

RESOLUTION OF THE  
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE  
24<sup>th</sup> NAVAJO NATION COUNCIL -- First Year, 2019

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; APPROVING THE DONATION OF THE ORIGINAL TAPPAN COPY OF THE NAVAJO TREATY OF 1868 TO THE NAVAJO NATION MUSEUM; AND DIRECTING THE NAVAJO NATION MUSEUM TO RECORD THE GIFT WITH THE ETHICS AND RULES OFFICE

SECTION ONE. AUTHORITY

- A. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 700 (A).
- B. Navajo Nation law provides that the President of the Navajo Nation, on behalf of the Navajo Nation, can either accept or decline offers of gifts and donations of property to the Navajo Nation. 2 N.N.C. § 1010. Gifts of donations, exceeding \$1,000, or estimated values thereof, must be approved by the Naabik'íyáti' Committee of the Navajo Nation Council. 2 N.N.C. §§ 700 (A) and 1011. All gifts and donations to the Navajo Nation remain property of the Navajo Nation. 2 N.N.C. § 1010.

SECTION TWO. FINDINGS

- A. The Navajo Treaty of 1868 was executed on June 1, 1868. Three copies of the Treaty were executed, one for the United States, the Navajo Nation and one for the Indian Peace Commission, whom negotiated the Treaty with Navajo leaders.
- B. Samuel F. Tappan (Tappan) was one of the two Indian Peace Commissioners tasked with negotiating the Navajo Treaty. Tappan kept the Indian Peace Commission's copy and returned it to his home in Manchester, Massachusetts, where it has remained for 150 years until it was discovered by Tappan's great grand-niece, Clare P. Weaver in 2018.
- C. Ms. Weaver wishes to donate the Tappan copy of the Navajo Treaty of 1868 to the Navajo Nation Museum for its careful

preservation and display as an exhibit from time to time, for the benefit of Navajo citizens to view this historic document which acknowledges the inherent sovereignty of the Navajo Nation by the United States. See **Exhibit A**.

- D. Pursuant to 2 N.N.C. §1010, the Navajo Nation President has accepted the donation. See **Exhibit B**.

### **SECTION THREE. APPROVAL**

- A. The Navajo Nation hereby concurs with the President of the Navajo Nation's acceptance of the original Tappan Copy of the Navajo Treaty of 1868 donated by Clare P. Weaver.
- B. The Navajo Nation Museum shall record the accepted donation with the Ethics and Rules Office as required by 2 N.N.C. §1012.

### **CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 17 in Favor, and 00 Opposed, on this 28<sup>th</sup> day of May 2019.



Honorable Seth Damon, Chairman  
Naabik'iyáti' Committee

Motion: Honorable Jamie Henio  
Second: Honorable Thomas Walker, Jr.

Chairman Seth Damon not voting





## General Background Info

June 1, 1868 - Three Copies of the Treaty were made at Fort Sumner

- 1) US Government - Kept at the National Archives in DC and was brought to Navajo Nation and displayed at the Navajo Nation Museum.
- 2) Given to Navajo Leader Barboncito - Its current whereabouts are unknown.
- 3) Indian Peace Commission - Indian Peace Commission, US

In the Spring of 2018 Mrs Kitty Weaver discovers the treaty in the attic of her residence . Her great uncle was Samuel F. Tappan who was the peace commissioner present at the signing of the Navajo Treaty of 1868. His signature is on the Navajo Treaty of 1868.

The State of New Mexico had a prior relationship (2016-17) with Mrs Weaver because of research they were doing with her for Fort Sumner. She was unaware at this point she had the Tappan Treaty in her possession. (?)

Summer 2018 - Dialogue begins with Mrs Weaver and the Navajo Nation Museum and Jonathan Nez about the Navajo Nations interest in the Peace Commission copy of the treaty.

Winter 2018 Kitty Weaver and her husband agree its rightful home is to be with the Navajo Nation in the care of the Navajo Nation Museum. She wants the Tappan treaty to be saved in perpetuity for Navajos and generations to come.

