Jackson and Robert Jack are the same person, as are Henry Jackson and Henry Jack. Ages are often inaccurate on census records; nonetheless, the age of Bob (36) roughly matches Robert Jackson's. Robert Jackson was actually born in 1882, and thus would have been 33 in 1915. The age for Harry (26) is about accurate for Robert's brother, who was born in 1888. While not counted as such on Terrell's census of the Indians in the vicinity of Mooretown, but rather as "Ellen Jack," Mrs. McCauley is noted in Terrell's letter accompanying the census, as occupying one of four cabins in the vicinity of John Quincy Mullings, with her four children (Willie, Josie, Maud and Johnny on the 1910 federal census) on "80 acres set apart for the Indians about one mile south of Mooretown." John J. Terrell to Commissioner of Indian Affairs, 15 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County; Census for Mountain Spring Township, Butte County, California, 15-27 April 1910, *Thirteenth Census of the United States, 1910*, p. 13A; Census for the Household of George McCauley, Mountain Spring Township, Butte County, California, 21 April 1910, *Thirteenth Census of the United States, 1910*, p. 13A; Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932].

Further stated relationships are substantiated in the following documents, which show that Robert Jackson's brother was married to Ina Jackson's sister Selena, that "Birdie" is Robert Jackson's sister, and that the family was living on the land set aside in 1894, and which was joined to the parcel Terrell would purchase based on his research to form the Mooretown Rancheria. Application No. 6997 of Ina Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application

Rancheria lands (and likely on the 1894 parcel [Parcel 1]) for some time prior to the

No. 6989 of Ellen McCauley Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6998 of Henry Jackson for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6999 of Selena Jackson for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; John J. Terrell to Commissioner of Indian Affairs, 15 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County; Standard Certificate of Death for Mrs. Birdie Williams, 27 December 1918, Velie & Velie, Attorneys at Law; C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 13.

There is some contradictory information in the documents as to Robert Jackson's father's name, age, and date of death. He was known variously as Jack Jack, Jack Jackson, Fry (or Frey, or Frye) Creek Jack, Old Jack, and Old Jack the old Chief. His death date was stated incorrectly as 1909 on some documents, but he actually died in 1919, apparently at the age of 97. Census records show him born variously between 1832 and 1850. His death record lists "sometime in 1822" as his birth date. He appears as a 78-year-old boarder in the household of Robert Jackson's mother in 1910, and in this instance is named "Jack Jack." He also appears at age 82 on another census taken in 1916. Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6989 of Ellen McCauley Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; California State Record of Death for Jack Jackson, 18 December 1919, Velie & Velie, Attorneys at Law; Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 229A; Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States, 1900*, p. 263A; Census for Mountain Spring Township, Butte County, California, 15-27 April 1910, *Thirteenth Census of the United States, 1910*, p. 13A; Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

Family oral history also states that the stepdaughter of Harry Jack, Hazel, is actually Hazel Young, a daughter of Selena Jackson's who was fathered by Tom Young. Hazel Young appears on a census in 1916 as the daughter of Henry and Selena Jackson, further substantiating that the "Harry" named here with "Bob" as the sons of "Old Jack, the old Chief" are Robert and Henry Jackson. The "Old Jack" included here is referred to on another census taken one year later as "Fry Creek Jack," although Robert Jackson and his mother Ellen McCauley both state in 1929 that he died in 1909. Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6989 of Ellen McCauley Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Personal communication with Lois Edwards, 15 February 2006, interoffice communication.

establishment of the Rancheria. Terrell's census was taken in 1915, not 1916, almost one year before Ina and Robert Jackson were married, and so he would not have been living with her at Enterprise, as the Grabowski report surmises.⁴³ It is unclear why the Grabowski report claims that Robert Jackson, his father, and his brother were not among the fifty-three Indians for whom the Mooretown Rancheria was created in 1915. In fact they were on this census as were his sister, mother, and Ina Jackson's sister Selena.⁴⁴

Together with BIA documents, the federal census material, which is only partially represented in the Grabowski report, shows that the Jack/Jackson/McCauley family had lived on or in the vicinity of the original parcel (Parcel 1) acquired for the Mooretown Band in 1894 rather continuously. Even when Ellen Jack/Jackson married George McCauley, she apparently continued to harbor her former husband, Jack Jackson, who was significantly older than she. He was a boarder in her household in 1910, and he was listed as cared for by relatives in 1916.⁴⁵ Documents generated in 1918 state that Jack Jackson lived in the same place more than forty years.⁴⁶ He and Ellen are identifiable on the 1880 census for the area, living near an uncle

⁴³ Grabowski & Associates, *Documentary Review*, p. 10.

⁴⁴ Ina Jackson's children by Frank Martin were enumerated that year with their uncle and grandparents in the vicinity of Enterprise, but Ina herself was not enumerated, Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

⁴⁵ Census for Jack Jack, Mountain Spring Township, Butte County, California, 21 April 1910, *Thirteenth Census of the United States, 1910*, p. 13A; Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

⁴⁶ Jack Jackson is referred to as Fry Creek Jack in these documents. Affidavit of M. F. Whittier, 25 August 1918, NARA-DC, RG75, Central Classified Files, 1907-1939, California Special, 38388-1914, 300 Part 1 to 57858-1908, 302, Box 4, 130155-1916, 300; Affidavit of Jackson Mullings, 25 August 1918, NARA-DC, RG75, Central Classified Files, 1907-1939, California Special, 38388-1914, 300 Part 1 to 57858-1908, 302, Box 4, 130155-1916, 300.

(“Pompey”) Robert Jackson identified as living on the 1894-acquired parcel (Parcel 1) of the Mooretown Rancheria, and near Fred Taylor’s parents.⁴⁷

It is unclear why the writers of the Grabowski report did not present this history, while they did establish Katie Archuleta and Fred Taylor’s longstanding relationship to the Rancheria lands.⁴⁸ Furthermore, primary documents are misrepresented to support the unbalanced and incomplete history provided in the Grabowski report. For example, the Grabowski report uses the 1910 federal census to connect the Taylors and Brooks families to the Maidu community in the area, noting that “of the 27 Mydoo households” in Mountain Spring District, five were Mullens (Mullings), and that Rosie Taylor’s maiden name was Mullens.⁴⁹ What the Grabowski report overlooks is the clearer, more complete picture of this community, which also included Robert Jackson and Ina Jackson, who was at the time still living with Frank Martin and their children. The Concow Maidu community in the Mountain Spring Township is detailed in Section II, showing that all of these families lived no more than a few miles apart.

The Grabowski report relies upon two letters written to the BIA by members of the Mooretown Band as factual sources regarding the history of the Rancheria, when both of these letters contain inaccuracies. Katie Archuleta’s 1958 letter documenting her historical connection to the Rancheria lands states inaccurately that her mother and stepfather, Fred Taylor, “were

⁴⁷ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, pp. 229A, 230C; Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

⁴⁸ Grabowski & Associates, *Documentary Review*, pp. 3-4.

⁴⁹ Grabowski & Associates, *Documentary Review*, p. 3.

assigned the rancheria.”⁵⁰ Writers of the Grabowski report also cite Mike and William McCauley, saying, “they allowed their half brother, Robert Jackson, to move there and build a house for himself on the land.”⁵¹ As the BIA response to the McCauleys indicates, the McCauleys had no proprietary rights over the Rancheria lands and thus no right to determine who could or could not live there.⁵² When examined in the context of the larger body of documents, the McCauleys’ connection to the Mooretown Rancheria lands was no greater than was Robert Jackson’s.

Writers of the Grabowski report also state that “both Kate Archuleta (nee Brooks) and Fred Taylor had lived on the Rancheria land even before it was formally put into trust for the Indians” and that Archuleta and Taylor “continuously lived on the land and were still residing there at the time the Rancheria Act was enacted.”⁵³ These statements are also true for Robert Jackson, with the exception of the period between 1916 and 1929, during which time he may have been living ten or twelve miles away. After 1929, Ina Jackson also affiliated with the Mooretown Rancheria and continued to live there until her death in 1962. Katie Archuleta had also been away from the Rancheria when she attended boarding school and also when she took up residence in Oroville in the 1920s and 1950s. Instead of presenting this balanced view, the

⁵⁰ Kate Brooks Archuleta to Department of Interior, 2 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

⁵¹ Mike McCauley & William McCauley to Secretary of Interior, 1 September 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

⁵² Roger Ernest to Mr. McCauley, 13 October 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

⁵³ Grabowski & Associates, *Documentary Review*, p. 4.

Grabowski report attempts to delegitimize not only Ina Jackson's relationship to the Rancheria, but also Robert Jackson's.

Writers of the Grabowski make this argument through an exaggerated focus on correspondence in the 1950s between the BIA, Robert and Ina Jackson, and the McCauleys. The interpretation of the correspondence surrounding the McCauleys' objection to the distribution plan impresses upon the reader that Robert Jackson only arrived on the Rancheria in 1942 and that the McCauleys, while temporarily absent, had a more legitimate claim to the lands than did Robert Jackson. The Grabowski report does not mention that Robert Jackson was born in the vicinity of (if not directly on) the 1894 parcel (Parcel 1) of the Rancheria, nor that he and his father had lived there before the McCauleys and then alongside them during the earlier years of the twentieth century.

Further, the Grabowski report emphasizes the BIA's insistence that it had no record of granting Robert Jackson an assignment on the Rancheria, nor had it authorized his improvements thereon.⁵⁴ However, the report fails to clarify a number of other important factors. First, the BIA stated elsewhere that it had no records of any assignments on this parcel of the Rancheria.⁵⁵ Secondly, the BIA encouraged Indians to make improvements on Rancheria lands as part of its larger plan to assimilate Native people to settled life. Terrell himself wrote that the BIA "trusted and believed" that the inhabitants of the Mooretown Rancheria would make improvements when

⁵⁴ Grabowski & Associates, *Documentary Review*, pp. 4-6.

⁵⁵ Guy Robertson to Commissioner, Bureau of Indian Affairs, 18 September 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]

he purchased the Rancheria for the area's landless Indians, including Robert Jackson.⁵⁶ While a BIA official denied giving Robert Jackson permission to make improvements, the BIA did not have a policy of approving and recording each improvement made on rancheria lands.⁵⁷ In another letter, the BIA assured Robert and Ina Jackson that their investments would be protected.⁵⁸ Regardless, individuals' duration of residence and improvements on Rancheria lands are immaterial. At the time of termination, the BIA was only concerned with the people actually living on the lands. As pointed out in the Final Report of the Advisory Council on California Indian Policy – a report commissioned by Congress in 1992 – the expedited process of termination served to limit and exclude individuals from being associated with particular tribes.⁵⁹ An accurate representation of individuals with legitimate claims to membership in the Mooretown Band would include many more individuals than those listed on the distribution plan

⁵⁶ John J. Terrell to Frank Taylor, 23 September 1916, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

⁵⁷ Furthermore, Robert Jackson had stated that he had met with three different officials regarding his assignment on the rancheria in 1948 and 1949, Walter V. Woehlke, the State Director for the California Indian Agency, James B. Ring, who was at the time the State Assistant Director, and H. R. Muskrat. Only James B. Ring denied having ever even met Robert Jackson. Robert Jackson & Ina Jackson to Bureau of Indian Affairs, 15 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

⁵⁸ Homer B. Jenkins to Robert Jackson, 31 March [1959], NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

⁵⁹ Advisory Council on California Indian Policy, "The ACCIP Termination Report: The Continuing Destructive Effects of the Termination Policy on California Indians," *Final Reports and Recommendations to the Congress of the United States Pursuant to Public Law 102-416* (1997) [Hereafter, Advisory Council, "Termination Report"].

– a point that the Grabowski report ignores.⁶⁰

Because the Grabowski report attempts to dissociate Ina Jackson from the Mooretown Rancheria by claiming that she was not a distributee, it also inherently claims that her lineal descendants (not biologically fathered by Robert Jackson) are unqualified for lineal membership in the Tribe. The report alienates Robert Jackson, and even claims that Robert Jackson did not consider Ina Jackson’s children from her former marriage his stepchildren: “There is no evidence that Robert Jackson adopted his step-children.”⁶¹ Conversely, several documents show that Robert Jackson considered Ina’s children as his own, including the same federal census records the Grabowski report uses as evidence that Robert Taylor considered Katie Archuleta as his daughter or stepdaughter.

When Ina and Robert Jackson married in 1916, Ina was widowed with seven children who were all under the age of fifteen. At this early stage in Ina and Robert Jackson’s marriage, two census records, one taken by the BIA in 1916 and the federal census in 1920, show five of the children as the son and daughters of the head of household: Robert Jackson.⁶² It is through four of these five children that the reclassified descendants of Ina Jackson trace their lineage.⁶³ The census collected by the BIA through the Greenville Indian Agency in 1916 shows the two

⁶⁰ Indeed, the original censuses prepared by the Special Agents, such as John J. Terrell and Charles E. Kelsey, who conducted the transactions for the purchase of lands for landless Indians in California, not the distribution lists alone, often serve as base rolls for other California tribes.

⁶¹ Grabowski & Associates, *Documentary Review*, p. 11.

⁶² Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; Census for Oroville Township, Enterprise Precinct, ED 14, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, pp. 285A-285B.

⁶³ Grabowski & Associates, *Documentary Review*, p. 10.

The two other of Frank Martin and Ina Jackson’s seven children, Freda and Hattie, were possibly adopted away to other families, and do not figure again in the record related to the Mooretown Rancheria.

oldest, Mary and Eva, and the three youngest, Celia, Dora, and Frank, as Robert Jackson's children.⁶⁴ This is the same record cited in the Grabowski report to support that "Kate Brooks is identified ... in the household of her step-father Fred Taylor and mother, along with her 4 half siblings in Mooretown."⁶⁵ This census was recorded on individual cards, transcribed to an official census list, and then submitted to the BIA. Frank Martin's children appear on this census under the family name Jackson, with the exception of Mary, the oldest, who is listed as Mary Martin.⁶⁶ Nonetheless, Mary is referred to as Robert Jackson's "step-daughter" in another document.⁶⁷ That Robert Jackson considered Mary – Frank Martin's eldest child – his stepdaughter suggests that he also considered the younger children his stepchildren.

The Grabowski report utilizes the 1910 federal census to demonstrate that Katie Archuleta "was identified as a step-daughter, along with her older sister Inez, in the household of Frederick and Rosie Taylor on the Indian schedule of the federal census for the Mountain Spring Township."⁶⁸ Similarly, the 1920 federal census shows Robert Jackson (mistakenly identified as Robert Martin) as the head of a household in "District 14" of the Oroville Township, Enterprise

⁶⁴ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

⁶⁵ Grabowski & Associates, *Documentary Review*, p. 9.

⁶⁶ Butte County Census of the Digger Indians of Greenville Agency California, 2 June 1916, NAM M595 R.175:73-88.

⁶⁷ Ten Broeck Williamson to The Files, 11 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

⁶⁸ Grabowski & Associates, *Documentary Review*, p. 9.

precinct.⁶⁹ Ina is listed as his wife, along with eight children: Marie, Eva, Celia, Franklin, Doris, Robert, Ida, and Ramona.⁷⁰ All the children are listed as Robert's sons and daughters, with no distinctions regarding step relationships, even though the latter three are Robert's natural children.⁷¹ The Grabowski report refers to this document specifically; however, the document is used to affirm that "Ina and Robert Jackson were still living in Enterprise...."⁷² The Grabowski report does not note that the "Enterprise Precinct" and the "Mooretown Precinct" are both part of District 14, and together comprise only four total pages – a small community of people in relatively close proximity to each other. Robert and Ina Jackson and their children were living on (or in the vicinity of) "Oroville Enterprise Mooretown Road."⁷³ Fred Taylor was living on (or in the vicinity of) "Oroville Mooretown Enterprise Road," and Katie Archuleta is not in the district at all.⁷⁴ She is enumerated in "Precinct 11" in the town of Oroville in a non-Indian community.⁷⁵

⁶⁹ Census for Oroville Township, Enterprise Precinct, ED 14, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, pp. 285A-285B.

⁷⁰ Census for Oroville Township, Enterprise Precinct, ED 14, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, pp. 285A-285B.

⁷¹ Census for Oroville Township, Enterprise Precinct, ED 14, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, p. 285A.

⁷² Grabowski & Associates, *Documentary Review*, p. 10.

⁷³ Census for Oroville Township, Enterprise Precinct, ED 14, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, pp. 258A-258B.

⁷⁴ Census for Oroville Township, Mooretown Precinct, ED 14, 21-22 January 1920, *Fourteenth Census of the United States, 1920*, pp. 258A-258B.

⁷⁵ However, Katie Archuleta had returned to live on the Mooretown Rancheria by 1922. J. E. Jenkins to Commissioner of Indian Affairs, 4 August 1922, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown; Census for the Household of Martin Archuleta, Precinct 11, ED 39, Oroville Township, Butte County, California, 15 April 1930, *Fifteenth Census of the United States, 1930*, p. 174A.

These facts highlight that the Grabowski report presents census material in a partial manner. In sum, the Grabowski report repeatedly spotlights Katie Archuleta, Fred Taylor, and/or their immediate families on census records to document and legitimize their presence on or near the Rancheria lands, while it dismisses Robert and Ina Jackson and their immediate families who appear on the very same records, in the same district and township, and sometimes as neighbors on the same page.⁷⁶ Furthermore, the presentation of census material in the Grabowski report implies that Enterprise was a great distance away from Mooretown. Although determining the exact locations of enumerated families is difficult, it is certain that they were not a great distance from one another. The map provided in Appendix A demonstrates the proximity of the towns and roads which can be identified in these records.⁷⁷

Regarding the 1930 census, the Grabowski report states that Robert and Ina Jackson had four of their children living with them, “according to the federal census for Oroville,” and that none of these are those from Ina’s first marriage.⁷⁸ Writers of the Grabowski report fail to consider that of the five children in question, the three eldest were married and living in other households by then, and the two youngest were at boarding school. Furthermore, the family is not in Oroville, but rather in the “Mooretown Precinct” of Oroville Township. They are among a Native population which numbers ninety-five persons, most of whom are living on the “Feather

⁷⁶ The details of relevant censuses (decennial federal censuses and others) are provided in Section II of this report.

⁷⁷ Appendix A: Map: Places of Residence and Significance to the Membership and Ancestors of the Mooretown Rancheria.

⁷⁸ Grabowski & Associates, *Documentary Review*, p. 10.

Falls Star Route Mooretown Road.”⁷⁹ These include Ellen McCauley, her sons Bill and Mike, and her grandson Dan Williams; several Mullings families; Fred Taylor and his family, which includes his wife Rosey, his adult children Fred Jr., Mammie, and Elwood, and Fred’s daughter-in-law Ruth. Robert and Ina Jackson are also living in the community with their children Robert, Ida, Marjorie, and Addie (all under fourteen) – on the same road and nearby the Archuletas. Kate Archuleta and her family are listed on the last page for the precinct.⁸⁰

Census material collected by the Greenville Agency in 1916 is also incompletely represented in the Grabowski report, which attempts to demonstrate that Robert and Ina Jackson were living on the Enterprise Rancheria. While the Groves census contained 100 cards, the Grabowski report only included thirteen in its “exhibits,” excluding most significantly the one showing Robert Jackson’s father living at Mooretown and “supported by relatives.”⁸¹ Most of

⁷⁹ Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, p. 172A-174A.

