

Serranus Clinton Hastings in Eden and Round Valleys

White Paper

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STATEMENT OF PURPOSE

This white paper explores the actions of Serranus Clinton Hastings in the historical context of the California Gold Rush, and what role, if any, he played in atrocities committed against California Indian peoples living in and around Eden and Round Valleys near the present-day town of Covelo in Mendocino County during the 1850s and 1860s. As founder, endower, and namesake of the University of California's Hastings College of the Law, this is vital to our understanding of the history leading up to the establishment of the college in 1878.

EXECUTIVE SUMMARY

The story of Serranus Clinton Hastings is both unique and commonplace. Commonplace in that he is emblematic of many Americans arriving in California following the discovery of gold in 1848: Hastings came seeking greater fortune, acquired public land, and sought to build a new life for himself and his family. Much like his countrymen, he had little concern for Indian peoples, beyond the threat they posed to his property. He is unique in the scale of his landholdings, his lasting wealth, his public notoriety, and, especially, his political power and influence. Unlike most others who came for the Gold Rush, Hastings became lastingly wealthy owing to his entrepreneurial activities and investments, a portion of which came from his landholdings.

After a successful political career in territorial and state politics in Iowa, Hastings came to California as part of the Gold Rush. Unlike most of his fellow fortune-seekers, he determined to achieve his wealth outside of the Mother Lode, through a combination of public service, legal practice, and entrepreneurship. In all of these pursuits he achieved success, particularly in his entrepreneurial pursuits.

Hastings arrived with a prominent reputation owing to time in the territorial and state legislatures and as a one-term member of the U.S. House of Representatives for Iowa, where he was also chief justice of the state's highest court. Arriving in California, being a well-known and prominent Democrat, Hastings became the first Chief Justice of the California Supreme Court. Following his judicial appointment and time on the bench, he served as the state's third attorney general. While there is significant evidence that Hastings was heavily involved in banking and real estate ventures while in these offices, there is no evidence that he used these positions in any official capacity to further his interests. Having cemented strong political connections in the state, Hastings left public service and turned his eye to pecuniary pursuits.

Focusing on real estate speculation and acquisition, Hastings became one of the largest landowners in California, owning many tens of thousands of acres throughout the northern half of the state. The money to acquire these lands came from a modest nest egg brought with him from Iowa, his salaries as chief justice and attorney general, legal fees received as a practicing attorney, the proceeds of individual and corporate banking and finance activities, logging, and the profits generated by agriculturally driven businesses (including farming, stock raising, and viticulture). Most of all, cycles of land purchase, sale for profit, and acquisition of new properties, combined with the revenues generated by leases of his properties, account for his notable wealth. It is because of the centrality of land to his fortune that questions arise about his role in negatively influencing Indian-white relations in Northern California. Indeed, some have charged that he is responsible in part for fomenting violence and atrocity against California Indians, particularly in and around his holdings in Eden Valley.

According to the historical record—including depositions, letters, and statements by Hastings's contemporaries—significant proof exists that this was the case. Serranus Hastings purchased all of Eden Valley, drove hundreds of head of livestock there, and had a series of stockmen manage his herds. As Eden Valley was home to approximately six hundred Yuki people at the time, the combination of violent stock managers mistreating Indian people and competition for resources created a strained relationship that led to cycles of violence in the valley, as well as in nearby Long and Round Valleys. Particularly in colder months, the Yuki came onto the valley floor to forage for grass seeds, acorns, game, and fish, only to find the grass eaten and the game driven off by large herds of cattle and horses, the acorns eaten by hogs, and the path to rivers and streams blocked by white settlement. As a result, the Yuki raided stock to subsist. In

retaliation, white ranchers and settlers killed the Yuki. In response, the Yuki killed more stock—now in retaliation, not just to eat—and, rarely, also killed white men. This cycle repeated, over and over. It is important to note, this state of affairs was not unique to the region or for men like Hastings: these cycles of violence existed throughout the state of California in the 1850s and 1860s. While not unique, it is important to note that there were some contributing factors to this often-seen cycle that were indeed exceptional in the case of Eden and Round Valleys.

Hastings's first stock manager, H. L. Hall, who both watched the cattle and horses and operated a farm with over fifty Indian workers, mistreated the local Indigenous population. Hall, known for his violence against Indians, abused and cheated Indian workers, and whipped them if they complained. This led to Yuki retaliation against the stock housed in the valley. Hall not only went out on brutal retaliatory raids against the Yuki, he also notified Hastings of the threat to his investments—without telling Hastings of his role in starting the trouble. Hastings responded by bringing his considerable political and financial influence into play.

Hastings visited Eden Valley, had personal and community meetings with settlers in the region (the settlers primarily lived to the north, in adjacent Round Valley, not in Eden Valley itself), and suggested forming a volunteer company to suppress local Indian populations. He dictated the petitions sent to the governor—a friend of his—and offered to finance the operations of the company until state or federal funds could reimburse these efforts. For those hesitant to support such actions, Hastings personally implored individuals to reconsider. He also wrote military commanders and the governor personal letters urging action. In his letters to the governor, he offered to provide salaries and supplies, as well as facilitate the formation and operation of the volunteer companies. Assisting him in this was his business partner, Thomas J. Henley, the Superintendent of Indian Affairs for California. Henley made his home in Round Valley, which also contained a reservation—the Nome Cult Indian Farm. Henley's interests were well-served by formation of a volunteer company: The company would suppress local Indian resistance and bring prisoners there, which would augment the reservation workforce—a workforce Henley and his cronies were using to work their farms, sawmill, and ranching operations, free of charge and at the expense of the federal government. In advance of the governor's approval, Hastings selected a captain for the company and encouraged its formation. Indeed, the Eel River Rangers, as they called themselves, took the field without authorization.

The operations of the company seem to have been well known to Hastings. The captain of the Eel River Rangers, Walter S. Jarboe, a notoriously violent “Indian fighter,” kept Hastings apprised of the Rangers' activities in back-channel reports. During these operations, Hastings continued to write the governor and monitor developments in the field. He scorned U.S. Army officers in the region, who protected Indian interests rather than advanced white interests. Hastings also gave intelligence to the local press, encouraging them to support the efforts of the Eel River Rangers. For Hastings, Henley, and the local white population, the operations of the Rangers were a huge success.

By the time the Eel River Rangers disbanded in 1860, evidence suggests that Eden Valley had been totally depopulated of Yuki people. This conflict—the Rangers and other white settlers fighting with Yuki over land and resources, July 1859 to January 1860—became known as the Mendocino War. Eventually, it spread into the adjacent valleys and produced disastrous consequences for not only Yuki living there, but other Native American groups as well. Conservatively, approximately six hundred Native Americans were directly killed in Long, Round, and Eden valleys, and many hundreds more taken prisoner and forced into slavery on Henley's Nome Cult Indian Farm or the Mendocino Reservation, or on private ranches and farms as domestic and agricultural slaves (euphemistically called apprentices or servants by whites). This included women and children, some of whom were clearly also being sexually abused by the almost all-white-male population of Round Valley. Evidence also suggests that unauthorized vigilante companies also killed or captured hundreds more Indigenous peoples.

By the conclusion of the Mendocino War in January 1860, word of atrocities had spread to the point that the state sent a five-man investigative committee to the region to take depositions and formulate

a report on the conflict. Made up of members of the California State Senate and Assembly, the investigation produced two reports: a majority report supported by four members, and a minority report authored and supported by one member. The latter report, authored by an assemblyman from Mendocino County, supported the efforts of the local settlers. The majority report condemned what had happened as despicable. Neither report, however, produced any substantive outcomes. Even though many of the depositions taken included clear evidence of criminal behavior—including rape, murder, and fraud—no charges were ever brought against the members of the Eel River Rangers or the settlers involved in ad hoc, unauthorized companies operating against the Native population of Round, Long, and Eden valleys. As to Serranus Hastings, he was not called out or singled out for the role he played.

Hastings's holdings were secure, and his direct involvement in the affairs of Eden and Round Valleys ends in the historical record after 1861. But the consequences of his actions and those of his fellow Americans have been lasting and devastating, particularly for the Native Americans driven onto reservations as part of the campaigns Hastings orchestrated. While Hastings did not come under direct scrutiny at the time, the federal government undertook investigations into the activities of Hastings's business partner, Thomas J. Henley, and his agents and employees working at the reservation in Round Valley, uncovering wide-ranging fraud and malfeasance. Despite Henley and his subagent's firings, corruption persisted for decades to come, with a revolving-door of agents and superintendents holding these patronage posts engaging in similar nefarious practices, to the detriment of the Native Americans of Round Valley and California. Violence against the much-depleted California Indian population of the region continued into the 1870s, although on a much-reduced scale. The Round Valley Indian Reservation continued to operate, but with the Yuki no longer forming its core population—the war had so devastated their numbers, they soon became outnumbered by other California Indian groups removed to the reservation, sometimes from many miles away; the Yuki became a minority group on their own land, in their own country. Yuki or not, the reservation remained a horrific place for internees. Corruption by Indian agents was the rule rather than the exception. Native Americans, in addition to the continued specter of violence, rape, and kidnap, suffered from malnutrition, disease, and exposure. Reservation life was further complicated by white squatter's attempts to claim portions of the Round Valley, despite its designation as a federal Indian reservation. Ultimately, the settlers won out, and the size of the reservation reduced to make way for settlement.

By the 1880s, national events began to overtake the surviving Native Americans in and around Round Valley. The Dawes Act, a federal law designed to force Indian assimilation by allotting lands to individuals rather than maintaining tribal holdings in trust passed in 1887. Allotment granted title to individual Indians, then offered the remainder of lands for sale to non-Indians. This resulted in further losses for Native groups unable to resist allotment, including Native Americans in Round Valley. Meanwhile, developments that might have helped the Native peoples interned at Round Valley overlooked or ignored them. For instance, efforts at reform in some parts of the state—especially southern California—concentrated on former Mission Indian populations, and mostly disregarded the rural Native populations in the rest of the state.

American citizenship for Native Americans in the 1920s, Depression-era federal programs, and the rise of employment during World War I and World War II provided some small benefits, but nothing close to ameliorating the extreme poverty found in the Round Valley region. Without the shield of federal Indian treaties, the Yuki and other Indian residents of the valley had few protections and almost no legal recourse. In 1936 the Round Valley Indian Tribe, a conglomeration of the descendants of several Native groups, including the Yuki, achieved recognition by the federal government, following the creation of a tribal constitution and government under the New Deal's Indian Reorganization Act of 1934. Despite federal recognition—something many California Indian groups are still battling for today—life remains difficult for the Native Americans of Round Valley. In the years following World War II, the reservation and its surrounding area have witnessed a steady economic decline. The most recent employment figures for the

reservation suggest an unemployment rate of nearly ninety percent. Meanwhile, to the south, Eden Valley remains non-Native land.

Serranus Hastings, well known as a philanthropist, legal scholar, and California “founding father,” has a complicated legacy, one containing connections to the darkest chapter in the history of California. While one cannot say the \$100,000 endowment made by Hastings in 1878 was drawn entirely from monies generated by his real estate investments in Eden Valley, or the stock he raised and sold that had lived and grazed there, one can argue that some fractional portion of his total fortune certainly did emanate from there—and thus from his actions supporting atrocities against Native Americans, especially the Yuki of Eden and Round Valleys. While many white Californians in the nineteenth century had blood on their hands, either by participation, complicity, or silent acceptance of atrocity, Hastings’s involvement in this episode was nonetheless significant.

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HISTORICAL NARRATIVE

The following narrative contains a minimum of argument or interpretation on the part of the author. Rather, in keeping with the goal of a white paper, the author has attempted to contextualize the actions of Hastings and report the facts in evidence in the historical record using primary and secondary sources, which readers will find listed in the extensive footnotes, appendices, and bibliography.

HASTINGS BEFORE CALIFORNIA

Serranus Clinton Hastings was born in Watertown, Jefferson County, in the state of New York, on November 22, 1814. He was one of seven children born to Robert and Patience Hastings.¹ He attended a prep school, the Gouverneur Union Academy, and later graduated from Hamilton College. After a brief stint as the principal of Norwich Academy in 1834, Hastings emigrated to Lawrenceburg, Indiana, in 1835. He worked as a newspaper editor while he studied law.² Hastings had begun reading the law under the tutelage of a practicing attorney in upstate New York in 1834, and finished under the guidance of Daniel S. Major, an attorney practicing in Lawrenceburg. This private study was common in the Antebellum Era, as there were very few law schools extant. Hastings entered the bar in 1836.³

Hastings relocated to the Wisconsin Territory in 1837. He became a justice of the peace, practiced law, invested in land, and became active in territorial politics as a member of the Democratic Party.⁴ In 1838, the United States created the Iowa Territory from part of the Wisconsin Territory. Hastings, elected

This work is at the behest of the Hastings Legacy Review Committee, of which the author is also a member. Original archival research forms the core of this white paper; some research dates to the author’s Ph.D. dissertation, “Naturalizing Atrocity,” completed at the University of California, Riverside, in 2007. Substantial portions of that earlier work, which I hold copyright to, appear in revised, reorganized, and synthesized form in this paper. Substantial additional research in primary and secondary sources augment this foundational work. The author would like to thank Chancellor and Dean David Faigman, Anne Marie Helm, Jenny Kwon, Tom Gede, and all the members of the Hastings Legacy Review Committee for their feedback and support. The author would like to acknowledge the efforts of Dr. Anne Lindsay, associate professor of history at California State University, Sacramento, for her assistance in transcribing longhand depositions, letters, and petitions from archival repositories. The author is grateful to Tom McCarthy of the O’Brien Center for Scholarly Publications at UC Hastings College of the Law for his valuable assistance in copyediting and formatting this document for public distribution. Any errors of fact or interpretation in this document are the failings of this author alone.

¹ Oscar T. Shuck, *Bench and Bar in California* (San Francisco: Occident Printing House, 1889), 240.

² “Hastings, Serranus Clinton,” Biographical Directory of the United States Congress, accessed March 30, 2018, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=H000330>.

³ Thomas Gordon Barnes, *Hastings College of the Law: The First Century* (San Francisco: Hastings College of the Law Press, 1978), 26.

⁴ Shuck, *Bench and Bar*, 241; Barnes, *Hastings College*, 26.

a member of the territorial legislature, eventually served for eight years in both its lower and upper houses and frequently as a member of the judiciary committee. Following statehood in 1846, he represented Iowa in the U.S. House of Representative as part of the Twenty-Ninth Congress.⁵ It was during this service that he likely met his future business partner, Thomas J. Henley, a Democratic representative from Indiana.⁶ He also became acquainted with men like Abraham Lincoln, Stephen A. Douglass, and John Quincy Adams.⁷ Hastings served a single term, from December 28, 1846, to March 3, 1847, but did not seek reelection. Made Chief Justice of the Supreme Court of Iowa in 1848, Hastings served until 1849, when he resigned his seat on the bench to travel to California.⁸ There, Hastings hoped to acquire land and fortune. Arriving in California after an overland trek from Iowa, he encountered a place very different from anywhere he had yet lived, with layers of laws and land claims and titles stretching back centuries.

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CALIFORNIA BEFORE HASTINGS

Prior to the arrival of Serranus Hastings in 1849, California was already a place in transition, particularly in the occupying, controlling, and claiming of land. Indeed, when he began laying claim to places in California, Hastings became part of a legal tradition already several centuries old. Traditions that, in fact, essentially lay claim not only to land, but to people as well. Native American peoples, according to scientists, have lived in what we now call California for more than fifteen thousand years.⁹ For Native Americans of California, their presence has been and is eternal; created here, they have always been here. Whether one accepts the secular or the sacred explanation, both perspectives agree that California Indian peoples had resided in California for millennia before the Spanish began establishing paper claims to their lands and lives beginning in 1493.

In 1493, following Columbus's so-called discovery of the New World, Pope Alexander VI issued a decree that all lands west of an imaginary and arbitrary line set by him would be the domain of the monarchs of Spain, and that all lands to the east of this line would come under the control of Portugal. Not surprisingly, the pope stipulated that in return for the title to these lands, Spain and Portugal must convert any non-Christians encountered to Catholicism.¹⁰ Thus, the Roman Catholic Church conferred title to

⁵ Shuck, *Bench and Bar*, 241-242.

⁶ "Henley, Thomas Jefferson," Biographical Directory of the United States Congress, accessed March 31, 2018, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=H000499>.

⁷ State Historical Society of Iowa City, *Annals of Iowa, 1872-1873* (Davenport, IA: Day, Egbert, & Fidler, Printers, 1873), 104.

⁸ "Hastings," Biographical Directory; Shuck, *Bench and Bar*, 242.

⁹ Throughout this paper, the author employs a variety of terms when referring to the Indigenous peoples of California. When possible, the author employs the specific names of Native nations/peoples in question. This is the way most Native peoples prefer, if referred to by ancestry. However, this is often impossible, as records typically did not distinguish among various California Indian groups, especially when housed in common on reservations. The author sometimes uses the term "Indian," not out of ignorance of the fallacious nature of the term, but in cases where it reflects the views of historical actors, contemporary to events under discussion. Otherwise, in the narrative of events, the author uses Native, Indigenous, and Native American(s), capitalized, to indicate synonymous reference to—and avoid unnecessary use of—the fraught term, "Indian." It is also worth noting to readers that many—but not all—Native Americans, today, sometimes refer to themselves as Indians; however, this is often an act of resistance through solidarity with other Indigenous peoples of the Americas, in recognition of how they have been—and still are—identified, racially essentialized, marginalized, and denigrated as a single people by Western culture.

¹⁰ The decree in 1493 covered only territory not already Christianized and/or claimed by a Christian nation. It also only applied to Africa and the Western Hemisphere. Later, another decree by the Church would divide Asia and the Eastern Hemisphere between Spain and Portugal. For an English translation of the Papal Bull, see: Pope Alexander VI, "The Papal Bull of 1493 (*Inter Caetera*)," 04 May 1493, Gilder Lehrman Institute of American History, accessed February 26, 2018, <https://www.gilderlehrman.org/sites/default/files/inline-pdfs/T-04093.pdf>.

California and most of the Americas to Spain, even though the people and places concerned were overwhelmingly unknown to them.

In 1494, a treaty between Portugal and Spain, the Treaty of Tordesillas, adjusted the papal line of demarcation, allowing Portugal to have a more substantial presence in the so-called New World. Without this adjustment, they would have received only the eastern-most tip of South America. Spain was willing to compromise, leading to what later became Portuguese-controlled Brazil. Meanwhile, the treaty essentially reaffirmed Alexander VI's original decree: both nations would otherwise follow the pope's injunctions and assume title to the lands involved with this slight modification.¹¹ Again, California and its Native American peoples, sight unseen, had had their fates irrecoverably altered.

In 1542, Juan Rodriguez Cabrillo, leading a Spanish expedition, euphemistically "discovered" California for Spain.¹² As he sailed up the coast of California, he read out the Requirement to the Indigenous populations he encountered. This was a legal document created early in the sixteenth century by Spanish clergymen and lawyers looking to avoid charges of rape, theft, and murder levelled at their *conquistadores* engaged in the process of conquering the New World and its Indigenous peoples. Required to be read aloud to newly encountered Native populations, the document informed them they were now under the dominion of the Catholic monarchs of Spain, who held title to their lands and possessed powers over them granted by the Church.¹³ That Native Americans did not speak the language was of no consequence to the Spanish. Nonetheless, the language of the Requirement added yet another layer of claims of over Native persons and property.

Spain established a permanent presence in Alta (Upper) California at San Diego in 1769. Relying on the Franciscan mission system, Spain began a limited conquest of Alta California. Eventually, Spain occupied about one-sixth of California, using a series of missions, forts, and agricultural towns. This occupation, too, added a layer of legitimacy to non-Indian claims to California under the Western legal tradition. Yet, despite an occupation that lasted from 1769-1821, California was never a very Spanish place, even as it transitioned to Mexican rule following successful revolution that gave birth to the Republic of Mexico. Few Spanish subjects lived there. About three thousand four hundred non-Indians occupied Alta California at the time of transition, compared to the approximately two hundred twenty-five thousand California Indians still occupying and controlling five-sixths of what is, today, the state of California.

A similar demographic existed after twenty-five years of Mexican occupation and rule. Mexico obtained title to California by agreement with Spain as part of the aftermath of successful revolution. The Treaty of Córdoba ostensibly accomplished this in 1821.¹⁴ Under Mexico, non-Native occupation and control of California land grew only modestly, to about one-fifth of its one hundred million acres. This modest expansion included the secularization of the missions, allowing for the privatization of the system's former holdings and a rapid expansion of private land titles, which Spain had severely limited. Under

¹¹ For an English translation of the treaty, see: "Treaty of Tordesillas," 07 June 1494, Avalon Project, Yale Law School, accessed January 13, 2018, http://avalon.law.yale.edu/15th_century/mod001.asp. Later, the Church officially confirmed the treaty's adjustment of the Bull of 1493, adding yet another layer of legitimacy under Western law.

¹² Since California—indeed, all the lands subjected to European colonialism—had already been discovered, explored, and settled by Indigenous populations well before the arrival of so-called "explorers" on "voyages of discovery" or "pioneers" or "settlers," it is more correct to identify and contextualize Europeans and, later, Americans as invaders rather than explorers or pioneers, and re-settlers or squatters rather than settlers.

¹³ For a review of the Requirement and other policies and practices of conquest and land claims, see: Patricia Seed, *Ceremonies of Possession in Europe's Conquest of the New World, 1492-1640* (New York: Cambridge University Press, 1995). For an English translation of the Requirement, consult: Council of Castile, 1510, "Requerimiento," National Humanities Center, accessed March 2, 2018, <https://nationalhumanitiescenter.org/pds/amerbegin/contact/text7/requirement.pdf>.

¹⁴ For an English translation of the treaty, see: "Treaty of Cordova," Internet Archives, accessed March 31, 2018, <http://www.tamu.edu/ccbn/dewitt/igualala.htm>. The Spanish government rejected the deal their treaty commissioners made with the Republic of Mexico, yet it was a *fait accompli*. In 1836, Spain finally recognized Mexican independence.

Mexican rule, hundreds of titles passed to Mexican citizens and foreign settlers. By 1846, the year of conquest by the United States, however, still only about ten thousand non-Indians, of which perhaps only seven thousand five hundred were Mexican citizens, inhabited Mexican California.¹⁵ Compared with the one hundred fifty thousand California Indians occupying and controlling four-fifths or eighty percent of the land, Mexican California was not very Mexican; it was still an Indian place. The conquest of California during the Mexican-American War and the discovery of gold would change this ratio drastically.

The United States seized California in the summer of 1846 as part of the Mexican-American War. Following American victory in the war, the United States and the Republic of Mexico concluded the Treaty of Guadalupe Hidalgo on February 2, 1848.¹⁶ The treaty settled American debts and paid Mexico for ceded territories—essentially all of the American Southwest, including California—for a sum just under \$20 million. The United States also agreed to grant American citizenship to any Mexican citizens who desired it, as well as to respect the civil and property rights of former Mexican citizens living in the ceded territory, known as the Mexican Cession.¹⁷ These rights were to respect the structures of Mexican law. In practice, though, Americans ignored these rights, especially where Indians were concerned.

This was the California that Serranus Hastings journeyed to in 1849, along with ninety thousand other gold rushers arriving by land and sea in twelve months' time. All of them shared one thing in common: the uncompensated acquisition and exploitation of California Indian lands and resources were essential to their survival and future prosperity.

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HASTINGS AND THE CALIFORNIA GOLD RUSH

American emigrants arrived in California by the tens of thousands each year during the second half of the nineteenth century. Some came by sea, avoiding the perceived peril of Indians but facing instead a dangerous passage that could take five months or more to complete or end in death by disease or shipwreck. Some, like Serranus Hastings, came overland; oftentimes in terror of Indians during a journey often taking four months or more. Flooding the western Sierra Nevada and its foothills, concentrating in the so-called Mother Lode, especially along the rivers and streams flowing down from the melting snows, thousands sought their fortunes by panning, rocking, or hydraulic mining for gold. In 1848, there were only six thousand miners working claims, many of them Mexicans (many from Sonora), California Indians, and Pacific Rim peoples from Hawaii, China, and elsewhere. Beginning in 1849, following news of the discovery of massive quantities of gold in California, more than two hundred thousand Americans poured into California in the next three years, bringing with them negative attitudes about Indians and non-Americans. Existing conceptions of race, religion, and national destiny reinforced these views. By sheer numbers, white Americans overwhelmed non-whites, driving many of them from the gold fields by violence, murder, and legal maneuvering.¹⁸ The Indian population of California, estimated at one hundred

¹⁵ The remainder were mostly American citizens, settled in Mexican California, but refusing to naturalize as Mexican citizens. Many of these settlers received land titles from Mexican authorities anyway.

¹⁶ For a copy of the treaty, see: Treaty of Guadalupe Hidalgo, 02 February 1848, Primary Documents in American History, Library of Congress, accessed February 26, 2018, <https://www.loc.gov/rr/program/bib/ourdocs/Guadalupe.html>. In 1854, the Gadsden Purchase completed acquisition of what we call the American Southwest today.

¹⁷ American citizenship occurred automatically. One had to refuse American citizenship, formally, if one wanted to remain a Mexican citizen. Native peoples were citizens under Mexican law, but seldom respected by Mexico, and never respected by the United States, despite the language of the Treaty of Guadalupe Hidalgo.

¹⁸ Several general studies of the Gold Rush exist, including: H. W. Brands, *The Age of Gold: The California Gold Rush and the New American Dream* (New York: Anchor, 2008); J. S. Holliday, *The World Rushed In: The California Gold Rush Experience* (New York: Simon & Schuster, 1981); and Susan Lee Johnson, *Roaring Camp: The Social World of the California Gold Rush* (New York: W. W. Norton & Company, 2000).

fifty thousand persons in 1848, suffered massive losses as the American population increased dramatically each year. By 1900, the California Indian population was only ten percent of what it had been in 1848.¹⁹

American settlers, miners, and ranchers used violence as well as new and existing state and federal laws to remove the obstacles that Indigenous peoples represented to the acquisition of land. Whether one wanted mineral wealth, grazing pastures, or land to farm, Indian peoples were ubiquitous in California. As gold played out, the American desire to remove or exterminate suddenly “savage” Indians from prime farming and grazing lands increased with each passing year. In 1848, the six thousand miners in California extracted about \$10 million in gold, or just under \$1,700 per person on average. By 1852, the height of the Gold Rush in terms of the value of gold taken in a year, there were around one hundred thousand miners producing \$80 million in gold, or \$800 per person.²⁰ This average rate continued to fall steadily. Since it could cost more than \$800 to come to California, especially by sea, the Gold Rush proved to be a losing proposition for most in the long-term. This helps explain the dramatic shift in what Americans did once in California. As more and more men realized that no easy money lay in the ground from gold, many turned to other ways of making money. Avocations such as farming, ranching, and logging offered a cheap, easy, and profitable alternative to futilely seeking gold. The most perspicacious among them saw this early on, including Serranus Hastings, who never panned for gold.