The Navajo Nation could be the only tribe that will have a copy of its' treaty in its possession.



Navajo Nation Museum  
Post Office Box 1840  
Window Rock, Arizona 86515  
T: (928) 871-7941 F: (928) 871-7942

## ADDENDUM

To: The Navajo Nation

I, Clare P. Weaver, hereby, irrevocably donate to the Navajo Nation Museum the item listed below, providing that the following list of conditions are met. I further state and acknowledge that the item described shall, from this day forward, be the property of the Navajo Nation Museum on behalf of the Navajo Nation and the Diné people.

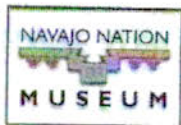
Item: Original 3<sup>rd</sup> Copy of the Navajo Treaty of 1868 referred to as the "Tappan Treaty."

Description: The item is the only existing copy of the 1868 Treaty between the Navajo Nation and the United States Government. There are seventeen lined pages approximately 8" x 12", tied in a bow with a faded red ribbon. In the spring of 2018, small tears on the cover pages, front and back, were stabilized at the Northeast Document Conservation Center, Andover, Massachusetts, for display purposes. The paper and ink are in usually good condition.

### Conditions:

Specific archival standards must be met in order to accept the donation. Accordingly, I feel that the Navajo Nation Museum is best suited to care for, house, and assume overall responsibility for the item/document, and will be able to meet the following requirements:

- Concern for climate control, light and humidity.
  - Maintain 70-degree temperature with +/- 5-degree variance.
  - Light levels will not exceed 5 foot candles while on display.
  - Document will be maintained between 25% and 50% relative humidity allowing +/- 5% fluctuation with any 48-hour period.
- Concern for Safety and Security.
  - The document will be stored and secured in a locked and alarmed facility or have live security guard.
- Archival Monitoring.
  - A regional archivist will check the document periodically or at least every 2 years.
  - A possible endowment/fund to be set up for the future in case more conservation work is necessary.
- Exhibit Collaboration.
  - Would like the Navajo Nation Museum to "share" the document with Fort Sumner/Bosque Redondo (New Mexico Historic Sites) at 20%, as they were instrumental in securing this donation.
- Conservation Stipulations.
  - For prosperity and to remain in compliance with archival standards, display of the document will be limited to a total of 6 months in a 10-year period.
  - Should the Navajo Nation Museum cease to exist, the Navajo Nation will maintain the archival conditions stated for the "Tappan Treaty."
  - In the event the "Tappan Treaty" is voluntarily deaccessioned from the Navajo Nation, it will be given to the United States Library of Congress to be included with the Samuel F. Tappan Collection.
  - The "3<sup>rd</sup> Original Copy of the Navajo Treaty of 1868," also referred to as the "Tappan Treaty," will never be sold.



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**DONATION FORM (AND ADDENDUM) ACKNOWLEDGEMENT SIGNATURES:**

Clare P. Weaver

Donor: Clare P. Weaver

May 14, 2019

Date

[Signature]

Navajo Nation Museum Director: Manuelito Wheeler

May 14, 2019

Date

Jonathan Nez

Navajo Nation President: Jonathan Nez

05.14.19

Date

Donor Initials CPW



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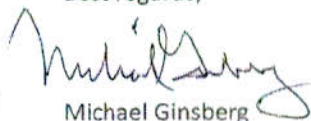
email: [info@ginsbook.com](mailto:info@ginsbook.com)  
website: [www.ginsbook.com](http://www.ginsbook.com)

July 31, 2018

Clare P. Weaver

Dear Clare: This is an appraisal of your unique copy of the rare Navajo Treaty of 1868. The Treaty is not signed by either Sherman or Tappan. It is 19pp and in very good condition. The item was examined at my premises of April 4, 2018. The appraiser's qualifications are included. The evaluation was based on Auction records, dealer's catalogs. The Internet, and the appraiser's handling of somewhat similar material for the past 60 years. After study of available information, at today's market value this document is worth \$10,000. If you have any questions please do not hesitate to call or email me.