Other documents show that Fred Taylor also listed the Feather Falls Star Route, Oroville as his address in the 1930s. Fred Taylor to O. H. Lipps, 7 November 1932, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador - Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936; O. H. Lipps to Fred Taylor, 8 November 1932, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador - Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936; Fred Taylor to O. H. Lipps, 25 January 1934, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador-Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936; Fred Taylor to O. H. Lipps, 27 March 1934, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador-Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936; Fred Taylor to O. H. Lipps, 10 April 1934, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador-Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936.

⁸⁰ Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, pp. 173B-174A.

⁸¹ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County (on the card for “Fry Creek Jack”); Grabowski & Associates, *Documentary Review*.

the families whose place of residence is Mooretown list Enterprise as the location of their post office boxes on this census. The Grabowski report claims that Robert and Ina Jackson were living on the Enterprise Rancheria, based upon the Groves census cards and their marriage certificate, which lists Enterprise as their residence in 1916.⁸² However, another record of their marriage states that they lived at Lumpkin.⁸³ The Jacksons most likely lived near the towns of Enterprise and/or Lumpkin, and not on the Enterprise Rancheria lands. Ina Jackson lived in the vicinity of Enterprise before she married Robert Jackson, but this was also prior to the establishment of the rancherias.

Further records not included in the Grabowski report are applications made under the Act of May 18 1928 (45 *Stat. L.* 602). These documents show that the Jacksons were living at Feather Falls (Mooretown) as of 1929, as were two of Ina's younger children from her first marriage who grew up with Robert Jackson as their stepfather.⁸⁴ (These records are discussed in further detail in Section II.) These applications are a significant and standard set of documents

⁸² Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; Certificate of Marriage for Robert Jackson and Ina Davis, 6 June 1916, Velie & Velie, Attorneys at Law.

⁸³ Marriage License for Robert Jackson and Ina Davis, 6 June 1916, Velie & Velie, Attorneys at Law.

⁸⁴ Application No. 6948 of Will Brown Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6949 of Ruth Brown for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6986 of Mary Brown Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6987 of Levi Brown Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

used to inform California Indian genealogies, yet researchers of the Grabowski report did not access or cite these records. The Grabowski report also excludes the “Approved List of Voters for Indian Reorganization Act on Mooretown Rancheria,” which identifies not only Robert and Ina Jackson as members of the Mooretown Rancheria in 1935, but also Robert’s brother, Henry, and Ina’s sister, Selena.⁸⁵ This record is filed in the National Archives in San Bruno, which the writers of the Grabowski report consulted.

Finally, the Grabowski report uses professionally inappropriate terms to refer to the people in her study, and specifically to Ina Jackson. In several instances, the derogatory and offensive term “Digger” is used without qualification or quotations to set it apart. “Digger” is a term used in many federal documents from about 1890 through the 1920s that referred to Maidu people as well as other Native groups. Ina Jackson’s maiden name was Davis. Her first husband’s name was Frank Martin. She was widowed in 1913 and married Robert Jackson in 1916. She therefore went by the name Ina Jackson most of her life. Nonetheless, the writers of the Grabowski report refer to her as “Ina Martin” and even “Ina Davis” several times in order to diminish her association to the Mooretown membership.

Termination and Restoration

The Grabowski report lacks any history of the termination and distribution of the assets of the Mooretown Rancheria in relation to the wider context of the implementation of termination policy in California, and its later impact on the restoration of federal status to tribes in that state.

⁸⁵ Approved List Of Voters For Indian Reorganization Act On Mooretown Rancheria, 27 May 1935, NARA-SB, RG75, Sacramento Agency, Records of Indian Organizations, 1936-1946, Indian Reorganization Act Referendum and Election Records, 1934, Indian Reorganization Act Referendum Ballots and Returns, 1935, Box 1, Indian Reorganization Act Referendum and Election Records #2.

This policy context and its social impacts on the Tribe are directly relevant to assessing the relationships between families and the lands which composed the Rancheria.

The Mooretown Rancheria was successfully restored as a federally recognized tribe in 1983, along with sixteen other tribes, under *Tillie Hardwick, et al. vs. the United States*. *Tillie Hardwick* determined that the seventeen total rancherias, including Mooretown, had been wrongfully terminated under the terms of the Rancheria Act of 1958, and compelled the United States to restore its relationship with these tribes. Because the *Tillie Hardwick* decision explicitly delineated the determination of membership in the tribes restored under its stipulated judgement, it is important to at least briefly account for this contemporary history.⁸⁶

Until May 2005, the Mooretown Rancheria's constitutional criteria for membership reflected an understanding of the historical record consistent with the *Tillie Hardwick* decision. *Tillie Hardwick* guided tribes to restore their membership by using as a base roll, the list of distributees named in the relatively standardized plans for the distribution of the assets of the rancherias. The most appropriate document from which to draw this list is the *Federal Register*. The purpose of the *Federal Register* is to provide public notice of the official actions of all federal agencies. These actions are not binding unless they are published in the *Federal Register*, and the public is therefore also bound by what appears on its pages. In the case of the Mooretown Rancheria, the *Federal Register* provided notice on 1 August 1961 of the termination of federal supervision of the Rancheria, and specifically stated that the named individuals were no longer entitled to services provided to people with the federally recognized

⁸⁶ Here the record is partial, as no active files were used for this report other than those supplied by Velie and Velie Attorneys at Law.

status of Indian. This list names Robert Jackson, Ina Jackson, Fred Taylor, and Katie Archuleta.

The Grabowski report misrepresents the historical record to bolster its conclusion that Ina Jackson was not really a distributee because she appeared on the Plan for the Distribution of the Assets of the Mooretown Rancheria as the dependent member of distributee Robert Jackson, her husband. Dependent members of distributees and distributees were nonetheless on the same lists, and were specifically noted to “receive title to individual lots and a share of the funds involved” with no other specific distinctions. This language in California rancheria distribution plans was relatively standard. All the persons named on these plans lost their status as Indians in the view of the federal government, including Ina Jackson, an action that became official when their names appeared in the *Federal Register*. The federal government proceeded with the distribution of title and assets to those named as distributees; however, once the termination of its relationship to a tribe was official (when it was published in the *Federal Register*), it no longer concerned itself with what happened to the lands, assets, or Indians of Mooretown, or any other rancherias. Ultimately, legal actions against the federal government in the 1970s, 1980s, and 1990s led to the restoration of the rancherias as tribes and of the Indian status of dependent members of distributees.

This perspective on the history of the relationship between termination policy, the distribution plan list, and the reconstruction of tribal rolls by restored tribes in California is confirmed by the report of the Advisory Council on California Indian Policy.⁸⁷ The Advisory Council Report states that the BIA urges restored tribes to confine their membership to the lineal descendants of the distributees and dependent members listed in termination plans. However, it

⁸⁷ Advisory Council, “Termination Report”.

should be noted that the spirit of the Advisory Council Report is to limit BIA interference in membership rolls and to advocate for tribes to expand rather than restrict their tribal membership to include the numerous descendants of Indian people who were excluded – purposefully by the BIA, according to the Advisory Council Report – from the distribution plans.⁸⁸

The writers of the Grabowski report were either unaware of or chose to ignore the factors involved in restored tribes’ determination of membership rolls. This cursory approach to research is consistent with the overall methodology of the Grabowski report. In the next section of this report, a more detailed account of the historical record is provided to support the critique of the Grabowski report thus far presented.

⁸⁸ Advisory Council, “Termination Report,” p. 23.

II. Detailed Genealogical and Historical Analysis

Introduction

The nineteenth-century documents available to researchers do not name the specific individuals and families who lived on or in the vicinity of the lands acquired for the ancestors of the Tribe in 1894. However, an examination of other demographic records, such as federal censuses, provides clues to their identities and a general picture of the social conditions and residence patterns of the area's Concow Maidu community. This section provides a detailed study of these records with a specific focus on the genealogical histories of the key families of the Mooretown Rancheria – those of Ina and Robert Jackson, Fred Taylor, and Katie Archuleta – at the turn of the century, the years surrounding the establishment of the Rancheria in 1915, and at the time of and the years following termination between 1959-1961. These genealogies are contextualized in relation to the socio-economic conditions and the evolution of Indian policy as they impacted the movement of people to and from the Rancheria. In this section, researchers provide the details and discussion of the Tribe's ancestors' genealogical and social histories that support the critical analysis of the Grabowski report in Section I.

Ethnographic accounts demonstrate that the physical site of the Mooretown Rancheria was only one of several locations of significance to the ancestors of the Tribe. Throughout recorded history, Concow Maidu people lived in several locations in the vicinity of the site of

Rancheria.⁸⁹ The practice of intermarriage across diverse Maidu communities, and the movement of people across a broad range for the purposes of trade, resource exploitation, and ceremonial participation are extensively documented.⁹⁰ It is reasonable, then, that the historical record shows intermarriage and interaction between the Concow Maidu settlements within a twenty-five-mile radius of Mooretown, and area that includes the western edges of Plumas County as well as northern Yuba County.

The first parcel (Parcel 1) of land reserved for the use and occupancy of ancestors of the Tribe was acquired in 1894. Parcel 1 is located approximately one half mile from the lands set aside for the Tribe in 1915 (Parcel 2). The federal government acquired Parcel 1 when a local settler named James T. Grubbs informed the Department of the Interior that he wished to relinquish his claim to the land for the continued use of a group of Concow Maidu. As the Acting Commissioner of the Office of Indian Affairs, Frank C. Armstrong wrote: “the said tract is claimed and occupied by certain Digger Indians, and also because these Indians made settlement thereon long prior to that made by the white entryman.”⁹¹ Armstrong noted that

⁸⁹ Appendix A: Map: Places of Residence and Significance to the Membership and Ancestors of the Mooretown Rancheria.

⁹⁰ It is not the purpose of this report to provide a detailed review of the pertinent ethnographic literature. The most significant ethnographic sources include: Roland B. Dixon, “The Huntington California Expedition, The Northern Maidu,” *Bulletin of the American Museum of Natural History*, vol. XVII, part III (May 1905), pp. 119-346 [Hereafter Dixon, “The Huntington California Expedition”]; Francis A. Riddell, “Maidu and Konkow,” in *Handbook of North American Indians, vol. 8, California*, ed. Robert F. Heizer (Washington, D.C.: Smithsonian Institution, 1978), pp. 370-386 [Hereafter Riddell, “Maidu and Konkow”].

⁹¹ Frank C. Armstrong to Secretary of the Interior, 4 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; William H. Sims to Commissioner of General Land Office, 6 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

affidavits had been collected from several of the “Indian claimants who ask that the lands above referred to and described, be reserved and set aside by the Department for their use and benefit.”⁹² Grubbs reported that there were about twelve Native people at the small settlement, which had been “used and occupied by the Indians and their ancestors continuously for more than 50 years.”⁹³ Armstrong noted the improvements made to the land, such as fruit trees and cultivated soil, and he also noted that the non-Native community recognized and respected the Concow Maidu’s occupation of this place since their arrival in the area.⁹⁴ The acquisition, consisting of an eighty-acre tract, was confirmed by Executive Order on 12 June 1894.⁹⁵

Before 1894 and in the twenty years between the acquisition of Parcel 1 and its integration with Parcel 2 in 1915, forming the Mooretown Rancheria, ancestors of the Tribe lived in many places the vicinity of Lumpkin, Feather Falls (Mooretown), and Enterprise. These locations were in closely proximity, all situated within about a ten-mile radius of the Mooretown

⁹² Frank C. Armstrong to Secretary of the Interior, 4 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; William H. Sims to Commissioner of General Land Office, 6 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

⁹³ Frank C. Armstrong to Secretary of the Interior, 4 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; William H. Sims to Commissioner of General Land Office, 6 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

⁹⁴ Frank C. Armstrong to Secretary of the Interior, 4 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; William H. Sims to Commissioner of General Land Office, 6 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

⁹⁵ Description of Mooretown Reservation, 9 February 1951, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

Rancheria lands. They also correlate closely to aboriginal Concow sites and village locations, as noted by the leading scholar of Maidu ethnography, Francis Riddell.⁹⁶ Other places, within about a twenty-five-mile radius of Mooretown – including Berry Creek, Strawberry Valley, and other places in neighboring Plumas County and along the branches and tributaries of the Feather River watershed – have direct significance to the Tribe. Beginning in the 1910s, lands were purchased by the federal government for “landless Indians,” including those which became the Mooretown, Enterprise, Berry Creek, and Strawberry Valley rancherias. The establishment of rancherias created more distinctive, permanent divides in the Concow Maidu community as groups became tied to these specific places. Moreover, many Concow Maidu, including significant people associated with the Mooretown Rancheria, made their homes in the nearest large town, Oroville, about twenty-one miles distant from the Mooretown Rancheria lands.⁹⁷

As was the custom among hunter-gatherer societies, the ancestors of the Tribe frequently moved from place to place to harvest resources and engage in trade and other social activities, and, under American jurisdiction, to find work and places to live, which were often temporary due to the racist aggression of the non-Indian settler population. Typical in California during the twentieth century, Native populations migrated to find work in mining, timber, and ranching; to attend boarding schools; or to obtain training or other services in urban areas. Until well into the twentieth century, most of the ancestors of the Tribe stayed within about a ten- to fifteen-mile radius of Mooretown, where they found work in mining and logging. The following presentation

⁹⁶Riddell, “Maidu and Konkow,” pp. 370-371.

⁹⁷ These places of residence and of significance to the membership and ancestors of the Tribe are illustrated on the map included in Appendix A: Map: Places of Residence and Significance to the Membership and Ancestors of the Mooretown Rancheria.

of census and other material demonstrates their movement and demographic patterns, showing a relatively stable and continuous pattern of residence by key families over the course of the period roughly spanning from 1880 to 1960. After the 1930s, the Native population diminishes from approximately six dozen people in the vicinity of Mooretown at the turn of the century to the four individuals who were considered residents in 1959 when the Mooretown Rancheria was terminated.⁹⁸

Demography of the Ancestors of the Tribe, 1850-1894

The Grabowski report offers little or no discussion of the nineteenth century demographic history or genealogical record of the ancestors of the Mooretown Rancheria. In this section, researchers examine census and other records in historical context in order to illustrate both the stability and the variation in the tenure of Concow Maidu families, particularly the four families of interest to this report, in the vicinity of the land which became the Mooretown Rancheria in the twentieth century. This background, framed within a cursory presentation of the context of Indian policy, is important to understanding the composition of the Concow Maidu community from 1850 to the formalization of their reservation lands in 1894. This background and context is in turn important to presenting a more complete picture of the Jackson/Martin, Taylor/Brooks (Archuleta) family histories.

The information provided by the federal census in the 1850s and 1860s is inadequate for making anything more than general statements about the ancestors of the Tribe during this

⁹⁸ This analysis is not meant to be an exhaustive account of all Concow Maidu in the vicinity of the Mooretown Rancheria, but rather focuses on the specific families who had considerable connections to the Rancheria, including, but not restricted to, those who were resident at the time the termination process began in 1959.

period. However, when census records are combined with the genealogical research conducted for this report and other historical documents, a partial yet representative image of the demography of the ancestors of the Tribe until they secured Parcel 1 in 1894 comes into focus.

American jurisdiction over California begins in 1848; however, the federal censuses for Butte County for 1850, 1860, and 1870 report nothing or very little on the Indian population. The 1850 and 1860 censuses for Butte County do not show Indians, with the occasional exception of a servant or worker in the households of a non-Indian. This is consistent with state policy at the time, which essentially allowed for the slavery of Native people. Violence against and kidnapping and active slave trading of Native men, women, and children happened during these years not only unfettered but supported by State of California authorities. In 1850, the Act for the Government and Protection of Indians, did not, as its title suggests, protect Native people.⁹⁹ Popularly known as the California Slave Act, it essentially allowed outright indenture of Native children and so-called “vagrant” adults under certain conditions.¹⁰⁰ It also prevented Native people from testifying against non-Natives in court, giving Native people no recourse before the law when non-Natives did not fulfill the Act’s conditions.¹⁰¹

Native people in the Concow Maidu range were commonly the victims of the Slave Act,

⁹⁹ *Act for the Government and Protection of Indians*, passed 22 April 1850, *Statutes of California*, Chapter 133, pp. 408-410.

¹⁰⁰ Edward D. Castillo, “The Impact of Euro-American Exploration and Settlement,” *Handbook of North American Indians, California*, ed. Robert F. Heizer, vol. 8 (Washington, D.C.: Smithsonian Institution, 1978), p. 108; Robert F. Heizer and Alan F. Almquist, “The Indian and the White Californian, 1850s to 1870s,” *The Other Californians: Prejudice And Discrimination Under Spain, Mexico, And The United States to 1920* (Berkeley: University of California Press, 1971), p. 39 [Hereafter Heizer and Almquist, “The Indian and the White”].

¹⁰¹ Heizer and Almquist, “The Indian and the White,” pp. 46-47; *Act for the Government and Protection of Indians*, passed 22 April 1850, *Statutes of California*, Chapter 133, pp. 408-410.

as they resided in a portion of the state where non-Indian people waged some of the most intense campaigns against Indians who resisted enslavement and destruction of their lands by miners, ranchers, and settlers. The conflict was so severe that non-Indians rallied together to drive the Concow Maidu away to reservations in other counties which were established by the federal government to assuage violence and allow exploitation of Native lands to proceed unimpeded. Therefore, during the 1860s and 1870s many relatives to the Tribe experienced what is known as the Concow Maidu “trail of tears,” as they were forcibly marched to the reservations. While some Concow Maidu remained permanently at the Round Valley Reservation, many returned to their homelands by the mid-1870s.¹⁰²

“Mooretown” was defined by a ridge running along the Middle Fork of the Feather River. The federal census for this general area enumerated people under Mountain Spring Township, beginning with the 1860 census. In this census district, several Concow Maidu settlements existed near clusters of non-Indians in the small towns of Feather Falls (Mooretown), Lumpkin, Enterprise, Mountain Spring, and the larger town of Oroville. Most of the population of this area – Indian and non-Indian – lived near or moved around in relation to work in the mining and lumber industries which dominated the area well into the twentieth century. Most area Native people worked as miners in the nineteenth and early twentieth centuries, and in the lumber industry until the early 1970s.¹⁰³ Although the area was already part of the Concow Maidu’s aboriginal home, residence was usually determined by the location of mining and lumber camps, where company housing was provided.

¹⁰² “Indians Recreate Sad Journey to Reservation,” 2006, *Chico News and Review (California)*, <<http://www.newsreview.com/chico/PrintFriendly?oid=oid%3A6015>>, accessed 17 March 2006.

¹⁰³ Personal communication with Lois Edwards, 15 February 2006, interoffice communication.