All one needed to begin was some capital. This was particularly true where land was concerned. Federal and state governments generally offered public lands at \$1.25 per acre through a variety of programs. Some were more generous: the School Land Warrant system passed May 3, 1852, sold public lands for \$2 per acre. In this system, the federal government transferred to the state five hundred thousand acres of public lands—lands home to tens of thousands of Indigenous Californians—that it had gained title to in the Treaty of Guadalupe Hidalgo, without the consultation and consent of the Native peoples of the lands ceded. By selling this land, the state would be able to finance the creation of a public school system from the proceeds.²¹ Given the massive inflation of prices and wages in California, and the decision of government not to match the rise in inflation with an increase in the prices of land beyond \$1.25, many Americans in California could afford large tracts of land.²² According to historian Thomas Garden Barnes, Hastings had arrived in California with some means—a “grub steak”—to capitalize on opportunities available to those willing and able to invest.²³ As he had done in Iowa, he bought land in California.

Indeed, Hastings made excellent use of the claims systems offered by the state and federal governments. He purchased School Land Warrants. According to records held by the California State Archives, Hastings was originally able to acquire two warrants totaling three hundred twenty acres, half of the maximum six hundred forty acres allowed to an individual purchaser.²⁴ However, he eventually acquired a total of fifty warrants, which came in one hundred sixty-acre and three hundred twenty-acre denominations.²⁵ While individuals were limited to initially purchasing only a total of six hundred forty

¹⁹ Scholarly debate exists on the approximate levels of California Indian population. For an overview of some of the many positions, see: Albert L. Hurtado, “California Indian Demography, Sherburne F. Cook, and the Revision of American History,” *Pacific Historical Review* 58, no. 3 (August 1989): 323-343. See Appendix A for a table of population estimates.

²⁰ James J. Rawls and Walton Bean, *California: An Interpretive History* (New York: McGraw-Hill, 2003), 111. This is not to suggest the distribution of wealth was even, as some did much better than others, depending on one’s skill, luck, and location.

²¹ W. W. Robinson, *Land in California: The Story of Mission Lands, Ranchos, Squatters, Mining Claims, Railroad Grants, Land Scrip, Homesteads* (Berkeley: University of California Press, 1997), 185-190.

²² Robinson, *Land in California*, 167.

²³ Barnes, *Hastings College*, 26-27.

²⁴ S. C. Hastings, School Land Warrants, R388.03, Box 11-12, D2868, California State Archives, Office of the Secretary of State, Sacramento. Hastings initially purchased School Land Warrant nos. 51 and 53, both for 160 acres. See Appendix B for an example warrant—a copy of Hastings’s [School Land Warrant No. 51](#).

²⁵ Hastings, School Land Warrants. Box 11-12. Hastings acquired 48 other warrants, nos. 13, 14, 57, 79, 80, 89, 109, 110, 127, 128, 129, 130, 202, 205, 206, 229, 230, 231, 244, 245, 302, 303, 336, 337, 518, 528, 529, 531,

acres from the state, it was possible to acquire more by purchasing warrants from others. The system was supposed to prevent domination by speculators by limiting the acquisitions of individual purchasers during the initial public offering, but the example of Hastings shows that the system had a significant loophole. One could seek out other warrant holders and purchase from them. In all, Hastings acquired the rights to ten thousand seven hundred twenty acres in this manner; although, to be sure, this represented only a small part of his total landholdings.²⁶

Hastings also had enough cash to loan money, both as an individual and as part of banking partnerships, sometimes at rates as high as ten percent, compounded monthly.²⁷ When he arrived in California in 1849, he settled at Benicia.²⁸ Hastings was reunited with his former colleague in the U.S. House of Representatives, Thomas J. Henley, who had also emigrated to California in 1849.²⁹ They went into the banking business, running advertisements for loans and offering to buy gold dust from miners. Initially, the partnership was Henley, McKnight & Company, with S.C. Hastings of Iowa being listed below Thos. J. Henley of Indiana and O. McKnight of Ohio.³⁰ The partnership later became Henley, Hastings & Company, which survived into the mid-1850s before dissolving.³¹ Beginning in 1851, Hastings's financial position improved even more when the lands he had purchased in Iowa began to sell, bringing in additional funds to expend on real estate investments in California.³² That same year, he was able to bring his wife and children to California.³³ Hastings had started a new life with some success, something many gold rushers could not claim.

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HASTINGS AS CHIEF JUSTICE AND ATTORNEY GENERAL

Serranus Hastings did not limit his activities to entrepreneurship following his arrival in California. In 1849, he worked as trial court prosecutor for several months, and following the creation of the state constitution, appointed the first Chief Justice of Supreme Court of California. According to his contemporary, Oscar Shuck, although he was not a member of the convention, he nonetheless exercised significant influence—something later echoed by historian Thomas Gordon Barnes. Although compensated at a rate of \$10,000 per annum for his work on the court, state law prevented him from practicing law while a jurist. This limited his ability to make significant money in a financial and legal climate that rewarded experienced attorneys, especially those well versed in property law—as Hastings was.³⁴ While Hastings did not render many opinions as chief justice, he was particularly known for his attention to cases involving property disputes. Where land ownership was concerned, Hastings's experiences on the bench placed him in a good position later as a real estate speculator and investor. He well understood the mess that was California landholding.³⁵

This situation stemmed from the confused claims and titles dating from the Mexican era, as well as the complications of mineral deposits, un-surveyed public lands, and a lack of legal precedent in state courts

532, 533, 534, 540, 613, 650, 683, 684, 685, 686, 688, 689, 690, 692, 693, 694, 695, 696, 698, and 700. He made these purchases between 1854 and 1859. Hastings eventually selected and received title to all lands connected with these warrants by 1871.

²⁶ Barnes, *Hastings College*, 29. For example, Hastings owned a ranch in the Ukiah Valley that encompassed 35,552 acres.

²⁷ Barnes, *Hastings College*, 27.

²⁸ "Hastings," Biographical Directory.

²⁹ "Henley," Biographical Directory.

³⁰ See, for example: *Sacramento Transcript*, July 12, 1850.

³¹ See, for example: *Sacramento Transcript*, February 11, 1851.

³² Barnes, *Hastings College*, 28.

³³ Barnes, *Hastings College*, 28.

³⁴ Barnes, *Hastings College*, 14, 27; Shuck, *Bench and Bar*, 243.

³⁵ Barnes, *Hastings College*, 24, 28, 30-39.

in cases of land disputes. Whether one was making a legitimate claim on land to farm, graze, or log, or surreptitiously using land for the same purposes as a squatter, California Indians entered the picture in unavoidable ways. Under Spanish and then Mexican control, few non-Indigenous peoples lived in what would become the one hundred million acres of the thirty-first state admitted to the Union. When Mexico achieved independence, perhaps only three thousand four hundred non-Indians lived in California. By the 1846 outbreak of the Mexican War that culminated in the loss of California by Mexico to the United States, somewhere between seven thousand five hundred and ten thousand non-Indians lived in California. Even though Mexico issued approximately eight hundred land grants in Alta California before the end of Mexican rule, less than twenty percent of the available land rested in the control of non-Indians; and given that the Mexicans typically let many Indian people live undisturbed within their grants, to say that they had complete control of even these lands would be an exaggeration.³⁶ For Americans, this would not do. Court cases related to property title abounded, particularly after passage of the California Land Act in 1851, which sought to settle the legitimacy of Mexican-era land titles and open public lands for settlement.³⁷ Americans settlers and former Mexican citizens, alike, would need legal assistance to bring this about.

According to his biographer and friend, Oscar Shuck, this led Hastings to seek public office in 1851. Off the bench, he could legitimately practice law while holding other types of public office. Yet as one looks at Hastings's run for the attorney generalship of California on the 1851 Democratic Party ticket, it becomes clear that he was already heavily investing in real estate. Indeed, harsh criticism came from the Whig Party based on his and other Democrat's involvement in monopolizing land ownership in California. Scathing articles in Sacramento's Whig-friendly *Daily Union* provide examples of the contempt directed toward Hastings and other Democrats by Whigs and those who objected to land speculation. In one piece, appearing in August of 1851, the *Daily Union* noted, "Judge Hastings, whose name appears on the Democratic State ticket for Attorney General, can be found with his name on title records of Yuba County in connection with the most vigorous and masterly grasp of land speculation." The article went on to damn Hastings and other major Democratic politicians as nothing more than a cabal of land-hungry speculators achieving their ends by use of their political influence and offices.³⁸ Whether the implications of the article were true or not, it is clear from the historical record that Hastings was already amassing sizeable real estate holdings, perhaps in excess of what one might expect of a modest fortune brought so recently brought overland to California. And it is also clear that there was some public perception—misguided or not—that Hastings and his Democratic political allies were using their influence to amass land monopolies.

According to another piece appearing the following month in the *Daily Union*, the Democratic ticket, indeed, was a "Speculator's Ticket . . . moving all the powers of men, money and scandal to obtain official position..."³⁹ Other critics echoed similar themes. One disgruntled critic of Hastings and his fellows dubbed them "Plundercrats," and delivered invectives against them and their land monopolies in newspapers and pamphlets.⁴⁰ Despite such attacks against him and his fellow Democrats, the ticket swept

³⁶ David Hornbeck, "Land Tenure and Rancho Expansion in Alta California, 1784-1846," *Journal of Historical Geography* 4, no. 4 (1978): 373, 388. Based on the grants submitted to the U.S. land commissioners, perhaps eight hundred nine grants existed under Mexican rule. For more on land grants and associated litigation, see also: Crisostomo N. Perez, *Land Grants in Alta California* (Rancho Cordova, California: Landmark Enterprises, 1996).

³⁷ For a copy of the California Land Act of 1851, see: "An Act to ascertain and settle the private Land Claims in the state of California," Ch. 41, 03 March 1851, Statutes at Large, 31st Congress, Second Session, Library of Congress, accessed January 7, 2018, <https://www.loc.gov/law/help/statutes-at-large/31st-congress/session-2/c31s2ch41.pdf>.

³⁸ *Sacramento Daily Union*, August 29, 1851. Newspaper's *emphasis*. For a full transcription of the article, see [Appendix F: Newspapers Transcribed](#).

³⁹ *Sacramento Daily Union* September 1, 1851. Additional articles appeared in the *Union* with similar charges; see, for example: *Sacramento Daily Union*, August 21, 1851; August 26, 1851; and September 3, 1851.

⁴⁰ Barnes, *Hastings College*, 21-25. There is no clear evidence that the lands or the funds used to purchase them were ill-gotten, yet clearly some believed Hastings and others in public office were using their influence to obtain

the election. Hastings won the office of Attorney General of the State of California—the third in the state’s young history. His friend and business partner, Thomas J. Henley, won a seat in the California State Assembly.⁴¹

As attorney general, Hastings seems to have attempted to use his political connections—but not the powers of his office—to influence policies related to real estate speculation, perhaps giving some validity to the arguments of his Whig critics. According to historian Thomas Garden Barnes, Hastings wrote to Governor John Bigler attempting to get him to support a change to the School Land Warrant system’s limit on initial warrant purchases. He argued that the system was inconsistent: why place any initial purchase limits on a system in which the warrants were transferrable?⁴² Of course, Bigler was a member of the alleged “Speculator’s Ticket,” too. While this may seem a reasonable question and suggestion on Hastings’s part, the answer is equally reasonable: the system made it so one had to purchase warrants from other investors should they want more than the allotted six hundred forty acres. The warrant would have to be sold again by the initial purchaser, driving up the cost from the original \$2 an acre, in hopes of preventing speculation and land monopolies. The act remained unchanged. Nonetheless, Hastings continued to seriously invest in real estate. By the mid-1850s, he owned approximately one hundred town lots in San Francisco and property in at least five different counties. By 1862, Hastings’s fortune stood at \$900,000—adjusted for inflation, in 2021 dollars, the equivalent of about \$24 million.⁴³

When Hastings’s two-year term expired, he did not seek reelection. Instead he focused on private legal practice and his entrepreneurial pursuits. According to Shuck, his private practice during his time as attorney general had been extremely lucrative, stating, “[The] nucleus of Judge Hastings’s colossal fortune ... [came by way of] law fees while Attorney General.”⁴⁴ He rolled much of this wealth into real estate. Hastings developed a strategy to avoid the pitfalls of property claims in California, likely linked to his experiences on the bench and as an attorney. For Hastings, possession and use was key in achieving title. In Lockean terms, property held but unexploited was wasteful and claims to its ownership, weak, if not undeserved.⁴⁵ Hastings made sure all his property was engaged in economic activity; it never sat idle. Town lots held boarding houses. He used rural tracts for farming, vineyards, logging, and cattle and horse ranching.⁴⁶ Such was the aim of Hastings in 1859 when he acquired all of Eden Valley on the advice and with the assistance of his business partner, Thomas J. Henley, who was by this time in a federal patronage post as federal Superintendent of Indian Affairs for California. Henley made his home just to the north of Eden Valley, in Round Valley, the site of an Indian reservation. According to testimony by Hastings in a deposition, violence stemming from a history of strained Indian-white relations plagued Eden and Round Valleys. Nonetheless, he went forward with the venture in Eden Valley, testifying, “I [believed] that I could by feeding one or two tribes subdue them and make them useful and have no difficulty with them.”⁴⁷ Clearly, he not only intended to take their land, but also use them as slave labor. These valleys were the home of the Yuki, and had been for thousands of years. Using his School Land Warrants, Hastings acquired

title to real estate in California. Meanwhile, the critic in question was, according to Thomas Barnes, on the wrong end of court decisions over his own landholdings, and bore a grudge against Hastings, who was involved in the decision.

⁴¹ Shuck, *Bench and Bar*, 243. Whig opposition while spirited, was weak. The Whig Party by the late 1840s and early 1850s was showing signs of instability based upon internal disagreements related to the war with Mexico and other sectional political issues. Later, passage of the Kansas-Nebraska Act essentially destroyed the Whig Party, with its members taking refuge mainly in a new political party in 1854, the Republican Party (GOP).

⁴² Barnes, *Hastings College*, 30-31. Historian Thomas Garden Barnes interprets this as reform mindedness on Hastings’s part. This author would argue that in conjunction with his warrant purchases—which Barnes may not have known about—it suggests self-interest rather than public interest.

⁴³ Shuck, *Bench and Bar*, 243-244.

⁴⁴ Shuck, *Bench and Bar*, 243.

⁴⁵ Barnes, *Hastings College*, 35-39.

⁴⁶ Shuck, *Bench and Bar*, 244.

⁴⁷ [Deposition of S. C. Hastings](#), 13 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 484, California State Archives, Sacramento, Indian War Papers.

one thousand seventy-two acres in Eden Valley, which amounted to the entire space. He also acquired difficulties dating back many years, troubles caused by other white men, to be sure, but soon exacerbated by him.

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THE YUKI OF EDEN AND ROUND VALLEYS

In the spring of 1854, six white men rode into a valley looking for gold deposits in the rivers, creeks, and streams of the region. The natural beauty of the valley so impressed two of the party's number, the brothers Frank and Pierce Asbill, they dubbed it Eden Valley. Finding no gold, they continued onward into another lush valley, situated just to the north, which they called Round Valley. Not long after arriving, a group of California Indians—Yuki people, it would later be established—stopped them and attempted to communicate with the party through gestures, in a manner described as hostile by the white men.⁴⁸ “Fearing for their lives,” the white men killed forty Yukis, without suffering any losses to their number.⁴⁹ From the spring of 1854 forward, for decades to come, this cycle of trespass and violence would be commonplace in Eden and Round Valleys; indeed, throughout California. For the Yuki and neighboring Native American populations, this cycle was devastating—even genocidal, as some have argued.⁵⁰

Although the Asbills and their fellows did not know it, they were riding through the heart of Yuki territory. The Yuki lived in numerous small villages scattered in and around Round and Eden Valleys, as well as numerous other small valleys. Six Yuki dialects existed, dividing the Yuki into distinct communities based on language, each composed of multiple villages.⁵¹ Geographic barriers reinforced these distinctions.⁵² The Eel River and Black Butte River were the main water sources for the Yuki. Many tributaries emanating from the foothills and mountains of the region fed these rivers, crisscrossing the region, carving out valleys.

Adjacent to the Yuki, often separated by watercourses, valleys, foothills, and mountains, lived other Native Americans: the Nomlacki, Lassik, Wailaki, Cahto, Pomo, Wintun, and Concow.⁵³ The Yuki were well known to their neighbors for several reasons. One, they were uncommonly warlike as compared to most Native groups in the region, and California in general. And, two, the Yuki traded with neighboring groups, including a trade in bows and arrows for shells with Coast Yuki people and animal skins, beads, and baskets for salt with the Pomo.⁵⁴ The Native Americans of this region were nonagricultural; they fished, hunted, and gathered. Yuki fishing—mainly for salmon—and hunting—especially for deer—combined with seasonal gathering of acorns, fruits, and other vegetation sustained their population.⁵⁵ This is worth

⁴⁸ Rena Lynn, *The Story of the Stolen Valley* (Willits, CA: L&S Publishing, 1977), 1.

⁴⁹ Unidentified member of the party, quoted in Lynn, *Stolen Valley*, 1.

⁵⁰ For scholarly works arguing a genocide took place in and around Eden and Round Valleys, see, for examples: Jack Norton, *Genocide in Northwestern California: When Our Worlds Cried* (San Francisco: Indian Historian Press, 1979); Brendan Lindsay, *Murder State: California's Native American Genocide, 1846-1873* (Lincoln: University of Nebraska Press, 2012); and Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873* (New Haven: Yale University Press, 2016).

⁵¹ William J. Bauer, *'We Were All Migrant Workers Here': Work, Community, and Memory on California's Round Valley Reservation, 1850-1941* (Chapel Hill: University of North Carolina Press, 2009), 24. The six groups are the Sukaltatamno'm, Ta'no'm, Witukomno'm, Huititno'm, Onkolukomno'm, and Ukomno'm.

⁵² George M. Foster, “A Summary of Yuki Culture,” *Anthropological Records* 5, no. 3 (1944): 154.

⁵³ Bauer, *'We Were All,'* 4, 24. I have employed the spelling used in the most recent scholarship pertaining to these California Indian peoples; but in many earlier primary and secondary sources, one will find different spellings (e.g., Kato instead of Cahto; Nomlacki instead of Nomlaki).

⁵⁴ Miller, “The Yuki,” iv, 11-13. Members of Yuki communities also sometimes intermarried with members of other, neighboring groups.

⁵⁵ Foster, “Summary of Yuki Culture,” 161-167; Bauer, *'We Were All,'* 4, 24. Readers should note that the subsistence practices of California Indian peoples varied widely.

noting because of the role invasion by American settlers, miners, loggers, and ranchers played in creating starvation among Indigenous populations through disruption or outright destruction of these food supplies as they drove out native species in favor of domesticated animals, farming, and other pursuits.⁵⁶

The Yuki inhabited the areas in and around Eden Valley, Round Valley, and Long Valley, three valleys cut by the diverging courses of the Eel River and its tributaries in what became Mendocino County in 1850. The Yuki like other California Indian peoples had their own distinct language, traditions, and subsistence practices.⁵⁷ The Yuki were not one people politically, but rather many autonomous communities, each possessed of its own leadership. Yuki villages traded, intermarried, and sometimes fought with other Yuki and other Native communities. Relationships in the region were far from simple, even in the absence of American invaders.⁵⁸ When white settlers and ranchers came, however, all of the Indigenous peoples of the region were subjected to the violence of massacre, rape, and kidnap, regardless of tribal membership.

As Americans flooded into and out of the gold fields in the 1850s, they harnessed democracy to achieve a new dream of wealth in California based on land ownership. Using the laws and their rights as citizens, they rapidly and bloodily transitioned California's land base from one controlled mostly by Native Americans into one controlled almost completely by white American settlers. Violent conflict over land was central to beginning this transfer. Americans placed themselves near Native Americans, preventing them from gathering food, trading, and living in traditional ways. As conflicts evolved, Americans turned to traditional ways dispossessing Indians. The process involved the clever manipulation of democracy and its various institutions—local and county governments, the press, the state legislature, executive, and judiciary. Oftentimes, as failed miners and recent emigrants to California themselves, men working in these institutions found it easy to identify with these men and their motives. In most cases, the state and federal governments were at least willing to turn a blind eye, if not send help, during campaigns for the extermination of Indians. Yet, above all else in the 1850s and 1860s, settlers, ranchers, and miners, used voluntary, democratic associations to greatest effect in bringing about the destruction of California Indians.

Serranus Hastings offers an example of how white citizens operated within state and federal land acquisition laws to obtain and exploit Native American lands. Hastings had obtained School Land Warrants, deciding to use some of these in Eden Valley. Hastings purchased all of the Eden Valley, though he never lived there.⁵⁹ Instead, his purchase was the beginning of a stock raising venture. He sent hundreds of horses and cattle into the valley under the care of H. L. Hall, who Hastings and a partner promised one-third of the valley in exchange for his stewardship of the stock and the property.⁶⁰ However, Hall would have no easy time getting his payment. The valley was home to several hundred Yuki.

⁵⁶ These subsistence practices possessed significant cultural connotations, too. Sacred and spiritual practices and belief systems informed subsistence practices. Rituals to prepare for hunting and gathering, fishing, food preparation, and the like were cultural cornerstones. Other rituals focused on the giving of thanks for successes in these endeavors. Moreover, eating was not the only aspect of Native life affected by non-Native intrusion and destruction of food sources. The byproducts of processing these foods provided raw materials for making clothing, shelter, tools, and other articles of material culture. Thus, the deleterious effects of the destruction of food supplies goes well beyond hunger and malnutrition.

⁵⁷ It is worth noting that the name Yuki is not what they call themselves. Yuki is a Wintun word meaning both a stranger and a thief or bad person. The Yuki name for themselves is *Ukomno 'm*. Virginia P. Miller, *Ukomno 'm: The Yuki Indians of Northern California* (Socorro, New Mexico: Ballena Press, 1979). This has frequently been the case. Invaders learned the names of Native groups from neighboring Indigenous groups, who were often enemies or competitors, and had names for them reflecting this (e.g., the Wyandot called Huron; the Diné called Navajo).

⁵⁸ Robert F. Heizer and M. A. Whipple, eds., *The California Indians: A Source Book*, Second Edition (Berkeley: University of California Press, 1971), 25, 35, 49, 367-368, 459.

⁵⁹ Eden Valley, in the estimation of Hall, was about thirty square miles of land.

⁶⁰ Lynwood Carranco and Estle Beard, *Genocide and Vendetta: The Round Valley Wars of Northern California* (Norman: University of Oklahoma Press, 1981), 84; [Deposition of H. L. Hall](#), 02 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 449, California State Archives, Sacramento, Indian War Papers.

Hastings and other settlers and ranchers began to graze stock and settle in the area in the mid to late 1850s. These intruders put a strain upon the Yuki, as such incursions did for Indigenous communities all over the state. As whites pushed deeper into these valleys, they attempted to push Indians out. Over time, the strain placed on Native peoples living in proximity to Americans reached breaking points, forcing relatively peaceful California Indian groups into the necessity of actively, sometimes violently resisting to survive. This gave Americans the confirmation that the “savage” Indians of their childhood fears were the same as the Indians of their adult reality. As would be repeated hundreds of times all over California, the presence of Americans and their domestic herds spelled disaster for Indigenous peoples. Oxen, horses, mules, cattle, sheep, pigs, and hogs brought by settlers and ranchers into the lands California Indians depended upon for food, shelter, and fuel, annihilated food supplies and resources. Domesticated stock drove off native species, and consumed plants, roots, seeds, nuts, and berries. American industry, especially logging, also took a toll. Sawdust discharged into rivers killed fish and deprived Native Americans of a traditional, reliable food source.⁶¹ Mining waste did much the same thing. Other American activities created problems as well.

Hunting created tremendous difficulties for Native people attempting to access game as a traditional food supply. The Asbill Brothers and Jim Neafus, for example, hunted and killed hundreds of deer in Eden Valley over the course of a year, not for meat but for hides.⁶² Recreational hunting also took a toll. In one example of thoughtless excess, three men hunting for recreation in nearby Tehama County shot one hundred forty-eight quail between them.⁶³ To make matters worse, the American sportsmen happened to do this during the vital time of the year when Indigenous peoples in this region attempted to collect winter stores.

Native Americans had to find new means of subsistence and survival. Evidence exists that Americans were aware of this leverage gained over them by starvation, especially in areas where Indian labor could prove extremely valuable to settlers and ranchers. Pierson B. Reading believed that the destitute state of the Indians living on land recently granted to him was a “very good advantage.” He felt that they could work like “negroes in the South.” And given that there were some three hundred men, women, and children on his land, he felt he could “convert them into useful subjects” and do quite well for himself on his forty-five square mile ranch.⁶⁴ Hastings made statements bearing on this, as well. He believed that by subduing the Indians of Eden Valley, then feeding them, he could gain a workforce—in other words, an uncompensated, enslaved workforce.⁶⁵ Yet, over time, his and others’ views changed on feeding starving Indians. As Native populations attempted to get nourishment by eating the American livestock destroying their lives, vengeful ranchers, including Hastings through his stock managers and activities in petitioning for volunteer companies, exacted payback for lost cows or horses through murder.⁶⁶

This cycle of starvation of Native Americans, their stock theft for food, and the bloody, retaliatory vengeance by stockholders, exacted with self-righteous fury, was the key sequence of events leading to the American claim that extermination of Indians was a practical necessity. And the cycle only worsened over time and with the passage of the seasons. Native Americans living at higher elevations or areas hit with heavy winter snows needed to prepare for winter, long before winter arrived. With settlers filling the valleys and lowlands where game and edible plants flourished, spring through fall, it was difficult enough to survive on a day-to-day basis, let alone prepare for winter. Soon Native Americans began to attack settlers in addition to taking their stock. Native Americans in Tehama County, in fact, first chased off American

⁶¹ *Mount Shasta Herald*, November 20, 1888.

⁶² Lynn, *Stolen Valley*, 3-4; Carranco and Beard, *Genocide and Vendetta*, 171-173.

⁶³ *Red Bluff Beacon*, October 30, 1862.

⁶⁴ Pierson B. Reading to His Brother, 07 February 1844, 72/66c, Bancroft Library, University of California, Berkeley.

⁶⁵ Deposition of S. C. Hastings.