Best regards,

  
Michael Ginsberg



Antiquarian Booksellers Association



# MICHAEL GINSBERG BOOKS

*Books - Manuscripts - Periodicals*

Phone: (617) 694-9518  
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81 GASLIGHT LANE  
NORTH EASTON, MA 02356

email: [info@ginsbook.com](mailto:info@ginsbook.com)  
website: [www.ginsbook.com](http://www.ginsbook.com)

March 9, 2016

I, Michael Ginsberg, am the President and founder of Michael Ginsberg Books, Inc. I started my career in the antiquarian book trade in 1956 at the age of sixteen at J. S. Canner & Co. of Boston, Mass. and worked there from 1956 to 1967. I specialize in Americana, western Americana, business history, economics, American church history, Americana literature, Canadiana, periodicals, government publications and manuscript material.

In 1967, I founded Western Hemisphere, Inc. with my former superior at J. S. Canner & Co. This business specialized in similar material. I left that partnership in 1975 to form my own business which has been operating for the past forty years.

I have served as President of the New England Chapter of the Antiquarian Booksellers Association of America for two terms, and sat on the Board of Governors of our national organization, twice.

I have completed a two year term as the national President of the Antiquarian Booksellers Association of America. I am a member of the American Antiquarian Society in Worcester, Mass.

I have dealt extensively in Japan and Europe as well as North America, and enjoy an excellent reputation in the international community of rare bookmen.

I am the former director and faculty member of Book Seminars at Colorado College. I have also guest lectured at Columbia University, Emory University, Brigham Young University, Simmons College and Historic New Orleans Collection.

For over fifty years, I have been appraising books and manuscripts for many prestigious institutions as Brigham Young University, University of Utah, Historic New Orleans Foundation and American Antiquarian Society.



Antiquarian Booksellers Association



# THE NAVAJO NATION

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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



**DRAFT AGENDA**

Navajo Nation Treaty Day  
Navajo Treaty of 1868 "Tappan Copy" Exhibit  
Navajo Nation Museum  
June 1, 2019  
9am to 5pm

9am to 10am: Opening Remarks:  
Navajo Nation Museum

Invocation:  
Otto Tso, Delegate, 24<sup>th</sup> Navajo Nation Council

Welcome Address:  
Manuelito Wheeler, Director, Navajo Nation Museum  
Dr. Rudy Shebala, Division Director, Navajo Nation Division of Natural Resources

Guest Speakers:  
Clare "Kitty" Weaver  
Navajo Nation Office of the President and Vice-President  
24<sup>th</sup> Navajo Nation Speaker and Council  
Navajo Nation Department of Justice

Recognition of Special Guests:  
New Mexico Department of Cultural Affairs  
Others...

10am to 11am: Lecture:  
Michael Lerma, Ph.D., Dean, Diné College

11am to 12pm: Oral History:  
Roanhorse Family

12pm to 1pm: Movie Screening in the Museum Auditorium  
The Navajo Long Walk

1pm to 2pm: Lecture:  
Dr. David J. Tsosie, Hataali and Cultural Consultant

2pm to 3pm: Lecture: (Youth Perspective)  
Shandiin Yazzie

3pm to 4pm: Oral History:  
\*TBD (Those that did not partake in the Long Walk)

4pm to 5pm: Closing Remarks:  
Navajo Nation Museum

Press Questions:  
ALL Affiliates

Ahxé'hee.



# THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 13, 2019

Ms. Clare "Kitty" P. Weaver  
Bridge Street  
Manchester, MA 01944

Re: Acceptance of Donation: original "Tappan" copy of the Navajo Treaty of 1868

Dear Ms. Weaver:

On behalf of the Navajo Nation, it is an honor to accept your donation of the original "Tappan" copy of the Navajo Treaty of 1868. I understand Peace Commissioner Tappan, whom assisted with negotiation of the Treaty, is your great uncle. We appreciate your family keeping the Treaty safe for these many years. I also want to add, it was a privilege to have met you at Ft. Sumner in May of 2018, when our discussion of the Tappan Treaty began. Thank you for your generosity to the Navajo Nation.