1870 Federal Census

Individuals related to twentieth-century Mooretown Rancheria members appear on 1870 and 1880 census records, as many Concow Maidu people had returned from the Round Valley or Nome Lackee reservations by this time. While many more Concow Maidu were present in Butte County, only 15 individuals are listed as Indians out of a total of 266 people in the Mountain Spring Township, Butte County, in 1870.¹⁰⁴ These include the following people and families.

In a household headed by Ferdinand Brown, a non-Native man, three Indian children are listed – John (age 13), Frederick (age 11) and Emma Jane (age 9) – although their relationship to Brown is not clear.¹⁰⁵ Frederick Brown is about the right age to be the Fred Brown enumerated in 1905 at Mooretown with his wife and children as “non-reservation Indians” by Special Indian Agent C. E. Kelsey, and listed on the 1915 “Census of the Indians in and near Mooretown” conducted in connection with the establishment of the Mooretown Rancheria.¹⁰⁶ In the 1920s and 1930s, Fred Brown’s wife, Mary; his children, Levi and Ivan; and his nephew and nephew’s wife, Will and Ruth Brown, continue to be members of the Mooretown Rancheria. In 1929 their list Feather Falls addresses (like most other Mooretown Rancheria members, including the four distributees at the time of termination), and in 1935, they appear on the “Approved List of Voters

¹⁰⁴ Census for Mountain Spring Township, Butte County, California, 11-13 June 1870, *Ninth Census of the United States, 1870*, pp. 1-7.

¹⁰⁵ Census for Mountain Spring Township, Butte County, California, 11-13 June 1870, *Ninth Census of the United States, 1870*, p. 3.

¹⁰⁶ C. E. Kelsey, “Butte County,” Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, pp. 11-16; Census of the Indians in and near Mooretown, Butte County, California, taken by John J. Terrell and submitted to Commissioner of Indian Affairs, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

for Indian Reorganization Act on Mooretown Rancheria.”¹⁰⁷ The Brown family had a significant longstanding connection to the Rancheria until at least the mid-1930s.

In the household of another non-Indian man, Robert Taylor, an Indian boy (age 14) also named Robert Taylor is listed as a laborer. Two other Indian children, John Taylor (age 8) and Elizabeth Taylor (age 6), are also enumerated in the household, which neighbored a general store, suggesting it is in one of the burgeoning mining towns.¹⁰⁸ While researchers can make no direct connection at this time between these Taylors and those later residing at the Mooretown Rancheria, at a mining camp in another part of the township, a 16-year-old Indian named Joseph Taylor, working as a miner, was living with two other miners who are non-Indians.¹⁰⁹ This is likely the father of Mooretown distributee Fred Taylor.¹¹⁰

¹⁰⁷ Application No. 6948 of Will Brown Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6949 of Ruth Brown for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6986 of Mary Brown Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6987 of Levi Brown Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Approved List Of Voters For Indian Reorganization Act On Mooretown Rancheria, 27 May 1935, NARA-SB, RG75, Sacramento Agency, Records of Indian Organizations, 1936-1946, Indian Reorganization Act Referendum and Election Records, 1934, Indian Reorganization Act Referendum Ballots and Returns, 1935, Box 1, Indian Reorganization Act Referendum and Election Records #2.

¹⁰⁸ Census for Mountain Spring Township, Butte County, California, 11-13 June 1870, *Ninth Census of the United States, 1870*, p. 4.

¹⁰⁹ Census for Mountain Spring Township, Butte County, California, 11-13 June 1870, *Ninth Census of the United States, 1870*, p. 6.

¹¹⁰ Application No. 7019 of Fred Taylor Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

In what appears to be the same mining camp at which Joseph Taylor worked, an Indian named “Punch,” aged 22, was a laborer living in the household of teamster Merrill Whittier. Also boarding at the Whittier house was Frank Brooks, listed as “white.”¹¹¹ “Punch” was also known as Henry Punch, or Henry Martin, the father of Frank Martin.¹¹² Frank Martin was Ina Jackson’s husband until he died in a mining accident in 1913, and he was the father of seven children, five of whom became Robert Jackson’s stepchildren when Robert married Ina in 1916.¹¹³ In 1905, Henry Punch/Martin, his wife, and his sons and their families were landless Indians living in the vicinity of Enterprise. They included Frank Punch/Martin and Ina (later Jackson) and their three oldest children. By 1929, while Frank’s brother George continued to live in the vicinity of Enterprise, now on allotment land he inherited from their mother, Ina had moved to the Feather Falls (Mooretown) area with her husband Robert Jackson, and the two youngest of her children by Frank Martin lived with them, along with the four additional children they had together.¹¹⁴ By 1870, then, evidence of all the family lines of concern in the

¹¹¹ Census for Mountain Spring Township, Butte County, California, 11-13 June 1870, *Ninth Census of the United States, 1870*, p. 7.

¹¹² C. E. Kelsey, “Butte County,” Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 11; Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States*, p. 263B; Application No. 7027 of George Martin Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹¹³ Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians; Certificate of Marriage for Robert Jackson and Ina Davis, 6 June 1916, Velie & Velie, Attorneys at Law; Census for the Household of Frank Martin, ED 14, Mountain Spring Township, Butte County, State of California, 16 April 1910, *Thirteenth Census of the United States, 1910*, p. 11B.

¹¹⁴ Application No. 7027 of George Martin Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6997 of

Grabowski report can be gleaned, with the exception of Katie Archuleta's mother's family, although her father named Brooks, may have been in the mining camp where Frank Martin's and Fred Taylor's fathers were enumerated.

Others of the 16 Indians counted on the 1870 federal census for the Mountain Spring Township of Butte County were Emma Parker, Susan Garrison, and Katie McDougal. Emma Parker was "keeping house," and listed as the wife of non-Indian John Parker; their four children are listed as Indian.¹¹⁵ In 1929, Emma Parker was living on an Indian allotment (trust land) near Enterprise. At that time, it was noted that she was the "oldest living woman of her tribe (Concow) in Butte County."¹¹⁶ She was in the vicinity of Enterprise as early as 1915, and at Homo in 1905.¹¹⁷ In 1870, Susan Garrison was listed as the wife of an African-American man named Ambrose Garrison, and their three children are listed as "Mulatto." One of their daughters, Sarah Jane (age 7) later married Henry Mullings, the uncle of Katie Archuleta.¹¹⁸

Ina Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹¹⁵ Census for Mountain Spring Township, Butte County, California, 11-13 June 1870, *Ninth Census of the United States, 1870*, p. 2.

¹¹⁶ Application No. 7000 of Emma Parker Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹¹⁷ Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians; C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 14.

¹¹⁸ Census for Mountain Spring Township, Butte County, California, 11-13 June 1870, *Ninth Census of the United States, 1870*, p. 2; Application No. 7007 of William Mullings Household for

Neighboring the household where Joseph Taylor lived in 1870 was an Indian girl, aged 13, named Katie McDougal, who was keeping house along with another woman who was not Indian. The only indication of location for all of Mountain Spring Township on the 1870 census is the Oroville post office, so it is not possible to place these Concow Maidu in relation to the future Mooretown Rancheria lands. However, the examples given here, including those regarding families of specific concern to this report, shows the longstanding relationships and movement of people in the vicinity of what would become the Mooretown Rancheria lands.

1880 Federal Census

By 1880, the federal census for Mountain Spring (District 6) counted 83 Indians among 267 non-Indian people.¹¹⁹ Many of the same individuals and families discussed in relation to the 1870 census, and of significance to this report, are listed on this census. However, because the enumerator named many of the Native people by first names only (such as “Indian Bill”), researchers cannot determine with certainty the identity those enumerated in connection with

Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹¹⁹ It should be noted that the size and area of districts shift over time, and it is not assumed that the catchment area of the Mountain Spring District is exactly the same throughout all decades of the federal censuses utilized here. Usually, districts cover smaller areas with denser populations throughout time, but this is not always the case. Numbers cited here are based on the census record as available at Ancestry.com, and they may not be complete. Unlike other records utilized from the same source, it appears that pages may be missing at the beginning and end of this section of the census. It begins at household 99, and the last page, where the enumerator usually noted the conclusion of the district, is not included. As cautioned elsewhere in this report, the picture is partial. Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, pp. 229A-232D.

According to a simple search of Ancestry.com census records, there were just over 500 Indians counted in Butte County in 1880, with the largest concentration in the Bidwell district.

twentieth-century individuals and families. However, when examined with other documents, a few significant persons can be discussed.

It is difficult to determine from this census if ancestors of distributees Fred Taylor and Katie Archuleta are among the Indians in the district. Only one Indian woman with the name Mullings is listed for Butte County, in the neighboring district of Oro. She is aged 30 and is the wife of a non-Native man named George.¹²⁰ This is likely Kate Archuleta's non-Native grandfather George Mullings and his Native wife Jennie, ancestors to numerous Mullings families located in the vicinity of Mooretown at the turn of the century.¹²¹ Katie Archuleta's grandmother was Mollie Mullings (not Jennie Mullings), another wife of George Mullings.¹²² George Mullings' brother William also married an Indian woman named Annie, and the descendants from this couple are also related to Mooretown Rancheria families.¹²³

¹²⁰ The woman is listed as "J. Mullings." Census for Oro Township, Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 233A; C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 13; Application No. 7071 of John Quincy Mullings Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹²¹ Census for Oro Township, Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 233A; C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 13; Application No. 7071 of John Quincy Mullings Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹²² Application No. 7004 of Katie Archuleta Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹²³ William Mullings and his Indian wife Annie are not on the 1880 census for the area. However, a George Mullings is listed with another family, with his non-Indian wife "E" and their children John (b. 1866) and George (b. 1870). John is Henry Mullings' father, according to Henry Mullings' 1929 application for Enrollment with the Indians of the State of California. Application No. 6982 of Henry Mullings Household for Enrollment with the Indians of the State of California under the

One couple, “Indian Bill” and “Indian Fannie,” may be Fred Taylor’s mother, Fannie (Logan Wagner Taylor Street), and her first husband, Bill Wagner.¹²⁴ They lived nearby the parents of Robert Jackson, Ellen and Fry Jack, as did Robert Jackson’s uncle “Pompey,” who, according to another document, lived on Parcel 1 of the Mooretown Rancheria.¹²⁵ Ellen’s mother (Robert Jackson’s grandmother) Sallie (Hewlitt Logan) is also in the household.¹²⁶ A non-Indian farmer named Grubbs appears a few lines above Robert Jackson’s parents, and Grubbs was the name of the landholder who relinquished title to Parcel 1 of the Mooretown Rancheria in 1894.¹²⁷ John Brown, who was connected to the Mooretown Rancheria and

Act of May 18, 1928, 17 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Census for Oro Township, Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 233A.

¹²⁴ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 229B; Application No. 7019 of Fred Taylor Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6993 of Fannie Street Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 17 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹²⁵ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, pp. 229A, 230C; Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

¹²⁶ Application No. 6989 of Ellen McCauley Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 229A.

¹²⁷ Frank C. Armstrong to Secretary of the Interior, 4 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; William H. Sims to Commissioner of General Land Office, 6 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961

discussed above, was also a neighbor.¹²⁸ An Indian man with the name “Picayune,” who later appears on a census of the Indians in the vicinity of Mooretown, is on this 1880 census of the Mountain Spring District, as is (Bessie) Louisa Barnes, listed as the Indian wife of a non-Indian man named John Barnes.¹²⁹ Ina Jackson’s in-laws from her first marriage to Frank Martin, Nancy and Henry Punch, are also in the district, as are Indians with the name Andrews, associated later with the Enterprise area.¹³⁰

An important aspect of the 1880 census for Mountain Spring is that it shows groupings or communities of Native people distinct from the overall non-Indian population. Aside from a few individual Indians who are listed in the households of non-Indians as “laborer” or “keeping house,” two communities of Indians are distinguishable, generally located at the edges of larger non-Indian mining communities, composed primarily of Caucasian and Chinese laborers. Robert Jackson’s parents, Ellen and Fry Jack, and uncle “Pompey” (and possibly Fred Taylor’s mother) are in the first and largest community, which is composed of 64 Native people in the vicinity of

Mooretown Rancheria, #2; Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 229A.

¹²⁸ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 229B.

¹²⁹ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, pp. 229B-230C; C. E. Kelsey, “Butte County,” Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 13.

¹³⁰ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 232C; C. E. Kelsey, “Butte County,” Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 11.

about 140 non-Indians.¹³¹ This is likely in the vicinity of Mooretown. Another 168 non-Indians, predominantly Caucasian and Chinese workers, make up another community which is probably Enterprise, nearby a group of 21 more people categorized as Indian.¹³² Nancy and Henry Punch, Frank Martin's parents, are part of this community.¹³³ Emma Parker, mentioned in relation to the 1870 census, is categorized as Indian but lives within the non-Indian community with her non-Indian husband and their seven children, all listed as "white."¹³⁴

Unfortunately, no census record is available for the year 1890, so it is not possible to demonstrate more exactly which Native people resided on Parcel 1 of the Mooretown Rancheria, acquired in 1894. The proximity of the non-Indian Grubbs to Robert Jackson's parents' community (of about 64 Native people) fourteen years earlier suggests that they were among those on the land "used and occupied by the Indians and their ancestors continually for more than 50 years..." as described in 1894.¹³⁵

The foregoing overview of the nineteenth century demographic history of the Tribe, based on the available record, illustrates the contours of the Concow Maidu community in the vicinity of Mooretown, as distinct from the non-Indian population. Where possible, it also

¹³¹ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, pp. 229A-230D.

¹³² Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, pp. 231A-232D.

¹³³ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 232C.

¹³⁴ Census for Mountain Spring Township (District 6), Butte County, California, 10-17 June 1880, *Tenth Census of the United States, 1880*, p. 232C.

¹³⁵ Frank C. Armstrong to Secretary of the Interior, 4 June 1894, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

provides a discussion of the presence (or absence in some cases) of the ancestors of key families of the Mooretown Rancheria in the vicinity of the Rancheria lands. These important aspects of the documentary history of the membership of the Mooretown Rancheria are absent in the Grabowski report. From 1900 to termination, federal censuses and numerous other public documents show patterns of residence and movements of the Concow Maidu in the vicinity of these lands, consistent with the nineteenth-century picture. This report turns now to these records, and will focus more directly on the families of Robert and Ina Jackson, Fred Taylor, and Katie Archuleta.

Distribution of the Native Population in the Vicinity of Mooretown, 1900-1915

The Grabowski report relies primarily upon twentieth-century records, including federal censuses and BIA documents, which are presented in a partial manner. As discussed above, the Grabowski report fails to provide accurate and adequate accounts of the available records. This is particularly so in the Grabowski report's documentary review for the period preceding and surrounding the establishment of the Mooretown Rancheria in 1915, as well as for the following two decades. The details provided in this and the following sections of this report attempt to more fully and accurately depict the Native population in the vicinity of the Mooretown Rancheria during these years.

1900 Federal Census

The 1900 federal census includes a special schedule for the Indian population. Sixty-nine

Native people in 22 households appear on this census for the Mountain Spring Township.¹³⁶

Two of the four distributees named at the time of termination of the Mooretown Rancheria appear among these households: Robert Jackson and Ina Jackson. Katie Archuleta was born in 1902, but her mother appears on this census. Fred Taylor does not appear on any census record for Butte County; however, his stepfather Tom Street neighbors Robert Jackson, and earlier census records suggest that Fred Taylor's family was in the area, as noted above.

Robert Jackson is listed with his brother Henry and father "Fry Creek Jack."¹³⁷

Appearing on the same page, and therefore presumably living in close proximity, are Browns, Streets, Logans, and Mullings – all names associated with the Mooretown Rancheria.¹³⁸ The Mullings household is that of Lily Mullings, the sister of Rosy Brooks, Kate Archuleta's mother.¹³⁹

¹³⁶ Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States, 1900*, pp. 263 A-B, 264 A-B.

¹³⁷ Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States, 1900*, p. 263A.

¹³⁸ Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States, 1900*, p. 263A; C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 13; Application No. 6993 of Fannie Street Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 17 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 7019 of Fred Taylor Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 7004 of Katie Archuleta Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹³⁹ Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States, 1900*, pp. 263A, 264A; Application No. 7004 of Katie Archuleta Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December

Other Brooks families are listed on the same page as Ina Jackson, who at this time was Ina Martin, living with her first husband Frank Martin. No children are listed with them at this time, but they neighbor Frank's parents, Henry and Nancy Martin, and Frank's brother George. Other nearby households are those of Emma Parker, as well as the Watsons, who were later associated with both the Enterprise and Mooretown rancherias.¹⁴⁰ More Watsons, Mullings, and Brooks are listed together on another page of this census record, including Rosey Brooks.¹⁴¹ The final page of the census, which accounts for the area's Native community, includes another couple of unknown age (usually meaning very elderly) named Happy and Nancy Jack. It is not known what their relationship, if any, is to Robert Jackson, except that this might be the uncle he referred to also as "Pompey."¹⁴²

1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 7020 of Rosey Taylor for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6982 of Henry Mullings Application No. 6982 of Henry Mullings Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 17 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹⁴⁰ Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States, 1900*, p. 263B; C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, pp. 11, 13; Census of the Indians in and near Mooretown, Butte County, California, taken by John J. Terrell and submitted to Commissioner of Indian Affairs, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County; Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

¹⁴¹ Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States, 1900*, p. 264A.

¹⁴² Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

Willie Mullings, who is Rosey Brooks' nephew, neighbors the Jack couple.¹⁴³ Most of the men on this census are listed as “miner.” Almost all of their houses are denoted as “fixed” and “owned” by the occupants; however, it is not likely that they owned the land upon which these dwellings were located. Later documents show that most of these families were landless, and perhaps a few lived on trust lands – either individual allotments, or on the 1894 Parcel 1 of the Mooretown Rancheria. However, this census does not provide enough information to determine which families those may have been.

1905 BIA Census of “Non Reservation Indians”

The 22 households listed for the Mountain Spring Township on the 1900 federal census match, with only a few exceptions, the 24 households counted in 1905 by Special Indian Agent Charles E. Kelsey in the vicinity of Mooretown, Lumpkin, and Enterprise.¹⁴⁴ Kelsey was commissioned by the BIA to enumerate “landless” Indians in the State of California. Kelsey's census resulted in Congressional appropriations, made during the first three decades of the twentieth century, for the purchase of lands for landless Indians. Parcel 2 was among the properties purchased with these appropriations, which was added to the 1894 Parcel 1 trust land to form the Mooretown Rancheria. Only 15 of the 67 people on the 1900 census are either not on Kelsey's census in this area or are elsewhere in Butte County. With a few additional children, other families, or individuals, the total population for this area on Kelsey's census

¹⁴³ Census for Mountain Spring Township, Butte County, California, 4-9 June 1900, *Twelfth Census of the United States, 1900*, p. 264B.

¹⁴⁴ C. E. Kelsey, “Butte County,” Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, pp. 11, 13.