⁶⁶ Robert F. Heizer and Alan J. Almquist, *The Other Californians: Prejudice and Discrimination under Spain, Mexico, and the United States to 1920* (Berkeley: University of California Press, 1971), 27.

hunters in the late 1850s, but by the early 1860s sometimes killed them.⁶⁷ The level of violence on the American side escalated in retaliation. Anthropologist Robert Heizer judged that “for every white man killed, a hundred Indians paid the penalty with their lives.”⁶⁸ In the case of the valleys in and around Mendocino County, one can use the experience of Native Americans and their American competitors for land and resources as foundational examples for understanding the resultant cycles of violence, cycles that Serranus Hastings contributed to by his local organizing efforts and influence.

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HASTINGS, HENLEY, AND THE EEL RIVER RANGERS

H. L. Hall took up stewardship of Eden Valley on behalf of Serranus Hastings and his business partner, Thomas J. Henley, the Superintendent of Indian Affairs for California, in 1858. In addition to his stock management duties, Hall farmed a portion of Eden Valley that Hastings promised him as compensation. When Hall moved into Eden Valley in August of 1858, no other white settlers lived there.⁶⁹ Hall also claimed no Indians lived there when he arrived.⁷⁰ In the heat of the summer, perhaps no Yuki were down on the floor of the valley, and instead resided along the banks of the rivers or lived in the coolness of the surrounding higher elevations. But the Yuki did live there.

During August and September, Hall drove nearly four hundred horses into Eden Valley. The herd belonged to Hastings and Henley. In the next two months, Hall discovered that Indians did live in the valley, later recalling that more than one hundred Indians came down and camped near where he was living. Calling them “my Indians” because they were on his land, and noting that he believed them peaceful peoples, his life remained undisturbed until December 1858, when “my Indians told me that one mare had been killed and before I went out after them they reported three or five [more] killed.”⁷¹ Hall knew why.

Just prior to the incident, Hall had contracted several Yuki men to carry fifty-pound parcels for him from Eden Valley to Ukiah—a roundtrip of about 80 miles—in exchange for cloth shirts. Once the men returned, Hall had no shirts for them. Two of the Yuki workers became agitated, and Hall lost his temper, whipping them off his property. He never paid any of the men the shirts he owed. About a month later, the Yuki began killing horses—likely in reprisal.⁷² Hall reacted quickly and decisively.

Seeking the help of three Americans living in nearby Round Valley, Hall attacked a village without warning or investigation of their involvement in the stock losses. Even though they ran as Hall and his comrades approached, he and his men still killed half of the twenty Indians living there. After the main episode of killing, the men entered the village to see if these were the responsible parties. They found another “buck” and executed him after setting fire to his hiding place, forcing him to come out and be shot to death, instead of immolated.⁷³ They found some horse meat and went away, apparently satisfied that killing ten Indians compensated them for the lives of some horses. Americans often identified likely culprits, without any knowledge of guilt or innocence. Yet Hall and his fellows really had no way of knowing.

⁶⁷ For some examples, see: *Red Bluff Beacon*, October 28, 1857, December 23, 1857, and July 4, 1861.

⁶⁸ Heizer and Almquist, *Other Californians*, 27.

⁶⁹ Carranco and Beard, *Genocide and Vendetta*, 72-73. A settler, Henry Brizantine, had lived in the valley previously, but sold his claim for \$400.

⁷⁰ Deposition of H. L. Hall.

⁷¹ Deposition of H. L. Hall.

⁷² Carranco and Beard, *Genocide and Vendetta*, 60; [Deposition of William T. Scott](#), 02 March 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 471, California State Archives, Sacramento, Indian War Papers. Hall told Scott about the incident, but apparently never told Hastings. Some sources say it was thirteen Yuki packers, others eighteen.

⁷³ William B. Secrest, *When the Great Sprit Died: The Destruction of the California Indians, 1850-1860* (Sanger, CA: Word Dancer Press, 2003), 289.

Hall and his employers continued to put pressure on the Yuki as winter deepened in the valley. Just days after his punitive expedition, Hastings sent up two hundred thirty head of cattle to add to the already-present horses.⁷⁴ Now more than six hundred animals alien to this part of California roamed the valley, unfenced and unwatched daily, while hundreds of Yuki and indigenous animals in the depths of winter had to accept their presence, remove to another location, or find a way to coexist. Leaving animals unfenced and free to roam was commonplace in California at this time. To have fenced the land of such huge claims was impossible in this pre-barbed wire era. Animals roamed free. Settlers and ranchers viewed those not rounded up or otherwise found as having fallen prey to thieving Indians, which had been much the same conclusion drawn by Americans with stray stock on the overland trails; if it was missing, it was because of Indians.⁷⁵ To ignore even the possibility that Indians were involved was too much for Hall, or likely any other American rancher. Nothing would be worse than Indians raiding stock unchecked and unpunished given the attitudes of the era. Within days of Hall taking this latest delivery of stock, the major commanding the local detachment of federal troops paid Hall a visit. Major Johnson and his command remained in the valley for a week either to check the situation out or as part of a routine patrol. The troops departed after a week, learning the Yuki in Round Valley had killed an American named McDonald. With the departure of the American troops and news of the death reaching Hall in quick succession, Hall grew afraid. McDonald's killing occurred in Round Valley, situated several miles north of Eden Valley.⁷⁶ Since Hall was no stranger to the region, he might have known that McDonald was guilty of at least one serious offense against the Yuki of Round Valley.

In 1855, McDonald had kidnapped a Yuki woman and two children, intending to sell them; they managed to escape back to their people.⁷⁷ The practice of kidnapping women and children was a common one throughout California, and typically practiced with much more success than McDonald. According to Indian Agent Simmon P. Storms, who managed the Nome Cult Indian Farm in Round Valley, white settlers often enslaved Indian women and children. By the late 1850s, matters were much worse, especially in areas that contained Indian reservations. Americans used the reservations as markets to pick up Indian women and children, including Nome Cult Indian Farm, which housed many Yuki taken there against their will or convinced to relocate there for protection from white settlers.⁷⁸ The relocations only made it easier for Americans to kidnap Indian women and children. Conditions were worse in mining areas, where Americans vastly outnumbered Indian peoples. Miners kidnapped Indian women and children, and drove away or killed Indian men as they appropriated everything within reach by weight of numbers. What they did not take, they burned to keep Indians from coming back.⁷⁹ This was the tradition that McDonald was carrying on when he attempted to kidnap the Yuki woman and children. Despite this failed attempt, McDonald continued to live in the area, and may have committed additional crimes against the Yuki.

In 1859, the Yuki killed McDonald. American citizens interpreted the Yuki action as savagery, not self-defense or justice. Similar circumstances surrounded the first deaths of whites at Indian hands documented in Round Valley. William Mantle and John McDaniel, killed in 1857 and 1858, respectively, were both infamous for depredations committed against local Indian peoples. McDaniel, for instance, was known for his recreational shooting of Indians, who he endeavored to kill with a rifle at ever-increasing distances as a challenge to himself.⁸⁰ Both Mantle and McDaniel kept what Americans called "pet Indians" in their homes. One of the Indians that McDaniel enslaved reportedly killed him with his own gun.⁸¹ Local

⁷⁴ Deposition of H. L. Hall.

⁷⁵ For more of American views and experiences of Indians on overland trails, see: Michael L. Tate, *Indians and Emigrants: Encounters on the Overland Trails* (Norman: University of Oklahoma Press, 2006).

⁷⁶ *Lassen Sage Brush*, May 2, 1868.

⁷⁷ Secrest, *Great Sprit Died*, 259.

⁷⁸ Carranco and Beard, *Genocide and Vendetta*, 61.

⁷⁹ Carranco and Beard, *Genocide and Vendetta*, 48.

⁸⁰ William B. Secrest, "Jarboe's War," *Californians* 6, no. 6 (November/December 1988): 17.

⁸¹ Elijah Renshaw Potter, "Reminiscences of the Early History of Northern California," C-D 5136:2, California State Library, Sacramento.

army officers reported the deaths of both men to their superiors as Indian retribution for their crimes.⁸² Even though Mantle and McDaniel were known as unsavory characters, their neighbors still avenged their deaths. After Mantle's killing, according to Isaac Shannon, Americans went out and killed fourteen Yuki in retaliation.⁸³ Based on Hall's reaction to McDonald's killing, and his likely knowledge of the cases of McDaniel and Mantle, he may have seen a similar demise in his future.

Not surprisingly, given his own crimes against the Yuki, Hall immediately sent word to Hastings, asking for protection. By this time, Hall was managing some sixteen hundred to seventeen hundred head of livestock in Eden Valley for Hastings and Henley, which Hastings valued at \$32,000.⁸⁴ Hastings responded with his own communiques. He informed the press, wrote to his friend, Governor John B. Weller, and contacted the commander of the federal forces in California. The first sign of a response came in January of 1859, when the *Daily Alta California* published a report based on information given them by Hastings. According to the *Alta*, Indian stock raiding had produced retaliatory attacks that had killed fourteen "bucks" on December 31, 1858, and "more than one hundred Indians had been killed by whites within three to four months."⁸⁵ This was allegedly in retaliation for the killing of much stock in Eden and Round Valleys. The *Alta* continued to report on the killing of Indian people, including a January 20, 1859, article describing the massacre of some one hundred seventy Indians in a six-week period.⁸⁶ Of course, there was never any mention of Hall's actions, because at that time neither Hastings nor any non-Native beyond Hall likely knew of the incident with the uncompensated and abused packers. Meanwhile, the federal government's response was slow in reaching Eden Valley, and the state would take even longer.

After two months of waiting, Major Edward Johnson and his troops returned to Eden Valley for a second visit. But finding no trouble brewing, Major Johnson departed.⁸⁷ As February 1859 closed, Hall discovered more dead stock. This was another moment that required Hall to take quick action. He rode to Round Valley to see the company commander of the federal forces stationed there, Lieutenant Edward Dillon. His request for the troops fell on unsympathetic ears. Dillon believed that settlers were the source of the trouble, telling Hall that for all he cared the Indians could "kill all the stock in Eden and Round Valleys."⁸⁸ In fact, Dillon warned Hall to leave off killing Indians.⁸⁹ This was unlikely. Hall hated Indians, his current troubles with them aside. Hall once told one of his neighbors, William T. Scott, that where Indians were concerned, he would "kill all he could find because a knit would make a louse." Such was Hall's standard for choosing members of his raiding parties; only likeminded men were acceptable.⁹⁰ Dillon was aware of such attitudes towards Indians and the subsequent atrocities committed against them. Dillon soon learned Hall ignored his warnings: Dillon informed his superiors that Hall's two-week vigilante expedition killed approximately two hundred forty Indians.⁹¹ Indeed, according to historians Lynwood Carranco and Estle Beard, Hall "probably led more raiding parties and killed more Indians than anyone else in the area."⁹² Murders were not the only crimes committed against Native peoples. Dillon later wrote that in just a few months' time, Americans kidnapped as many as fifty Native children and sold them into slavery. Although he had no authority to make war or exact justice on American citizens, Dillon did have

⁸² Secrest, "Jarboe's War," 17.

⁸³ [Deposition of Isaac W. Shannon](#), 28 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 467, California State Archives, Sacramento, Indian War Papers.

⁸⁴ Carranco and Beard, *Genocide and Vendetta*, 84; Deposition of S. C. Hastings.

⁸⁵ *Daily Alta California*, January 11, 1859.

⁸⁶ *Daily Alta California*, January 20, 1859.

⁸⁷ Deposition of H. L. Hall.

⁸⁸ Deposition of H. L. Hall.

⁸⁹ [First Deposition of Lieutenant Edward Dillon](#), undated [ca. 1860], Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 357, California State Archives, Sacramento, Indian War Papers.

⁹⁰ Deposition of William T. Scott.

⁹¹ Secrest, "Jarboe's War," 18.

⁹² Carranco and Beard, *Genocide and Vendetta*, 109.

the ability to avoid helping them in their depredations.⁹³ Hall, like other settlers in the region, grew to hate Dillon, as he regularly refused to exterminate Indians, and indeed spent most of his time interfering with the settlers' attempts to kidnap or kill Indians.

Other than his private foray of the year before, Hall claimed in 1859 that he had not joined in any of the expeditions against Indians launched in the region. But based on the intelligence received by Lieutenant Dillon, this seems doubtful. The death of some additional stock, coupled with Lieutenant Dillon's refusal to help him, changed Hall's mind about participating in a volunteer company. Instead of returning to Eden Valley, Hall visited local men and told them his story. The next day Hall and five men rode back into Eden Valley to kill the Indians who had killed the stock. Following a trail used by Indians, they discovered a village of some thirty Yuki people. The six Americans attacked, managing to kill eight Yuki men. Following the slaughter, they found no trace of horse meat or any evidence that the villagers had killed livestock.⁹⁴ Undeterred by their killing of innocent people, Hall's party continued. Finding another Yuki village, they entered the village to find no evidence of involvement and only "one sick buck" there to meet them. Hall threatened the sick man's people with death before leaving, warning him that extermination would follow, if they took stock from whites in the valley.⁹⁵ The party pressed on.

The group located another village, this one with fresh-killed livestock. However, all the men were away, and only women and children were present. Hall and his men took them prisoner. Later, testifying before a state investigative committee, investigators asked Hall if they harmed the women or children. After first attempting to evade the question—admitting knowledge of only one "squaw," mysteriously shot—his resolve to hide the truth gave out, as he recalled what had happened on the road home: "I think all the squaws were killed because they refused to go further. We took one boy into the valley and *the infants were put out of their misery* and a girl 10 years of age was killed for stubbornness."⁹⁶ Hall and his men had killed defenseless women and children, including infants, because they were scared, crying, or hesitant to return to the homes of these men, where they might be raped, enslaved, or both. What Hall ignored was the source of this "misery" was the presence of Hastings's herds.

Hall's party killed numerous men, women, and children on this expedition. Why Hall had even hesitated to admit this immediately is unclear, as the justice system in California never punished white men for crimes against Indians, with the possible exception of selling liquor or firearms to them. Meanwhile, Hall and his group had in their possession another child, the only Indian boy seized in the raid. Bringing him back to Eden Valley, Hall planned on making him work for him. This, too, was perfectly legal under California law. But after only a few weeks the Indians "stole the boy" back.⁹⁷ Hall obviously considered the boy a piece of his property now; and when "stolen," he saw it as only another theft of an animal or piece of property. But this would become the least of Hall's troubles. According to a hired hand working for Hall, even as Hall, his men, and their single prisoner had been returning home, the Yuki were now driving off large herds of animals belonging to Hastings and Henley. The strategy of the Yuki seemed to be that if no animals remained, the Americans would have no reason to stay. At the same time, settlers in the region blamed all stock losses on the Yuki.

⁹³ Carranco and Beard, *Genocide and Vendetta*, 109.

⁹⁴ Deposition of H. L. Hall.

⁹⁵ Deposition of H. L. Hall.

⁹⁶ Deposition of H. L. Hall. *Emphasis* mine. The term "squaw" was and is a terrible, dehumanizing, misogynistic, racial slur against Native women. It appears in this work as part of evidence drawn from a historical record reflective of the pejorative ways it was employed against Native peoples and cultures. I beg the pardon of anyone offended, but I felt the full context of the events of the 1850s and 1860s should reflect, as accurately and transparently as possible, the rampant racism and sexism of this era, and how such bigotries informed the actions of non-Native populations committing atrocities against Indigenous peoples. Unfortunately, this term, along with other slurs against Native Americans, remains in use today; indeed, efforts to do away with it sometimes attracts controversy and resistance.

⁹⁷ Deposition of H. L. Hall.

Stock was typically unattended as it grazed in the valleys and foothills of California. Many times, ranchers had a difficult time locating stock. American farmers and ranchers living near Native populations almost always assumed that missing animals stolen by Indians, not lost, despite the evidence that abounded in local papers of the numerous ways an animal might go astray or die by forces other than Indians. Plant life, unfamiliar to new emigrants and poisonous to cattle and horses grew in the valleys of central and northern California. One “noxious weed” killed two oxen in 1857 between Red Bluff and Fort Crook. Luckily, their owner saw them consume this strange plant; otherwise they might have been considered killed by Indians.⁹⁸ Even greater numbers of cattle were confirmed dead in Humboldt County, north of San Francisco on the Pacific Coast.⁹⁹ Emigrants coming into California were learning a similarly harsh lesson on the eastern borders of the state, as cattle consumed a plant that could kill them in only thirty minutes time.¹⁰⁰ Outbreaks of disease also claimed the lives of horses and cattle.¹⁰¹ In cases where owners observed the onset and terminal conclusion of the affliction, Indians were safe. But animals dying away from their owners’ locations might easily have joined the statistics on losses attributed to Indian raids. Weather was also an important contributor to livestock mortality. Newspapers often reported flooding, heavy snows, and other natural phenomena as claiming the lives of animals. In one case, lightning struck four horses corralled during a summer storm, killing them all.¹⁰² Again, if the horses had been loose, there would be little chance that an owner could know that lightening, not Indians, was to blame. Winter storms also claimed the lives of animals, attended or not. What one might characterize as manmade disasters were even more prevalent in claiming the lives of cattle and horses, and giving local Americans the opportunity to place unqualified blame on Native Americans.

Non-Indian cattle rustlers and horse thieves abounded in California. Newspapers often mentioned American horse thieves when caught or spotted in the act, but when thefts went unwitnessed, newspapers did not conjecture that Americans had committed such crimes.¹⁰³ Rather, they typically attributed the crimes to Mexicans or Indians. Blaming Indians seemed the natural conclusion for an American to make in the mid-nineteenth century. Indeed, at least one case confirms this relationship. The *Butte Democrat* reported: “We are informed that Mr. Owens, of Round Valley, a few nights ago shot at and wounded a Spaniard, who had been caught stealing horses. Mr. Owens first endeavored to arrest him, but owing to the darkness, could not, until he had brought him up with a bullet. They recovered four of the stolen animals. *His arrest has possibly saved some Indian’s life.*”¹⁰⁴ As was the case with animals that strayed, died of natural causes, drowned in floods, perished from falls, or expired in other mishaps, any of these ways stock vanished risked being construed as an Indian “depredation.” Interestingly, the newspaper’s report concluded that only “possibly” would this arrest save lives. Whether or not the *Democrat’s* editor intended to suggest that other victims of recent thefts might ignore the fact that a non-Indian horse thief was among them, the suggestion that some would not be convinced was there. Unconfirmed reports of herds of animals run off by Indians also circulated, and informed the subsequent decisions of communities to seek retribution through murder. In very real ways, these reports possibly cost lives. In two similar instances, citizens organized parties to retrieve cattle and kill Indians after reports swept through the town of Yreka in Siskiyou County and throughout Lassen County’s small towns, only to find out that animals had simply wandered a bit farther away than expected and recovered without loss.¹⁰⁵ In Eden and Round Valleys, according to the deposition of settler William T. Scott, he had firsthand knowledge that not all of the losses suffered by

⁹⁸ *Red Bluff Beacon*, August 5, 1857.

⁹⁹ *Daily Alta California*, May 22, 1858.

¹⁰⁰ *Butte Democrat*, September 17, 1859.

¹⁰¹ For examples of diseases afflicting horses and cattle, see: *Yreka Journal*, February 28, 1868; *Red Bluff Beacon*, February 27, 1861; and *Daily Alta California*, October 25, 1857.

¹⁰² *Red Bluff Sentinel*, July 4, 1868.

¹⁰³ For examples of American horse thieves, see: *Butte Democrat*, October 1, 1859; *Plumas Standard*, June 7, 1862; and *Plumas Standard*, June 14, 1862.

¹⁰⁴ “Horse Thief Shot,” *Butte Democrat*, November 19, 1859. *Emphasis mine.*

¹⁰⁵ *Yreka Journal*, November 8, 1867; *Lassen Sage Brush*, August 29, 1868.

Hastings under the management of Hall were at Yuki hands. Scott recalled, “I saw three head of Hastings’s cattle dead from poverty or starvation on his range in August last.”¹⁰⁶ Given the ubiquity of losses by means other than Indians, one might assume that Americans would have at least been more circumspect in their assignment of blame. But this was not the case.

According to John Owens, another employee of Hastings, the mere presence of Indians near cattle could result in their massacre. Testifying before a state committee, Owens related how having discovered an Indian village near to where he was herding Hastings’s cattle, he and his helpers launched an unprovoked attack. Owens and his men failed to kill anyone, but they drove the Indians off; thus, protecting the cattle. Owens was careful to point out that they found the remains of stock in the now-deserted village.¹⁰⁷ Of course, this was *after* the attack rather than before it. This and similar incidents undoubtedly contributed to tensions in Eden Valley.

During March and April of 1859, the Yuki escalated their attacks on the stock guarded by Hall. By mid-April, the Yuki had killed or driven off several dozen head of stock.¹⁰⁸ Hall met with Hastings. In the short-term, the Yuki’s strategy seemed to have won the battle at hand: Hastings and Hall temporarily relocated stock away from Eden Valley, bringing them to pasture not far from the Eel River.¹⁰⁹ Hastings and Hall planned on returning them to Eden Valley, but first Yuki resistance needed quelling.

Hastings and Hall agreed that the best course of action was to use their rights as citizens. By mid-April, Hastings was in Eden and Round Valleys, where he sponsored a series of petitions that circulated in the surrounding area. According to one Round Valley settler, William T. Scott, Hastings personally approached residents urging them to sign the petition.¹¹⁰ His personal presence was perhaps usual in business dealings for Hastings. His contemporary, Oscar Shuck, recalled, “[He] is constantly swinging around the circle of his possessions to give them his personal oversight.”¹¹¹ After getting local men to sign the petition for a volunteer company, many of whom were his or Henley’s employees, Hastings sent the petition to the governor with his endorsement, asking permission to field the company for “protection” from the Indians. This would make nearly any act that the company committed legal, as the Militia Law of California allowed the governor to empower volunteers with the legal authority to defend the lives and property of citizens if the regular state militia was unable to do so. This was not a new strategy invented by whites in Mendocino County; other communities in California had drafted such petitions earlier in the 1850s. Not only was this method well known to Hastings and his compatriots, they also well understood what results such petitions to “chastise” Indians produced: Indian extermination and/or imprisonment of any survivors to reservations.

Over time, they sent not one, but more than a dozen community petitions and citizen letters to the governor.¹¹² The petitioners characterized themselves as “unanimous” representations of the will of the people.¹¹³ Hastings also appealed to the governor on his own, sending a letter to remind the governor that it was he, not Indians, entitled to protection. In his letter to Governor John B. Weller, Hastings wrote, “I have by the laws of this State the right of possession—I demand protection from the State.” Hastings called for swift action, arguing that waiting for a response by the U.S. Army would be disastrous. To cement his

¹⁰⁶ Deposition of William T. Scott.

¹⁰⁷ [Deposition of John R. Owens](#), 25 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 444, California State Archives, Sacramento, Indian War Papers.

¹⁰⁸ Deposition of H. L. Hall.

¹⁰⁹ Deposition of H. L. Hall.

¹¹⁰ Deposition of William T. Scott.

¹¹¹ Shuck, *Bench and Bar*, 246.

¹¹² For some examples of petitions sent to the governor by individuals and communities demanding action against Indians in the vicinity of Mendocino and Tehama Counties in 1859, see: Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Records 342, 343, 344, 345, 346, 347, 348, [354](#), [360](#), [361](#), 369, [370](#), [371](#), 372, 386, and 387, California State Archives, Sacramento.

¹¹³ Petition of the Citizens of Tehama County, 29 May 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 348, California State Archives, Sacramento.

claim, Hastings had obtained the dispositions of federal troops stationed in California, forwarding these to the governor.¹¹⁴ For Hastings, quick action was key, and so he facilitated communications between the state, federal forces, and himself and his community partners. Indeed, not only was Hastings partnered with Hall and Henley, he also partnered with other men in the area. According to one account, almost every piece of stock in Round and Eden Valleys belonged in whole or in part to Judge Hastings.¹¹⁵ While Hastings and the petitioners awaited the governor's reply, the situation escalated.

Pending Governor Weller's reply, Hall found matters worsening. The Yuki continued to take livestock. Hall turned to Lieutenant Dillon again, asking him to protect his home and property. This Dillon agreed to do, sending a squad of men to watch the house and surrounding area. The men eventually spent over a month watching the property for Hall.¹¹⁶ The soldiers were effective in discouraging stock theft until late May of 1859, when, within sight of Hall's house, the Yuki stole two horses. Hall demanded the soldiers accompany him and some local men to punish—meaning kill—the Indians. The army officers refused, forbidding their soldiers to do anything more than defend against attack.¹¹⁷ To make matters worse, three more horses vanished in the night. Angry, but undeterred by the refusal, Hall and his neighbors set out on their own.

Hall and four other Americans set out on the trail of the raiders. Discovering a group of Yuki butchering the meat they had taken off the stolen horses, Hall and his men attacked. As the Yuki fled, some loosed arrows at the Americans, and others leapt into a nearby brook. But to no effect; there were no American casualties. By the time the fight ended, Hall's party had managed to kill at least ten men and one woman. After searching the camp, they decided to leave the butchered meat, but only after lacing it with strychnine in hopes of poisoning unsuspecting survivors.¹¹⁸

By the time Hall returned home, the governor had replied. Responding in early June, Weller felt that federal forces enough for stabilizing the situation.¹¹⁹ But Native people continued to retaliate against the settlers and ranchers, and the soldiers continued to remain unmoved by the situation created by the citizens. The *Red Bluff Beacon* called upon the community to flood the governor with new waves of petitions for action.¹²⁰ Hastings called another community meeting.

The meeting's goal was to create another petition, in anticipation that the governor would eventually approve it this time, and to proactively form a volunteer company.¹²¹ The governor's second message arrived later in June. Apparently convinced by additional citizen's petitions and the opinion of an army officer sent to second guess Major Johnson and Lieutenant Dillon, Weller responded to his constituents, assenting to their demands. While Weller gave his approval to form a company, Hastings and

¹¹⁴ Hastings endorsed petitions initiated a chain of correspondence between himself, the governor, and military officials concerning the availability of federal and militia forces. In the absence of these regular forces, the Militia Law permitted the formation of temporary volunteer companies, which was Hastings's preferred tool for dealing with the threat to his property. For much of the chain, see: [Gov. Weller to Gen. Clarke](#), 04 April 1859, Record 362; [S. C. Hastings to Governor John B. Weller](#), 04 May 1859, Record 363; [Lt. Churchill to S. C. Hastings](#), 30 April 1859, Record 364; [S. C. Hastings to Gov. Weller](#), 30 April 1859, Record 365; [S. C. Hastings to Gov. Weller](#), 04 May 1859, Record 366; [S. C. Hastings to Gov. Weller](#), 30 April 1859, Record 367; and [Gen. Clarke to Gov. Weller](#), 13 May Record 368. All records held in: Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, California State Archives, Sacramento.