The Treaty holds significant cultural and symbolic value to the Navajo People; the signing of the Treaty marks the return of the Navajo People from Bosque Redondo to our traditional homelands, which is partly the present-day Navajo Nation. It is also an acknowledgment of our inherent sovereignty. The Navajo Nation Museum (NNM) will display the Treaty in an exhibit to commemorate the 151<sup>st</sup> anniversary of the signing of the Treaty, beginning on June 1, 2019. When the exhibit concludes it will be securely stored and protected in the NNM vault.

Pursuant to Navajo Nation law, 2 N.N.C. §1010, gifts or donations valued in excess of one thousand dollars (\$1,000) are accepted by the Navajo Nation President with the concurrence of the Naabik'íyátlí Committee. The donation has been appraised at \$10,000.00. We are currently taking steps to bring legislation to comply with the law. On behalf of the Navajo Nation, I thank you for your generous gift that will allow generations of Navajo citizens the opportunity to view this historic document that shaped our existence as a sovereign Nation.

Sincerely,

Jonathan Nez, *President*  
THE NAVAJO NATION

# THE NAVAJO NATION

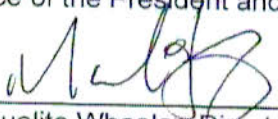


JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 9, 2019

## MEMORANDUM

TO: Jonathan Nez, Navajo Nation President  
Office of the President and Vice President

FROM:   
Manuelito Wheeler, Director  
Navajo Nation Museum - Division of Natural Resources

SUBJECT: ACCEPTANCE OF DONATION TO THE NAVAJO NATION MUSEUM

Ya'at'eeh President Nez. I am writing to you about a donation of monumental proportions. Mrs. Clare "Kitty" Weaver of Manchester, Massachusetts, has in her possession the Indian Peace Commission copy of the Navajo Treaty 1868 and she is wishing to donate it to the Navajo Nation Museum. In order for this particular donation to happen, I am seeking your approval of this gift pursuant to 2 N.N.C. §§ 1010-1011 and Navajo Nation Council Resolution No. CJA-06-11, which affirms the Presidents' acceptance of a gift on behalf of the Navajo Nation with concurrence of the Nabik'iyati' Committee as the valuation of this gift exceeds \$1,000.00 (one thousand dollars).

On June 1, 1868, three known copies of the Navajo Treaty of 1868 were made at Fort Sumner in New Mexico. One copy for the United States went to Washington D.C. and is now cared for at the National Archives. One copy for the Navajo was given to our nat'aanii Barboncito and unfortunately, its whereabouts are unknown. The third copy was the Indian Peace Commission copy and was feared lost as well. Samuel F. Tappan was the Indian Peace Commissioner at the treaty signing in 1868 and that copy has recently been found by Mrs. Weaver, great grand-niece of Samuel F. Tappan.

You met Mrs. Weaver in the summer of 2018 at an exhibit at the Bosque Redondo Museum in Fort Sumner. At that time, you and I expressed our interest in this important piece of our Diné history. Over the course of time since then, the Navajo Nation Museum has been in contact with Mrs. Weaver letting her know that we are capable of caring for and preserving this historic document. She has graciously decided to donate the Indian Peace Commission copy of the Navajo Treaty of 1868 to the Navajo Nation Museum.

Mr. President, you have been supportive of myself and the Navajo Nation Museum over the course of your career as leader for Navajo people. I hope you continue that tradition in this request for approval of the donation by Mrs. Weaver of the Indian Peace Commission copy (aka the Tappan treaty) to the Navajo Nation Museum.

Attached is a copy of the donation form/agreement, along with an appraisal letter.