(Lumpkin, Mooretown, Enterprise) is 79 people. Only 15 are in the vicinity of Enterprise and consist primarily of Henry and Nancy Martin (Punch), and their two sons and families, which include Frank and Ina Martin and two children, as well as two individuals named Andrews.¹⁴⁵ In the vicinity of Mooretown 42 persons appear, including Katie Archuleta's mother, Mrs. Rosa Brooks, and four children, among whom Katie is listed. At neighboring Lumpkin are 22 more Native people, including Fred Taylor and the Jack family – Fry Creek Jack and wife, and their children Bob (Robert Jackson), Henry, and Birdie.¹⁴⁶

While incomplete, another ethnographer and collector John Hudson made another cursory count of the Indians of the area when he visited the Maidu of Butte County between October 1902 and the spring of 1903. Hudson compiled a crude and incomplete census of the Native people he found there, noting in particular the names of individuals with whom he consulted regarding the artifacts he collected for the Field Museum in Chicago. Among them was Robert Jackson's father, referred to as "Old Jack," with three children living six miles north of Mooretown, and Bill and Bob Brooks, who lived two miles north of Mooretown.¹⁴⁷ Other consistent family names in the vicinity were "Big Jim" (the doctor) and a Mrs. Mullen, who lived two miles west of Mooretown; a family of Logans living six miles north of Mooretown;

¹⁴⁵ C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 11.

¹⁴⁶ C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, p. 13.

¹⁴⁷ Field Notebook of John Hudson, 10 October 1902 - 1 April 1903, Grace Hudson Museum, Ukiah California, John Hudson's Field Columbian Museum Field Notebooks, 1901-1904, Box 2, 20012-20020, 20023, 23515-23516, 22541, Accession #20014.

and Browns located three miles south of Lumpkin.¹⁴⁸

1910 Federal Census

The next account of the Native population in the area is the 1910 federal census for Mountain Spring Township, which also included a special census of the Indian population. All the Native people on this schedule were living in the vicinity Lumpkin Road and within Enumeration District 14.¹⁴⁹ There are 27 households with a total population of 110 people. The families are consistent with those discussed above, and all four of the future distributees of the Mooretown Rancheria are among them.¹⁵⁰ This census also indicates that, with a few exceptions, most of the adult males were working in the local gold mine.

The 1910 census also specifically recorded the birthplaces of the individuals listed. It shows that Fred Taylor was born in or near the town of Lumpkin. Robert and Henry Jackson were born in or near Mooretown, as was Kate Archuleta. The Mullings, Streets, Logans, Watsons, Martins, and Browns were born variously between Enterprise, Lumpkin, and Mooretown, demonstrating longstanding intermarriage and interaction between the Native peoples in the vicinity of the three towns. Ina Jackson came to the area when she was about fifteen years old from an area upstream along the Feather River in Plumas County,

¹⁴⁸ Field Notebook of John Hudson, 10 October 1902 - 1 April 1903, Grace Hudson Museum, Ukiah California, John Hudson's Field Columbian Museum Field Notebooks, 1901-1904, Box 2, 20012-20020, 20023, 23515-23516, 22541, Accession #20014.

¹⁴⁹ Census for Mountain Spring Township, Butte County, California, 15-27 April 1910, *Thirteenth Census of the United States, 1910*, pp. 11A-15B.

¹⁵⁰ Census for Mountain Spring Township, Butte County, California, 15-27 April 1910, *Thirteenth Census of the United States, 1910*, pp. 11A-15B.

approximately twenty miles away. The ethnographic literature shows that there was also a longstanding practice of trade, intermarriage, and interaction between the Maidu of that area and the Concow Maidu in the vicinity of the Mountain Spring Township, and indeed all of the Maidu in the valleys through which the Feather River flows.¹⁵¹

On the 1910 census, Fred Taylor is listed with his wife Rosie; his children, Rubie (age 6), Frederick (age 2) and Wilda (age 9 months); and stepchildren Inez (age 14) and Katie Brooks (later Archuleta, age 8).¹⁵² In a letter written in 1958, Kate Brooks Archuleta explained that in 1904 she, her sister, and her mother, Rose Brooks, “went to live on property which is now the Mooretown Rancheria...”¹⁵³ Robert Jackson was living with his mother Ellen, who was then married to a non-Indian man named George McCauley. Robert and his brother Henry Jackson were listed as McCauley’s stepsons. Ellen and George McCauley had four other young children (all under the age of 6), and a boarder, Jack Jack, aged 78, probably Robert and Henry’s father.¹⁵⁴ Ina Jackson was living with her first husband Frank Martin and their five children: Mary, Eva, Freda, Hattie, and Frankie, who were all under the age of nine. Herbert Young, aged 19, was

¹⁵¹ Riddell, “Maidu and Konkow”; Dixon, “The Huntington California Expedition,” pp. 119-346; Personal communication with Lois Edwards, 15 February 2006, interoffice communication.

¹⁵² Census for Mountain Spring Township, Butte County, California, 15-27 April 1910, *Thirteenth Census of the United States, 1910*, p. 15A.

¹⁵³ Kate Brooks Archuleta to Department of Interior, 2 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

This is likely at the same time that Rose Brooks married Fred Taylor, as their oldest child together is aged 6 on the 1910 census.

¹⁵⁴ Census for Mountain Spring Township, Butte County, California, 15-27 April 1910, *Thirteenth Census of the United States, 1910*, p. 13A.

also living with the family and listed as Frank Martin's stepson.¹⁵⁵

The abovementioned details of the relevant records generated between 1900 and 1910 supplement the information provided in the Grabowski report extensively. They show that numerous Concow Maidu families were associated with the Mooretown area prior to the establishment of the Rancheria, among whom were all the distributees, including Ina Jackson. Presented in this manner, researchers provide a more balanced and objective perspective on the residence and relationships between the lineal ancestors of the Tribe. Likewise, in the next section of this report, by providing details of the records and situating them within the context of the execution of Indian policy, a more inclusive and fair picture of all the families concerned is presented.

The Population of the Mooretown Rancheria in 1915

Throughout the 1910s, Special Indian Agent John Terrell worked to locate and purchase

¹⁵⁵ Census for Mountain Spring Township, Butte County, California, 15-27 April 1910, *Thirteenth Census of the United States, 1910*, pp. 11B-12A.

This census record indicates that Ina Jackson was married once before; however, according to family history, Herbert Young was conceived when Ina Jackson was raped by Tom Young at the age of fifteen. Tom Young is also said to have raped another of Ina's sisters, Pearl who, as a result, became pregnant with Hazel Young. Hazel Young was raised by Henry and Selena Jackson. The family history maintains that the young women fled their homes near the border of Plumas County to the Mountain Spring Township area after these incidents, during the 1890s. Personal communication with Lois Edwards, 15 February 2006, interoffice communication.

Other documents support Ina having been married only twice – to Frank Martin (about 1887-1913) and to Robert Jackson (1916-1962). Application No. 6997 of Ina Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Certificate of Marriage for Robert Jackson and Ina Davis, 6 June 1916, Velie & Velie, Attorneys at Law; "California Death Index, 1940-1997 Record for Ina D. Jackson," 1998-2006, <<http://search.ancestry.com/cgi-bin/sse.dll?gsfn=ina&gsln=jackson&gsby=&gsbco=2%2cUnited+States&gsbpl=7%2cCalifornia&gsdy=&gsdco=1&gsdpl=1%2c+&gsoco=1&gsopl=1%2c+&sbo=0&rank=1&ti=0&ti.si=0&gss=angs-c&recid=3598574&recoff=1+2&db=cadeath1940&indiv=1>>, accessed 23 January 2006.

lands for the landless Indians in California. In July 1915, he enumerated the Native people in the vicinity of Enterprise and Mooretown.¹⁵⁶ Correspondence regarding these land acquisitions shows that Terrell dealt with the Native people at and around both Enterprise and Mooretown together, indicating their close proximity to each other.¹⁵⁷

As was his practice, Terrell sought out individuals – referred to as chiefs, leaders, or representatives – with whom to liaise and communicate the intentions and actions of the federal government towards the group. However, in many cases the Native groups with whom these individuals were associated did not perceive these individuals as chiefs or leaders. Once land acquisitions were made, Terrell extracted himself from the often delicate process of settling the group of Indians onto the rancheria lands and assigning particular plots of land by leaving this to his designated leaders, chiefs, or representatives. This was often a process that led to strife, distrust, and divisions between families.

For the Indian groups Terrell found in the vicinity of Enterprise and Mooretown, he

¹⁵⁶ Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians; Census of the Indians in and near Mooretown, Butte County, California, taken by John J. Terrell and submitted to Commissioner of Indian Affairs, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

¹⁵⁷ For example, E. B. Meritt to Secretary of the Interior, 9 December 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians; R. E. Miller Commissioner of Indian Affairs, attn: Realty, 8 November 1955, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; John J. Terrell to Commissioner Indian Affairs, 27 December 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians; E. B. Meritt to Secretary of Indian Affairs, 3 February 1916, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians; C. F. Hauke to J. J. Terrell, 23 May 1916, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians; C. F. Hauke to John J. Terrell, 12 July 1916, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County; Leonard M. Hill to Director, Bureau of Land Management, 10 April 1957, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #1.

chose George Walters and Fred (Frank) Taylor as representatives.¹⁵⁸ Terrell counted 53 Native people in Fred Taylor's "band."¹⁵⁹ In addition to Fred Taylor's family (which included Katie Archuleta), this group included several Mullings (Mullen) families, Logans, Streets, "Old Dr. Jim" and his wife, Fred Brown and his family, and some Williams, Watsons, and others. The Grabowski report maintains that Robert Jackson, his father and brother were not on Terrell's census; this contention is incorrect.¹⁶⁰

"Old Jack the old Chief" (a.k.a. Fry Creek Jack/Jack Jack/Jack Jackson) does appear on Terrell's census, with three "children" – Bob (Robert Jackson, age 36), Harry (age 26), and Birdie (Williams). Henry (a.k.a. Harry) appears with his unnamed wife, who researchers have identified as Selena, Ina Jackson's sister.¹⁶¹ A stepdaughter, Hazel (age 13), is listed with the couple; Hazel Young is elsewhere identified as the daughter of Henry and Selena Jackson.¹⁶² Mrs. Ellen Jack (McCauley), Robert Jackson's mother, and Jennie Logan (possibly Ellen's sister) are also listed with this group of people.¹⁶³ Ina Jackson's whereabouts are unknown in 1915; her children were living near their uncle (George Martin) and grandmother (Nancy

¹⁵⁸ E. B. Meritt to Secretary of the Interior, 9 December 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

¹⁵⁹ John J. Terrell to Commissioner of Indian Affairs, 16 August 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County; Census of the Indians in and near Mooretown, Butte County, California, taken by John J. Terrell and submitted to Commissioner of Indian Affairs, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

¹⁶⁰ Grabowski report, p. 10.

¹⁶¹ See footnote 42 of this report for a detailed explanation.

¹⁶² Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

¹⁶³ See footnote 42 of this report for a detailed explanation.

Martin) in the vicinity of Enterprise.¹⁶⁴ Fred Taylor's brother Ernest and his family are listed simultaneously on both the Enterprise and the Mooretown censuses¹⁶⁵

When the record is properly contextualized and examined alongside other relevant records, it becomes clear that Robert Jackson was listed on the census, as were several other members of Jackson's family, including his sister-in-law, Selena. Less than one year after the census was taken, Robert married his brother's wife's sister: Ina. Henry and Selena Jackson may have had a hand in the match, as by the age of forty Robert had never been married and Ina was a widow with children. Family history suggests that Robert Jackson and Ina Jackson's late husband Frank Martin had been friends and worked side by side in the mines.¹⁶⁶ From a socio-cultural standpoint, it would not be unusual for the couple to have united under these circumstances.

George Walters, Terrell's other appointed "chief," had a hand in the establishment of the Enterprise Rancheria. Walters was actually a Caucasian man, and the second husband of Emma Parker (discussed above).¹⁶⁷ The landless Indians in the vicinity of Enterprise were living on

¹⁶⁴ Ina Jackson's husband, Frank Martin, had been killed two years earlier, in April 1913, in a mining accident. Application No. 6997 of Ina Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

¹⁶⁵ Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians; Census of the Indians in and near Mooretown, Butte County, California, taken by John J. Terrell and submitted to Commissioner of Indian Affairs, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

¹⁶⁶ Personal communication with Lois Edwards, 15 February 2006, interoffice communication.

¹⁶⁷ Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown

land that belonged to Walters. He was willing to sell the land to the BIA “for any of the homeless Indians of the Enterprise band to come and share with them the privileges of a home on the 40 acres in the event the same were purchased for the band.”¹⁶⁸ Regarding Fred Taylor, Terrell indicated in his report to the Commissioner of Indian Affairs that “Taylor and his wife expressed a willingness for any of the Indians of the Mooretown band who might desire to share with them the privilege of living on this land in event of its purchase for an Indian village.”¹⁶⁹ Terrell repeated in another letter that the recommended land purchase was “intended as a permanent home for the Mooretown Indians, Frank Taylor, Chief or leading Indian.... [T]here are 53 Indians poperly [sic] accredited to this band, most of whom are homeless...”¹⁷⁰ As shown by the records presented thus far, the two communities had been somewhat distinct yet intertwined. With the official acquisition of the Rancheria lands, the community’s separation into the “Mooretown band” and the “Enterprise band,” as Terrell called them, became more definitive. This division informs the subsequent distribution of (as well as exclusions from) the population of the Concow Maidu of the area from 1915 to the present.

When the transactions for the rancheria land purchases were complete, John Terrell informed Fred Taylor and asked that Taylor convey the information to “his band” as well as

[sic] Indians; John J. Terrell to Commissioner Indian Affairs, 15 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

¹⁶⁸ E. B. Meritt to Secretary of the Interior, 9 December 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

¹⁶⁹ John J. Terrell to Commissioner Indian Affairs, 15 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

¹⁷⁰ John J. Terrell to Commissioner of Indian Affairs, 16 August 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

divide the lands among the Indians for whom the lands were purchased. Terrell's letter is worth quoting at length to demonstrate the intentions of the BIA and Terrell's typical method of delegating the responsibility of settling Indians onto their rancheria lands. Terrell told Taylor that the Rancheria was to be:

the permanent homes of yourself and the Mooretown Indians belonging to your band... It is shown by the census yourself and wife kindly assisted in giving me when at your home during the month of November [sic, July] 1915, that there are 53 as total members of your band. It is suggested that at an early date you call a meeting of your people at your place, that you may inform them of the final purchase of this 80 acres of land by the Government as their permanent homes, giving to each head of family an equal opportunity to come on the land and erect his improvements, constituting his residence. It is further suggested that in the effort to treat all alike and fair, after segregating that portion in acreage as should be proportionately apportioned to each head of family on which your improvements are situated, as well as the improvements of any other Indian's improvements are now located, that the remainder of the 80 acres be divided into lots or acreages to the number of remaining heads of families, and as suggested to you when at your home, place in a hat the number representing these remaining allotments, permitting each Indian entitled to a home on the land to draw for his number.

As heretofore suggested to you when talking this matter over with you in event of the purchase of this land, it would be likely best for you Indians to select two of your best friends from among your white neighbors, letting the two selected select the third, for the purpose of this suggested division...

I trust and believe that all who will take advantage of a permanent home on this land will now, that same is to be his home and after his or her death the home of legal heirs, will take great interest in building the best home possible and in many ways improving the home.¹⁷¹

Suggesting that non-Indian neighbors may be impartial about the division of the Rancheria lands was typical of Terrell's strategy to dividing rancheria lands into assignments for each of the Native people he enumerated and for whom he purchased the land. Unfortunately, Terrell rarely

¹⁷¹ John J. Terrell to Frank Taylor, 23 September 1916, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County.

made any further effort to ensure that the lands were indeed properly assigned. In the case of the Mooretown Rancheria, the lot assignments do not appear to have been made according to Terrell's instructions. These circumstances seem to have led the Taylor/Archuleta families into believing that they held exclusive rights to the Rancheria lands, according to some of their correspondence.¹⁷²

1916 Greenville Agency Census

The newly established Enterprise and Mooretown rancherias fell under the jurisdiction of the Greenville Agency. In 1916 the agency conducted a census of the Indians under its jurisdiction, which included Sierra, Yuba, Plumas, and Butte counties.¹⁷³ The census

¹⁷² J. Golden Land to Bureau of Indian Affairs, 6 April 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.; Douglas Clark to J. Golden Land, 8 April 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; Kate Brooks Archuleta to Department of Interior, 2 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; O. H. Lipps to Rose Taylor, 28 April 1934, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; Katie Archuleta to Sir, 27 February 1946, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; John G. Rockwell to Katie Archuleta, 28 February 1946, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

¹⁷³ Indian Census Rolls, Greenville (Digger and other Indians), 1885-1940, NAM M595, R. 175. It should be noted that the Native people outside of Plumas County were largely neglected by the Greenville Agency. Early in his appointment, Indian Agent Edgar Miller recommended that the "Indians of Butte, Sierra and Yuba counties be alienated from this office so far as supervision is concerned." He refused after 1916 to provide the BIA with an annual census of the Indians under the jurisdiction of the Greenville Agency, and simply re-submitted copies of the 1916 census and re-labeled them for subsequent years. These census rolls, beyond the original census taken in 1916, are therefore inaccurate. When asked by the Assistant Commissioner of Indian Affairs where his censuses were, Miller wrote in 1919 that "No census has been taken of the Old Greenville jurisdiction or of this Roseberg jurisdiction since 1916. If that census will do we will copy it..." Miller to Commissioner of Indian Affairs, 7 November 1919, NAM M595, R.175:109.

While the ancestors of members of the Mooretown Rancheria fell variously under the Reno, Roseberg, Greenville, and Sacramento agencies, no accurate census taken by the BIA could be found for

information was collected by James Groves, who was himself a Native person and knew “the country and his people.”¹⁷⁴ A set of the original cards Groves used to collect information on the Native people of Butte County is available in the National Archives in San Bruno, and contrasts with the typed census officially submitted by the Greenville Agency to the BIA.¹⁷⁵

Generally, the distribution of the population and families indicated on the Groves cards matches the distribution researchers have reconstructed so far in this report. The families are much the same. Groves listed many families associated with the Mooretown Rancheria, according to Terrell’s 1915 census, with a Mooretown residence and an Enterprise post office box.¹⁷⁶ These include Fred and Rose Taylor and their children Kate Brooks, Rubie, Fred, Alta and Mamie, as well as the Mullings, Browns, Williams families, including Robert Jackson’s sister Birdie Williams, her husband Harry, and one unnamed child. Groves also listed several older people living at Mooretown, including “Fry Creek Jack” (aged 82), said to be “supported by relatives,” although nothing further is indicated about these relatives.¹⁷⁷ Fred Taylor’s brother Robert and father Joe are at Lumpkin, as are several other Williams, Streets, and Logans, who

the 1910s and 1920s, beyond Groves’ census taken in 1916.

¹⁷⁴ Indian Census Rolls, Greenville (Digger and other Indians), 1885-1940, NAM M595, R. 175.

¹⁷⁵ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; Indian Census Rolls, Greenville (Digger and other Indians), 1885-1940, NAM M595, R. 175.