¹¹⁵ [Deposition of William Robertson](#), 21 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 433, California State Archives, Sacramento. Robertson, for example, had gone "shares" with Hastings on two hundred forty head of cattle and, later, over eight hundred more. In all, Robertson was watching more than one thousand animals as his part of the bargain.

¹¹⁶ Deposition of H. L. Hall.

¹¹⁷ Deposition of H. L. Hall.

¹¹⁸ Deposition of H. L. Hall.

¹¹⁹ Governor John B. Weller to the Citizens of Tehama County, 02 June 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 349, California State Archives, Sacramento.

¹²⁰ *Red Bluff Beacon*, June 8, 1859.

¹²¹ Carranco and Beard, *Genocide and Vendetta*, 86.

other settlers seemed to have operated well enough without the commission, and with clear consciences. The difference now would be money. The state, by law, would be paying the volunteer company's wages and supplying them with provisions and ammunition. These stores would come from local businesses and individuals, who would then submit claims for reimbursement.¹²² These bills, however, could be difficult to collect, and often also rested on petitions to the government for reimbursement.¹²³ This potential difficulty in settlement seemed to cause more hesitation for some than the prospect of fighting Indians.

In June and July, the now-authorized company failed to take the field. Ironically, the problem was one of money. Dryden Laycock, the man elected to the captaincy of the company by his peers, felt that ever receiving compensation for his services was too chancy a proposition to risk signing on for an extended tour of duty. A section of the Militia Law of California governed the formation and operation of volunteer companies, and established rates of pay for officers and men, pay Laycock doubted the reliability of. Certainly, it was not hesitation born of an aversion to killing Indians. Since 1856, Laycock admitted that he and other Americans in the Round Valley region had been going on cooperative Indian hunts, much as Hall had been doing with his neighbors. Laycock said that "the result was that we would kill, on an average, fifteen or twenty Indians on a trip."¹²⁴ Laycock admitted that he and his fellows had done this so often that he could not remember how many times; in some cases, they went out "two or three times a week" in Round Valley.¹²⁵

In July, Hastings was no longer willing to wait for Eden Valley to become safe for his cattle and horses. Using his considerable local influence, Hastings suggested that the community form a new company under a new leader, using the old permission issued by the governor. According to Laycock, Hastings offered to front the money to fund the company, which still did not convince him to take the commission assigned to him by the governor.¹²⁶ Other men distrusted Hastings's promise to pay as well, especially when he suggested a new course of action in the wake of Laycock's refusal to lead the volunteer company.¹²⁷ Hastings went in search of a new captain to lead the company.

At Hastings's suggestion, the community called another meeting in the second week of July and elected Walter S. Jarboe as their volunteer company captain.¹²⁸ Only two of the seventeen signers resided in Eden Valley.¹²⁹ While Weller had commissioned Laycock, not Jarboe, Hastings suggested that Jarboe might use the commission until official approval came from the governor. Unlike Laycock, Jarboe accepted the captaincy and took quick action to form the company and put it in the field, despite the unofficial nature of the commission.¹³⁰ Part of his rapid response was not only to sign men up—including Hall, Hildreth, and Robertson, all Hastings's employees—but also to concoct an embezzlement system to defraud the state. Jarboe used inflated beef estimates and accepted overpriced bills for food and other supplies in an arrangement to overcharge the government on paper, and split the difference with coconspirators. He also

¹²² For hundreds of examples of reimbursement and back pay claims filed by Californians, see the California State Archives, Indian War Papers.

¹²³ For example, see: the petition of thirty-six citizens of Klamath County attempting to get compensation for Edward H. Burns, a representative they sent to ask the governor for a volunteer company. Petition of Klamath County Inhabitants, January 1857, C-A 123:1-2, Bancroft Library, University of California, Berkeley.

¹²⁴ [Deposition of Dryden Laycock](#), 25 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 441, California State Archives, Sacramento.

¹²⁵ Deposition of Dryden Laycock.

¹²⁶ Deposition of Dryden Laycock.

¹²⁷ [Deposition of H. H. Buckles](#), 23 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 438, California State Archives, Sacramento.

¹²⁸ [Memorial of the Settlers of Eden and Round Valleys to Gov. Weller](#), 11 July 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 371, California State Archives, Sacramento; Secest, "Jarboe's War," 18; and Carranco and Beard, *Genocide and Vendetta*, 88.

¹²⁹ Frank H. Baumgardner, *Killing for Land in Early California: Indian Blood at Round Valley, 1856-1863* (New York: Algora Publishing, 2006), 94.

¹³⁰ Deposition of H. L. Hall.

allowed men to be on the company's roll and receive pay, but not always be present in the field.¹³¹ Furthermore, some of the cattle butchered to feed the company belonged to Hastings.¹³² In addition to organizing the entire community to protect his stock, Hastings could later make claims and receive reimbursement for feeding the company protecting and advancing his interests.

Jarboe's company, dubbed the Eel River Rangers, quickly achieved approbation from the community. This was not surprising, as they were doing exactly what their fellow settlers wanted: killing Indians. Hall joined the group, which consisted of a standing company of about ten men under Jarboe's command.¹³³ The community supplied the group; the state, by law, would later reimburse suppliers. This happened in two ways. First, Hastings and Henley—the men with the most to gain by the company's success—backed the outfitting of the company with promises of financial support. A letter from Hastings carried by the company promised reimbursement. Later, when suppliers sought recompense from Hastings and Henley, they refused, telling claimants to seek reimbursement from the state.¹³⁴ Second, Jarboe and his men, when in need of food, simply killed cattle they found loose in the fields and hills they traveled in.¹³⁵ Hall claimed that Jarboe tracked who the cattle belonged to, presumably by brands, and reported consumption to the owners. The owners could then make a claim on the state for reimbursement. Well outfitted and provisioned the company set out to reimburse their benefactors in a different way: although most of the petitioners and members of the company were from Round Valley, they immediately went into Eden Valley and sought out the Yuki who had threatened the stock of Henley and Hastings, even though Hall and others had already killed hundreds in the previous months. Their first mission was typical of the results they would achieve.

On their first day out, the company pursued a group of Indians to the west of Eden Valley. The chase resulted in one death. Hall recalled that they shot one "squaw" by accident as they pursued the band, the rest apparently getting away.¹³⁶ By the time the Eel River Rangers returned to Eden Valley, a new wave of stock raiding had commenced, possibly in retaliation for the earlier attack and killing of the woman. The raid's location also strongly suggested that the woman and the people attacked were Yuki. After two days of raids on horses and mules belonging to Hastings and Henley, the Rangers went out again, this time following the trail left by the stolen animals. Following a day in the field and a fruitless search in rough foothill country, the volunteers returned without sighting any Indians. The men did not stay idle long.

Following Hall's discovery of several cattle carcasses, Jarboe and the company went in pursuit of the Indians they believed had committed the theft. Coming upon a village, the company attacked without warning and without ascertaining if these were the same people who had taken and butchered the cattle. Only a third managed to escape, as the Eel River Rangers killed an estimated dozen men, and took eight more people prisoner, including women and children. The company tried the adult male prisoner by a court martial, empowered, they felt, by the governor's commission of the company and the Militia Law. There is no evidence to suggest that the man had legal representation or allowed to defend himself or that he even understood English. Meanwhile, the Militia Law did not empower volunteer companies to declare or enforce martial law. Nonetheless, following a guilty verdict by the pseudo-court martial, they executed him on the spot. They incarcerated the remaining four women and three children at nearby Nome Cult Indian Farm.¹³⁷ This was typical practice for the company: kill all the males, then take the surviving women

¹³¹ Deposition of William T. Scott. In one case, William Robertson and Jarboe charged the government for seven hundred pounds of beef, yet only actually weighed out and used four hundred pounds. Scott later reported this scheme to officials in his deposition; he learned of it when offered a stake in the scheme.

¹³² Carranco and Beard, *Genocide and Vendetta*, 88. There is no evidence to suggest that Hastings was aware of Jarboe's price-gouging scheme.

¹³³ Deposition of H. L. Hall.

¹³⁴ Deposition of H. H. Buckles; Baumgardner, *Killing for Land*, 97. Kaskel, Mears & Co. of Ukiah City was the supplier named in the letter.

¹³⁵ Deposition of H. L. Hall.

¹³⁶ Deposition of H. L. Hall.

¹³⁷ Deposition of H. L. Hall.

and children to the reservation—Nome Cult Indian Farm, in this case, established in Round Valley at Henley’s direction in 1856.¹³⁸ Indeed, the operations of the company stocked the reservation with Indians.

The company, even having destroyed an entire community, continued to patrol the area, now apparently looking for any Indian rather than people guilty of the recent theft. A scouting patrol sent ahead by Jarboe met two Indian men in the wilderness and killed them somewhere near the forks of the Eel River, their crime apparently crossing paths with the Rangers. The group then returned to the Eden Valley region, deciding to patrol to the southeastern portion of the valley. Stumbling upon a group of Indians attempting to remain hidden in the brush, Jarboe and his men attacked, killing another two or three. Again, the Indians’ crime seemed to be that they were Indians found alive by the company. When the Rangers got back to Round Valley, they found that the governor had officially approved Jarboe as captain of the company. The governor approved the company under Jarboe for the purposes of protecting the community.¹³⁹ The way the citizens chose to define protection was typical of many American communities raising volunteer groups.

The group continued to operate against the Indians in the region. According to Hall, between receipt of official approval and November 1859, the Eel River Rangers killed approximately forty more men and took one hundred more prisoners. In November of 1859, Hall mustered out of the company after finding a man to take his place.¹⁴⁰ By this time, Hastings had fired Hall. According to Hastings, the dismissal was unrelated to any of the atrocities Hall had committed, but rather his preference to have his herds managed by other men. While no record of the exact date exists, Hastings’s deposition suggests the sacking came in April of 1859. But Hastings and Hall did not otherwise part ways: the two men continued to have an arrangement in which Hall resided as a farmer and rancher in Eden Valley, at least for a time.¹⁴¹ Hastings now relied on the services of William Hildreth and William Robertson as his main stock managers in the region, both of whom were also brutal in their treatment of Indians. Meanwhile, the company continued to operate.

Throughout the service of the Eel River Rangers, Jarboe sent the governor’s office regular reports. Although the governor had approved a company for defensive purposes, Jarboe’s reports clearly indicated offensive operations in the region. He often failed to mention the full details of his activities and methods, however. According to accounts by members of the company and local settlers, the company sometimes raided American ranches looking to kill Indians under American guardianship, and in several cases, did murder such persons.¹⁴² Based on a comparison of the accounts of various members of the company, the number of women and children killed, as well as the dispositions of prisoners, varied widely; with some unwilling to say that any had been killed and others admitting that some had.¹⁴³

The Eel River Rangers’ movements and statement of losses inflicted in their first month on duty provided the governor with a clear idea of the intensity of action in the Eden and Round Valley region, if not precisely their methods. The numbers Jarboe reported to the governor, however, failed to capture the

¹³⁸ Carranco and Beard, *Genocide and Vendetta*, 52, 89. In some instances, they killed women and children, too—sometimes accidentally in the confusion of an attack, sometimes purposely for reasons such as refusing to cooperate.

¹³⁹ Deposition of H. L. Hall.

¹⁴⁰ Deposition of H. L. Hall.

¹⁴¹ Carranco and Beard, *Genocide and Vendetta*, 62; Deposition of S. C. Hastings. When Hastings became fully aware of Hall’s activities cannot be ascertained, but he would have been able to see a copy of Hall’s deposition in 1860, either the one reprinted in the press or released in the Minority or Majority Reports described later in this document. In this deposition, Hall revealed much of what he had done. Hastings would have also been able to see the deposition of William T. Scott, which revealed the incident with the unpaid and whipped Yuki freight haulers. Meanwhile, in Hastings’s deposition, when asked if he knew that the volunteers were killing “squaws,” he refused to answer.

¹⁴² Deposition of Isaac Shannon.

¹⁴³ For an example of the former, see: [Deposition of Chesley Vaughn](#), 28 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 463, California State Archives, Sacramento; for an example of the latter, see Deposition of H. L. Hall.

true damage done to Native Americans. While Jarboe and his men killed dozens of allegedly dangerous Indians, and captured many more, Jarboe's company suffered none killed or captured, and only two men wounded. Eventually, the Eel River Rangers would claim hundreds of kills. The campaign of the Eel River Rangers, which took place in the fall months crucial for preparing for winter, left the Yuki without men to hunt and protect villages, women to gather and prepare food, and stores to survive the winter. Governor Weller, reviewing the figures provided by Jarboe, was perhaps ignorant of these consequences. However, Weller did realize defense was not what the Eel River Rangers were all about.

Days after Jarboe's first report to Weller, the governor sent Jarboe a brief letter reminding Jarboe and his men to attack only those Indians certain to have stolen property. In one sense, Weller was calling for restraint. Weller implored Jarboe to remember that "Human life must not be taken when it can possibly be avoided and the women and children under all circumstances must be spared."¹⁴⁴ To encourage restraint, Weller was careful to mention that he had alternate sources of information about the operations of the Eel River Rangers. This admonition hinted that Major Johnson and Lieutenant Dillon were in contact with the governor, as later correspondence proved. But in another sense, the state was sanctioning death as the penalty for Indians who stole, which was clearly well beyond the limits of the penalties imposed under state law, even for grand theft. Weller empowered Jarboe to act as judge, jury, and executioner. Jarboe's determination of innocence or guilt was to be the arbiter of the fates of Indian peoples in the region. This, too, was clearly well outside what would be acceptable among white Americans in California, or anywhere else in the United States, in terms of being the normalized system of justice for white citizens. Jarboe's response could not have encouraged Weller.

After reporting reaching full strength for his company, twenty men, Jarboe added, "If I had forty men in the field, I could in a very short time take every hostile Indian out of the mountains."¹⁴⁵ But Jarboe's second report did show some improvement, when compared with his first: in his second month of operations, the Eel River Rangers had killed only twenty-five "bucks" and taken one hundred prisoners. Jarboe lamented the loss of a "valuable dog" on the American side. Jarboe also mentioned that the citizens of nearby Long Valley were petitioning him for help, rather than the government.¹⁴⁶ Jarboe was also sending reports to Hastings, one of which has survived and found its way into the archives. Just days after his second report to the governor, plans materialized to go on the offensive against five hundred Wailaki that had driven stock from G. H. Woodman's ranch in Long Valley.¹⁴⁷ Apparently, Jarboe had accepted the petition of the Long Valley citizens as binding upon him, and determined to go to their aid without Weller's approval. On October 16, 1859, Jarboe reported to Weller on his expedition to relieve the people of Long Valley. Meanwhile, Jarboe, demanded support from federal troops in the region.

Army officers regularly received requests from American citizens attempting to harness the might of the United States Army to deal with Indians. The murderous intent of settlers was often obvious to army officers. Such was the case of the Round Valley region. White settlers frequently asked commanding officer, Major Edward Johnson, and his subordinates, Lieutenants William Carlin and Edward Dillon, to help "chastise" or exterminate Indians. However, in practice, these officers focused on preventing violence by interposing themselves between American settlers and threatened Native communities. In short order, Superintendent Henley, reservation agents, and American citizens of the region grew to despise the trio of officers.

¹⁴⁴ [Governor John B. Weller to W.S. Jarboe](#), 08 September 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 382, California State Archives, Sacramento.

¹⁴⁵ [W.S. Jarboe to Governor John B. Weller](#), 16 September 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 385, California State Archives, Sacramento.

¹⁴⁶ [W.S. Jarboe to Governor John B. Weller](#), 01 October 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 388, California State Archives, Sacramento.

¹⁴⁷ [W.S. Jarboe to S. C. Hastings](#), 7 October 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 392, California State Archives, Sacramento.

When Johnson and Dillon arrived in Round Valley to establish their post, American settlers had just massacred forty Indians in retaliation for stock stealing.¹⁴⁸ People in Round Valley despised Johnson and Dillon. The officers had no tolerance for vigilante justice and worked to protect Indian lives rather than settlers' property. They especially hated Dillon.¹⁴⁹ Henley wrote a formal letter of complaint against Dillon and Johnson, protesting their actions in defense of Indians. The War Department agreed, and formally reprimanded Johnson. Johnson was to ensure that his command did not interfere with American citizens off the reservation and to follow the directions of the Indian agents and superintendent while on the reservation. Dillon's only authorized power was to escort trespassers off of reservation grounds. His orders specifically prohibited him from arresting any American citizens. In other words, Johnson and Dillon could do little to stop settlers from harming Indians, save by physical interposition or bluff.¹⁵⁰

Johnson wrote his own letters of complaint to his superiors. Johnson believed it was impossible to protect Indian peoples from the settlers, if the only way was by physically being there to intercede. Johnson believed the only way to stop Indian stock raiding was to end famine among the Indians. Johnson believed that getting all the Indians of the valley onto the reservation would solve the problem of starvation.¹⁵¹ But few Indians showed interest in living at Nome Cult Indian Farm. The reservation was already familiar to some, and word had spread among local Indian groups. Food was scarce there, and disease common. American settlers often came to Nome Cult to catch and kill Indians for stock theft—whether guilty or not—or for other, darker purposes. In one particularly despicable case, an American settler named Murphy had come onto the reserve and committed a rape on a Yuki girl, “12 or 14 years of age, perhaps younger.” Indian men attempted to stop the man, but they could not stop the armed Murphy; imprisoned as they were at Nome Cult Indian Farm, the Indian men possessed no weapons.¹⁵² The soldiers were powerless to apprehend the man.¹⁵³ Tensions ran high, yet some unexpected relief came in 1859.

Following a federal investigation into his activities, the government sacked Henley for mismanagement and fraud in June of 1859, although they never criminally charged him for the funds he had embezzled.¹⁵⁴ The local press carried Henley's side of the story. Among other counteraccusations, he accused Major Johnson of cowardice and slander. The only outcome that benefited Indians was that soldiers and their officers became even more reticent about attacking or apprehending Indians accused of crimes by Americans. Senior commanders became increasingly aware of the problems faced by their subordinates, and began to decline to aggressively prosecute campaigns against Indians at the requests of settlers or their representatives in state government. In June 1859, Major Johnson reported that Round Valley settlers had been engaged in a bloody, self-serving private war against the Yuki. With more than six hundred Indians of all ages and sexes killed since 1857, Johnson argued, “the Indians and not the whites require protection.”¹⁵⁵ Johnson noted that because of the actions of Jarboe's volunteers, especially their destruction of Indian villages, regular subsistence practices had ceased. Only stock theft kept Indian people from starvation.¹⁵⁶

As fear grew among Indian people, Johnson and Dillon were successful at convincing some Yuki to seek protection on the reservation. However, once there, they found little food and a prevalence of disease. From eight to ten Indian people were dying per day from problems associated with disease and malnutrition. The practice of kidnapping women and children from the reservation also continued. Much

¹⁴⁸ William F. Strobridge, *Regulars in the Redwoods: The U.S. Army in Northern California, 1852-1861* (Spokane: Arthur H. Clarke Company, 1994), 177-178.

¹⁴⁹ Strobridge, *Regulars*, 183-184.

¹⁵⁰ Strobridge, *Regulars*, 185.

¹⁵¹ Strobridge, *Regulars*, 186.

¹⁵² [Lieutenant Edward Dillon to Major Edward Johnson](#), 23 March 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 356, California State Archives, Sacramento.

¹⁵³ Strobridge, *Regulars*, 187.

¹⁵⁴ Carranco and Beard, *Genocide and Vendetta*, 73, 85.

¹⁵⁵ Strobridge, *Regulars*, 187-188.

¹⁵⁶ Strobridge, *Regulars*, 189.

of this problem began with Henley, who had been hiring out Indians as laborers or allowing them to become indentured—a practice that continued long after his firing.¹⁵⁷ Henley's son, George, who worked on the reservation for his father, led parties of reservation employees to forcibly bring in local Indian peoples. In one instance, he either killed or had killed a lame Indian man who “looked like a bad Indian.”¹⁵⁸ Further undermining attempts to make reservations safe havens were volunteer companies, especially those seeking bounties. Johnson called Jarboe and his men “assassins,” as they used area reservations as a site to collect and kill Indians.¹⁵⁹ Many residents of the region, though, thought their actions morally and legally justified. Charles H. Eberle, who had lived in Round Valley since 1857, believed his neighbors were far from assassins; they were righteous, upstanding people

Eberle had participated in the petition process that demanded aid of the governor against the Indians. Eberle was also a local magistrate, empowered as a justice of the peace for the area.¹⁶⁰ Under state law, Eberle had the power to deal with Indians in the state, separate of the federal government. When the state legislature dispatched an investigative committee to the region, Eberle was a key witness. In a deposition, he staunchly defended the actions of his neighbors as righteous responses to savage Indian thefts and murders. William Hildreth, one of Hastings's stock managers in Eden Valley and a member of the Eel River Rangers, concurred with Eberle's assessment. Hildreth claimed that they were “sure to always get the guilty Indians and not punish Innocent ones.”¹⁶¹ But how Jarboe and the Rangers determined guilt or innocence went unsaid. Those captured rather than killed went to reservations, which involved many hardships that still might result in death.

Hildreth, like many white settlers in Round Valley, had intimate knowledge of reservations; indeed, he had worked on the reservation for a time. While he admitted that conditions were not the best at Nome Cult Indian Farm, he claimed that Indians who performed work as directed, did well enough. For eight hours of work, Hildreth recalled, each worker received six ears of corn. Indians who did not work received nothing. Protein in their diets was problematic, as Indians received no rations of meat.¹⁶² Not surprisingly, rampant malnutrition, starvation, and disease ensued on this and other reservations, especially as immune systems weakened by hunger and malnourishment struggled to successfully fight new diseases brought by the invaders. But Nome Cult Farm held other problems for Native peoples beyond hunger and disease.

According to Lieutenant Dillon, Nome Cult Indian Farm was a convenient location for American settlers and ranchers to obtain grazing pastures and Indian labor, as well as cut through as a shortcut to the valley beyond. The problem went beyond simple trespassing. Dillon believed “from observation and conversation with various parties I am firmly of the opinion that it is the object of certain parties to get rid of these Indians on the reservation for the purposes of possession themselves of the land occupied by the Government and to still further to extend the stock range.”¹⁶³ American squatters had even gone so far as to build homes on reservation property.¹⁶⁴ A worse problem, still, was when white men came on the reservation to abduct or lure away internees.

Some men who needed the services of housekeepers and seamstresses, and learning that Nome Cult Indian Farm employed some Nevada Indian women, came onto the reservation, and found a way to get them to leave—perhaps by offering better food than what the reserve provided—or perhaps even some pay. Abduction of two Indian girls may have been for these reasons. But the kidnappings might have originated from more disturbing reasons, as well. Reservation employee George Rees recalled, “One of them is about

¹⁵⁷ Strobridge, *Regulars*, 190.

¹⁵⁸ Dillon to Johnson, 23 March 1859.

¹⁵⁹ Strobridge, *Regulars*, 189-190.

¹⁶⁰ [Deposition of Charles Eberle](#), 22 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 434, California State Archives, Sacramento.

¹⁶¹ Deposition of William Hildreth.

¹⁶² Deposition of William Hildreth.

¹⁶³ Second Deposition of Lieutenant Edward Dillon.

¹⁶⁴ Deposition of George Rees.

sixteen and the other twenty years of age. They are tolerably good looking. They appear to be contented on the Reserve.” Rees and his men recovered the two girls from the homes of local white men. Rees had to lock the girls up each night, to both punish them and prevent repeated abductions. Despite a padlocked door, Rees found the girls gone again. Rees later recovered one of them at the home of James Wilsey. The problem of abduction was an old one. As early as 1855, Superintendent Thomas J. Henley was fighting against kidnappings of Indians from reservations. According to a newspaper account, Henley discovered a group of men who were abducting Indian children, selling them “from \$50 to \$250 each.”¹⁶⁵ Ironically, Superintendent Thomas Henley’s son, George Henley, later abducted Indians and refused to return them. In one memorable case, George Henley abducted perhaps the most valuable Indian worker at Nome Cult and refused to give him up. Only with the help of Lieutenant Dillon and his men was the kidnapped man recovered by force. Rees also objected to the behavior of other men formerly associated with the reservation. Like George Henley, former reservation agents such as Simmon P. Storms used reservation Indians to work their lands as slave labor, sending the Indian workers back to the reservation for feeding or when not needed.¹⁶⁶ George Henley, Storms, and others, however, were not ashamed of their behavior, and felt they had done nothing wrong. George Henley, in fact, complained to state officials that Rees had stolen his Indian boy back from him.¹⁶⁷ In short, the Yuki and other Indian people on the reservation were slaves. Such treatment made it hard to keep Indian peoples on the reservation, or remain patient in the face of other difficulties.

Given the unsecured nature of the reservation, it was no wonder that the Yuki and other Native people often fled from Nome Cult Indian Farm. The world they fled into, though, was uncertain, patrolled as it was by both Jarboe’s Eel River Rangers and troops under Dillon. The two men struggled to accomplish their objects in the face of opposition by the other. The community around Nome Cult clearly sided with Jarboe, approving of the retribution exacted on Indians, as well as the steady supply of laborers provided in the form of prisoners. So, too, did the press. Local newspapers never sided with Indian peoples, and criticized the efforts of Dillon and Johnson repeatedly. In one instance, the *Red Bluff Beacon* reprinted letter criticizing Johnson and Dillon for insisting on evidence of guilt before killing Indians and urged the community to get behind the Eel River Rangers. The anonymous correspondent wrote from Nome Cult, and was apparently one of the squatters living on the reservation. He suggested that Jarboe’s Eel River Rangers eliminate the Indian threat.¹⁶⁸

During the campaign, Jarboe appealed to Lieutenant Dillon for assistance in capturing or killing Indians. Dillon refused him twice.¹⁶⁹ After the second refusal, Jarboe warned Dillon to keep all the Nome Cult Indians safely on the reserve, because all other Indians they found were fair game.¹⁷⁰ Given extant examples of back channel communications between Jarboe and Hastings, it seems likely that Hastings knew of Jarboe’s strategies. In the meantime, events transpired to tip the balance further in the favor of Jarboe’s efforts.

The army closed posts in portions of northern California, including some within Major Johnson’s area of responsibility. Johnson, disheartened by this, requested an extended leave. Johnson left California and did not return.¹⁷¹ Johnson’s second in command, Lieutenant William Carlin, took over the command. Any relief settlers felt at Johnson’s departure did not last long: Carlin, if anything, was even more active in his protection of Indian peoples. Carlin and Dillon continued to operate as Johnson had. Carlin arrested

¹⁶⁵ *Humboldt Times*, May 5, 1855.