If you have any questions do not hesitate to contact me at 928.871.7941. Ahxé'hee.

xc: File





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## OBJECT DONATION FORM

If you are interested in donating an item to the museum, please save, fill out and then attach the form in an email to [manuelito@navajonationmuseum.org](mailto:manuelito@navajonationmuseum.org) or mail to the address above. The information will be reviewed, and you will receive a response within 30 days. \* Required Field

### Contact Information

* Name:	Clare P. Weaver (Nickname: "Kitty")
Mailing Address:	26 Bridge Street
City/State:	Manchester, Massachusetts
Zip Code:	01944
* Email Address:	cpweaver242@comcast.net
* Telephone No.:	Home (978) 704-9718 Cell (978) 500-9336

How do you prefer to be contacted? Email ☒ Phone ☐

### Object Information

#### 1. Describe the item(s).

Name the item and describe it. Include physical description, size, color, material, inscriptions, and age or date; the name of the manufacturer, author or creator; and provide details on the condition of the item – complete, damaged or in operating condition. (If more space is needed, please attach extra pages to the donation form and label it ADDENDUM.)

The item is the only existing copy of the 1868 Treaty between the Navajo Nation and the United States Government. There are seventeen lined pages approximately 8" x 12", tied in a bow with faded red ribbon. In the spring of 2018, small tears on the cover pages, front and back, were stabilized at Northeast Document Conservation Center, Andover, Massachusetts, for display purposes. The paper and ink are in unusually good condition.

#### 2. Is there an event or person associated with this item?

Provide details on any event(s) that the item was made for or used in; the name of the original owner of the item, where they got it, where they lived and where the item was used; and if the item was made by a specific person - include person's name. (If more space is needed, please attach extra pages to the donation form and label it ADDENDUM.)

Indian Peace Commissioner, Samuel F. Tappan, of Manchester, Massachusetts, acted as secretary for the three days of proceedings and the final treaty, May 28 – June 1, 1868. He hired three clerks for the paperwork, who copied three treaties: one for the Navajo, one for the government, and one for the Commissioners. Tappan held on to the latter, returning with it to his home in Manchester where it remained in the family for the next 150 years. It moved between various boxes, chests and file cabinets but was never used or displayed and rarely removed from its stored area.





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3. Please provide any additional information you would like to share.

As this was the Commissioners' copy, it was not necessary for representatives Lt. General William T. Sherman and Samuel F. Tappan to sign. The writing clerk made 'x' marks on this copy for the headmen and council, not the men themselves. However, Delgadito wrote his name, the only one who could do so.

Exposure for this treaty copy has been rare over the past 150 years, until it was "discovered" in 2018. It is hoped the return home will not lead to too much attention or exposure (handling and display). Tappan would want the document to survive, like the Diné themselves, for the next 150 years and generations beyond.

4. Are historical photographs or documents related to the item available?

Pictures of the item being used: Yes ☒ No ☐

Pictures of the maker or owner of the item: Yes ☒ No ☐

Documents, manuals, receipts, etc. associated with the manufacture, purchase, sale or use of the item: Yes ☒ No ☐

Copy of 3-day proceedings

5. Is there a recent photograph of the item that can be shared for reference? Yes ☒ No ☐

6. If seeking Tax incentive, certified Appraisal documents must be attached.

See attachment from Michael Ginsburg, Certified Appraiser

# NAVAJO NATION

177

Naa'bik'iyati Committee

5/28/2019

07:11:49 PM

Amd# to Amd#	Legislation 0124-19: Approving	PASSED
MOT Henio, J	the Donation of the Original	
SEC Walker, T	Tappan Copy of the Navajo Treaty	
	of 1868 to Navajo Nation Museum;	

**Yea : 17**

**Nay : 0**

**Excused : 3**

**Not Voting : 3**

## Yea : 17

Begay, E	Freeland, M	Nez, R	Tso, E
Begay, K	Halona, P	Smith	Tso, O
Begay, P	Henio, J	Stewart, W	Walker, T
Charles-Newton	James, V	Tso, D	Wauneka, E
Daniels			

## Nay : 0

## Excused : 3

Brown	Tso, C	Crotty
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## Not Voting : 3

Yazzie	Yellowhair	BeGaye, N
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**Presiding Chair: Damon**