¹⁷⁶ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

¹⁷⁷ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

are all associated with the Mooretown Rancheria.¹⁷⁸

Fred Taylor's brother Ernest is listed at Enterprise.¹⁷⁹ Robert and Ina Jackson, who married four days after the census was taken, were also at Enterprise with five of Ina's seven children.¹⁸⁰ Ina's brother-in-law, George, his family, and Ina's mother-in-law Nancy (listed as Punch) are also at Enterprise. Of Ina's children – now listed as the children of Robert Jackson – only the oldest, Mary, bears the name Martin; the other children's names are not specified.¹⁸¹ When Groves' census cards were transcribed and submitted to the BIA in Washington D. C., all the children except Mary are listed with the family name Jackson.¹⁸²

According to the Groves cards, Henry and Selena Jackson, as well as Ellen McCauley (Robert and Henry Jackson's mother) and her children by George McCauley were also near Enterprise that year.¹⁸³ Ellen McCauley was recently widowed.¹⁸⁴ The official Butte County

¹⁷⁸ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

¹⁷⁹ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

¹⁸⁰ This record shows Lumpkin as Robert Jackson's residence, and Enterprise as Ina's. Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; Certificate of Marriage for Robert Jackson and Ina Davis, 6 June 1916, Velie & Velie, Attorneys at Law; Marriage License for Robert Jackson and Ina Davis, 6 June 1916, Velie & Velie, Attorneys at Law.

¹⁸¹ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

¹⁸² Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; Indian Census Rolls, Greenville (Digger and other Indians), 1885-1940, NAM M595, R. 175.

¹⁸³ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

¹⁸⁴ Application No. 6989 of Ellen McCauley Household for Enrollment with the Indians of the State of California.

Greenville Agency census lists all the people associated with Mooretown or Enterprise with Enterprise addresses, including Fred Taylor, Katie Archuleta (then Brooks), and Robert and Ina Jackson.¹⁸⁵

Groves' census also shows that numerous Native people had by 1916 received allotments or Indian homesteads. These included several of the landless families Charles E. Kelsey identified a decade earlier in the vicinity of Mooretown, Lumpkin, and Enterprise.¹⁸⁶ The assignment of allotments and homesteads explains the diminishment in the populations officially associated with the Rancheria lands. All of the families of the Mooretown distributees – Robert and Ina Jackson and their children, Fred Taylor and his wife and children, including Kate Archuleta – are listed by Groves as not living on allotted trust land, or as living on railroad land.¹⁸⁷ None of the Native people enumerated by Groves were listed as living on the newly-created rancherias, either Enterprise or Mooretown. Numerous additional families associated with the Mooretown Rancheria – including Robert Jackson's sister Birdie and her husband Harry Williams, other Williams families, "Fry Creek Jack," and other elderly people such as "Indian

Another document indicates that by 1917, Ellen McCauley and her children had returned to Parcel 1 of the Mooretown Rancheria, Mike McCauley & William McCauley to Secretary of Interior, 1 September 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

¹⁸⁵ Indian Census Rolls, Greenville (Digger and other Indians), 1885-1940, NAM M595, R. 175.

¹⁸⁶ These include Andrews, Browns, Logans, Punch/Martins, and Mullings, who had been recorded as landless by Kelsey in the vicinity of either Mooretown, Lumpkin or Enterprise. Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; C. E. Kelsey, "Butte County," Schedule showing non-reservation Indians in Northern California, 1905-1906, ca. 1906, NARA-DC, RG75, CCF-California Special 5340-1909, 034, pp. 11, 13; John J. Terrell to Commissioner Indian Affairs, 15 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

¹⁸⁷ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

doctor” Jim – list Mooretown as their residence, but none live on trust land. Fred Taylor and his family, as well as Gus Brown were noted to be living on railroad land near Mooretown.¹⁸⁸

1920 Federal Census

The next account of Native people in the vicinity of the Mooretown Rancheria appears on the 1920 federal census, on which enumeration districts were significantly different than on previous censuses. Butte County was divided into six townships, with the Oroville Township encompassing Mooretown and Enterprise. Oroville Township was further divided into eight districts: Mooretown Rancheria was in “District 14” within the “Mooretown Precinct.” “Enterprise Precinct” was also within District 14, and its residents are enumerated on the pages directly preceding the Mooretown Precinct, given their close proximity to each other.¹⁸⁹ The Grabowski report falsely presents this and other census material in a manner that suggests there was a great distance between these locations.¹⁹⁰ When taken together, the two precincts largely reflect the same pattern of families, residence, and social characteristics that consistently appeared on the Mountain Spring Township enumeration districts in previous decades.

There were only 30 Native people counted within the Enterprise Precinct, and they appear to be mixed with the non-Indian community and not living on the Rancheria. They lived

¹⁸⁸ Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County.

¹⁸⁹ “1920 United States Federal Census: Census Records – Enumeration Districts,” 1998-2006, <<http://content.ancestry.com/Browse/list.aspx?dbid=6061&path=California.Butte.Oroville>>, accessed 2 February 2006.

¹⁹⁰ Grabowski & Associates, *Documentary Review*, p. 10.

along the “Oroville Enterprise Mooretown Road.”¹⁹¹ These people were mostly members of two large families – those of George Martin and of Robert Jackson – along with a few elderly people and the smaller family of Henry Mullen (Mullings).¹⁹² George Martin and two others lived on allotments.¹⁹³

Robert Jackson (identified in error as Robert J. Martin) is listed as the head of the household, with Ina (wife) and 8 children: Marie, Eva, Celia, Franklin, Doris, Robert, Ida, and Ramona. All the children are listed as the sons and daughters of Robert, with no distinctions regarding step relationships.¹⁹⁴ This census record indicates that the Jackson family lived in a home they owned (not mortgaged). Robert was still employed in mining, while the two eldest girls, Marie and Eva, worked as servants for private families.¹⁹⁵

In the neighboring Mooretown Precinct, 32 Native people were counted among a total population of 91, and were also living along the “Oroville Mooretown Enterprise Road.”¹⁹⁶

¹⁹¹ Census for Oroville Township, Enterprise Precinct, ED 14, Butte County, California, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, pp. 285A-285B.

¹⁹² Census for Oroville Township, Enterprise Precinct, ED 14, Butte County, California, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, pp. 285A-285B.

¹⁹³ George Martin was living on his mother’s allotment, and Clarence and Enoch Andrews had allotments, according to Groves’ 1916 Census. Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; Application No. 7027 of George Martin Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

¹⁹⁴ Census for Oroville Township, Enterprise Precinct, ED 14, Butte County, California, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, p. 285A.

¹⁹⁵ Census for Oroville Township, Enterprise Precinct, ED 14, Butte County, California, 20-21 January 1920, *Fourteenth Census of the United States, 1920*, p. 285A.

¹⁹⁶ Census for Oroville Township, Mooretown Precinct, ED 14, Butte County, California, 21-22 January 1920, *Fourteenth Census of the United States, 1920*, pp. 258A-258B.

Similar to the Enterprise Precinct, Native families were interspersed with the non-Indian families. Robert Jackson's mother Ellen is listed as the wife of Jack Mullen (Mullings). Robert Jackson's stepbrothers, John and Billie McCauley, are identified as Jack Mullen's stepsons. Their neighbor was John Quincy Mullings, who lived with his three children. The next closest Indian family (separated by three non-Indian families) is that of Fred Taylor. In his household are his wife Rosa and four children. Several non-Indian families separate the Taylors from a cluster of Native families, which include Logans, Mullens, and Henry and Selena Jackson.¹⁹⁷ Katie Archuleta does not appear in the district. By this time, she had married Martin Archuleta, a farm laborer of Mexican origin, and moved to Oroville. She appears in his household along with a one-month old baby in "Precinct 11," a non-Indian community.¹⁹⁸ However, as noted below, Katie Archuleta returned to live on the Mooretown Rancheria by 1922.¹⁹⁹

Some correspondence in the federal record shows further longstanding connections between individuals and the Mooretown Rancheria between approximately 1918 and 1922. These documents include written threats made by the Hutchinson Lumber Company to several families, by the Southern Pacific Company (railroad) to Fry Creek Jack (Robert Jackson's father) and to Tom Street (Fred Taylor's stepfather), who lived on land apparently owned by the railroad company. In 1918 and in 1921, the Southern Pacific Company sought lease money from the men who were "squatting" on the railroad land. In both of these cases, correspondence shows that

¹⁹⁷ Census for Oroville Township, Mooretown Precinct, ED 14, Butte County, California, 21-22 January 1920, *Fourteenth Census of the United States, 1920*, p. 258B.

¹⁹⁸ Census for the Household of Martin Archuleta, Precinct 11, ED 39, Oroville Township, Butte County, State of California, April 4 1930, *Fourteenth Census of the United States, 1920*, p. 267A.

¹⁹⁹ J. E. Jenkins to Commissioner of Indian Affairs, 4 August 1922, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown.

these individuals were considered members of the Mooretown Rancheria, having lived in the vicinity for many decades prior to its establishment.²⁰⁰

Tom Street wrote that he had lived there for forty-three years.²⁰¹ Several affidavits were filed on behalf of Fry Creek Jack. M. F. Whittier, for example, wrote that he had known Fry Creek Jack for about forty years and that Fry Creek Jack had: “been a resident of Mooretown, on the land he is now for all that time; he is a good Indian. So far as I know he has always lived where he lives.”²⁰² Jackson Mullings stated that he knew Fry Creek Jack had “been on this land he now occupies and built his home on for himself for over 40 years...”²⁰³ The railroad company had been charging the Indian men rent and now sought to collect it from the BIA, but the BIA refused to lease the land. The controversy took place during 1918 and 1919, and at the end of 1919, Fry Creek Jack died, supposedly at the age of ninety-seven.²⁰⁴

In 1922, the Hutchinson Lumber Company paid reparations to Rosie Taylor for damages

²⁰⁰ B. A. McAllaster to Department of the Interior, 19 March 1919, NARA-DC, RG75, Central Classified Files, 1907-1939, California Special, 38388-1914, 300 Part 1 to 57858-1908, 302, Box 4, 130155-1916, 300; Edgar K. Miller to Commissioner Indian Affairs, 28 October 1921, NARA-DC, RG75, Central Classified Files, Greenville 73498-1921, 313; Tom Street to Superintendent of Greenville School & Agency, 7 November 1921, NARA-DC, RG75, Central Classified Files, Greenville 73498-1921, 313.

²⁰¹ Tom Street to Superintendent of Greenville School & Agency, 7 November 1921, NARA-DC, RG75, Central Classified Files, Greenville 73498-1921, 313.

²⁰² Affidavit of M. F. Whittier, 25 August 1918, NARA-DC, RG75, Central Classified Files, 1907-1939, California Special, 38388-1914, 300 Part 1 to 57858-1908, 302, Box 4, 130155-1916, 300.

²⁰³ Affidavit of Jackson Mullings, 25 August 1918, NARA-DC, RG75, Central Classified Files, 1907-1939, California Special, 38388-1914, 300 Part 1 to 57858-1908, 302, Box 4, 130155-1916, 300.

²⁰⁴ J. E. Jenkins to Commissioner of Indian Affairs, 4 August 1922, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown; California State Record of Death for Jack Jackson, 18 December 1919, Velie & Velie, Attorneys at Law.

caused to the lands she lived on while clearing a right of way.²⁰⁵ Superintendent of Indian Affairs at the Reno Agency (Nevada), then responsible for the Native people in Butte County, reported with alarm that the Hutchinson Company had paid the damages directly to the Indians who, as he noted, were not “the owners of the land.”²⁰⁶ He complained of numerous “errors in manner of procedure” which initially allowed the problems to arise when the company sought “to acquire right-of-way for its logging railroad through lands occupied by the Indians, in the vicinity of Mooretown...”²⁰⁷ The first of the errors he pointed out was that Special Agent Terrell had not ensured that assignments on the Rancheria lands were made immediately: “all lands selected for Indians should be immediately allotted to the various individuals, otherwise disputes will arise as to ownership, etc.”²⁰⁸ The letter also shows that Katie Archuleta and her husband and two children were living on these Mooretown Rancheria lands.²⁰⁹

Applications Made Under the Act of May 18 1928 (45 Stat. L. 602)

The next account of the population in the vicinity of the Mooretown Rancheria takes the form of the applications made under the Act of May 18 1928 (45 Stat. L. 602), legislation which

²⁰⁵ J. E. Jenkins to Commissioner of Indian Affairs, 4 August 1922, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown.

²⁰⁶ J. E. Jenkins to Commissioner of Indian Affairs, 4 August 1922, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown.

²⁰⁷ J. E. Jenkins to Commissioner of Indian Affairs, 4 August 1922, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown.

²⁰⁸ J. E. Jenkins to Commissioner of Indian Affairs, 4 August 1922, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown.

²⁰⁹ J. E. Jenkins to Commissioner of Indian Affairs, 4 August 1922, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown.

allowed the Indians of the State of California to bring a case against the United States before the Court of Claims based on the treaties of 1851-1852. These applications provide genealogical, residence, and other useful information. While they should be used with some caution and in relation to other documents, they are generally a standard resource used by researchers investigating California Native heritage. The Grabowski report does not refer to these documents. The applications of the four distributees were examined for this review and provide in particular, significant additional information regarding their residence.

On her application, Katie Archuleta listed Feather Falls as her residence, although it is noted that she “Does not live on Trust Lands.”²¹⁰ Likewise, the three other Mooretown distributees, Katie’s stepfather, Fred Taylor, and Robert and Ina Jackson, also list Feather Falls as their addresses on their applications.²¹¹ If Ina and Robert Jackson and their children lived briefly in the vicinity of Enterprise, they apparently continued to view Mooretown as their home, or at least did so by 1929. Like Katie Archuleta, Ina and Robert Jackson also did not live on trust lands. However, Fred and Rosey Taylor’s applications indicate that they did live “on lands purchased by the united States [sic] for the use of Indians.”²¹² This is true, too, for Robert

²¹⁰ Application No. 7004 of Katie Archuleta Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

²¹¹ Application No. 7019 of Fred Taylor Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6997 of Ina Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6996 of Robert Jackson Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

²¹² Application No. 7019 of Fred Taylor Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records

Jackson's mother, Ellen McCauley, who was living with her two sons, William and George McCauley, and her grandson (Birdie's son), Daniel Williams, on the first parcel of the Mooretown Rancheria.²¹³

An additional piece of information can be gleaned from these applications and the resulting roll of the Indians of California regarding the relationships between Robert Jackson and Ina Jackson's children from her previous marriage to Frank Martin. Procedural conventions for the applications required that husbands and wives fill in separate applications, and also compelled parents in blended families to list children with the "natural" parent. This was done for the logical purpose of determining the ancestral heritage of each applicant. It explains why Ina Jackson's children from her previous marriage (Frank and Doris) were listed with her, while the children she and Robert Jackson had together were listed on his application. Once the applications were processed, the family was recombined for the purpose of constructing the final roll or "Indians of California Census Rolls Authorized Under the Act of May 18, 1928 as

Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 7020 of Rosey Taylor for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

²¹³ Application No. 6989 of Ellen McCauley Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

Birdie Williams died in 1918. She and her husband Harry had one child, according to the 1916 Census of Butte County Indians taken by James Groves. Harry Williams appears to have remarried and moved to Upper Lake by the late 1920s, and Ellen McCauley took over raising Birdie and Harry's son, Daniel. Standard Certificate of Death for Mrs. Birdie Williams, 27 December 1918, Velie & Velie, Attorneys at Law; Census Butte County Indians by James Groves, 1916, NARA-SB, RG75, Greenville Agency Records, Tribal Censuses, 1903-1923, Box 2, Butte County; Application No. 10756 of Harry Williams for enrollment with the Indians of the State of California under the Act of May 18, 1928, 17 May 1932, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6989 of Ellen McCauley Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

Amended, Approved May 16-17, 1933.” On this document, Franklin and Doris Martin are listed as son and daughter “under the household head” Robert Jackson.²¹⁴

A total of 81 men, women, and children with a Feather Falls residence applied.²¹⁵ The families are consistent with those which had lived continuously in the same vicinity: Brown, Logan, McCauley, Mullings, Williams, Street, Watson, and, of course, Taylor, Martin, and Jackson. With a few exceptions (for example, Henry Mullings), most of the individuals and families continuously associated with the Mooretown Rancheria listed a Feather Falls address.²¹⁶ Of all of these applicants, only Jackson Mullings lists Feather Falls as the location of his post office, and Enterprise as his residence.²¹⁷ The families generally associated with the Enterprise Rancheria tended to list the Oroville post office on their applications with Enterprise or the “Star Route” as their residence. Of the applications examined by researchers for this report, such as those of George Martin and Emma Parker, more of these Native people indicated they were living on trust land.²¹⁸ Robert and Ina Jackson’s daughter, Cecelia (Martin), had married one of

²¹⁴ For the purpose of determining their ancestry correctly, the “remarks” column of the census indicates that Franklin and Doris Martin are the son and daughter of Ina Jackson. *Indians of California Census Rolls Authorized Under the Act of May 18, 1928 As Amended, Approved May 16-17, 1933*, Washington, D.C., National Archives and Record Administration, 1998.

²¹⁵ Appendix B: Table 1: Applicants Listing Feather Falls Residence on Applications for Enrollment with the Indians of the State of California under the Act of May 18, 1928.

²¹⁶ Application No. 6982 of Henry Mullings Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 17 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

²¹⁷ Application No. 7018 of Jackson Mullings Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

²¹⁸ Appendix B: Table 2: Applicants Listing Oroville Residence on Applications for Enrollment with the Indians of the State of California under the Act of May 18, 1928; Application No. 7027 of George Martin Household for Enrollment with the Indians of the State of California under the Act of May

Emma Parker's grandsons and lived on the Star Route as well.²¹⁹ The applications made under the Act of May 18 1928 (45 *Stat. L.* 602) supplement the documentary research provided in the Grabowski report by showing that Ina and Robert Jackson considered Mooretown their home by 1929. The applications also show the numerous families associated with the Mooretown Rancheria still living in proximity to each other nearby Mooretown, but that only Fred Taylor and Ellen McCauley's families were living directly on the Rancheria lands.

1930 Federal Census

The Native population in the vicinity of the Mooretown Rancheria appears on the federal census again in 1930. In 1930, Oroville Township was further divided into districts for the purpose of enumeration, with both the Mooretown and Enterprise precincts in East Central Part

18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 7000 of Emma Parker Household for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 16 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

By "families generally associated with the Enterprise Rancheria" researchers refer to the following documents: Approved List Of Voters For Indian Reorganization Act On Enterprise Rancheria, 27 May 1935, NARA-SB, RG75, Sacramento Agency, Records of Indian Organizations, 1936-1946, Indian Reorganization Act Referendum and Election Records, 1934, Indian Reorganization Act Referendum Ballots and Returns, 1935, Box 1, Indian Reorganization Act Referendum and Election Records #2; Census of the Indians in and near Enterprise in Butte County, California, rec. 20 July 1915, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 12, Moortown [sic] Indians.