¹⁶⁶ Deposition of George Rees.

¹⁶⁷ [Deposition of George W. Henley](#), 27 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 459, California State Archives, Sacramento.

¹⁶⁸ *Red Bluff Beacon*, August 24, 1859.

¹⁶⁹ For the exchange, see Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Records 393, 394, 396, and 397, California State Archives, Sacramento.

¹⁷⁰ [Walter S. Jarboe to Lieutenant Edward Dillon](#), 21 December 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 406, California State Archives, Sacramento.

¹⁷¹ Strobridge, *Regulars*, 193-194. Johnson was gone when Bland’s body was discovered.

an American for taking an Indian woman by force from the reservation. But the new reservation agent not only reversed Carlin's order, he also let the man take the woman.¹⁷² Angry, Carlin kept a close watch on the agent. Carlin soon discovered that the reservation agent was using government property to run a whiskey trade. Another federal employee was apparently selling the liquor out of the local post office.¹⁷³ It was not only fluctuating army officers affecting matters. Political leaders changed, too, although attitudes among them seemingly did not.

Following the inauguration of Governor John Downey, for instance, citizens in Round Valley bombarded the new governor with new tales of woe blamed on from hostile Indians and apathetic army officers. Downey responded to his petitioners by demanding an explanation of the army high command in California. Dillon's superiors directed him to help respond to Downey's queries. Dillon contradicted local white citizens by reporting only one American killed in the last year, and he trying to kidnap an Indian woman. No stock was unaccounted for during 1860, either. Dillon argued that the settlers were attempting to obtain the rest of the Indian land in the region by exterminating them. Carlin supported Dillon's opinions in his own message to Downey.¹⁷⁴ Carlin also added new criticisms of the reservation agents. In addition to the liquor trade run from the reservations, agents were using the reservation to provide brothel services to locals, and allowing squatters to occupy federal lands reserved for Indians.¹⁷⁵ The complaints lodged by the two officers went unheeded. Carlin departed California in the spring of 1860, disgusted as Johnson had been. Lieutenant Dillon was now in command.

Not long after assuming command, Dillon encountered more wild claims by settlers of the Round Valley region to the state government. After settlers claimed in petitions that they had lost \$100,000 in property to Indian depredations, Dillon researched the claims and found it to be less than one-third that amount. As they had done in the petitions championed by Serranus Hastings in 1859, the community continued to exaggerate the threat of Indian depredations. Dillon, as Johnson and Carlin had done, contradicted the settler's claims as gross exaggerations. Later, during investigations by the state legislature, some settlers confirmed the validity of the army officers' statements that the settlers were exaggerating their claims.¹⁷⁶ Settlers, in turn, continued in their complaints against the army officers, especially Dillon. One settler claimed that Dillon was rooting for the Indians, even helping them, something that Hastings had claimed as well.¹⁷⁷ Dillon was undeterred, continuing his reports on the activities of the settlers in Mendocino County.

In 1861, Dillon informed his superiors of at least fifty instances of Indian children kidnapped and sold to local settlers. This crime against Indian people further damaged Indian-white relations.¹⁷⁸ Since 1857, some residents estimated that whites had killed as many as five hundred Indians in Round Valley alone.¹⁷⁹ Despite this grim statistic, and despite Dillon's role as the one remaining non-Native guardian of

¹⁷² Strobridge, *Regulars*, 195-197.

¹⁷³ Strobridge, *Regulars*, 196-197.

¹⁷⁴ Strobridge, *Regulars*, 197-198.

¹⁷⁵ Strobridge, *Regulars*, 199.

¹⁷⁶ [Deposition of Lawrence Battaile](#), 28 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 462, California State Archives, Sacramento; and [Deposition of George W. Jeffress](#), 28 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 466, California State Archives, Sacramento.

¹⁷⁷ Affidavit of Simmon P. Storms, 20 January 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 417, California State Archives, Sacramento. See also Deposition of S. C. Hastings for Hastings's claims about Dillon.

¹⁷⁸ Strobridge, *Regulars*, 241-242.

¹⁷⁹ Deposition of Simmon P. Storms.

Indian welfare, eventually the army closed its outpost in Round Valley in June of 1861, calling it an inefficient placement of troops, situated far from resupply.¹⁸⁰

Even while attempting to get Lieutenant Dillon and his men to help them, Jarboe's company continued launching attacks against the Yuki throughout late 1859 into 1860. The Eel River Rangers killed eleven "bucks" and captured thirty-three other Indian people, although nineteen were able to escape on the way back to Round Valley. Over time, Governor Weller became increasingly unhappy with Jarboe. In a terse reply to one of Jarboe's reports, Weller reminded Jarboe of his previous admonishments about offensive versus defensive operations. He also voiced new concerns about Jarboe's decision to operate outside the limits of Round and Eden Valley: "Your company was organized to protect the lives and property of the Citizens in certain localities and not to wage a war of extermination against the Indians."¹⁸¹ Jarboe returned to the Round Valley area and continued his operations.

The prolific Jarboe reported to Weller on October 28, 1859, that he had resumed normal operations. In the two weeks since his last report, the Eel River Rangers had killed nine and taken one hundred twenty prisoners. William Daley, a member of the Eel River Rangers, however, had apparently raped one of the prisoners. Jarboe euphemistically reported his discharge for "imprudent conduct with a squaw."¹⁸² As the woman raped was a "squaw," no penalty other than dismissal was forthcoming.

As Indian people prepared for the early winters that often hit the northern quarter of the state, Jarboe and the Eel River Rangers remained active. Given the impossibility of obtaining access to many traditional winter food sources, Native people of the region began to take American livestock as a substitute. The choice was death by starvation if they did not. Jarboe and the Rangers made sure that the choice to take livestock meant death as well. And not just for the Indians of the Eden and Round Valleys. Against instructions, Jarboe and the Rangers returned to answer the call for help from Long Valley residents. Over the course of November, the Eel River Rangers killed thirty-six and took fifteen prisoners, again taking no losses themselves.¹⁸³ While the company operated during November of 1859, terrible winter storms hampered the volunteer company's efforts to kill Indian people. Indian peoples, meanwhile, caught and butchered livestock to survive, though some of the stock may have already expired due to snow and freezing temperatures; indeed, one cannot help but notice this allegedly valuable livestock was roaming unprotected in severe weather. But as Americans had done before and since, they attributed the losses to Indians, not the weather. Despite Jarboe's unwillingness to follow orders and remain strictly in a defensive role in Round and Eden Valleys, it may have been a petition of his neighbors that deprived him of his company and led to its disbandment.

In an undated petition written sometime in December 1859, citizens asked Governor Weller to relieve Jarboe of his command. Their complaint: the company cost too much money because of how Jarboe ran the group.¹⁸⁴ Undoubtedly, this stemmed from the way the company financed its operations through promises of later compensation by the state. Jarboe and his men consumed local cattle for food—ironically the same as local Native Americans—and the owners worried that they would absorb the losses, not the

¹⁸⁰ Strobridge, *Regulars*, 244. Dillon left Round Valley and the U.S. Army in the spring of 1861 to join the Confederate Army. Calling Dillon a "disgrace to the army" because of his protection of Indians, not for his treason, the *Red Bluff Beacon* delightedly noted his departure. *Red Bluff Beacon*, July 18, 1861.

¹⁸¹ [Governor John B. Weller to W.S. Jarboe](#), 23 October 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 399, California State Archives, Sacramento.

¹⁸² [W.S. Jarboe to Governor John B. Weller](#), 28 October 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 400, California State Archives, Sacramento.

¹⁸³ [W.S. Jarboe to Governor John B. Weller](#), 03 December 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 402, California State Archives, Sacramento. The total includes an Indian girl who froze to death while hiding from the Rangers, although Jarboe indicated that it was her fault, not his.

¹⁸⁴ [Petition of the Residents of Round Valley](#), undated [ca. December 1859], Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 407, California State Archives, Sacramento.

state. Whether it was this petition or anger over Jarboe's second visit out of bounds to Long Valley, Weller acted.

In a brief letter to Jarboe on January 3, 1860, Governor Weller ordered the Eel River Rangers disbanded. Without giving a reason why, he thanked Jarboe and the men for their service.¹⁸⁵ Public outcry was immediate. In one vivid example, a petition of eighty-two citizens of Mendocino County called upon Weller to reinstate Jarboe and the company less than two weeks after it had disbanded. Citing depredations at a new level of intensity on the part of Indians, the petitioners asked that the company double in size. What the petitioners failed to realize was that the depredations that the Rangers had "held in subjugation" during their service were actually retaliations against Americans for the actions of the Eel River Rangers, and not some phenomena that they had checked for a time but was again unleashed with them.¹⁸⁶ Meanwhile, an unlikely source of resistance had developed to the possible restoration of the Eel River Rangers under the command of Jarboe: the men of the Eel River Rangers, themselves.

In a petition to their fellow citizens of Mendocino County, and forwarded to the new governor, Milton Latham, the men of the Eel River Rangers expressed their desire to renew their service, but under a commander other than Jarboe. Several actions by Jarboe had angered them. First, they were constantly hungry and forced to eat only "half rations" because Jarboe was always attempting to reduce costs; ironically, the very thing the nine petitioners from the Round Valley charged he was not doing effectively. Second, apparently at least some people believed Jarboe's efforts to reduce the blood shed by Native Americans were sincere: the men claimed that Jarboe's concern for Indian welfare put them at risk and that "he did not value their lives above that of a Digger." Third, he had discharged "good and true men against the Protestation of the company for no other reason or offense than that which he was himself guilty of and first set the example. In other words, Jarboe had been the first to rape a "squaw" and so why should they be held to a different standard, as William Daley and others were.¹⁸⁷ Fourth, and last, they charged that he was defrauding the citizenry and the state. The insinuation being that he was charging the people for full rations and supplies, but issuing much less and planning on pocketing the difference.¹⁸⁸

Despite the serious and specific accusations presented by members of the Rangers, they recanted their charges ten days later in a second petition sent to the governor. The men of the Rangers represented to Governor Latham that they had written their petition in a "moment of Excitement" and included in it "misrepresentations" about Jarboe. They asked Latham to disregard their "Errors committed in the heat of passion" and return Jarboe to the head of the company, claiming that they now better understood the exigencies of command and that, in hindsight, his actions were something altogether different than what they had originally thought.¹⁸⁹

Nothing came of the request to reinstate Jarboe or the company. Governor Milton Latham surrendered the governorship to take a seat in the United States Senate made vacant by a death. And when John Downey succeeded him, no reinstatement followed. This ended Eel River Rangers as an authorized volunteer unit, except for the money owed them. However, in practice, Hall and other former members continued to go on raids even after the company was formally disbanded.¹⁹⁰ Jarboe, on February 18, 1860, sent Governor John Downey the bill for the company, claiming that for the twenty-three actions they had

¹⁸⁵ [Governor John B. Weller to W.S. Jarboe](#), 03 January 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 409, California State Archives, Sacramento.

¹⁸⁶ [Petition of Residents of Mendocino County](#), 15 January 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 413, California State Archives, Sacramento.

¹⁸⁷ Apparently more than one man was discharged for rape, even though Jarboe only reported one incident.

¹⁸⁸ [Petition of the Eel River Rangers](#), 15 January 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 414, California State Archives, Sacramento.

¹⁸⁹ [Second Petition of the Eel River Rangers](#), 25 January 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 420, California State Archives, Sacramento.

¹⁹⁰ Secrest, *Great Spirit Died*, 306-307.

fought and the two hundred eighty-three Indians they had killed in five months' time, the state owed \$11,743. Of this total, the payment due the men of the company was \$5,779.¹⁹¹

Ultimately, the company only partially succeeded in its goal of killing Indians to make the valleys safe for livestock; they had essentially depopulated Eden Valley of Yuki, while Round Valley was not—and, indeed, trouble would continue there for several years. Hastings's property was secure, and he reneged on his promises to guarantee payments, creating much animosity in the community.¹⁹² With the petitioned for goals accomplished, Hastings had apparently abandoned the pretense of concern for his neighbors. Many residents found it hard, if not impossible to collect on the debts incurred by Jarboe under the cover of Hastings and Henley's promissory note, which he apparently denied existed.¹⁹³ The people of Round Valley soon began a new round of petitions, this time to successive governors and representatives trying to recover their losses. Hastings had participated in a process that now cycled onward, without his personal involvement, but tracing its origins back to him and his interests.

Americans not only petitioned their representatives at the county, state, and federal levels for help against Indians or the remuneration of claims in the ways they had done in concert with Hastings, they also acted in concert at the local level using their own means to fund continued operations against Indians. Citizens sometimes took up a subscription to fund campaigns against Indians when their requests went unfulfilled in what they judged as a timely or effective manner. This was a common motivation. Some United States Army officers, such as Lieutenant Dillon, proved unwilling to resort to the quick and easy expedient of wiping out Indians wholesale. Dillon, for instance, reported to Pacific Division headquarters in San Francisco that settlers, not Indians, caused the disturbances in Round and Eden Valleys. His reports also belied the wild claims of many white settlers killed. In fact, in 1859, he reported that only one white man had died by Indian hands, and he in the process of abducting an Indian woman.¹⁹⁴ This contradicted the vague claims of settlers and ranchers, whose petitions rarely identified by name people killed by Indians and, curiously, always seemed to deal in regular increments of five when stating the number of people killed.

This caused governors of California to hesitate to give permission to their constituents to form volunteer companies, although they almost always submitted eventually. One way local settlers got around such inconveniences was to take up subscriptions. These subscriptions were collections of money, given voluntarily by the agreement of local citizens, for the purposes of funding settler campaigns against the Indians. Funding campaigns against Indians were democratic, grass-roots processes. According to the *Marysville Weekly Express*, the people of Red Bluff, which was the county seat of Tehama County, had “adopted . . . [a plan] to chastise the Indians for their many depredations during the past winter. Some men are hired to hunt them, who are recompensed by receiving so much for each scalp, or some other satisfactory evidence that they have been killed. The money has been made up by subscription.”¹⁹⁵ In Humboldt County, the people of Uniontown and Eureka voted for a tax on residents to fund “to prosecute the Indian war to extermination.”¹⁹⁶ Taxes and subscriptions such as these were inherently democratic in the view of some Californians. They represented the recourse that any community might turn to in the absence of good government at higher levels. In Red Bluff, Tehama County, the citizens tied the collection of subscriptions to the failure of the state and federal governments to adequately represent the wishes of their citizenry by

¹⁹¹ [Jarboe to Gov. Downey](#), 18 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 432, California State Archives, Sacramento.

¹⁹² Deposition of H. H. Buckles.

¹⁹³ [Deposition of B. Newman](#), 23 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 440, California State Archives, Sacramento.

¹⁹⁴ [Edward Dillon to Headquarters](#), Department of California, 27 January 1860, F3753, Record 423, California State Archives, Sacramento, Indian War Papers. This report was forwarded to Governor John G. Downey; see [N. A. Clarke to John G. Downey](#), 01 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 424, California State Archives, Sacramento.

¹⁹⁵ *Marysville Weekly Express*, April 16, 1859.

¹⁹⁶ *Humboldt Times* quoted in *Red Bluff Beacon*, September 29, 1858.

failing to exterminate the Indians in the region. Having to come up with additional monies to fund their own extermination campaigns, however, smacked of taxation without representation for some. In one man's opinion, published in the official newspaper for the county, "Were we a band of outlaws who denied the authority of the courts, or an isolated community where tax-gatherers never come, we could submit to neglect like this without a murmur, but, situated as we are, contributing, as we do, more, perhaps . . . than any county in the State . . . we feel that we are entitled to have the protecting arm of the State thrown around us."¹⁹⁷ Thus, citizens used subscriptions and special taxes as alternate means of obtaining representation for Americans. In the 1850s and 1860s, this meant subscription and tax funds used to arm, outfit, and provision groups of men looking to root out Indians living nearby, and then kill them.

Oftentimes, the killings included women, children, and the elderly. Given that many Americans thought Indians were animals, not people, it was easy to rationalize killing Indians as something more akin to killing a pesky animal near your home or herd, rather than accepting it as murder of another human being. As the *Chico Weekly Courant* described it, "Nothing but extermination will keep them from committing their depredations. It is a false notion of humanity to save the lives of these red devils. There should be no prisoners taken, but a general sacrifice made of the whole race."¹⁹⁸ The *Courant*, reflecting the philosophy behind the aforementioned slaughters of predatory animals, did not stop there, claiming, "They are of no benefit to themselves or mankind, but like the rattlesnake live only to slay. Like the wild beast of prey they are necessarily exterminated by the march of civilization. The tribes of Indians upon this Coast can no more be civilized than the jaguar."¹⁹⁹ But how was one to meet such a threat posed by wild animals? "If necessary let there be a crusade, and every man that can carry and shoot a gun turn out and hunt the red devils to their holes and there bury them, leaving not a root or branch of them remaining, then we shall record no more massacres."²⁰⁰ In other words, let there be a complete annihilation of the Indian population. The structure of the subscriptions also reveals American intentions toward Indians.

Even more overtly economic incentives precipitated Indian slaughter in California. In Tehama County, a company paid for by subscription was not raised for the duration of an emergency or to settle a specific conflict with Indians by arms, but instead for a two to three-month tour of duty. In that span of time, they would operate "to clean out" any Indians they might come across.²⁰¹ Members of the company were cared for by the community during their tour, receiving supplies and medical care from citizens and compensation for their time from the subscription fund.²⁰² One might also note that since reimbursement was due to citizens that supplied volunteer companies by California law, it was profitable and desirable for Americans to promote conflict with Indian people.²⁰³ Subscriptions, then, were one way of funding such crusades over extended periods of time. Other ways of ridding an area of Indians existed, and settlers employed these as part of their extermination campaigns as well.

Not unlike subscriptions to fund Indian hunting parties were bounties instituted in some communities.²⁰⁴ In one example, a county paid \$.50 for every Indian scalp and \$5 for every Indian head brought in. In Shasta City, one could get \$5 for an Indian head, and a local man attested to interest in

¹⁹⁷ *Red Bluff Beacon*, June 15, 1859.

¹⁹⁸ *Chico Weekly Courant*, November 18, 1862.

¹⁹⁹ *Chico Weekly Courant*, November 18, 1862.

²⁰⁰ *Chico Weekly Courant*, November 18, 1862.

²⁰¹ *Red Bluff Beacon*, June 22, 1859.

²⁰² *Red Bluff Beacon*, June 29, 1859.

²⁰³ For additional examples drawn from the period under discussion, see: [Fred Greene to Gen. Kibbe](#), 31 January 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 425, California State Archives, Sacramento; and [Deposition of William J. Hildreth](#), 24 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 443, California State Archives, Sacramento.

²⁰⁴ Albert L. Hurtado, *Indian Survival on the California Frontier* (New Haven: Yale University Press, 1988), 141-148; James J. Rawls, *Indians of California: The Changing Image* (Norman: University of Oklahoma Press, 1984), 184-186.

claiming such rewards as he noted that one man alone brought in as many as twelve Indian heads on one trip alone.²⁰⁵ In the community of Honey Lake, the life of an Indian was worth much less, as they paid only \$.25 for an Indian scalp.²⁰⁶ Heads and scalps were just two of the proofs one might present; in some communities, “some other satisfactory evidence” of the extermination of an Indian might do in place of a scalp.²⁰⁷ Given that the average daily wage for a miner in California in the late 1850s was \$3 per day, scalp and head bounties could afford one a good living when unemployed or in a pinch for funds.²⁰⁸ These funds were often collected by community subscriptions, as in the case reported by the *Shasta Herald*: “A meeting of citizens was held a day or two before at Hazelrigg’s store, and measures taken to raise a fund, to be disbursed in payment of Indian scalps, for which a bounty is offered.”²⁰⁹ To make matters worse, the *Sacramento Union* reprinted the story, informing an even wider audience that money was to be made directly by killing Indians.²¹⁰ In other cases, private individuals put up the funds, as was the case when John Bidwell reportedly placed a \$500 bounty on the head of a Mill Creek Indian who was interfering with his business. Sadly, and ironically, an Indian brought back the chief’s scalp as proof of the kill.²¹¹ Perhaps the most shocking bounty opportunity was one never imposed. Suggested by the editors of the *Lassen Sage Brush* in 1868, “every Indian killed” would produce a \$500 bounty for the killer.²¹² Any Indian found not on a federal reservation would be worth \$500 dead. This, they argued, would stop the “brutal savage.”²¹³ Considering the amount proposed, it likely would have produced the absolute extermination of all California Indians, down to the last child. Rewards that necessitated the killing of Indian peoples, guilty or not, were obviously genocidal in their intent, as they encouraged wanton slaughter for profit rather than allowing for self-defense, as Americans claimed. These grisly standards of proof belied the stated goal of self-defense put forth by Americans; and instead revealed the true goal of destruction of Indian people in and around their communities and the lands they coveted. In part, this helps explain the rise of a category of men known as “Indian hunters,” who came to prominence in northern California during the 1850s and 1860s.

Jackson Farley worked as an Indian hunter on behalf of local communities and state. In a sense, the notion of these men as dedicated “Indian hunters” was misleading, though, because most of them were much like their neighbors who hired and helped them: they were settlers in the region. In fact, Indian hunters were usually members of the citizenry that set out to exterminate local Indians at the head of a column of their neighbors. In the case of Jackson Farley, he headed a citizen’s volunteer company based in Long Valley, where “about one hundred voters in the Valley and vicinity” had become tired of Indian depredations.²¹⁴ Gathering together, inspired by the recent actions of the settlers of Round and Eden valleys, Long Valley citizens voted to elect a captain and officers to lead volunteer companies against the Indians. Some of these were unauthorized companies, some authorized. Taking a cue from Hastings effective use of petitions, they, too, used their power as American citizens to call upon the state and federal governments to defend their lives and property. In turn, learning of this strategy, people in other communities organized along these lines well into the 1860s. According to historian Frank Baumgardner, Hastings’s example led

²⁰⁵ Rawls, *Indians of California*, 185.

²⁰⁶ Rawls, *Indians of California*, 185.

²⁰⁷ Quoted in Rawls, *Indians of California*, 185.

²⁰⁸ Richard B. Rice, William A. Bullough, and Richard J. Orsi, *Elusive Eden: A New History of California* (Boston: McGraw Hill, 1996), 199.

²⁰⁹ *Shasta Herald*, May 11, 1861.

²¹⁰ *Sacramento Union* (Morning Edition), May 13, 1861.

²¹¹ *Quincy Union*, October 27, 1866.

²¹² *Lassen Sage Brush*, May 16, 1868.

²¹³ *Lassen Sage Brush*, May 16, 1868.

²¹⁴ [Deposition of Jackson Farley](#), 26 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 448, California State Archives, Sacramento.

to the raising of volunteer companies not just in Mendocino County, but in Humboldt and Trinity Counties as well.²¹⁵

Farley was a farmer and rancher residing in Long Valley. He operated unauthorized companies searching out and killing Indian peoples at the same time the Eel River Rangers were in the field. Farley had experienced three years of seasonal stock raids in Long Valley, all of them occurring in the two months immediately preceding winter. While it might seem obvious today that Native people in the area were hungry and attempting to get food to survive another winter, for Farley it was simply an act of wanton thievery by “wild” savages. Over three years, Farley lost a total of four horses and two cows, though one of the horses he only “believed” to be his own.²¹⁶ Like many farmers and ranchers of the era, stock was roaming free, sometimes unattended for days or weeks. William Frazier admitted that he and his neighbors could not, in fact, say with certainty how many head of stock they lost for this very reason. Frazier had seen the remains of animals outside Indian villages, and had been unable to know how the animal had perished or if Indians were culpable. In some seasons, “the grass was short” and animals had to stray up into the hills to graze. In fact, when pressed, Frazier had to admit he had no idea how many of his animals had been lost or to whom.²¹⁷ Despite all the many reasons a cow, horse, or mule might go missing, for Farley, Frazier, and their neighbors they knew who had taken their livestock, and formed parties to “punish” the Indians. In this, they consciously emulated Hastings and the settlers of Eden and Round Valleys. Moreover, Hastings helped them.

The residents of Long Valley sent two petitions to the governor of California, demanding permission to form a volunteer company to further “punish” the Indians. Some individual settlers, such as G. H. Woodman, also sent individual petitions. Woodman argued that a company could perform the work of “guarding and protecting themselves against the incursions of Indians.”²¹⁸ Hastings wrote the governor, John Downey, using his considerable influence to urge authorization, as well.²¹⁹ In December 1859, after gubernatorial approval, they formed their official company, and the citizenry elected Farley and Frazier officers. Farley’s company was a highly effective organization for killing Indians, and emblematic of how many companies operated by loosely interpreting what “guarding and protecting” meant.

Farley’s company established a patrol in the mountains between Long Valley and adjacent Round Valley. This decision was especially disastrous for Native people, because as men like Farley and Frazier pushed Indians out of these mountains toward Round Valley, companies of men such as the Eel River Rangers under Jarboe were pushing Indian peoples out of Round Valley toward Long Valley.²²⁰ Indian peoples like the Yuki and Cayapomos lived in a deadly trap, with bloody-minded Americans applying a genocidal constriction. In fact, all over California, Americans concerned only with driving Indians from their sight gave little thought to the fact that they were driving Native Americans into similar situations, elsewhere. The way the company attacked Indians was also typical. According to Frazier, a typical engagement took place at dawn and usually lasted only minutes. The company’s first raid was typical of the rest: at dawn “we attacked and killed 20 consisting of Bucks, Squaws and children and also took 2 squaws and one child prisoner. Those killed were all killed in about three minutes. . . . We found in this rancheria no sign of any depredation having been committed by these Indians.” The volunteer company

²¹⁵ Baumgardner, *Killing for Land*, 69.

²¹⁶ Deposition of Jackson Farley.

²¹⁷ [Deposition of William Frazier](#), 22 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 436, California State Archives, Sacramento.

²¹⁸ [G.H. Woodman to Governor Milton S. Latham](#), undated [ca. December 1859], Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 354, California State Archives, Sacramento.

²¹⁹ [S. C. Hastings to Gov. John Downey](#), 02 February 1860, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 486, California State Archives, Sacramento.

²²⁰ Deposition of William Frazier.

delivered Indian prisoners into the hands of American settlers “who promised to take care of them.”²²¹ By this they meant, make them slaves on their farms and ranches.