²¹⁹ Application No. 6953 of Cecilia Spencer for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 17 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932; Application No. 6952 of Cecil Spencer for Enrollment with the Indians of the State of California under the Act of May 18, 1928, 17 December 1929, NARA-DC, RG75, Entry 576, Records Relating to Enrollment of California Indians, Applications, 1928-1932.

39.²²⁰ Again, the distribution of the population of Native people follows the pattern expressed in all the other demographic documents presented so far, with the exception that far fewer families were found by the enumerator in the vicinity of Enterprise. George Martin and his family are in the Enterprise Precinct on the “Feather Falls Star Route,” as are the Emma Parker family and John Pinkey and his wife. Altogether, these members of the Enterprise-area Native community constitute only 16 people.²²¹

In contrast, one hundred Native persons were enumerated in the “Mooretown precinct” (which begins on the same page as Enterprise precinct), including the families of Levi Brown and Walter Fields.²²² Most of the census for the Mooretown precinct lists the “Feather Falls Star Route Mooretown Road” as the location of the remaining families.²²³ These include Ellen

²²⁰ Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, pp. 172A-174A.

²²¹ Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, p. 172A.

²²² Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, pp. 172A-174A.

²²³ Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, pp. 172B-174A.

Other documents show that Fred Taylor listed the Feather Falls Star Route, Oroville as his address in the 1930s. Fred Taylor to O. H. Lipps, 7 November 1932, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador - Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936; O. H. Lipps to Fred Taylor, 8 November 1932, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador - Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936; Fred Taylor to O. H. Lipps, 25 January 1934, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador-Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936; Fred Taylor to O. H. Lipps, 27 March 1934, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador-Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936; Fred Taylor to O. H. Lipps, 10 April 1934, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador-Colusa County, Box 215, File: 724 Butte County Relief F.Y. 1936.

McCauley, her sons Bill and Mike, and her grandson Dan Williams; several Mullings families; Fred Taylor and his family, which includes wife Rosey, his adult children Fred Jr., Mammie, and Elwood, and his daughter-in-law Ruth. Other Native families living in this area are Beattys, Johnsons, Browns, Mixes, Williams, and Logans, Watsons. Fred Taylor's mother (Fannie Street) and his brother Robert also lived there.²²⁴ Robert and Ina Jackson are in the community with their children Robert, Ida, Marjorie, and Addie (all under age 14), and live very near to Kate Archuleta and her family, who are listed on the last page of the census for the precinct.²²⁵ A few more than half the Native heads of households are listed as "owning" their home, while the others rented. Among those "owning" their homes were those with allotments, as well as Ellen McCauley, Robert Jackson, Fred Taylor, some Logans, Williams, and one Brown family. Most of the Mullings and Katie Archuleta's family rented their homes.²²⁶ Again, the Grabowski report presents the 1930 census data as though Ina and Robert Jackson were living in a completely different part of the county, when in fact they neighbor the Taylors and Archuletas.²²⁷

In 1934, a list of "owners" who sought water use rights includes Fred Taylor, Katie Archuleta, and Robert Jackson, Sr., as well as the Feather River Pine Mills, Inc., indicating that these people were all living in the same vicinity and interested in acquiring water for household

²²⁴ Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, pp. 172B-174A.

²²⁵ Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, pp. 173B-174A.

²²⁶ Census for Oroville Township, ED 39, Butte County, California, 2-15 April 1930, *Fifteenth Census of the United States, 1930*, pp. 172A-174A.

²²⁷ Grabowski & Associates, Documentary Review, pp. 8-11.

and irrigation use.²²⁸ That same year, Rose Taylor asked the BIA about receiving a patent in fee for the land she lived on. This request indicates that she did not understand the Rancheria lands as lands intended for collective use. As O. H. Lipps, Superintendent in Sacramento replied,

this land is what has become known as an Indian rancheria, the land having been purchased with funds appropriated by Congress for the purchase of land for homeless Indians.

Such being the case, the title rests with the U. S. Government and all the title that the Indians have is the right of use and occupancy. In view of this fact it would not be possible for you to get a patent in fee to this trust land.²²⁹

BIA records from 1935 show which families were considered to be affiliated with the Mooretown and Enterprise rancherias respectively. These records are the approved lists of voters prepared by the BIA for the purpose of accepting or rejecting the Indian Reorganization Act (IRA).²³⁰ The individuals listed as voters for the Mooretown Rancheria generally match

²²⁸ Application 7864, License 2408, 6 March 1934, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 341 Mooretown.

License was not granted for the water use until 1942. Robert Jackson and Katie Archuleta did not appear on the list of those licensed; however, Robert's half brothers William and Mike McCauley do appear, as does Rosie Taylor. License To Appropriate Water, 27 March 1942, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 341 Mooretown.

²²⁹ O. H. Lipps to Rose Taylor, 28 April 1934, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²³⁰ The Enterprise Rancheria list includes twenty-five people, including George Martin and his family, as well Pinkeys, Andrews, and Parkers – those consistently located in the vicinity of Enterprise. Two of the daughters of Ina Jackson and Frank Martin – Eva and Cecelia – are also listed as voters at Enterprise.

Approved List Of Voters For Indian Reorganization Act On Mooretown Rancheria, 27 May 1935, NARA-SB, RG75, Sacramento Agency, Records of Indian Organizations, 1936-1946, Indian Reorganization Act Referendum and Election Records, 1934, Indian Reorganization Act Referendum Ballots and Returns, 1935, Box 1, Indian Reorganization Act Referendum and Election Records #2; Approved List Of Voters For Indian Reorganization Act On Enterprise Rancheria, 27 May 1935, NARA-SB, RG75, Sacramento Agency, Records of Indian Organizations, 1936-1946, Indian Reorganization Act Referendum and Election Records, 1934, Indian Reorganization Act Referendum Ballots and Returns, 1935, Box 1, Indian Reorganization Act Referendum and Election Records #2.

those listed as adults on the 1930 federal census pages detailed immediately above. Not only do they include the four distributees of concern in this report – Ina Jackson, Robert Jackson, Fred Taylor, and Katie Archuleta – but also thirty-six other persons: Taylors, Beattys, Browns, Logans, Williams, Mullens (Mullings), McCauleys, and Streets. Among these were Fred Taylor’s other children (Katie Archuleta’s stepbrothers and stepsisters), Robert Jackson’s stepbrothers and brother Henry, as well as Henry’s wife (Ina Jackson’s sister) Selena.²³¹ Thirty-four of the forty named eligible voters cast their votes to reject the IRA.²³² As with the other documents examined above, these records not cited in the Grabowski report place Ina and Robert Jackson at the Mooretown Rancheria somewhat earlier than that report claims.²³³

No other census lists are available to researchers after the 1935 approved list of voters for the IRA. The next set of publicly available documents dealing with the Mooretown Rancheria reveals the further decline of the population on the Rancheria lands during the 1940s and 1950s until termination. However, the federal record of correspondence also shows that all the distributees, including Ina and Robert Jackson, remained on the Rancheria throughout this period. This report turns now to examine this period leading to termination.

²³¹ Approved List Of Voters For Indian Reorganization Act On Mooretown Rancheria, 27 May 1935, NARA-SB, RG75, Sacramento Agency, Records of Indian Organizations, 1936-1946, Indian Reorganization Act Referendum and Election Records, 1934, Indian Reorganization Act Referendum Ballots and Returns, 1935, Box 1, Indian Reorganization Act Referendum and Election Records #2.

²³² Final Tabulation Results of Referenda on Indian Reorganization Act All California Jurisdictions, ca. June 1935, NARA-SB, RG75, California, Sacramento Agency, Records of Indian Organizations, 1936-1946, Box 1, Indian Reorganization [Indian Reorganization Act Referendum and Election Results, #1].

²³³ Grabowski & Associates, *Documentary Review*, pp. 4-5.

The 1940s and 1950s to Termination

Despite the fact that the population associated with the Mooretown Rancheria was relatively stable throughout the recorded history thus far, a striking decline characterizes the years following the IRA period. While this context deserves attention, it is not discussed in the Grabowski report. In this section, researchers provide historical context important to understanding why only four people remained on the Rancheria lands at the time of termination, while also presenting a more balanced picture of the residence patterns of these individuals during this period. In the 1930s, the Mooretown Rancheria had a population of about 100 people, which plummeted to perhaps twenty by the end of the 1940s. Correspondence shows that many members of the Tribe were in dire circumstances throughout the 1930s and made numerous requests for aid. Rosie Taylor made several, including a request to have water piped to her house.²³⁴ Harsh economic circumstances were a significant reason for the dispersal of rancheria populations. In 1952, the BIA noted that Rosie Taylor had died in December 1945 and that the land she occupied on the Rancheria was still being used by her husband “Frank,” and one daughter, Mammie.²³⁵ Katie Archuleta wrote to the BIA in February 1946 to ask if she could repair and move her daughter into her mother’s house, saying that she “talked to the old

²³⁴ Rosie Taylor to Mr. Nash, 9 July 1938, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador - Colousa County, Box 215, File: 724 Butte County; Rosie Taylor to Sacramento Indian Agency, rec. 5 October 1938, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador - Colousa County, Box 215, File: 724 Butte County; Memorandum of Nash to Mr. Hooper, 20 September 1939, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 11, 060, Sulphur Bank Rancheria, 1939-1949, 1 of 2.

²³⁵ Memorandum of Nash to Mr. Hooper, 20 September 1939, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 11, 060, Sulphur Bank Rancheria, 1939-1949, 1 of 2.

man [Fred Taylor], and he told me write and find out.”²³⁶ She also explained that there were “just a few of us are still here living” on the Rancheria lands.²³⁷

Superintendent Rockwell replied that he could not determine who should have the house.

He wrote that he was:

at a loss to identify the land you call your “mother’s land”. I am under the impression that you mean the Mooretown Rancheria. If so, this land belongs to the United States, and your mother was allowed to live on the Rancheria. If the house you speak of belonged to your mother because she built it, we would not want to say whether you should have it or what member of the family should take it over.

It appears to me that all the remaining members of the family should get together and decide among themselves who should have the house. When this has been determined and we are so notified in writing, we will take steps to issue an assignment to that person which means they can live in the house and occupy a portion of the land as long as they make proper use of it.²³⁸

Further correspondence during 1946 and 1947 suggest that only Katie Archuleta and Fred Taylor occupied Parcel 2 of the Mooretown Rancheria; however, a 1952 memorandum indicates that Katie Archuleta did move her daughter, Violet Archuleta Stevens, into Rosie Taylor’s house in 1945.²³⁹

²³⁶ Katie Archuleta to Sir, 27 February 1946, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²³⁷ Katie Archuleta to Sir, 27 February 1946, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²³⁸ John G. Rockwell to Katie Archuleta, 28 February 1946, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²³⁹ Kate V. Archuleta to Sir, 28 August 1946, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963; John G. Rockwell to Kate V. Archuleta, 4 September 1946, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963; John G. Rockwell to Katie Archuleta, 2 May 1947, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; Memorandum for Mooretown Rancheria File by Regina H. Ellston, 7 March 1952, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files,

In 1941, Ina Jackson wrote to the BIA requesting verification of her age so that she could supply proof to receive old-age security. Her address was a post office box in Oroville; however, as has been noted, this does not indicate that she lived in Oroville.²⁴⁰ In a 1952 letter, Robert Jackson wrote that he and Ina had been living on the Mooretown Rancheria since at least 1939.²⁴¹ In the interim, the California Indian Agency notified Native people that it was revising its roll of California Indians, and requested that those already enrolled update or confirm their information. Ina Jackson was notified at her address in Feather Falls in 1949, and she replied that her address was on the Feather Falls Star Route, Oroville.²⁴²

During the 1940s, Indian policy was redirected towards the goals of termination. In 1949, the California Indian Agency issued a report describing its proposed program for the “withdrawal of the Bureau of Indian Affairs from the State of California within five years from the approval of the program by the Interior Department and the passage of the necessary implementing legislation by the Congress.”²⁴³ That legislation was the Rancheria Act, enacted in 1958. In preparation for termination, the BIA visited the sites of California rancherias during

1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁴⁰ Ina Jackson to Sacramento Indian Agency, 6 September 1941, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador - Colusa County, Box 215, File: 724 Butte County Application for Old Age Security; John G. Rockwell to Ina Jackson, 8 September 1941, NARA-SB, RG75, Sacramento Area Office, Coded Records, 1910-1958, Of Programs & Administration, 1950-1958, Code: 724 (contd), Amador - Colusa County, Box 215, File: 724 Butte County Application for Old Age Security.

²⁴¹ Robert Jackson to Sir, 12 March 1952, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁴² California Indian Agency to Ina Jackson, 23 May 1949, Velie & Velie, Attorneys at Law.

²⁴³ “Report On A Program For The Termination Of Indian Bureau Activities In The State Of California,” June 1949, NARA-SB, RG75, Sacramento Area Office, Irrigation and Water Rights files, 1968-1969 (92-003), Box 1, Termination Investigations, 341.7. p. 1.

1951 and 1952. Leonard Hill of the Sacramento Area Office visited the Mooretown Rancheria in April 1951.²⁴⁴

Hill reported that he spoke with Robert Jackson, living on what Hill referred to as the “western” tract of the two parcels composing the Rancheria lands. He stated that the homes of Robert Jackson and Selena Mullens (Mullings) were adjacent to each other on the same property, located about one and a half miles from the road to Feather Falls. Robert Jackson’s home was occupied by three people, presumably Robert and Ina Jackson and Bruce Lee Stiles.²⁴⁵ Selena Mullings’ family consisted of five persons, possibly her husband Henry and their three children, Harold, Viola, and Myrtle.²⁴⁶ Harold was married to Robert and Ina Jackson’s daughter Margie, and they may have been present. By 1954, the Mullings had moved to Oroville, leaving only Robert and Ina Jackson living on the parcel.²⁴⁷

Hill did not personally visit the Taylors on the “eastern” tract, but Robert Jackson told him that four people were living in the Taylor household and that “Don” Mullens occupied another house on the property.²⁴⁸ By 1951, then, there were about thirteen Native people who

²⁴⁴ Description of Mooretown Reservation, 9 February 1951, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁴⁵ Memorandum for Mooretown Rancheria File by Regina H. Ellston, 7 March 1952, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁴⁶ Description of Mooretown Reservation, 9 February 1951, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁴⁷ Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁴⁸ Description of Mooretown Reservation, 9 February 1951, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria,

were considered residents of the Mooretown Rancheria. Katie Archuleta wrote that by the 1950s, she maintained a residence in both Oroville and on the Mooretown Rancheria, where she spent her summers.²⁴⁹ As Hill noted, “the people work in the woods and in the mill to gain a living.”²⁵⁰ Many male ancestors of the Tribe worked for mining and logging companies which provided them with housing, and they tended to move around the area following work. Nonetheless, this work does not appear to have taken them much further than a ten to fifteen miles distant from the Rancheria lands. According to a descendant of Ina Jackson, the Georgia Pacific Company provided their workers with housing, and that from the 1950s until the mill closing in the 1970s, many of her Mooretown relatives lived there instead of on the Rancheria lands.²⁵¹

The post-World War II era was a period of massive urbanization of the Native population in California (as it was elsewhere in North America). The younger generations of the Mooretown Rancheria likely moved away for education and work. Scholars have shown that federal Indian training and relocation programs aimed at assimilation, beginning with the early boarding schools, contributed directly to the alienation of Native peoples from their reservation

#2.

²⁴⁹ Kate Brooks Archuleta to Department of Interior, 2 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁵⁰ Description of Mooretown Reservation, 9 February 1951, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁵¹ Personal Communication with Lois Edwards, 15 February 2006, interoffice communication.

lands.²⁵² By the late 1950s, at the time of termination, most California rancherias were devoid of their associated populations, with the exception of the elderly.

On 7 March 1952, Robert Jackson visited the Sacramento Area Office to inform officials of the improvements he had made to the Rancheria property, and that only he, Ina, and Bruce Lee Stiles remained on the tract.²⁵³ A note attached to the memo regarding Robert Jackson's visit indicated that Fred Taylor, Katie Archuleta, and Archuleta's daughter Violet Archuleta Stevens were the "only persons living on the Mooretown Rancheria as of Dec 14 1949."²⁵⁴ Either the office was not aware that the Rancheria was composed of two separate tracts, or it was merely keeping together any information regarding the residents as a whole.²⁵⁵ Authorities at the Sacramento Area Office asked Robert Jackson to put in writing the duration of his residence on the Rancheria lands and to specify the improvements he had made. Robert Jackson compiled this information immediately, returning two witnessed letters to the office with the details on March 10 and March 12.²⁵⁶

²⁵² Advisory Council, "Termination Report," p. 9; Larry W. Burt, "Roots of the Native American Urban Experience: Relocation Policy in the 1950s," *American Indian Quarterly*, vol. 10, no. 2 (1986), pp. 85-99; Donald Fixico, *Termination and Relocation, Federal Indian Policy, 1945-1960* (Albuquerque: University of New Mexico Press, 1986).

²⁵³ Memorandum for Mooretown Rancheria File by Regina H. Ellston, 7 March 1952, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁵⁴ Memorandum for Mooretown Rancheria File by Regina H. Ellston, 7 March 1952, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁵⁵ The intentions behind the writers of these memos are not known. Memorandum for Mooretown Rancheria File by Regina H. Ellston, 7 March 1952, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁵⁶ These separate but relatively identical letters were archived under in two sections in the National Archives in San Bruno, with the Mooretown Rancheria's termination files and with the realty

Termination of the Mooretown Rancheria

As the termination process gained momentum, the residents of the Mooretown Rancheria expressed their concerns and interests to the BIA. In April 1954, J. Golden Land wrote on behalf of Fred Taylor expressing his concern that “others have been seeking to gain rights on the land which he claims.”²⁵⁷ Land cited the letter from John J. Terrell to Frank (Fred) Taylor at the time

files in the tribal group files. Apparently there was some controversy with the fact that Robert Jackson had made improvements on the Rancheria lands. In his letter, Robert Jackson states that he: “felt secure in making these improvements after I was down to your office in 1949 to ask for the right on this place. At that time Mr. Ring and Mr. Muskrat gave me the right to make these improvements.” On the 10 March letter, J. B. Ring claimed that he “made no such statement nor do I recall ever talking to this man.” He further stated that “all authorities to move on Indian land or make improvements such as these would have been made by a written memorandum for the files,” a statement which is only partially true. While the BIA made an effort to ensure that assignments on rancherias were properly documented, they were not able to do so adequately. As the letter to Katie Archuleta cited above indicates, the BIA left the assignment of houses, etc. to the residents of the Rancheria, after which they would confirm or note these in the files. It is not unusual that no such notations were found for Robert Jackson’s assignment, just as none are found in the files approving Katie Archuleta’s daughter moving into Rosie Taylor’s house. No assignment letters appear to have been in the possession of those living on the Rancheria. In 1952, as proof of his “assignment” to the Rancheria, Fred Taylor could only produce the letter addressed to him by John Terrell at the time of the establishment of the Rancheria in 1916, which indicates that the lands were meant for a band of fifty-three people, including but was not restricted to, Taylor’s family.

In addition, Native people were strongly encouraged to make improvements on the Rancheria lands. This is indicated, for example, by John Terrell in the very letter he wrote to Frank (Fred) Taylor upon the establishment of the Mooretown Rancheria: “I trust and believe that all who will take advantage of a permanent home on this land will now, that same is to be his home and after his or her death the home of legal heirs, will take great interest in building the best home possible and in many ways improving the home.” John J. Terrell to Frank Taylor, 23 September 1916, NARA-DC, RG75, Central Classified Files, 1907-1939, Roseburg, 108465-1914, 310, Part 4, Mooretown Indians, Butte County; Robert Jackson to Sir, 10 March 1952, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; Robert Jackson to Sir, 12 March 1952, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; J. Golden Land to Bureau of Indian Affairs, 6 April 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁵⁷ J. Golden Land to Bureau of Indian Affairs, 6 April 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

of the establishment of the Rancheria, and asked for clarification.²⁵⁸ Douglas Clark, at the Sacramento Area Office, replied to Land:

The land described in your letter of April 6 ... comprises a portion of the Indian reservation known as the Mooretown Rancheria. This tract was purchased in 1914 [sic] from the Central Pacific Railroad with funds appropriated by Congress for the purchase of land for the landless Indians of California. The title to the property is in the name of the United States. Lands in this status may only be disposed of under authority granted by an Act of Congress.²⁵⁹

Fred Taylor and Katie Archuleta appear to have been under the impression that they had exclusive claim to the Rancheria lands, as indicated by Land's letter. Katie Archuleta also conveyed this understanding in a 1958 in which she stated that her mother and stepfather (Rosie and Fred Taylor) "were assigned the rancheria known as Mooretown, Butte County, California consisting of 80 acres."²⁶⁰

Unable to attend hearings in Sacramento about the termination of California rancherias, in November 1954, Robert Jackson wrote to the BIA to express his and Ina's concerns. In this letter Jackson wrote that only he and Ina were the residents of the one tract of the Mooretown Rancheria, and that "My wife and I have decided that we do not want to make the change from State and Federal jurisdiction."²⁶¹ In early 1958, both Fred Taylor and Robert Jackson, through

²⁵⁸ J. Golden Land to Bureau of Indian Affairs, 6 April 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁵⁹ Douglas Clark to J. Golden Land, 8 April 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2.

²⁶⁰ Kate Brooks Archuleta to Department of Interior, 2 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁶¹ While this sounds like Robert and Ina Jackson were against termination, the remainder of his letter indicates that he did believe they would do well without the assistance of the BIA. Robert Jackson to Winnie Howell, 1 November 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files,

Jackson's son-in-law Herman Steidl, wrote to Clair Engle, Chairman of the Committee on Interior and Insular Affairs, in Washington D. C. These letters indicate Jackson and Taylor's desire for the Mooretown Rancheria to be included with the other rancherias named in the bill terminating federal supervision which was about to be passed into legislation. Ultimately, it was included.²⁶²

In Fred Taylor's letter, he represented himself as the "chief," and a list of twelve crossed-out signature lines suggests that he knew he should have, or had intended to, seek the support of the other Rancheria residents to request that the Rancheria be included in the termination process. Harold Mullings (who may have been living on the same parcel of the Rancheria as Robert Jackson) and Robert Taylor, Fred's brother, witnessed the letter.²⁶³

Also in March 1958, Kate Archuleta wrote with four of her family members to the BIA requesting that timber on the Rancheria be sold.²⁶⁴ The Sacramento Area Office Director wrote back to inform her that the BIA could not fulfill the request because the Mooretown Rancheria

1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁶² Fred Taylor to Clair Engle, 20 March 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; T. Rex Lee to Clair Engle, 14 March 1958, NARA-DC, RG75, Central Classified Files, Sacramento 4983-1957, 013; Glenn L. Emmons to Clair Engle, 31 March 1958, NARA-DC, RG75, Central Classified Files, Sacramento 4983-1957, 013; *An Act to Provide for the Distribution of the Land and Assets of Certain Indian Rancherias and Reservations in California, and for Other Purposes*, 18 August 1958, 72 Stat., 619-621.

²⁶³ This letter was not actually sent to the BIA until March 1959. Fred Taylor to Clair Engle, 20 March 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; Robert Cromwell to Clair Engle, 5 March 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁶⁴ Guy Robertson to Kate Archuleta, 23 June 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

was not an organized group with an approved census, and it was therefore impossible “to determine the members who are eligible to act upon a timber sale request.”²⁶⁵ Further, the Area Director stated that BIA records “indicate that there are and have been residents on the property in addition to those who have signed the request,” and suggested a general group meeting of the Mooretown Rancheria.²⁶⁶

The correspondence from the Mooretown Rancheria residents triggered a visit from Ten Broeck Williamson from the Sacramento Area Office in anticipation that Mooretown Rancheria would “be added to the Rancheria Bill.”²⁶⁷ The visit took place on 26 March 1958, when Williamson talked to residents of both parcels. Robert Jackson indicated that “he and his wife, Ina, have lived on the west 80 acres of the Mooretown Rancheria for the past 18 years.”²⁶⁸ Robert Jackson told Williamson that no one else had lived on this portion of the Rancheria during this period, even though Jackson had stated elsewhere that Selena Mullings (his daughter’s mother-in-law) had lived there.²⁶⁹ Robert Jackson also explained that his half brother, Mike McCauley, had suggested he move there, and that his uncle “Pompey” had lived there

²⁶⁵ Guy Robertson to Kate Archuleta, 23 June 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁶⁶ Guy Robertson to Kate Archuleta, 23 June 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁶⁷ Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁶⁸ Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁶⁹ Description of Mooretown Reservation, 9 February 1951, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #2; Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

“years ago.”²⁷⁰

Williamson recorded the children Robert and Ina had together, excluding Robert Jackson’s stepchildren (Ina Jackson’s children by Frank Martin), even though Robert considered them stepchildren (as indicated in other documents and discussed above). For instance, when Robert Jackson visited the Sacramento Area Office in the fall of that same year, the memo recording his visit states that he “was accompanied by Mrs. Marie Smith, a stepdaughter ... and by a daughter, Mrs. Harold Mullins...”²⁷¹ As Marie [Mary] was the eldest of the Martin children, it is logical that her younger siblings also considered Robert Jackson as their stepfather, especially given that they were aged two to fifteen years old when Robert and Ina married. According to one of the descendants of Ina Jackson, her children from her former marriage referred to Robert Jackson as “Pops” and “Dad.”²⁷²

Williamson also spoke with Fred Taylor, who said he had lived on the Parcel 2 for fifty years. Williamson noted that Fred Taylor’s son Elwood and daughter Mamie lived in Oroville but spent “occasional time on the rancheria.”²⁷³ A Mrs. Sam Mullings lived with Fred Taylor, and the Archuleta family lived in an adjacent house. Williamson noted that Kate Archuleta “has lived in a house in Oroville, but her husband, who works in the Feather Falls mill, and

²⁷⁰ Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁷¹ Harold Mullings was the first cousin, once removed, of Katie Brooks Archuleta. Ten Broeck Williamson to The Files, 11 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁷² Personal communication with Lois Edwards, 15 February 2006, interoffice communication.

²⁷³ Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

occasionally some of the [9] children, live in the house on the rancheria.”²⁷⁴ Williamson closed his report to the Area Director on this visit by recommending that title to the two parcels of the Mooretown Rancheria be transferred “to the Taylor and Jackson families.”²⁷⁵

Correspondence in the federal record pertaining to the Mooretown Rancheria resumes with the passage of Rancheria Act on 18 August 1958.²⁷⁶ The following day, letters were sent out to representatives of each of the rancherias named in the act, with the Mooretown letter going to Robert Jackson.²⁷⁷ The Mooretown Rancheria Plan for the Distribution of its Assets was drawn up in July 1959.

During 1959, between the passage of the Rancheria Act and the establishment of the distribution plan, numerous interested parties contacted the BIA about the process. In August 1958, J. Golden Land, who had written previously on behalf of Fred Taylor, expressed concern that Katie Archuleta should be precluded from obtaining the Rancheria lands since she already held allotment land which she inherited from another family. The Sacramento Area Office Director rejected Land’s argument.²⁷⁸ In September, Katie Archuleta wrote to inform the BIA of her historical connection to the Rancheria land, noting that she had lived there most of her life,

²⁷⁴ Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁷⁵ Ten Broeck Williamson to Area Director, 28 March 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

²⁷⁶ *An Act to Provide for the Distribution of the Land and Assets of Certain Indian Rancherias and Reservations in California, and for Other Purposes*, 18 August 1958, 72 Stat., 619-621.

²⁷⁷ Leonard M. Hill to Unknown, 19 August 1958, California Indian Legal Services, Oakland, California, Scotts Valley Rancheria Case Files.

²⁷⁸ Guy Robertson to Golden Land, [23] August 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

with the exception of attending boarding school and since she her move to Oroville a few years earlier. In this letter, she specifically requested that she not be considered a joint distributee with her stepfather, or her stepbrother and stepsister.²⁷⁹

Also in September 1958, Robert Jackson visited the Sacramento Area Office, in person, with his stepdaughter Mary Smith and daughter Mrs. Harold Mullings. Robert Jackson was told to “send the Area Director a letter stating proposals for taking title to that portion of the Rancheria on which he lives,” which would be incorporated into the distribution plan.²⁸⁰ Robert Jackson followed up within a few days of his visit with a letter signed by both he and Ina Jackson. This letter indicates that the couple spoke as a unit, had worked together to improve the assignment, and intended for the title to the Rancheria lands to benefit them both. Despite this fact, the Grabowski report claims that Ina Jackson never claimed a connection to the Rancheria lands.²⁸¹ In actuality, as this letter indicates, she and Robert had together invested in the land and requested that the title pass to them both:

we, the undersigned, summarize our reasons for asking for a clear fee simple title to the land we are occupying.

I, Robert Jackson and my wife Ina Jackson, have lived here on Mooretown Rancheria as sole residents for nineteen years.

At the time we took up our residence here, there was only a small cabin in run-

²⁷⁹ Kate Brooks Archuleta to Department of Interior, 2 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁸⁰ Ten Broeck Williamson to The Files, 11 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁸¹ Grabowski & Associates, *Documentary Review*, pp. 6-7.

down condition on the place. We made necessary repairs so that we could live in it. There were also a few fruit trees in neglected condition that required much work to make them produce again. As I was still able to work at that time, we saved and started to make improvements. We started a new house which we completed over the years. We also planted new fruit trees and cleared a large garden area and fenced it in.

During our years here we also had electricity brought in to the place and had our house wired. As there are interruptions in our water supply, we had to build a small reservoir and install a pressure system. This supplies water to our house.

Two years ago we added a bathroom to our house and had butane gas installed which we use for cooking and the water heater.

All this has been accomplished through our own means over the years. We have endeavored to make a home for ourselves according to the best of our means and ability, without any help. As early as 1948, when we first contacted the Bureau of Indian Affairs in reference to securing a trust patent, the former area director, Walter Woehlke, gave us the right to make these improvements, and assured us they would be safe.

Therefore it has been our hope for years to one day have clear title to the land we occupy, that we could rest assured we own our home and to protect our investments and labor we have expended here.²⁸²

During the fall of 1958, a report on the physical characteristics of the Mooretown Rancheria was prepared, and no other correspondence on the matter appears to have come to the Sacramento Area Office until the spring of 1959.²⁸³

In March 1959, Kate Brooks Archuleta and some members of her family wrote to the BIA protesting the distribution of the assets of the Rancheria to anyone other than themselves, stating that “we, the undersigned, are entitled to all the tribal rights on Mooretown Rancheria

²⁸² Robert Jackson & Ina Jackson to Bureau of Indian Affairs, 15 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁸³ Report On Mooretown Rancheria Parcels I And II, by Kenneth E. Engelbretson, December 1958, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #1.

[1915 Parcel 2].”²⁸⁴ Area Director Leonard Hill replied to the Archuleta family that since the Plan for the Distribution of the Assets of the Rancheria had not yet been drafted, their “action in appealing is premature.”²⁸⁵ Commissioner of Indian Affairs Homer Jenkins further responded to the Archuleta family’s letter, noting that the BIA records showed that others had interest in the Rancheria lands. Jenkins wrote, “your stepfather and his family have lived on this tract since before it was purchased by the government in 1915,” and that “Mr. Robert Jackson and his wife Ina Jackson have lived on the other eighty-acre tract ... considered part of the Mooretown rancheria.”²⁸⁶ Jenkins recommended that Rancheria members get together to draft their distribution plan, and noted that the Sacramento Area Office could assist them in doing so.²⁸⁷

On the same day, Jenkins also wrote to Robert and Ina Jackson: “We know that you and your wife are concerned over the distribution of the assets of the Mooretown Rancheria. Let us reassure you that you will not lose any of the investments you have made on this land.”²⁸⁸

²⁸⁴ This included her non-Indian husband, and three of their children: Merle Jackson (also Robert Jackson’s daughter-in-law), Violet Stevens, and Elmer Archuleta. Letter Of Appeal, 17 March 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁸⁵ Leonard M. Hill to Kate Brooks Archuleta, 19 March 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁸⁶ Homer B. Jenkins to Kate Brooks Archuleta, 31 March 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁸⁷ Homer B. Jenkins to Kate Brooks Archuleta, 31 March 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁸⁸ Homer B. Jenkins to Robert Jackson, 31 March [1959], NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

Jenkins further assured Robert and Ina Jackson that other claims to the Rancheria (namely the Archuleta family's) did not "involve any of the interests you have on this property," and mentioned again the need to draft a distribution plan. Jenkins concluded, "We want to assure you and your wife again that your interests at Mooretown will be protected."²⁸⁹

Robert Jackson responded one month later with a letter to the Area Director in Sacramento, specifically requesting assistance in drafting the distribution plan for the Mooretown Rancheria.²⁹⁰ By July 1959, their plan was ready. Parcel 1 was described as:

the home of Robert Jackson and his family, and they have been generally recognized as the only people holding formal or informal assignments there. Their children are grown and have not lived on the parcel for several years. Robert and Ina Jackson are the only Indians now living on this parcel.²⁹¹

The plan described Parcel 2 as:

the home of Fred Taylor and his family for many years, and they have been generally recognized as the only people holding formal or informal assignments there. His family is grown and is not dependent upon him. He has a step-daughter, Katie Archuleta, who has built a house on the parcel and makes her home there. Mr. Taylor and his children would like for her to have ... twenty acres ... as her share of the parcel.²⁹²

²⁸⁹ Homer B. Jenkins to Robert Jackson, 31 March [1959], NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁹⁰ Robert Jackson to Leonard M. Hill, 13 April 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁹¹ A Plan For the Distribution Of The Assets Of The Mooretown Rancheria, According To The Provisions Of Public Law 85-671, Approved August 18, 1958, 21 June 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁹² A Plan For the Distribution Of The Assets Of The Mooretown Rancheria, According To The Provisions Of Public Law 85-671, Approved August 18, 1958, 21 June 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

Other than this description, an accounting of the physical condition of the properties, and the distribution of funds on deposit in the United States Treasury to the credit of the Mooretown Rancheria, the plan follows a standard form:

the distributees and the dependent members of their immediate families who will receive title to individual lots and a share of the funds involved.... After the assets of the Mooretown Rancheria have been distributed pursuant to this plan and Public Law 85-671, the Indians who receive any part of such assets and the dependent members of their immediate families shall thereafter not be entitled to any of the services performed by the United States for these persons because of their status as Indians.²⁹³

The distribution lists were organized by parcel. Under Parcel 1, Robert Jackson was listed as distributee, and Ina Jackson listed as his wife at the same address. Kate Archuleta was listed as distributee for Parcel 2, Lot 1, and Fred Taylor as distributee for Parcel 2, Lot 2. The plan was approved by the Commissioner on 21 June 1959 and “posted” on 3 August, meaning that notices were hung “on the entrance gate to the Jackson residence and on Parcel 2 on an oak tree west side of the road through the parcel, south of Archuleta residence.”²⁹⁴ This marked the official beginning of the thirty-day period during which objections to the plan could be expressed to the BIA in writing.

In the months following the completion of the plan, objections about the plan were raised by Fred Taylor, and by Robert Jackson’s half brothers, Mike and William McCauley. The objection period was intended to give persons excluded from the plan an opportunity request that

²⁹³ A Plan For the Distribution Of The Assets Of The Mooretown Rancheria, According To The Provisions Of Public Law 85-671, Approved August 18, 1958, 21 June 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁹⁴ Leonard M. Hill to Robert Jackson, Katie Archuleta & Fred Taylor, 4 August 1959, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

it be revised; yet Fred Taylor, who was included in the plan, went in person to the Sacramento Office. He was accompanied by his non-Native friend Golden Land, who acted on Taylor's behalf with the BIA in the past. Taylor complained that the layout of the division of Parcel 2 placed his barn on the land that would belong to Katie Archuleta. Further, Land conveyed his concerns that Katie Archuleta would sell her water rights, which had been collectively licensed in 1942. Ten Broek Williamson convinced them to work these differences out without the involvement of the BIA.²⁹⁵

On 1 September, one day before the thirty-day period during which objections to the Plan for the Distribution of the Assets would be considered, Mike and William McCauley wrote to protest against all of Parcel 1 being granted to Robert Jackson. The McCauleys said that Parcel 1 had been their home between 1917 and 1942, "when they allowed ... Robert, to move in and build himself a house."²⁹⁶ They further stated that they considered the parcel their "official residence," noting that they left some belongings there, and had to move around considerably to find work in the lumber industry.²⁹⁷ In addition, they noted that their nephew, Dan Williams (Robert Jackson's sister Birdie's son), should also be given some consideration, but that they had

²⁹⁵ Ten Broeck Williamson to Files-103.3 Mooretown, 17 August 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁹⁶ Mike McCauley & William McCauley to Secretary of Interior, 1 September 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁹⁷ Mike McCauley & William McCauley to Secretary of Interior, 1 September 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

tried to talk this out with Robert Jackson but Robert had refused to share the land with them.²⁹⁸

The McCauleys objection was ultimately denied, as there was a “scarcity of information regarding use and occupancy of the rancheria by the McCauleys” and they had sent their letter too late (received 3 September).²⁹⁹ Roger Ernest further informed the McCauley brothers that they had not established title rights to the land by occupying it between 1917 and 1942, and that it was “legally available for assignment to any landless Indian of California” when they left it in 1942.³⁰⁰

With these objections dismissed, Leonard Hill moved to hold a referendum vote. On 29 October, Katie Archuleta, Fred Taylor, and Robert Jackson voted to accept the plan.³⁰¹ Before the deeds were conveyed to the distributees, conservators were appointed to handle Robert Jackson and Fred Taylor’s affairs.³⁰² Surveys and appraisals of the properties were conducted

²⁹⁸ Mike McCauley & William McCauley to Secretary of Interior, 1 September 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

²⁹⁹ Guy Robertson to William C. Peters, et. al, 18 September 1959, NARA-SB, RG75, Sacramento Area Office, Sacramento, CA, Tribal Group Files, 1915-1972, Box 3, Greenville, 1958-60, 103.3.