Farley, Frazier, and company continued to raid Indian villages. They indiscriminately killed men, women, and children. Calling the men “bucks” and the women “squaws” was habitual. Indians were not people, to many Americans, but animals. Frazier graphically described killing elderly women, children, and wounded men without any compunction.²²² In their first genocidal campaign, Farley and Frazier led forty-six citizens of Long Valley against the Indians in a bloody three-month campaign that led to the deaths of between one hundred fifty and two hundred Yuki and “Cayapomo” Indians. The company took only twenty-two prisoners. The prisoners were sent to reservations or American homes, where more horrors awaited them under corrupt and inept federal Indian agents or in households headed by some of the same men who had killed their families and friends.²²³ Following its authorized campaign to “punish” Indians, the company remained in operation intermittently, waiting for Farley to call them into action whenever Indian peoples of the region allegedly threatened stock in Long Valley.²²⁴ Ten years later, their macabre success was obvious.

Within a decade, not one Native person remained in Long Valley. The community was able to take a new step at this juncture: the banning, by law, of all Indians from Long Valley. In 1868, the people of Long Valley decreed that “no Indian is now allowed under any pretext whatever to come in to the country.”²²⁵ It had literally become illegal to be an Indian in the valley. What made it all the better for non-Native residents of Long Valley was that not one member of the community—not one—had ever been killed: not by raids, not by unexplained murder, not in action as a member of Farley’s company.²²⁶ In fact, no evidence of any American even being wounded exists.²²⁷ Hundreds of Indian people had died to make sure cattle, horses, hogs, and oxen could roam free. Indeed, by the close of 1860, evidence suggests that no Yuki or other Native Americans lived in Long, Eden, or Round Valleys, unless it be as internees on the reservation or as slave laborers on the lands of white settlers. In 1862, the *Sacramento Daily Union* reported that 25 percent of all the white households in the region had Indian children living in them.²²⁸ This all in the pursuit of making these valleys fit for cattle ranching and farming by a few dozen white settlers, most of whom were in truth squatters living on reservation property, who Henley had invited beginning in 1856.²²⁹ For the Yuki, in less than a decade, they had become outsiders and a minority population in their own country, on their ancestral lands, being overwhelmed and outnumbered by whites and non-Yuki Native peoples incarcerated on the reservation in Round Valley. Such was legacy and influence of Serranus C. Hastings, Thomas J. Henley, H. L. Hall, and the white settlers of these three valleys.

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STATE ACTIONS

According to Peter Burnett, first American governor of California, “[A] war of extermination will continue to be waged between the two races until the Indian race becomes extinct, must be expected; while we cannot anticipate this result with but painful regret, the inevitable destiny of the race is beyond the power and

²²¹ Deposition of William Frazier.

²²² Deposition of William Frazier.

²²³ Deposition of Jackson Farley.

²²⁴ Deposition of Jackson Farley.

²²⁵ *Lassen Sage Brush*, May 23, 1868.

²²⁶ Deposition of William Frazier.

²²⁷ This conclusion is based on the collective lack of evidence gathered from Farley, Frazier, and the community petitions of the residents of Long Valley.

²²⁸ *Sacramento Daily Union*, July 19, 1862.

²²⁹ William J. Bauer, Jr., “‘We were all like migrant workers here’: Work, Community, and Memory on California’s Round Valley Reservation, 1850-1941 (Chapel Hill: University of North Carolina Press, 2009), 45.

wisdom of man to avert.”²³⁰ As Burnett’s address to the legislature shows, California Indians were abandoned to the whims of American citizens by the state government early on. Burnett’s conviction that the “inevitable destiny” of Indians was extermination was commonplace among Americans in California and the United States. Like thousands of other Americans who had come to California to strike it rich, Burnett believed that God had ordained Indians to die as part of Manifest Destiny. Burnett abandoned any thought of stemming the tide of such extermination because as part of God’s master plan, it was “beyond the power and wisdom of man to avert.”²³¹ Indeed, in the minds of nineteenth-century Americans, to turn away from the marginalization, if not outright destruction of Native Americans, would be to contradict God’s plan. More importantly, in Burnett’s mind, to do other than let this transpire would contradict his constituency’s demands. Such thinking was not unique to Burnett, Hastings, or the citizens of Eden and Round Valleys.

Every governor of California received petitions from local communities during the 1850s and 1860s; the actions of Serranus Hastings and his fellows were not unique.²³² Rather, they were exemplary. Petitions asking that the state do something to curb the Indian problems of their region were widespread, both in terms of geographic origins within the state and over time, with examples extant from over a twenty-plus-year period. In these appeals for executive action and approval, it was never a feature of these petitions for the petitioners to acknowledge their presence on lands held by Indian peoples for millennia as creating these difficulties. Some petitioners asked that the governor make an appeal to the federal government for troops, hoping that pressure from California’s top elected representative would convince the army to take stronger measures against pestiferous Indians. Other petitioners requested deployment of the regular state militia; reminding the governor of his power to do so as the state’s elected commander-in-chief.²³³ But in many cases of requests, local groups of citizens asked that he rather than the governor empower them. Drawing up petitions at town and county meetings, groups of citizens called attention to the threat posed to their lives and property by Indians in their vicinity. As a later investigative committee formed by the state legislature would find while interviewing many of these petitioners, it was really a threat to property rather than lives that drove men to petition the governor.²³⁴ Yet, despite this clearer realization of settlers’ motives, state authorities concurred with settlers’ actions. As most of the men in government in California in its first decade were just like the petitioners—failed gold seekers going in new directions—the petitions found a great deal of sympathy from governors and lawmakers. In fact, the committee did not convene to investigate atrocities against Indians, but rather answer the questions of why efforts to exterminate Indians had cost so much money, and why the federal government had not played a larger, more effective role?

Reporting to their colleagues in the California Senate and Assembly, members of a five-man joint committee auditing the expenses and actions associated with fighting Indians in and around Mendocino County in the late 1850s sought to identify why hundreds of thousands of dollars had to be expended to solve the problems of Indian-white relations.²³⁵ The Majority and Minority Reports issued following the

²³⁰ “Address to the Legislature,” *Journal of the Senate of California*, 3rd Session, 1852, 714. Burnett was not the only governor to say something such as this. Governor John McDougal felt likewise, stating, “[Indian policy] must of necessity be one of extermination of the many tribes.” Governor John McDougal quoted in Ashley Riley Sousa, “‘They will be hunted down and destroyed’: A Comparative Study of Genocide in California and Tasmania,” *Journal of Genocide Research* 6, no. 2 (June 2004): 205.

²³¹ “Address,” *Journal of the Senate*, 714.

²³² Carranco and Beard, *Genocide and Vendetta*, 141. For example, in 1863, Governor Leland Stanford Sr. authorized six volunteer companies in different counties.

²³³ The regular state militia is what one would call the California National Guard, today.

²³⁴ The commission was the Special Joint Committee on the Mendocino War, convened in 1860. Tellingly, it includes no depositions taken from California Indian peoples.

²³⁵ Over one hundred forty years later, the state of California again became interested in investigating the violence of Gold Rush era Indian-white relations. For the investigative report produced for use by the legislature, see: Kimberly Johnston-Dodds, *Early California Laws and Policies Related to California Indians*, CRB-02-014, California Research Bureau of the California State Library, Sacramento, 2002. Scholars often overlook and/or fail to credit

1860 investigation, which took dozens of depositions from Americans in the region, painted a bleak picture of what life had become for Native Americans.²³⁶ Most striking about the reports from both the minority and majority were the open admissions of massacres and other outrages. Americans, including men who were not part of authorized volunteer companies, admitted to slaughtering Indians under oath.²³⁷ Such statements were admissible in court and possibly used to prosecute many of the men who gave depositions admitting to killing non-combatants or killing Indians while not under the authority of the government. Meanwhile, many of the Americans killing Indian peoples legally, under the protection of gubernatorial authorization to form volunteer companies, exhibited a callousness that might have given elected officials pause about further use of volunteer units. Clearly, the volunteers had organized to answer theft of their livestock with murder. The report admitted that judging by the horrific results, “either our government, or our citizens, or both, are to blame.”²³⁸ The majority committee’s report admitted that white settlers had often initiated the hostility with California Indians, but contextualized blame in the grand scheme of American history. “The same relations and condition of things [exist] between white settlers and Indians in Mendocino County,” wrote the majority committee, “as has always been the case from the first settlement of our country to the present time, whether on the frontiers or in the more thickly settled districts, where the Indian has been permitted to inhabit the same country with the white settler.”²³⁹ What might be done by the legislature to change this state of affairs? Little or nothing. In fact, the majority committee believed “history teaches us the inevitable destiny of the red man is total extermination or isolation.”²⁴⁰ Lawmakers, like Governor Burnett, saw the destruction of California Indians as an inevitable component of bringing about Manifest Destiny. The problem was, in the view of the majority committee, that the present was, in part, necessary, but currently inefficient and unnecessarily cruel. They saw the killing of a dying race as something akin to mercy, with the only alternative being relocations to areas barren and remote, prolonging what life remained to the Indian race. The doom of Indians was unavoidable, in their estimation, but this fate should be as painless as possible. And as inexpensive, too.

The committee admitted that settlers had manufactured a costly and unnecessary war in which “a slaughter of beings, who at least possess the human form,” took place in pursuit of their property interests. The citizens used the governor to authorize its conduct. The committee did not fault the governor for his authorization, though, because he had only done what the petitioners wanted.²⁴¹ Indeed, the very exaggerations made by Hastings and his fellow petitioners pointed out to Governor Weller by U.S. Army officers found confirmation in the Majority Report.²⁴² Ironically, much of the blame assigned by the committee shifted to the federal government.

Despite the fact that California Indians had no formal treaty protections under federal law in 1860, the United States had still seen fit to foolishly, in the committee’s estimation, allow Indians to occupy productive land. Naturally, such lands reserved to Indians were attractive to American settlers. When Americans determined to move onto such attractive lands, who or what would stop the settlers? Certainly, elected representatives would build no barriers in a nation driven by settler-colonialism. When Indian

Johnston-Dodd’s report in the historiography of California’s Indian-white relations in the nineteenth century; it should not be so.

²³⁶ “Majority and Minority Reports of the Special Joint Committee on the Mendocino War,” *Appendix to the Journal of the Senate of California*, 11th Session.

²³⁷ Following the issuance of the reports, some California newspapers carried details of the findings and even excerpts of depositions. The most detailed of these appeared in the Sacramento *Daily Union*, April 16, 1860. The state printed only one hundred copies of the report for public distribution. Baumgardner, *Killing for Land*, 184.

²³⁸ “Majority Report,” *Appendix to the Journal of the Senate*, 4.

²³⁹ “Majority Report,” *Appendix to the Journal of the Senate*, 3.

²⁴⁰ “Majority Report,” *Appendix to the Journal of the Senate*, 3.

²⁴¹ “Majority Report,” *Appendix to the Journal of the Senate*, 6.

²⁴² For an example of an army officer refuting settler’s claims prior to Weller’s decision to authorize the Eel River Rangers, see: [Gen. Clarke to Gov. Weller](#), 13 May 1859, Military Department, Office of the Adjutant General, Indian War Papers, 1850-1880, F3753, Record 368, California State Archives, Sacramento.

peoples objected and resisted, the government could not contemplate any other action than to aid its constituency. The results of the aggressive dispossession of Indian peoples by American settlers, according to the majority committee, had produced massive population decline among California Indians. “Within the last four months,” wrote the committee, “more Indians have been killed by our people than during the century of Spanish and Mexican domination.”²⁴³ One possible solution to preserve the remaining Indians was to press the federal government to remove and concentrate them on land that no white settlers were likely to want. Only about one-fourth of California Indians resided on reservations in 1860; the majority lived among or around white populations predisposed to dispossessing them, if not killing them. The majority committee charged the federal government with neglect and apathy for California Indians, blaming them as the foundation for Indian misery. Yes, American settlers had taken Indian land and killed Native Americans, but the federal government had put Americans in this unavoidably tempting position by not getting all Indians out of white sight.²⁴⁴

Another solution offered by the majority committee seemingly proposed to let matters continue as they did: “The question resolves itself to this: Shall the Indians be exterminated, or shall they be protected.”²⁴⁵ The committee, one may note, left utter destruction on the table, available to be continued, by not appending any unequivocal statement calling for the practice to be stopped; in a democracy, the will of the people expressed by their elected representatives might well continue the process of extermination. Not unsurprising given that Indians apparently had “human form” but not humanity, according to the committee’s findings. In terms of protecting Indian peoples, the majority committee presented a suggestion that suggested creation of larger reservations. However, their recommendation contradicted their own conclusions, especially given the desire of American settlers for more and more of the best available lands. Describing Round Valley as beautiful and desirable, the majority committee suggested all of the valley as a reservation for Indian peoples, as currently only twenty-five percent of the valley was reserved in the form of Nome Cult Indian Farm.²⁴⁶ Given that depositions taken in the formulation of the report indicated that Americans were already squatting illegally on federal property in the valley, the suggestion seems naïve, if not patently disingenuous. What miracle would be protecting an enlarged reservation in Round Valley from depredations by whites when they were already happening on a smaller reservation there, the committee did not mention.

Ironically, the Minority Report of the joint committee better represented the majority of Americans in California. The Minority Report epitomized the power wielded by individual American citizens in their “wars” with Indians. J.B. Lamar authored the Minority Report. He represented the single, dissenting minority opinion of the committee. Perhaps not surprisingly, Lamar was the representative for Mendocino County to the state assembly. The Minority Report attacked the Majority Report as a misapprehension of all the facts learned through citizen’s testimony. Lamar indignantly criticized the majority for calling the war in Mendocino unnecessary.²⁴⁷ In Lamar’s view, nothing could be more necessary. Lamar, too, pointed the finger of blame toward the federal government, and only to them. Claiming that the federal troops stationed in the valley proved useless, Lamar argued that such was in keeping with the lessons of history: American troops were always ineffective in dealing with Indians.²⁴⁸ Lamar might have qualified his remark by adding that this ineffectiveness was usually in the face of American settlers being present in such instances, and doing almost everything possible to complicate or destroy the peace that soldiers arranged.

²⁴³ “Majority Report,” *Appendix to the Journal of the Senate*, 4.

²⁴⁴ “Majority Report,” *Appendix to the Journal of the Senate*, 4-5.

²⁴⁵ “Majority Report,” *Appendix to the Journal of the Senate*, 6.

²⁴⁶ Nome Cult Farm was at first a temporary federal Indian reservation in 1856. It later became an official reservation, Round Valley Reservation, by Executive Order in 1870.

²⁴⁷ “Minority Report of the Special Joint Committee on the Mendocino War,” *Appendix to the Journal of the Senate of California*, 11th Session, 9.

²⁴⁸ “Minority Report,” *Appendix to the Journal of the Senate*, 9-10.

Such was certainly the case in Eden and Round Valleys. Unlike most of the committee, Lamar offered solutions representing the reality of Indian affairs in California.

Lamar believed the way to solve the problem of Indian-white relations was through the adoption by the state of “a general system of peonage or apprenticeship, for the proper disposition and distribution of the Indians by families among responsible citizens. General laws should be passed regulating the relations between master and servant, and providing for punishment of any meddlesome interference on the part of third parties.”²⁴⁹ In essence, Lamar proposed Indian slavery to resolve the difficulties of Indian-white relations. Only the scale of the proposal was surprising, as such a system of slavery disguised as apprenticeship had been operating since 1850 under “An Act for the Government and Protection of Indians.”²⁵⁰ In this manner, Lamar argued, all reservations would soon become vacant, with Indians placed under the care of their individual American masters. Such a measure would also relieve the state of any future financial burdens, as Indian people would be individual servants living in discrete family units, susceptible to the control of the white male heads of household. In other words, Lamar proposed Indian slavery as the pragmatic, permanent, and inexpensive solution.

Money was always a key issue as California lawmakers considered what course of action to take regarding Indian affairs in the nineteenth century. As the legislature examined the “Indian wars” of the 1850s, this was particularly true. The state government had spent millions of dollars in the 1850s paying the expenses and wages of volunteer companies. By January 1, 1854, the state of California had already spent \$924,259 on Indian affairs. The federal government reimbursed some of the money, but much remained unpaid. The state resorted to the issue of war bonds to pay for the costs of campaigns against the California Indians.²⁵¹ For many observers, far removed from scenes of “wars” between whites and Indians, the massive transfer of land into American hands was not enough. Legislators, however, had little hope of recovering the state monies spent fighting and exterminating Indians in a timely fashion through federal reimbursement.²⁵² Inefficient and unreliable funding were the rule of state-federal financial relations in the early history of the state.

The state legislature also called on federal agents to modify federal Indian policy in California. In a joint resolution in 1858, the state government called on the Superintendent of Indian Affairs for California at the time to remove all Indians from any county where the board of supervisors of the county requested such.²⁵³ The superintendent at the time, Thomas J. Henley, already found it impossible to keep Indians on underfunded reservations. Henley did not have the ability to comply, and lacked the authority even had he been so inclined. Meanwhile, based on the circumstances of Indian-white relations in California one cannot imagine that every county in California in 1858 *not* making this request. In 1860, the legislature proposed something even more radical, and deadly. The California Assembly and Senate, by joint resolution, called upon the federal government to relinquish control of all Indian affairs to the state of California after ceding to the state all reservation lands. Moreover, since American settlers were living on reservation lands in Round Valley, the resolution by the state called upon the federal government to pay settlers for the land and improvements they had made. They made no mention that these settlers were illegally squatting on federal

²⁴⁹ “Minority Report,” *Appendix to the Journal of the Senate*, 11.

²⁵⁰ “An Act for the Government and Protection of Indians,” *California Statutes*, 1850, ch. 133. Hereafter referred to as Chapter 133.

²⁵¹ “Report of the Commissioners of California War Debt,” *Appendix to the Journal of the Senate*, 11th Session, 3. Purchasers of Indian War Bonds funded the conflict. Investors collected interest on the investment at a rate of seven percent for those willing to invest between \$100 and \$1,000, or, for wealthier investors, the state offered an issue of twelve percent bonds for \$1,000 investments.²⁵¹

²⁵² The state legislature made a joint resolution calling on the federal government to repay the expenses incurred fighting Indians. See “In relation to the War Debt,” Joint Resolution of the California Senate and Assembly, approved 01 March 1853, *California Statutes*, 1853.

²⁵³ “Concurrent Resolution relative to the Removal of Indians,” Number 24, passed 19 April 1858, *California Statutes*, 1858.

property.²⁵⁴ The federal government did not acquiesce. Another suggestion appeared in the form of a joint resolution transmitted to Congress by the state legislature in 1862. The California Senate and Assembly asked that all “undomesticated Indians” be removed from the presence of whites, so as to be “protected from molestation on the part of the whites.” These relocations would be permanent.²⁵⁵ Again, federal authorities demurred. Judging by the language contained in the resolution, the legislature clearly believed that Indians not under American control as laborers would inevitably fall prey to whites; indeed, it was a certainty given the relentless murders, abductions, and dispossession of California Indians, even as these votes occurred and the resulting resolutions delivered to Washington. Likewise, the state legislature had been funding the “molestation on the part of whites” for many years, and knew very well the hypocrisy of claims that removal would avert trouble between Native Americans and white Americans in the long-term.

In the short term, California lawmakers sometimes anticipated potential problems with revenue, as evidenced in other measures passed into law. The original law governing the formation of militia companies anticipated the unwillingness of federal forces to respond in the manner citizens desired, the financial impossibility of maintaining a standing state militia for extended periods, and the tradition of opposition by American citizens to standing armies still present in the nineteenth-century American psyche. Instead, a well-defined volunteer company law served to codify how local communities could petition the state governor to legally form temporary volunteer companies to deal with emergencies requiring an armed response. The system’s design tried to avoid regular costs associated with maintaining permanent forces. The necessity of community meetings, petitions for forming a company, and the election of officers, among other matters, were spelled out plainly.²⁵⁶ American citizens were well acquainted with the law and how to manipulate it in pursuit of exterminating or driving off Indian peoples in their locales. Other laws protected the financial interests of individuals, at the expense of the state. They enacted laws stipulating rates of pay, reimbursement for expenses, and per diem. This is not to suggest Americans felt these wages were enough, even though many were also engaged in securing their own interests by eliminating or relocating Native Americans while serving in a volunteer company. Many demanded high wages to kill Indians. In 1850, for example, with gold still plentiful in the Mother Lode region, men demanded higher compensation because of the gold they expected to miss out on while campaigning against Indians. Men expected, according to a report by state militia Brigadier General Winn to Governor Peter Burnett, \$8 per day for service as a private, and officers expected at least \$16 in return. This wage was in addition to the food that each man expected—another \$2 per man. Given this system, costs could mount fast. Money, probably more than inhumanity, may have caused Burnett to conclude that “we cannot anticipate this result with but painful regret, the inevitable destiny of the race is beyond the power and wisdom of man to avert.”²⁵⁷ Indeed, to keep costs down, militia and volunteer companies needed to kill with alacrity. Communications from governors reminded companies and communities to keep costs down and get out of the field as fast as possible. A second cost cutting measure adopted by the state was equally as bad for Native people. The number of volunteers in a company, suggested General Winn of the state militia, should be the bare minimum of necessity. Sending smaller, but still well-armed forces to “protect” against Indians only ensured that outnumbered American forces would use an ambush and shoot-first policies rather than risk facing, head on, superior Native American numbers. Winn believed that until the federal government could supply enough forces to deal with Indians, the state should fund troops to fight the Indians. Burnett

²⁵⁴ “Concurrent Resolution Relative to the Indian Reserves in this State,” Number 37, passed 16 April 1860, *California Statutes*, 1860.

²⁵⁵ “Concurrent Resolution,” Number 13, adopted 28 March 1862, *California Statutes*, 1862.

²⁵⁶ “An Act concerning Volunteer or Independent Companies,” *California Statutes*, 1850, ch. 54. Even the rate at which the government would compensate volunteers for wear and tear on their horses was legally defined. A man serving as a private and supplying his own horse, for example, would make \$5 per day in pay, \$1 per day for the horse, plus have their food, ammunition, and other equipment either supplied to them or reimbursed, if they obtained these things themselves. Officers, quartermasters, and noncommissioned officers could make double or triple what a private made.²⁵⁶

²⁵⁷ “Address to the Legislature,” *Journal of the Senate of California*, 3rd Session, 1852, 714.

approved the reductions suggested by Winn, setting a standard in terms of force size and the demand for alacrity in bringing a conclusion to Indian “difficulties,” wherever and whenever encountered. Burnett’s successors would emulate his precedent, especially the demand to perform in a cheap and timely manner.

This course of events—community and individual petitions to the governor, legal authorization and payment of volunteer or militia companies, and communications of the governor to the legislature seeking financial redress for volunteers first by the state and then by the federal government—became standard operating procedure for the state. Laws, especially the Militia Law and its later amendments, made it easy for an American community to implement the correct steps to legally allow them to exterminate Indians directly, then receive remuneration. American citizens were plainly aware of this, and lawmakers and the governor could do little but require their constituents to adhere to the steps prescribed by law. Influential citizens such as Serranus Hastings were clearly aware of their rights and how to engage the law to support personal interests, too.

In Hastings’s petitions to the governor, for instance, he lambasted the weak efforts of federal forces in the region and their failure to stop Indians from thieving. Hastings was so agitated that he claimed the army was in league with the Indians, representing not American interests but Indian interests. Hastings argued that he had paid his taxes to the state, and as such wanted his due.²⁵⁸ Hastings demanded that the system function as any American might expect: the government existed to protect its citizens and their property, and not that of non-white, noncitizens that had neither the vote nor any other legal rights in the state—as it was for California Indians. Hastings and other Americans demanded that the governor order the formation of volunteer companies in the area to solve the problem of Indian depredations in the region.²⁵⁹ Hastings, then, was not exceptional in his calls for action, only unique in his level of influence supporting such demands at the state level. And in their positive responses to constituents’ demands, governors were not unique, either. The state legislature played a role as well.

Chapter 133 of state law, “An Act for the Government and Protection of Indians,” passed by the state legislature in its first legislative session was the cornerstone of the legal murder and kidnapping of Indians in California.²⁶⁰ Implemented in 1850, Chapter 133 made crimes like the murder and enslavement of Native Americans essentially legal. The process of passing Chapter 133 began the prior year, 1849, following ratification of the California’s first constitution. The state constitution began a long tradition in California: the marginalization, persecution, and prosecution of non-white ethnicities by legal means.²⁶¹ California Indians were only first in a long line of Hispanic, Asian, and African ethnic groups to find white Americans in California willing to legally disenfranchise them or worse.²⁶² Building upon the inequities codified by the constitution—only white male citizens could vote—the legislature built up additional walls against Indian and other peoples interfering with white American domination of California. Using this constitutional foundation, American lawmakers added numerous laws to exclude or control Native Americans.

Laws passed in the legislative session of 1850 also dealt with Indian peoples prior to the passage of the omnibus Chapter 133. Perhaps most important among these was California’s criminal code. The code prevented Indians from serving as witnesses in California courts against whites, judged as incompetent because of their race: “No black or mulatto person, or Indian, shall be permitted to give evidence in favor

²⁵⁸ State and county taxes during this era included personal property. Cattle, horses, and other stock were part of the valuation of individual tax liability. Animals taken by Native Americans in raids were assets Americans were paying property taxes on each year. Undoubtedly, this forced the issue of taxation and representation to the forefront of the minds of aggrieved parties suffering stock losses. See “An Act prescribing the Mode of Assessing and Collecting Public Revenue,” *California Statutes*, 1850, ch. 52.

²⁵⁹ Deposition of S. C. Hastings.

²⁶⁰ *California Statutes*, 1850, ch. 133.

²⁶¹ The state’s second (current) constitution exhibited these traits, as well, although amendments and court decisions in the years since its 1879 ratification have addressed many of these injustices.

²⁶² Robert F. Heizer and Alan J. Almquist, *The Other Californians: Prejudice and Discrimination under Spain, Mexico, and the United States to 1920* (Berkeley: University of California Press, 1971), 195-203.

of, or against, any white person.”²⁶³ Because of this law, whites could kill with impunity, if no white witnesses observed their actions. Evidence, however, shows that even in cases where whites did witness criminal offenses against Indian peoples, few ever came forward to serve as an acceptable witness on a Native person’s behalf. Under California law Native American existence was closely regulated to both assuage white fears of Indians and harness Indian labor in an otherwise labor-starved California; indeed, it was the later that concerned most Americans, rather than the former.

In the early years of statehood, finding people willing to labor away from the gold fields in California was difficult and costly. Many demanded high wages to forgo the riches of the Gold Rush. Chapter 133 was key in feeding labor-hungry California with low-cost Indian laborers. It codified the relationship between labor and punishment.²⁶⁴ Chapter 133 allowed for justices of the peace to decide all matters of law or justice pertaining to Indians; thus, circumventing the normal legal systems in place for whites and non-Indians. Locally appointed justices of the peace were responsible for maintaining the many remaining provisions of the Act and communicating to local Indians their responsibilities under the law, particularly those sections dealing with labor. In terms of the correlation of labor and the justice system, the most important and insidious provision of Chapter 133 was Section 20. The section allowed justices of the peace, mayors, and town recorders to render judgments in matters of Indian vagrancy. Given that records indicate that Walter Jarboe, infamous leader of the Eel River Rangers, was a justice of the peace, it is unsurprising that so many Indians encountered legal injustice.²⁶⁵ Chapter 133 required that Native Americans maintain an “honest calling” or otherwise face criminal penalties.²⁶⁶ Of course an “honest calling” included only work in a manner and mode acceptable to white Americans. Standards such as walking on the street with no money in one’s pockets were enough to be arrested and taken before a justice of the peace. Indians found without employment or money were brought before one of the aforementioned authorities and, if they could not pay the fines imposed, publicly auctioned off for up to a four-month term.²⁶⁷ The money received at auction, less the fine and “expense for clothing for said Indian,” was either to be placed in a general-purpose Indian fund or paid to the family of the indentured Indian. The previously mentioned auctions held in Los Angeles were not the only Indian slave auctions, either. Communities in the northern half of the state also had similar institutions, as made plain in the press.²⁶⁸

The most sinister component of Chapter 133 was the indenture of children permitted under Section 3 of the law. Persons wishing to obtain the services of an Indian minor as an apprentice had to meet certain requirements:

Any person having or hereafter obtaining a minor Indian, male or female, from the parents or relations of such Indian minor, and wishing to keep it . . . shall go before a Justice of the Peace in his Township, with the parents or friends of the child, and if the Justice of the Peace becomes satisfied that no compulsory means have been used to obtain the child from its parents or friends, shall enter on record, in a book kept for that purpose, the sex and probable age of the child, and shall give to such person a certificate, authorizing him or her to have the care, custody, control and earnings of such minor, until he or she obtain the age of majority. Every male Indian shall be deemed to have attained his majority at eighteen, and the female at fifteen years.²⁶⁹

²⁶³ “An Act Concerning Crimes and Punishments,” *California Statutes*, 1850, ch. 99, sec. 14.

²⁶⁴ *California Statutes*, 1850, Ch. 133.

²⁶⁵ William B. Secrest, “Jarboe’s War,” *Californians* 6, no. 6 (November/December 1988): 22.

²⁶⁶ *California Statutes*, 1850, Ch. 133, sec. 20.

²⁶⁷ Longer terms could be imposed for crimes judged worse than vagrancy.

²⁶⁸ *Marysville Weekly Express*, March 5, 1859.

²⁶⁹ Ch. 133, Section 3.

Since laws prohibited Indians from testifying against whites under California law, the chances of refuting such indentures once made were nil. No Indian person could charge a white with kidnapping or any other crime, unless they had a white sponsor and witness to bring charges on their behalf. This study uncovered no evidence of such assistance. One notes that the vague appellation of “friends of the child” can lead one to deduce what nefarious purposes that unscrupulous people might have used this legal leeway. Indeed, a thriving trade in Indian children developed between southern and northern California that supplied child laborers during the Gold Rush era in the north.²⁷⁰

Whites in the north were anxious to harness Indian laborers under the guise of apprenticeship and whites in the south were seemingly apathetic about the Native American children kidnapped and sent north to work. The combination of white indifference and legal ambiguity led to few instances of legal action against this slave trade.²⁷¹ The government and the public were aware of this, as newspapers often published stories about Indian kidnapping. The *Humboldt Times* described the dilemma faced by Superintendent Thomas J. Henley. Charged with managing Indian affairs in California, Henley fought a losing battle against his neighbors in northern California. Indians were bringing “from \$50 to \$250 each” in the region, and Henley was at a loss to stop the practice.²⁷² What offended Henley, though, was not Indians living in white households all over California, it was that men beyond his control were profiting from it. Henley, himself, allowed the apprenticeship of Indians from his reservations. Henley had many Indians working for him, as did the men he employed. One of his Indian agents, Vincent Geiger, had *eighty* Indians legally apprenticed to him, who he promptly took with him to Washoe, possibly to engage in mining operations, following his dismissal as an agent.²⁷³ And all of the settlers in Round Valley, about half of whom were also reservation employees, had Indian workers—slaves, really—taken from the reservation or purchased from kidnappers or taken in raids, as well.²⁷⁴ Serranus Hastings had three Indian “servants” working in his household.²⁷⁵

Meanwhile, men engaged in the illicit trade of Indians made future relations with Indian peoples difficult, because typically the Indian apprentices were children whose parents were killed or injured by the slave traffickers.²⁷⁶ Similarly troubling, many volunteer companies openly reported to state and federal authorities that their Indian prisoners were handed over to American citizens who wanted apprentices.²⁷⁷ In fact, evidence existed that some volunteer companies were out as much to capture Indians for apprenticeship as they were to seek revenge. Harmon “Hi” Good, for instance, led an unauthorized company of volunteers in northern California. In a letter to Governor Leland Stanford, Good wrote openly of the actions of his company, even though Stanford had not approved its formation. Good, however, seemed to believe that since the community sanctioned their mission, that was approval enough.²⁷⁸ Obviously men like Good feared no retribution by the state, although he certainly feared Native American retribution. The ill will and desire to seek vengeance for their children created by men like Good led Native people to both resist violently and to disbelieve any white man claiming to offer aid. Combined with the practices of Indian kidnapping and enslavement, Henley found it difficult to convince Native Americans to

²⁷⁰ Rawls, *Indians of California*, 94-106.

²⁷¹ Rawls, *Indians of California*, 103.

²⁷² *Humboldt Times*, May 5, 1855.

²⁷³ *San Francisco Bulletin*, March 2, 1861. Emphasis mine.

²⁷⁴ Lynn, *Stolen Valley*, 19.

²⁷⁵ Baumgardner, *Killing for Land*, 89. Author’s note: attempts to learn the names and origins of these “servants” have so far proven futile. This is not surprising. Despite Indian apprenticeship/slavery being ubiquitous in this period, records were typically not kept. For a sample register of Indian indentures of apprenticeship, see: Michael F. Magliari, “Free State Slavery: Bound Indian Labor and Slave Trafficking in California’s Sacramento Valley, 1850-1864,” *Pacific Historical Review* 81, no. 2 (May 2012): 155-192.

²⁷⁶ *Sacramento Daily Union*, May 8, 1857; *Sacramento Union*, March 13, 1863.

²⁷⁷ *Sacramento Daily Union*, May 20, 1857.

²⁷⁸ Harmon A. Good to Governor Leland Stanford, 08 August 1862, F3753, Record 608, California State Archives, Sacramento, Indian War Papers.

come onto reservations. Many Native American parents told Henley they thought the reservations were a “trick to deprive them of their children.”²⁷⁹ Behind the problem, at its very root, was that there was a market for Indian slaves.

The reason why men like Thomas J. Henley and other Indian agents found the problem of Indian kidnapping and enslavement so prevalent was a function of demand. Americans wanted Indian children to work in their homes and ranches, and found a ready supply as slavers and volunteer companies brought Indian children into communities. Once situated among Indian communities in the late 1840s and 1850s, by the 1860s, the white citizenry had killed or driven off local Indian peoples. They were now well away from the shrinking Indian population of the region, who sheltered in the local mountains for safety. Thus, when slavers called, buyers abounded in communities throughout California. This continued into the early 1860s. In 1860 an amendment to Chapter 133 passed that not only expanded the scope of the apprenticeship laws but also demonstrated the state legislature’s willingness to openly condone and perpetuate Indian slavery. Despite the common knowledge of the abuses and outrages linked with the apprenticeship system circulating in the press and in testimonies taken by the legislature, itself, the legislature passed an amendment expanding the age limits of apprenticeship to include adults. The lengths of indenture also increased. Children apprenticed under fourteen could be held until twenty-five (for females twenty-one) and children over fourteen but under twenty could be held until thirty (for females twenty-five). Adults—those over twenty—could be held for ten years from the date of apprenticeship.²⁸⁰ Meanwhile, unlike eighteenth-century Anglo indenture laws that required money and/or clothing to be given to the freed servant at the end of term, little beyond keeping the Indian alive was required under the terms of indenture in California. Anthropologist Robert Heizer estimates that in the thirteen years the apprenticeship section of Chapter 133 operated, ten thousand Native Americans—including men, women, and children taken from Eden and Round Valleys—were enslaved through this system.²⁸¹ The willingness of Americans in California to engage in a form of slavery and slave trade stemmed from an extreme labor shortage in the late 1840s and 1850s as available labor from around the state became concentrated in the gold fields and their promise of instant wealth. When Serranus Hastings advocated for the formation of volunteer companies, he was advocating for an arrangement that fed this system its necessary bodies.

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FEDERAL ACTIONS

Forces of the United States seized California on July 7, 1846, as part of the war with Mexico. Federal military governors went on to administer California until December 20, 1849, when the military governor surrendered power to an elected governor and California began its existence as an unadmitted American state.²⁸² As this transition progressed following admission to statehood on September 9, 1850, most Americans wanted Indians out of California. And while a state government responsive to the wishes of settlers and miners was a key first step, it was the federal government seen as playing the vital role in California. The federal government was by law the authority responsible for dealing with Indians, as people of sovereign nations in terms of diplomacy and treatymaking. During the next two decades, though, the federal government would prove reluctant to contradict the will of white American citizens living in California in their campaigns to enslave or exterminate Indians.

²⁷⁹ *Humboldt Times*, May 5, 1855.

²⁸⁰ *California Statutes*, 1860, ch. 231.

²⁸¹ Robert F. Heizer, *The Destruction of California Indians* (Lincoln: University of Nebraska Press, 1993), 219.

²⁸² The military governors of California, however, left much of the governing to local *alcaldes*, some left over from the Mexican era as well as ones newly appointed. For a full discussion of the period, see: Theodore Grivas, *Military Governments in California, 1846-1850* (Glendale, California.: Arthur H. Clarke Company, 1963).

The arbiter of affairs between the United States, represented by its agents and army officers, and Native Americans were treaties. Concluded on a nation to nation basis, treaties inherently recognized the limited sovereignty of Native American nations.²⁸³ Initially, California was no different than the rest of the United States. The federal government chose three treaty commissioners in 1850, none of whom had any knowledge of the Native Americans of California. The task of the commissioners, however ignorant of California Indians, was to conclude treaties that would keep Indians and Americans apart, in hopes of avoiding in California the failures experienced in every other treaty made by the United States with Indians. The commissioners needed to make treaties with Indians that set aside federally-protected reserves of land for them. Lands not reserved would have Indian claims to them extinguished, and made public lands.²⁸⁴ The arrangement was as much for the protection of Americans as it was Indians. Americans had a long history of violating the treaties their government made with Native Americans. When settlers came on to Indian lands protected by treaties or abused, raped, or killed American Indians, Native Americans found themselves in a nearly hopeless position. The United States government and its military forces were never willing to exact harsh retribution on American citizens who violated the sovereignty of Native nations or the rights of their peoples. Indian peoples had to either accept these violations, renegotiate, or fight the intruders themselves, which always produced an armed response by American forces to protect citizens. It was this repetitive scenario that produced what scholar Vine Deloria called the “trail of broken treaties.”²⁸⁵ Following American illegal incursions and subsequent Native American armed responses or diplomatic overtures, the parties concluded new treaties, Indian peoples relocated, and the cycle begun again. In California, this was not the case because of the inability to move Native Americans any further west.

As the three commissioners entered California in late 1850, and began negotiations in early 1851, then, the situation was already critical. The failure of treaties would be particularly disastrous given the lack of the safety valve available to the east of the Sierra Nevada. Unfortunately, the treaties were doomed from the start of negotiations. In addition to the widespread belief by American citizens that all land in California already belonged to them by right of conquest, reinforced by the provisions of the Treaty of Guadalupe Hidalgo, several factors mitigated against a lasting peace through the treaty-making process, including communications and the acceptability of the final arrangements by all parties concerned.²⁸⁶ The commissioners spoke no Native languages. Communication was never direct and always translated. Such translations were imperfect for two reasons. First, it was not always possible to find an interpreter who spoke the language of the Native delegates at the conferences. Oftentimes, the translator spoke Spanish to Native people who spoke Spanish and acted as intermediaries, when possible. Second, and more importantly, the concepts discussed were completely alien to many of the attendees. Ideas of land cessions, the primacy of American sovereignty, and other stipulations contained in the treaties were concepts not

²⁸³ Legal interpretations by U.S. Courts and the laws and policies of the United States made Native American sovereignty something less than what one might believe sovereign to mean. Over time, the limits of sovereignty shifted, as well. Since the Supreme Court decision in *Cherokee Nation v. Georgia* (1831) Indian nations have been categorized as “domestic dependent nations” with sovereignty secondary to that of the United States. For a full discussion, see: David E. Wilkins, *American Indian Sovereignty and the U.S. Supreme Court: The Masking of Justice* (Austin: University of Texas Press, 1999).

²⁸⁴ Under the Treaty of Guadalupe Hidalgo, all lands not the legal property of Mexican land grant holders became the property of the United States. The California Land Act of 1851 regulated the transfer of titles from one government to the next. For more on this tendentious process, see: David Hornbeck, “The Patenting of California’s Private Land Claims, 1851-1885,” *Geographical Review* 69, no. 4 (October 1979): 434-448.

²⁸⁵ Vine Deloria, Jr., *Behind the Trail of Broken Treaties: An Indian Declaration of Independence* (Austin: University of Texas Press, 1974).

²⁸⁶ Durwood Ball, “By Right of Conquest: Military Government in New Mexico and California, 1846-1851,” *Journal of the West* 41, no. 3 (Summer 2002): 8-16.

contained within the realm of California Indian cultures.²⁸⁷ Indeed, words to express such concepts did not necessarily exist. Even if one was to assume that everything that transpired as fully understood by both sides, it would be a mistake to believe that the treaties began their official lives as acceptable to either side. The commissioners knew of these problems, but given the public pressure to conclude agreements and move forward with the transition to American land ownership already progressing unabated, the commissioners had little incentive to do otherwise.

The greatest problem with the treaties did not come from the Indigenous peoples the agreements claimed to represent, but from the American side. The United States Senate, despite having requested President Millard Fillmore to appoint and dispatch the treaty commissioners, rejected the treaties outright. Senator John B. Weller, later governor of California, was one of California's two U.S. Senators when the treaties came up for ratification in July of 1852. Even though California's representatives to the Senate two years before, William Gwin and John C. Frémont, called for the creation of treaties with Indian tribes, California's senators in the summer of 1852 were vehemently against ratification. This was in keeping with the wishes of California's state legislature. The California Senate and Assembly met in committee, voted a resolution against ratification, and communicated the unacceptability of the treaties to Senators Weller and Gwin.²⁸⁸ Weller believed that his duty to his constituency—white, male American citizens—precluded him from supporting ratification of the treaties, despite the good faith negotiations carried on by the United States and the sacrifices that the leadership of Native American groups had been willing to make to secure a home for their peoples for generations to come. Weller, though, believed that to go ahead with the ratification was foolish and shortsighted; Americans would never abide the by the treaties, especially as they did not support them. Senator Weller was their tool, wielded to express their desires, not his own or the treaty commissioners.

Addressing his colleagues, Weller argued against ratification saying that no white man would ever respect them, especially if whites believed there was gold present on these lands.²⁸⁹ Weller, like many of his colleagues, agreed with Americans in California. The treaties were too generous. The treaties focused on securing territory and providing material, vocational, and financial assistance. The cost of maintaining the treaties would require millions of dollars.²⁹⁰ The commissioners had foolishly allowed approximately 7 percent of all the land in California to remain legally occupied by Indians. In the nineteenth century, the federal government derived revenue from, among other things, land sales. Having no income tax, the only way the federal government received a taste of the California Gold Rush was through the sale of public lands bought with gold.²⁹¹ Millions of acres left in possession of Indians could not generate revenue. Gold, Weller had noted, possibly existed on these un-surveyed lands. As had happened to the Cherokee in Georgia, even when the law was on the side of Native Americans overrun by gold seekers, enforcement was unlikely when American interests were set against Indian welfare. Weller believed that the government ought not to put itself in conflict with the interests of those who had chosen them to represent their interests in government. Besides, few Americans would lift a hand against another American in preference of an Indian.

The ultimate arbiter of the fate of the eighteen treaties was divorced from consideration of California Indian peoples. Fellow California Senator William Gwin joined Weller in condemnation of the treaties, calling for a speedy rejection because many of the Indians had already moved on to reservations guaranteed by as-yet unratified treaties and were now consuming government-supplied food and becoming

²⁸⁷ Robert F. Heizer, ed., *The Eighteen Unratified Treaties of 1851-1852 between the California Indians and the United States Government* (Berkeley: Archaeological Research Facility of the Department of Anthropology, 1972), 3.

²⁸⁸ Chad L. Hoopes, *Domesticate or Exterminate: California Indian Treaties Unratified and Made Secret in 1852* (San Francisco: Redwood Coast Publications, 1975), 90-91, 93.

²⁸⁹ Congressional Globe, 32nd Congress, First Session, 213.

²⁹⁰ Hoopes, *Domesticate or Exterminate*, 65-66.

²⁹¹ Ball, "By Right of Conquest," 12.

accustomed to their new homes.²⁹² Ultimately, the Senate rejected all eighteen treaties. Following the vote, the Senate ordered an injunction of secrecy on the treaties. The treaties lay hidden from public view until 1905, when hearings on Indian land claims brought them out again. That day in 1905 was the day when the descendants of the treaties' signatories found out that the United States had refused to approve them. When the Senate rejected the treaties, new negotiations did not transpire. Senator William King argued that new negotiations were pointless because the old negotiations were unnecessary in the first place. The United States had already received title to all Indian lands by virtue of the Treaty of Guadalupe Hidalgo.²⁹³ Indian peoples acted in good faith, moving on to reserved portions of land or waiting to be moved when the time came, not knowing that the United States no longer believed they had any binding agreement in place.²⁹⁴ Rather, the United States took weak steps toward cobbling together a makeshift strategy for administrating Indian affairs in California.

At the same time, implicit in the treaty negotiations with California Indians was the belief that Indians in California—as elsewhere in the United States—were not American citizens. According to the terms of the Treaty of Guadalupe Hidalgo, citizens of the Republic of Mexico living in the Mexican Cession became U.S. citizens unless they chose to retain Mexican citizenship. The United States and its representatives chose to ignore this portion of the treaty. In Mexico, Indians were citizens and could cast votes; in California, under Mexican rule, this had been the law, although not the practice. Most important, whether voters or not, Indians in California and Mexico were to receive the full protection of the law as citizens. Few Indigenous peoples benefitted from the rights and privileges of Mexican citizenship in California, however. In the transition to U.S. statehood, California state law excluded Indians from the benefits of citizenship based on the idea that they had not been citizens of Mexico. California practice rather than Mexican law was the foundation of the exclusion. Former *Californios*, accepting U.S. citizenship and serving in the constitutional convention and later as legislators, encouraged this willful ignorance. As large landowners, dependent of Native Americans populating portions of their grants, there was great potential for land loss to Indians imbued with all the rights and protections of citizenship. California Indians, then, assumed the same status in terms of citizenship as Indians outside of California, who were not usually U.S. citizens.²⁹⁵

The means the United States proposed for controlling Indian peoples in the absence of treaties was through executive action. The Interior Department appointed a superintendent for Indian affairs for California, tasked with residing in California and acting as the arbiter of Indian-white relations in the state. The superintendent would help identify regional Indian agents and subagents and together, with assistance from the United States Army, run reservations created by executive order. These reserves were not to be the property of Native Americans, but rather federal property housing Indian internees. These reservations, created by an executive order in 1853, bore only slight resemblance to the reservations of the 1870s and beyond. Executive order reservations in California sought to remove Indian populations from interaction with whites to protect the Indians. Unlike at some other reservations in the United States, they paid little attention to education, vocational training, Christianization, or any of the other commonplace assimilationist measures imposed at later reservations. Instead, these reservations concentrated Native peoples in large numbers for efficient surveillance at minimal expense.²⁹⁶

The case of Thomas J. Henley and the reservations of the Round Valley region demonstrated how federal apathy allowed citizens and officials of California to organize extermination campaigns against

²⁹² Hoopes, *Domesticate or Exterminate*, 105-106.

²⁹³ Hoopes, *Domesticate or Exterminate*, 106-107.

²⁹⁴ Some Indian people were able to remain in place for extended periods of time because until land was surveyed and put up for sale by the federal government, Indian people were not required to move.

²⁹⁵ Michael T. Smith, "The History of Indian Citizenship," *Great Plains Journal* 10, no. 1 (Fall 1970): 25-35. Not until 1924 were all Native Americans residing in the United States granted citizenship. Before this, there had been only sporadic cases.

²⁹⁶ Hoopes, *Domesticate or Exterminate*, 109-110.

California Indians. Under Henley, by 1858, seven reservations were operating. Henley reported them as smashing successes, and many area newspapers concurred. The positive reports by Henley and the approval of the press did not prevent the federal government from sending agents to investigate the validity of Henley's claims. These investigations revealed the reality obfuscated by Henley's reports.

Unbeknownst to his superiors and aided by the activities of the Eel River Rangers, Henley was using his position and personal and political connections with men like Serranus Hastings, to build himself a small empire using government funds and Indian slave labor. In 1856, Henley had Simmon Storms establish the Nome Cult Indian Farm in Round Valley. While Henley would claim all of the valley for the reservation by 1858, he invited friends to settle in valley, too, creating preemptive claims that would later allow squatters to gouge the government for improvements made on the land. Henley and his family settled in the valley as well. Henley and his reservation employees, who comprised about half of the settlers squatting in Round Valley, used lumber and other materials earmarked for support of Indian housing and welfare to build homes, barns, fences, and other structures—including a sawmill and general store. The value of misappropriated materials used to build agent Simmon P. Storms's home, for example, amounted to \$5,000. They also used the Indians housed on the reservation as slave labor to create and maintain their homes, farms, and ranches. In fact, some of the ranches had herds of cattle meant to feed the Indian internees on the reservation. Purposely left unbranded, Henley and his fellow squatters appropriated the cattle, as they did with other reservation assets earmarked for the benefit of the Native internees. "Thus," according to historians Estle Beard and Lynwood Carranco, "the reservation acted as a subsidy to white settlement."²⁹⁷ Since the valley was federal property as part of an Indian reserve, all save one of the settlers were essentially squatters.²⁹⁸ By 1858, hundreds of Yuki, plus hundreds of other Native internees, were on the reservation, which had fast become a place of starvation, disease, and enslavement. Some of these had come to the reservation as prisoners of the Eel River Rangers and other authorized and unauthorized volunteer companies, while others had come in on their own out of fear of murder, if they did not. In this way, Henley's interests and Hastings's interests were in simpatico—Hastings wanting the Indians out of Eden Valley to protect his interests, and Henley eager to house them in Round Valley to enhance his interests, as well. Indeed, Henley supported and signed the April petitions to the governor to raise the company that became known as the Eel River Rangers.²⁹⁹ Henley's activities, however, did not remain unknown to the outside world for long.

In the same year, 1858, Godard Bailey visited the reservations in the Sacramento Valley to follow up on the initial investigations conducted by another federal agent, John Ross Browne. Bailey found that Henley's reports were gross overstatements of the level of success. Bailey called the reserves failures, reporting that while Indians did indeed live there, they were few and living in squalor. At best the reserves were panaceas, which provided no real relief and no hope for the future. Bailey found that Browne's chain of reports to the Commissioner of Indian Affairs in Washington, D.C., had been accurate. Browne's earlier reports had described the corruption apparent on the reservations he visited and the utter waste of federal funds. He noted the shady dealings of officials, including Henley. In one telling statement, Browne noted that private enterprises by the officials were sited on the reservations and seemed to make use of Indian labor, federal funds, and land set aside for the care of Native Americans on the reservation.³⁰⁰ Timber from

²⁹⁷ Miller, "The Yuki," 92-93; Carranco and Beard, *Genocide and Vendetta*, 54-65, 70-72. For more on California land claims, preemption, and squatters, see: David Hornbeck, "The Patenting of California's Private Land Claims, 1851-1885," *Geographical Review* 69, no. 4 (October 1979): 434-448; Donald J. Pisani, "Squatter Law in California, 1850-1858," *Western Historical Quarterly* 25, no. 3 (Autumn 1994): 277-310; and Robinson, *Land in California*, 163-175.

²⁹⁸ One settler had already been in Round Valley when Storms lay claim on Henley's orders, and so had some weight to their claim—although it was un-surveyed public land.

²⁹⁹ Miller, "The Yuki," 94-95; Carranco and Beard, *Genocide and Vendetta*, 84.

³⁰⁰ John Ross Browne to Commissioner of Indian Affairs, 19 April 1858, M234, Roll 36, ser. no. 33-46, Letters Received by the California Superintendency, National Archives and Records Administration, Pacific Branch, San Bruno, California.

federal land was being harvested without a share being afforded to the government or the Indians working the sawmill; indeed, the mill had been built at the government's expense for private profit. Making matters worse, the mill's discharges were destroying the fisheries Native people depended upon. Much of this, Browne charged, were for the profits of Henley and other whites living on the reservation.

Indeed, common to his many reports were charges that the reservations were serving the interests of white settlers and reservation employees, the latter being downright corrupt in addition to their ineptitude in dealing with Native people. Browne went so far as to tell Henley outright of his conclusions, giving him a written copy of the charges. Henley responded by circumventing Browne, sending evidence of his own directly to Washington to refute the claims. Browne also related the attitudes of the local white settlers toward Indians, clearly describing them as having "repeatedly avowed their intention to exterminate them if ever they were let loose [from the reservation] . . . again."³⁰¹ In Washington, officials likely were unsurprised by such attitudes among white Californians in the 1850s, as some citizens petitioned the federal government directly, making plain such views in letters and petitions. One petition, for example, signed by one hundred forty citizens from northeastern California, admitted that in their conflicts with Indians, "settlers have hunted the Indians and, in most cases, killed them indiscriminately when found."³⁰²

Like Browne, Bailey also found evidence of fraud and malfeasance, including government funds used to support the white settlers living on the reservation rather than expended to feed, clothe, and house Indians.³⁰³ What Bailey found was a scenario that exemplified the challenge faced by California Indian peoples in all regions with reservations. The federal government had left Indian affairs in the hands of Henley and a few subagents, with little financial support, and separated by several thousand miles from Washington. The result was that the state of California was able to exercise a great degree of control over Indian affairs, responding to the demands fits citizens by pressuring federal agents and army officers to side with the settlers and miners against the Indians. As Browne and Bailey observed and reported the corruptions and failings of California's reservations, however, what they may not anticipated were the deleterious effects their investigations would have for Indian peoples.