³⁰⁰ Roger Ernest to Mr. McCauley, 13 October 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

³⁰¹ Roger Ernest to Mr. Hill, 13 October 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; Guy Robertson to Commissioner, Bureau of Indian Affairs, 3 November 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

³⁰² Leonard M. Hill to Regional Solicitor, 25 November 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; Rita Singer to Area Director, Bureau of Indian Affairs, 18 December 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

and finalized in 1961 and deeds were distributed, which completed the process of termination.³⁰³ Notice of the termination of federal supervision of the Rancheria was published on 1 August 1961 in the *Federal Register*, along with the names of the individuals no longer entitled to services provided to federally recognized Indians. Robert Jackson, Ina Jackson, Fred Taylor, and Katie Archuleta appeared on this list.³⁰⁴ Ina Jackson had been ill with cancer throughout this period and died less than one year later.³⁰⁵ Correspondence following termination and distribution of the Rancheria's assets shows that relations deteriorated between the related families who continued to live on the two parcels of the former Rancheria.³⁰⁶

³⁰³ J. P. Morlock to Branch of Realty, 16 February 1961, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 311/1959-1961 Mooretown Rancheria; Herbert M. Ziegler to Acquisition and Disposal, 6 March 1961, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 308-1934-1961 Mooretown Rancheria, #1; H. Martin Molony to Files, 9 March 1961, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 311, 1959-1961 Mooretown; Mooretown Rancheria Completion Statement, 17 March 1961, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

³⁰⁴ Office of the Secretary, "Property of California Rancherias And Of Individual Members Thereof: Termination of Federal Supervision," *Federal Register* 26, no. 146 (1 August 1961), pp. 6875-6876.

³⁰⁵ Personal communication with Lois Edwards, 15 February 2006, interoffice communication; "California Death Index, 1940-1997 Record for Ina D. Jackson," 1998-2006, <<http://search.ancestry.com/cgi-bin/sse.dll?gsfn=ina&gsln=jackson&gsby=&gsbco=2%2cUnited+States&gsbpl=7%2cCalifornia&gsdy=&gsdco=1&gsdpl=1%2c+&gsoco=1&gsopl=1%2c+&sbo=0&rank=1&ti=0&ti.si=0&gss=angs-c&recid=3598574&recoff=1+2&db=cadeath1940&indiv=1>>, accessed 23 January 2006.

³⁰⁶ Perry M. Farmer to Department of Interior, 14 August 1962, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963; Ten Broeck Williamson to Perry M. Farmer, 24 August 1962, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963; Rose Barnum to Ten Broeck Williamson, 17 July 1963, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

The Rancheria Act and Ina Jackson's Status as a Dependent Member of a Distributee

The claims in the Grabowski report revolve around the simplistic argument that Ina Jackson was not a distributee named in the Plan for the Distribution of the Assets of the Mooretown Rancheria, and that, therefore, her descendants not fathered by Robert Jackson do not meet the criteria for lineal membership established in the constitution of the Mooretown Rancheria. In this part of the report, this argument is challenged with a brief examination of socio-political aspects which shaped the termination process, and, in particular, determined the status of those named (or not named) in distribution plans. This historical context is important to demonstrating that the writers of the Grabowski report had little understanding of the process. Ina Jackson, although listed as a “wife” or “dependent member” on the distribution plan, was no different than the other distributees in terms of the purpose of the Rancheria Act. Furthermore, the gender conventions of the in the mid-twentieth century largely determined how individuals were classified as either distributee or dependent member of the family of a distributee.

The Rancheria Act (Public Law 85-671) was officially called *An Act to Provide for the Distribution of the Land and Assets of Certain Indian Rancherias and Reservations in California, and For Other Purposes*.³⁰⁷ The phrase “and for other purposes” is important, as it actually refers to only one purpose: termination of federal obligation to provide services to persons with the status of Indian.³⁰⁸ The Rancheria Act required a list of distributees and their dependent members for the purpose of distributing the assets of the rancheria, but also for

³⁰⁷ *An Act to Provide for the Distribution of the Land and Assets of Certain Indian Rancherias and Reservations in California, and for Other Purposes*, 18 August 1958, 72 Stat., 619-621.

³⁰⁸ “Indians,” 1 August 1953, 67 Stat., B132.

termination of federal supervision over the persons connected with those assets.³⁰⁹ The BIA constructed criteria to gauge the level of “acculturation” achieved by individuals and communities. Acculturation was measured by such things as the degree to which a community no longer spoke their Native language or engaged in Native cultural practices (such as polygamy), or the number of people who had received non-Indian education or were engaged in pursuits such as operating a business or farming. The BIA conducted studies across the United States to determine which groups were ready for termination.³¹⁰

In California, BIA officials sold termination to Native communities by leading them to believe that relinquishing their Indian status would be good for them, particularly since they would receive title to the lands they lived on.³¹¹ And, as one official wrote later, in response to legal action against the federal government for failure to carry out the termination program properly:

The termination process was, obviously, based on the assumption that a number of Indian communities were ready to accept full responsibility for their affairs, that they were integrated into the social and economic life of the local community, and that termination of the special relationship between them and the Federal Government would impose not particular hardship on them.³¹²

These aspects of the termination process are evidenced in Robert Jackson’s 1954 letter calling for the inclusion of the Mooretown Rancheria in the Rancheria Act. In this letter, Robert

³⁰⁹ Advisory Council, “Termination Report.”

³¹⁰ Kenneth R. Philp, *Termination Revisited: American Indians on the Trail to Self-Determination, 1933-1953* (Lincoln, NB: University of Nebraska Press, 1999), pp. 153-169.

³¹¹ Advisory Council, “Termination Report,” p. 6.

³¹² John O. Crow to Area Director, Sacramento, 5 November 1971, NARA-SB, RG75, Central California Agency, Tribal Group Files, Box 1, Rancheria Act Information (1958-1972).

Jackson noted that there was water and good roads where he lived, and that he and Ina would “have no trouble paying the taxes on the land.... [or] need any special help from the State of California.”³¹³ Robert Jackson further stated that he and Ina were: “willing to give up these benefits [hunting and fishing rights]. Our community life among non-Indians is perfectly satisfactory, also the school and welfare services. I have nothing to suggest that the Bureau do before it is pulled out of the State.”³¹⁴

The Rancheria Act specifically stated that those named on the distributee list who: receive any part of such assets, and the dependent members of their immediate families, shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall be inapplicable to them, and the laws of the several states shall apply to them in the same manner as they apply to other citizens or persons within their jurisdiction.³¹⁵

Indeed, Ina Jackson’s status as an Indian was terminated because her name was on the distributee list, whether she directly received any of the assets of the Rancheria or not, because she was listed as a dependent member of a distributee, her husband Robert Jackson.

Furthermore, the BIA would have specifically determined for Ina Jackson that she was a dependent member of the head of household and not given her the opportunity to be named as a separate distributee. Listing her separately would have been considered redundant by the BIA, which viewed and treated Ina and Robert Jackson as a unit. The BIA had specific criteria for

³¹³ Robert Jackson to Winnie Howell, 1 November 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

³¹⁴ Robert Jackson to Winnie Howell, 1 November 1954, NARA-SB, RG75, Sacramento Area Office, Tribal Group Files, 1915-1972, Box 37, 2193C, File: 060 Mooretown General 1948-1963.

³¹⁵ *An Act to Provide for the Distribution of the Land and Assets of Certain Indian Rancherias and Reservations in California, and for Other Purposes*, 18 August 1958, 72 Stat., 619-621, emphasis added.

defining distributees versus dependent members, and rarely deviated from the application of this criteria. While it was not spelled out in the language of the 1958 Rancheria Act, the purpose of a 1965 amendment to the Act was to provide more precise definitions of policies and procedures governing how the Act should be carried out.³¹⁶ The 1965 amendment acknowledges that no precise regulations had been written, and it was therefore meant to promulgate – or make known or public – procedures of the Act which were largely already being carried out.³¹⁷ The 1965 amendment defined the distributee simply as “any Indian who is entitled to receive any assets of a rancheria or reservation” under the plan devised according to the Rancheria Act of 1958. Ina Jackson fit every criteria for “dependent members” as defined in the Regulations Implementing the Rancheria Act:

(1) are related to the distributee by blood or adoption or by marriage, including common law or Indian custom marriage; (2) are domiciled in the household of the distributee; (3) are not members of any other tribe or band of Indians; and (4) receive more than one-half of their support from such distributee or for whose support a distributee is legally liable according to the laws of the State in which he is domiciled.³¹⁸

By the same criteria that Ina Jackson did not qualify to be named anything other than a dependent member of a distributee, numerous individuals could have also been excluded from

³¹⁶ Advisory Council, “Termination Report,” pp. 12, 31-f.n. 59.

³¹⁷ This after-the-fact publication of the procedures by which the Rancheria Act was carried out was shown to be in violation of the Administration Procedure Act in 1972, Advisory Council, “Termination Report,” p.31-f.n. 59.

In addition to guidelines on determining who were distributees versus dependent members, most of the other procedures were already being carried out before, but not defined clearly until the 1965 amendment. Namely, these were that the rancheria residents had to somehow request in writing that the termination process begin, the 30-day objection period, and procedures for the referendum vote, etc.

Regulations Implementing the Rancheria Act, 13 August 1965, NARA-SB, RG75, Central California Agency, Tribal Group Files, Box 1, Rancheria Act Information (1958-1972).

³¹⁸ Regulations Implementing the Rancheria Act, 13 August 1965, NARA-SB, RG75, Central California Agency, Tribal Group Files, Box 1, Rancheria Act Information (1958-1972).

the distribution plan and were excluded. The Grabowski report claims that Ina Jackson should have personally acted to name her adult independent children (those fathered by Frank Martin) in the plan. However, even if she had raised the concern, her children would not have qualified, as they, like the McCauleys, were not domiciled on the Rancheria. Also, according to the Advisory Council on Indian Policy Report, a report commissioned by Congress in 1992, equal application of termination was applied to distributees and their dependent members, regardless of these categories. Their status as Indians ended regardless of who did or did not receive land or assets.³¹⁹

Furthermore, in 1964 the Sacramento Area Office officials dealt specifically with issues of criteria for determining who were and were not dependent members of distributees. They did so in a manner which supports the theory that the BIA agent who drafted the distribution plan for the Mooretown Rancheria likely believed Ina Jackson should be listed in no other way than as a “dependent member.” This was despite the fact that Robert and Ina Jackson had specifically intended that the title to the land of Parcel 1 to benefit them both.³²⁰ The BIA was concerned that “the definition of dependent members as it appears in Section 242.(f) ... be strictly applied.”³²¹

³¹⁹ Advisory Council, “Termination Report,” p. 16.

The termination of Indian status was reversed by legal actions in 1976 for the “dependent members” named in distribution plans, and in 1983 for those who had been named as distributees. William E. Finale to All Indians Whose Names Have Been Listed as Dependent Members of Distributees on Distribution Plan of Any of the Following Rancherias, 26 March 1976, BIA-Central California Agency, Sacramento, CA, 3701-P3; Area Director of Sacramento Area Office to Plaintiffs and Class Members, 2 May 1984, Private Collection of James M. McClurken.

³²⁰ Robert Jackson & Ina Jackson to Bureau of Indian Affairs, 15 September 1958, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

³²¹ The issue arose primarily out of cases in which the named distributee was a woman, and her spouse qualified to be a member in another tribe. Officials questioned whether or not the male spouse should be listed as a dependent with her, particularly if he wasn't really the dependent. Ten Broeck

This was done primarily because the BIA wanted to ensure that individuals who were not really dependents were excluded from distribution lists.³²² The Grabowski report's contention that Ina Jackson could have and should have listed herself and her children by Frank Martin as individual distributees (each with their own independent parcel of land) is simply not realistic in the context in which these determinations were made.

Finally, the Final Report of the Advisory Council on California Indian Policy makes the following observations about the lingering impact of termination policy on restored tribes and their efforts to reconstruct a membership base:

the BIA often urges terminated tribes to confine their membership to lineal descendants of the distributees and dependent members listed in the distribution plans prepared under the Rancheria Act. This advice, while serving the BIA's interest in confining its trust responsibility to a smaller Indian service population, also sows the seeds of conflict among different groups of potential tribe members. Moreover, this artificial limitation ignores the fact that the distribution plans prepared in the process of termination frequently and arbitrarily excluded tribal members who objected to the distribution plans or who resided off the rancheria. Often, the numbers of excluded tribal members exceeded those of rancheria residents. Restoration of tribal membership through the exclusive use of distribution plans thus perpetuates the arbitrariness that characterized the original termination process, leaves many Indian people disenfranchised, and sparks dissension within restored tribes at a time when tribal cohesiveness is most needed.³²³

Williamson decided to strictly enforce the definition of dependent members across the board, and thus exclude the male spouses from distribution lists in such cases altogether. As most distributees were the male heads of households, the dependence definition was automatically applied in cases such as that of Robert and Ina Jackson, and only became an issue for discussion when the distributee was a married woman. This led to joint-distributees being named in some rare cases. Ten Broeck Williamson to Area Tribal Operations Officer, 7 September 1965, NARA-SB, RG75, Central California Agency, Tribal Group Files, Box 1, Rancheria Act Information (1958-1972).

³²² Ten Broeck Williamson to Area Tribal Operations Officer, 7 September 1965, NARA-SB, RG75, Central California Agency, Tribal Group Files, Box 1, Rancheria Act Information (1958-1972).

³²³ Advisory Council, "Termination Report," p. 23.

In the case of the Mooretown Rancheria, documents suggest that at the very least, Robert Jackson's half brothers, and Fred Taylor's children, who had either objected to or initially written to the BIA about the distribution of the Rancheria lands were excluded by the very process of termination as described by the Advisory Council.³²⁴

³²⁴ Roger Ernest to Mr. Hill, 13 October 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; Mike McCauley & William McCauley to Secretary of Interior, 1 September 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; Letter Of Appeal, 17 March 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974]; Leonard M. Hill to Kate Brooks Archuleta, 19 March 1959, NARA-SB, RG75, Sacramento, CA, Decimal Files Relating to Tribal Groups, 1970-1989, 9 NS-S Accession Number 075-94-08, Box 4, File: 103.3-Mooretown-Termination [1958-1974].

Summary and Conclusion

Any recounting of the Mooretown Rancheria's history and development of membership must take into consideration the historical contexts of Indian history and policy in California, the circumstances under which the Rancheria was formed, and the residence patterns of its members. The report prepared by Grabowski & Associates, LLC, *Documentary Review of the Lineal Membership of the Mooretown Rancheria*, fails to exhibit a basic understanding of these contexts when it asserts that descendants of Ina Jackson should not be lineal members of the Mooretown Rancheria because she was not a named distributee in the Rancheria's distribution plan. This flawed argument is based upon a series of ill-conceived premises, is devoid of socio-historical context, and is supported by a superficial interpretation, partial representation, and misrepresentation of the public record.

To bolster its central argument, writers of the Grabowski report attempt to dissociate Ina Jackson's husband, Robert Jackson, from the Mooretown Rancheria, leading readers to believe that both Ina and Robert Jackson had little historical connection to the Rancheria. A more balanced, objective, and comprehensive review of the historical record shows the falsity of these statements. The Concow Maidu community in the vicinity of the lands which became the Mooretown Rancheria in 1915, when Parcel 1 (acquired in 1894) and Parcel 2 were combined, was impacted by the evolution of Indian policy and economic conditions. Before 1894 and up to the formation of the Mooretown Rancheria, ancestors of the Tribe lived in many places situated

within about a ten-mile radius of the Rancheria lands, including Lumpkin, Feather Falls (Mooretown), and Enterprise.

A cursory examination of the available record strongly indicates that Robert and Ina Jackson considered Mooretown their home from 1929 forward. Ina came to the area from a Maidu community in neighboring Plumas County when she was fifteen. Robert Jackson was born at Mooretown, and with the exception of living about twelve miles away for a brief period, spent his life there. Both Ina and Robert Jackson lived out the majority of their lives on the Rancheria or in relatively close proximity to its lands. The Jacksons, and numerous other Concow Maidu families, formed the historic community from which the Mooretown Rancheria was formed.

The Grabowski report attempts to delegitimize Robert and Ina Jackson's family in relation to the Mooretown Rancheria's membership criteria. The descendants of Ina Jackson who are the subjects of the Grabowski report also descend from Ina's first husband, Frank Martin. Ina Jackson was widowed in 1913 when Frank Martin died in a mining accident, leaving her to care for their seven children. Three years later, Ina married Robert Jackson, bringing five of these children into her new marriage. Writers of the Grabowski report state specifically that there is no evidence that Robert Jackson considered Ina Jackson's children from her first marriage as his children. However, this report shows that numerous documents provide evidence that Robert Jackson considered Ina's children from her previous marriage as his stepchildren, if not his own children.

The Grabowski report's attempt to alienate certain members of the Mooretown Rancheria – Ina Jackson's children from her first marriage – from their aboriginal community is unfounded

and unconscionable. Deviating from its stated purpose to provide analysis of the “current roll of lineal members of the Mooretown Rancheria,” the Grabowski report instead puts forward the legal opinion that because Ina Jackson was listed as a “dependent member” of Robert Jackson on the distribution plan – a standard BIA classification over which Ina likely had no control – she was not a “real” distributee of the Rancheria’s assets. Ina Jackson’s federally recognized status as an Indian was revoked because she was named in the distribution plan, and she was treated as a distributee in every other way except that Robert received title to the Rancheria lands on which they lived, and he voted to accept the distribution plan on her behalf. These were events congruent with the gender relations of the time period, and with the procedural norms of the termination process which dictated that generally one person per allocated parcel vote on the plan.

By making these erroneous assertions about the nature of Ina Jackson’s relationship to the Mooretown Rancheria, writers of the Grabowski report have brought direct harm to the subjects of their report. This outcome places the writers of the Grabowski report in violation of the American Anthropological Association’s Code of Ethics. Based upon the Grabowski report – presumably a well-researched, accurate, and complete, and professionally crafted report – the Mooretown Rancheria amended its constitution in May 2005 to reclassify descendants of Ina Jackson through her marriage to Frank Martin. This amendment has negatively impacted the lives of the Mooretown Rancheria’s reclassified Tribal members. The analysis and discussion presented in this report reveals the unprofessional nature of the Grabowski report’s scholarship and fallacious argument, and tells a much different and more complete story of the development of the Mooretown Rancheria’s membership. This story, when told in context, includes Ina

Jackson among the named distributees and dependent family members of distributees in the Plan for the Distribution of the Assets of the Mooretown Rancheria, and among those named in the *Federal Register*'s official pronouncement of the termination of the Rancheria. According to the Mooretown Rancheria's 1999 constitution, Ina Jackson's lineal descendants –regardless of their paternal lineage – qualified as lineal members of the Tribe and enjoyed the rights and benefits of this class of membership that have since been revoked.