Congress responded by punishing California Indians for Henley and other Indian superintendents and agent's mismanagement and corruption. In 1859, the federal government allocated only \$50,000 for Indian affairs in California.³⁰⁴ Following Henley's dismissal, Henley and his sons continued to live on reservation property, and became ardent anti-reservation advocates. Henley's sons served in volunteer companies. Henley held onto the cattle belonging to the reservation; by his own admission, perhaps as many one thousand head.³⁰⁵ Meanwhile, the seven reserves were either reduced or closed altogether. Congress acted to split control of California Indian affairs in two, creating a northern and southern superintendence. Nome Cult remained in operation. Funding for the entire state, however, was \$57,500. The act also limited the number of subagents and employees for each reservation. In 1864, Congress returned Indian affairs to the control one superintendent. Congress also empowered the president to create four reservations in California, which could include existing ones or new ones. Stipulations included that the reservations be as far from whites as possible. Worst of all, any lands previously reserved but not renewed by the president were available to the public for purchase—the proceeds going to the federal

³⁰¹ John Ross Browns to J.W. Denver, Commissioner of Indian Affairs, 18 January 1859, M234, Roll 37, ser. no. 14-21, Letters Received by the California Superintendency, National Archives and Records Administration, Pacific Branch, San Bruno, California.

³⁰² Petition of the Settlers of Shasta County, California, September 1867, M234, Roll 42, ser. no. 235-242, Letters Received by the California Superintendency, National Archives and Records Administration, Pacific Branch, San Bruno, California.

³⁰³ Carranco and Beard, *Genocide and Vendetta*, 72; Ellison, "Federal Indian Policy," 66.

³⁰⁴ Ellison, "Federal Indian Policy," 66.

³⁰⁵ Carranco and Beard, *Genocide and Vendetta*, 88, 90-93. Corruption sponsored by reservation officials continued in Henley's absence.

government, not Native peoples.³⁰⁶ Federal policy had reached a new, apathetic low. Not that this was enough to please many Americans in California, who objected to federal authorities attempting to protect Indians rather than the interests of the white citizenry. Meanwhile, the federal government, already unsuccessful in its efforts to protect Indian peoples in California, were not about to keep paying for the effort. California Indian peoples entering the 1880s and beyond, plummeted toward a shocking nadir. By, 1900, just fifty years after the discovery of gold, disease, violence, and starvation had reduced the California Indian population to only ten percent of what it had been.

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CONSEQUENCES FOR NATIVE AMERICANS AND THE ROUND VALLEY RESERVATION

The end of the Mendocino War, the dismissal of Henley, and investigations by the state and federal governments produced few, if any positive results for the surviving Yuki and other Native American people relocated onto the reservation in Round Valley. In 1861, for example, kidnappings remained rampant in the region, with forty to fifty Indian children kidnapped by residents in first few months of the year. Some remained in the area as household servants (slaves), with others sold elsewhere. Kidnappings and rapes in the region contributed to an epidemic of venereal disease among Native Americans in the valley. One official estimated that twenty percent of the reservation's population suffered from venereal diseases of one sort or another.³⁰⁷ This negatively affected birth rates, health, and family structures. Change was not forthcoming, either, as the systems and patterns of violence established by Hastings and his fellows in the 1850s persisted at the behest and on the behalf of the white population of the region.

Leadership changes did not help, either. Superintendents and Indian agents supervising the internment of Native Americans on reservations continued to cater to the demands of the non-Native population. James Short, who received his supervisory post as a political patronage reward from the Lincoln Administration, found the reservation in Round Valley financially broke, uncultivated, and surrounded by "hostile settlers." Far from turning things around, Short made matters worse. Short, who had no experience in Indian affairs—typical of men holding such posts—sided with white squatters and settlers: he was deathly afraid of the Indian people on the reservation, and encouraged local whites in their depredations against them as a way of protecting his own skin. In fact, settlers raided the reservation, killing Indians with impunity. Short encouraged this, telling one member of a vigilante company in the region, "[What is] the use of men going into the mountains to hunt Indians when they [are] here on the reservation." A massacre ensued in August of 1862, which took the lives of twenty-three Native people on the reservation. By the settlers' own admission, this was a proactive measure to put down fears of Indian resistance. Disturbingly, some of the vigilante company members were using weapons loaned them by Short. Far from suppressing Native resistance, it encouraged it. In the fall, the federal government declared martial law, with the military coming in to restore order. Short was dismissed in 1863, not for his culpability in the massacre, but for mismanagement.³⁰⁸ After 1865, there were no independent Yuki communities left: all Yuki were either interned on reservations or living on white settlers' ranches or farms as laborers.³⁰⁹ For the remainder of the 1860s, into the 1870s, the reservation struggled, as did Native people all over

³⁰⁶ Jack Norton, *When Our Worlds Cried: Genocide in Northwestern California* (San Francisco: Indian Historian Press, 1979), 153. Dr. Norton's work is the foundational work in the field of California Indian genocide studies. Not only is the first extended consideration of the topic, Norton's use of the 1948 U.N. Convention has been influential in the scholarship that has followed, including this author's.

³⁰⁷ Carranco and Beard, *Genocide and Vendetta*, 61, 109.

³⁰⁸ Miller, "The Yuki," 131-132, 139-146; Carranco and Beard, *Genocide and Vendetta*, 107-115. James Short, quoted in Carranco and Beard, *Genocide and Vendetta*, 114.

³⁰⁹ Miller, "The Yuki," 348-349.

California, who endured intermittent massacres and forced removals as well as a revolving door of inept and/or corrupt agents and superintendents ineffectually working to better their lives and living conditions.

In the 1870s, a civilizing program came to the Round Valley Reservation, including a day school and a Sunday school aimed at acculturating Native children. Three successive Indian agents affiliated with the Methodist Church directed the programs over the course of a thirteen-year period, 1871-1884.³¹⁰ Later, in 1881, a short-lived boarding school opened in the valley, in hopes of speeding up acculturation, but young Native men burned it down. Hop ranching in Round Valley appeared during the same period. The Indian agent encouraged internees to work for local hop farmers; thus, continuing the tradition of Native people forming the backbone of the local economy by providing its labor, mostly to the benefit of whites rather than themselves. Indeed, according to one of the Methodist Indian agents, John L. Burchard, "Indians are used, kept and held much in the way as slaves were in the former slave states."³¹¹ Not surprisingly, the focus of education and training in schools and boarding schools was supportive of this, and always geared toward making Indians better laborers for whites.³¹²

The 1880s produced new national Indian policies that reshaped the lives and futures of the Native Americans living in Round Valley. The General Allotment Act, also known as the Dawes Severalty Act, became law in 1887. Ostensibly designed to aid Indian autonomy and offer Native Americans access to ownership of lands, the Dawes Act typically achieved the opposite result. The Yuki and other Native people in the valley saw the allotments as a way of preserving their land base, while white legislators saw it as a way of acculturating Native Americans and tying them to the land, preventing seasonal movements.³¹³ Both groups would be disappointed, as acculturation did not follow, and access to some lands, lost. Meanwhile, with allotments determined and put in motion beginning in the 1890s, squatter and settler claims finally resolved.³¹⁴ Even with the settlers finally moved off the much-reduced reservation, Native land holdings in the valley would continue to decrease for the next thirty years because of the Dawes Act.³¹⁵

Even at the outset of World War I, the population of Round Valley remained an important labor force for whites in a variety of industries, especially hops. Indian workers were particularly popular in this industry, where they received fifty percent or less of what one had to pay a white worker. During the war, thirty-three Native men from the valley served in the military. Those remaining on the home front played an important role as well, with some leasing out their lands for farming for a good return owing to increased agricultural prices during the conflict, and some working others' lands in an atmosphere of higher wartime wages.³¹⁶ Following World War I and with the onset of the Great Depression, fortunes changed for the Native Americans of the valley.

As with many other parts of the country, the Depression hit Round Valley hard. In particular, the agricultural sector of the economy suffered from both depressed prices and lowered wages. The Native Americans of the region survived by a variety of strategies, from working further afield to taking advantage

³¹⁰ Todd Benson, "The Consequences of Reservation Life: Native Californians on the Round Valley Reservation, 1871-1884," *Pacific Historical Review* 60, no. 2 (May, 1991): 221-244.

³¹¹ John L. Burchard, quoted in Kevin Adams and Khal Schneider, "'Washington is a Long Way Off': The 'Round Valley War' and the Limits of Federal Power on a California Indian Reservation," *Pacific Historical Review* 80, no. 4 (November 2011): 567.

³¹² Miller, "The Yuki," 189-205, 242-250. Board school officials prevented Indian boys from seeing Indian girls; to regain contact with the girls, the boys burned the school down to force its closure.

³¹³ Bauer, "*We were all*," 112, 117-119. For an example of the land sale aspect, see: the U.S. Department of the Interior advertisement: "Indian Lands for Sale," accessed March 31, 2018, https://commons.wikimedia.org/wiki/File:Indian_Land_for_Sale.jpg.

³¹⁴ Adams and Schneider, "'Washington is a Long Way Off,'" 557-596. This article is particularly useful for those wishing to understand the intricacies of dealing with squatters claiming reservation lands, complicated by the lands' designation as reservation lands with shifting boundaries, reclaimed swamp lands, claims of improvements by squatters, and preemptive entitlements.

³¹⁵ Miller, "The Yuki," 315-316, 329-338.

³¹⁶ Bauer, "*We were all*," 90-91, 159-160.

of New Deal-era assistance programs—some designed for Native Americans, some for all Americans.³¹⁷ Perhaps the most important Depression-era development for the future of Native Americans in Round Valley came in the form of the passage of the Indian Reorganization Act (1934). The IRA ended allotments and the government's fixation on Indian assimilation of white ways as the centerpiece of its Indian policy. Instead, it put in motion the vision of John Collier, Commissioner of Indian Affairs, for the future of American Indians. Collier called for a return of sovereignty and to self-government, an emphasis on economic self-sufficiency, and protections of remaining tribal land bases, but not for restoration of losses. In 1936 the Native Americans of Round Valley voted in favor of accepting the IRA and began the process of creating a tribal constitution and government. Round Valley Indians were empowered to protect their land base, formulate and institute economic plans, and engage in self-government.³¹⁸ Part of the process involved in accepting the IRA was forming a new group identity for Round Valley Indian people. A new tribe formed as part of the process, first known as the Covelo Indian Community—and now known as the Round Valley Indian Tribes, which is a federally-recognized group. Joining the Yuki in this synthesis are Pomo, Nomlaki, Wailacki, Concow, and Pit River peoples.³¹⁹ Despite the new tribal government and constitution, the advent of World War II for the United States in 1941 found the Round Valley reservation in a continuing state of economic decline. The hops industry in the region had collapsed during the Depression and Native workers had to work far from home or even leave the reservation. The war restored some economic opportunities, as did a timber boom in the region following the conclusion of the war in 1945.³²⁰ But these opportunities did not persist.

As recently as 2012, a report revealed that an eighty-nine percent unemployment rate existed on the reservation, and that sixty-eight percent of Native people were living below the poverty line.³²¹ The reservation and the surrounding community are rural and isolated, now located far from vibrant economic opportunities. Agriculture has become increasingly corporatized and concentrated in the lower Sacramento Valley and the San Joaquin Valley. Logging, while not gone, has become limited as an industry because of both competition and environmental laws. But perhaps these economic concerns and consequences pale in comparison to the human toll taken over time.

The collective demographic and cultural consequences of nineteenth-century American invasion and resettlement of ancestral lands were disastrous for the Yuki. With a population estimated at six thousand prior to the discovery of gold in 1848, by 1856, five thousand Yuki remained. By 1858, three thousand. By 1864, just three hundred. By 1880, only one hundred sixty-eight.³²² In 1973, there were “only two full-blood Yuki Indians” still alive in in Round Valley, with another fifty people of mixed Yuki ancestry living there.³²³ In 2004, historian Benjamin Madley identified one hundred persons of Yuki ancestry in Round Valley, only twelve of whom were native speakers.³²⁴ Meanwhile, beyond the acreage controlled by the Round Valley Indian Tribe on the Round Valley Reservation, little of the land in the valley remains in Native hands today, and in Eden Valley, once the home to hundreds of Yuki people before the coming of Hastings and his herds, none.

³¹⁷ Bauer, “*We were all*,” 178, 187-194.

³¹⁸ Bauer, “*We were all*,” 200-203.

³¹⁹ “About Us,” Round Valley Indian Tribes, accessed April 8, 2018, <https://www.rvit.org/about.php>.

³²⁰ Bauer, “*We were all*,” 205-206.

³²¹ “Round Valley Indian Tribes Receive \$8.5M in Renumeration [*sic*] from the United States, 03 May 2012, *Indian Country Today*, accessed April 8, 2018, <https://indiancountrymedianetwork.com/news/round-valley-indian-tribes-receive-85m-in-renumeration-from-the-united-states/>.

³²² Historical population numbers for the Yuki are difficult to ascertain at best. Oftentimes, reservation agents and army officers did not distinguish between the Yuki and other Native American groups brought onto the reservation. The numbers I include here are based on contemporary, primary source estimates addressing the Yuki as a distinct population. Sources of these numbers quoted in: Carranco and Beard, *Genocide and Vendetta*, 14, 126-127; Madley, “Patterns,” 181; and Miller, “The Yuki,” 63-66.

³²³ Miller, “The Yuki,” iii.

³²⁴ Madley, “Patterns,” 181.

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APPENDICES

APPENDIX A: POPULATION ESTIMATES, 1848-2010³²⁵

Year	California Population	California Indian Population	U.S. Indian Population	U.S. Population
1848	15,000	150,000	n.d.	n.d.
1850	92,597	n.d.	400,764	23,191,876
1860	379,994	35,000	339,421	31,443,321
1870	560,247	30,000	313,712	38,558,371
1880	864,694	20,500	306,543	50,189,209
1890	1,213,398	16,624	248,253	62,979,766
1900	1,485,053	15,377	237,196	76,212,168
1910	2,377,549	16,371	265,683	92,228,496
1920	3,426,861	17,360	244,437	106,021,537
1930	5,677,251	19,212	332,397	123,202,624
1940	6,907,387	18,675	333,969	132,164,569
1950	10,586,223	19,947	343,410	151,325,798
1960	15,717,204	39,014	551,669 ³²⁶	179,323,175
1970	19,953,134	91,018	827,255	203,302,031
1980 ³²⁷	23,669,902	201,369	1,420,400	226,542,199
1990	29,760,021	242,164	1,959,234	248,709,873
2000	33,871,648	333,346	4,119,301	281,421,906
2010	37,253,956	362,801	5,220,579	308,745,538

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³²⁵ Sources for Table I: Paul Stuart, *Nations within a Nation: Historical Statistics of American Indians* (New York: Greenwood Press, 1987), 52, 54, 57; Richard S. Hyslop and Crane S. Miller, *California: The Geography of Diversity* (Mountain View, CA: Mayfield Publishing Co., 1983), 10; Albert L. Hurtado, *Indian Survival on the California Frontier* (New Haven: Yale University Press, 1988), 194; Russell Thornton, *American Indian Holocaust and Survival: A Population History Since 1492* (Norman: University of Oklahoma Press, 1987), 109; Rawls, *Indians of California*, 171, 214; and United States Census Bureau, accessed January 30, 2018, <https://www.census.gov/>. Prior to the 1960 census, data excludes Native Americans of Alaska and Hawaii.



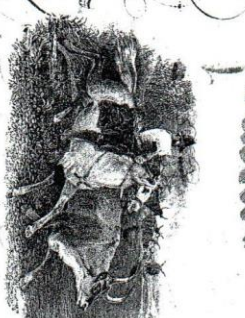
³²⁶ The sharp increase in Native American population in the 1960 census is due to the admission of Hawaii and Alaska as states, and the addition of their indigenous populations to census data.

³²⁷ The sharp increase in Native American population in the 1980 census is due to a shift in policies allowing individuals to self-identify as Native persons.

160 ACRES.

SCHOOL LAND WARRANT

No. 51

State of California

EXECUTIVE DEPARTMENT

Surrendered

It is hereby certified that under the provisions of the act approved May 3rd 1852, providing for the disposal of the Five Hundred Thousand Acres of Land donated to the State of California by the Government of the United States, J. Newton Hastings, having complied with the requirements of the act, and paid into the State Treasury, the sum of Three hundred and twenty Dollars, the said J. Newton Hastings or his assigns, are authorized on behalf of the State of California to locate the same wherever the land is situated and unappropriated land within the State of California, belonging to the United States, and that it is hereby conferred with the provisions of said law.

In testimony whereof, I have caused the Great Seal of the State to be affixed to this public instrument, and I hereby certify that the same is a true and correct copy of the original on the year of our Lord one thousand eight hundred and fifty two.

J. M. Stone

CONTROLLER.

John D. Byrne

GVERNOR

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APPENDIX C: TRANSCRIBED DEPOSITIONS OF HASTINGS AND HIS STOCK MANAGERS³²⁹

Record F3753: 484 Deposition of S. C. Hastings

S.C. Hastings being sworn says I reside in Solano County my age is 45 years my occupation is that of a dealer in Horses Cattle and real Estate. About the month of August 1858. I owned between 3 & 5 hundred breeding mares and colts desiring to find a place to graze them and raised horses and stock. I enjoyed of the Superintendent of Indian Affairs Col. Henley who recommended to me Eden Valley and the Country between the middle and South forks of Eel River then uninhabited except by the Yuka Indians who had been and were then hostile to the white people and had been committing depredations upon the stock in the vicinity of Round Valley and upon consultation with Col. Henley I believe that I could by feeding one or two tribes subdue them and make them useful and have no difficulty with them and to this end I placed my horses in charge of H. L. Hall he was then a stranger to me but was highly recommended to me from persons in Iowa he took the Horses to Eden Valley and established a Ranch there at my expense and supported a Rancheria of Indians around him from the month September to the month of January 1859, when I arrived at Eden Valley with a herd of about 300 cows and calves & put them also in charge of Mr. Hall on my arrival then I learned that the Indians had dispersed from the Ranch in the Valley and had killed seven breeding mare this I learned from Mr. Hall and two or three other persons I found when I arrived there. I had no doubt then nor have I at this time that the reports were true – on my way home about one days ride from Eden Valley my son a young man of 16 years of age informed me that Mr. Hall had been out the morning previous to my arrival there and killed 14 male Indians, in whose camp we found the remains of horses, this fact was concealed from me by Mr. Hall. In the month of April then following I drove into that country to South Eel River about a thousand head of cattle, intending to drive them into Eden Valley to join the other stock previous to arriving there I was informed by 1st Lieut Carlin of Maj. Johnson's Comd that the Indians had attacked my stock at Eden Valley and killed my black stallion valued over two thousand (\$2000.00) dollars and upon arriving at Eden Valley I learned that they had also killed my grey stallion worth over one thousand (\$1000.00) dollars and five fine American Bulls, and also two or three American stock Oxen. I found that the settlers and the officers under command of the U.S. States troops in that region were [illegible] prejudiced against Mr. Hall. I there upon took all my stock out of the charge of Mr. Hall and removed it to South Eel River and placed them in the charge of W. Robertson since which time I have had no connection in business with Mr. Hall except that I give him permission to remain in Eden Valley and cultivate as much land as he chose from his acres here [illegible]. I agreed to pay him for any fences he might erect on the premises.

Subsequent to my arrival in April last I again visited Eden Valley and the first person that I met was a Spanish Vaquero of Mine named Ferdinand who had just been attacked by the Indians and driven into the Cabins. I learned at that time that a large amount of my stock had been killed since my prior visit to the Valley.

I then visited Round Valley for the first time in my life called upon Dryden Laycock whom Govr Weller had commissioned to raise a small company of volunteers and found that Mr. Laycock would not serve without a private guarantee that his men and himself would be paid at a cash rate. I then called upon Lieut Dillon U.S. Army at his post in Round Valley and called to his attention those depredations on my stock. I distinctly understood him to reply that he had frequently expressed the desire that the Indians would kill all my stock in Eden Valley and Hall also. I then informed him I had long since dismissed Hall and he then said he would endeavor to do something to protect me. Knowing very well that he could not afford me any

³²⁹ The following depositions were transcribed from longhand originals held in the State Archives of California, Office of the Secretary of State. Where possible, I have corrected spelling in the pursuit of readability. In situations where text was impossible to transcribe, [illegible] is used to indicate this case.

protection with US States troops were he ever so willing against those Indians in the Mountains. I then carried a petition of the People to Govr Weller asking him to commission W.S. Jarboe of Ukiah City to raise a small company of volunteers against those Indians.

Until since the investigations of this committee I was entirely ignorant of any outrages commit except the one related by my son ted by Mr. Hall and the Indians. I had dismissed him not because I then knew that he had committed any outrages but because that I was satisfied that my stock would be much better taken care of in other persons hands.

I had procured title to the whole of Eden Valley consisting of about 1200 acres and drove to that place and its vicinity stock to the value of about \$32000. The amount of my losses exceed 10000 which I believe has been caused by the depredations of Indians.

In the month of last April when I drove my stock to South Eel River I found missing of the previous stock I had delivered to Mr. Hall 33 head of Cows 27 breeding mares and five American Bulls.

Mr. Hall has had no interest whatsoever in my stock since I took them out of his hands and delivered them to Mr. Robertson in April last about that time Mr. Hall expecting the arrival of his Father who was reported to be a man of means. I gave Mr. Hall a writing stating that if he and his Father would purchase one third or one half I forgot which I would deed to them that portion of the stock at its original cost taking twelve percent per anum for that portion of the purchase more unpaid my proposition never was acceded to nor complied with and the Father declined to entertain it, and left his son.

I never had adjusted accounts with Mr. Hall.

On my application to General Clark from U S State Soldiers to protect my stock what application I made knowing from experience that the Indians being unfriendly would commence depredations in the winter a time of year when owing to the impossibility of any communication with the distant white settlements they were [illegible] Genl Clark acceded to my request and [illegible] Major Johnson and his company to that region to their very great chagrin and disgust feeling as they did that men who had gallantly defended their country's flag on the many perilous battlefields of Mexico the [illegible] position of being [illegible] to [illegible] vaqueros.

S. C. Hastings

Sworn to and subscribed before me this the 13th 1860 in Sacramento City

J.B. Lamar

Chairman on the part of the House

Record F3753: 449 Deposition of H. L. Hall

HL Hall being duly sworn says I am 25 years of age. I am farming and taking care of stock. Taking care of stock for myself and Judge Hastings and Col Henley. I reside in Eden Valley. I have resided there since the latter part of August 1858. There was no settler in Eden Valley when I went there. There were no inhabitants in Eden Valley when I went there. I took 320 head of Hastings and Henley's stock there when I went there and 45 head the next month. They were mares colts and horses. In December 1858 my Indians told me that one mare had been killed and before I went out after them they reported three or five killed. During that fall over one hundred Indians came in and camped near my cabin. As far as I knew these Indians were peaceable and these are the ones I mean by my Indians. I went up to the Rancheria with J W Smith, Charles McLean and William Vaughn. We found some 18 or 20 Indians who ran as soon as they

saw us. I think 8 or 10 were killed and the balance escaped. We there found one large buck Indian, some horse meat, horse bones and Hogs hair. We found some beef bones. The Indian was shot. He remained in the hut with a bow and arrows in his hand after we called to him to come out and attempted to shoot and we had to set fire to the hut before he would come out, when he was shot.

Within a few days afterwards I received from Judge Hastings about 230 head of Spanish cattle, consisting of cows, calves and bulls. Within a few days after Major Johnson came there with his company and camped about one week. A few days after I arrived there McDonald was reported to have been killed by the Indians and soon after I heard this I wrote to Judge Hastings that I did not feel safe there and wanted protection. About two months after I wrote to Judge Hastings Major Johnson arrived in Eden Valley with about 40 men. In the latter part of February I found the remains of a stallion. Up to this time I had been on no expedition against the Indians. I also found a cow with an arrow in it, which died the next day, and tracks where Indians had driven another. I then came over to this valley and applied to Lt Dillon for protection. He told me he wished the Indians would kill all the stock in Eden and Round Vallies. Five men in this valley then volunteered to go out with me and punish the Indians. They came over to Eden Valley the next day and the next day we started out after the Indians. We followed the trail of the Indians some four miles where the trail forked. We followed one of the trail about two miles and found the Indians. There were about 30 all told. We killed at that time some 8 male Indians. The rest escaped. In this camp we found no evidence of stock having been killed in this camp. We followed on some two miles and came across another camp, we found them all gone but one sick buck. We told him to tell the Indians to come in and that if they did not quit killing stock we would kill them. We followed on some four miles farther and found a camp with parts of two Beeves and part of a horse in it and some Indians. We found 3 or 4 squaws and 3 or 4 children all of whom we took prisoners, and in taking them into the valley they gave out and we left them. Mr. Maxson asked do you know if any of the squaws were killed.

Witness declined to answer.

I did not see any killed nor did I kill any of them. I saw one of the squaws after she was dead, I think she died from a bullet. I think all the squaws were killed because they refused to go further. We took one boy into the valley and the infants were put out of their misery and a girl 10 years of age was killed for stubbornness. The Indians after stole the boy we brought in. When I got home my vaquero told me the Indians had been running the stock. The next day early in the morning two of us went back to get the male Indians in the Rancheria we where we had taken the prisoners the day before. When we arrived there we found none. They had just gone and taken most of the meat with them; and we returned on account of a storm. A part of the other men went within a day or two to look for the Indians who had been running the cattle, they found a portion of the cattle on this side of the river. About that time I went to look for my horses and found another stallion missing, and have never found him or his remains since. My volunteers soon after returned to Round Valley and every day or two I would miss some of the stock and find Indian tracks. It went along in that way until about the middle of April. At that time the Indians killed one ox and wounded another with two hundred yards of my house. Before this about the 1st of April we found where the Indians had killed two horses and wounded another which died afterwards. Up to the middle of April there were missing 5 Bulls, 25 head of horses and 25 head of cattle. I went to Ukiah and found Judge Hastings driving up 669 head of cattle which we drove up and left on the same range at south Eel River and then immediately moved the stock from Eden Valley to the same place. He remained there three or four days. I proposed to him to get up a petition to the Governor for protection. We came to the conclusion it was best to form a company of 20 men and concluded on Mr. D. Lacock to command it. We got what signers there was there to a petition, which I think Judge Hastings drew and there were about ten signed it. At that time myself and one white man resided in Eden Valley. This petition asked for protection and recommended the organization of a company under command of Mr. Laycock. I did not see the petition

afterwards. Previous to this the Indians had taken an animal that was picketed within 3 or 4 hundred yards of my house. About the 10th or 12th of April when the Indians stole the boy and the two mares I sent a note to Lt Dillon asking protection, he sent four or five men and the corporal told me he had brought 7 or 8 days rations and if no Indians showed themselves they would leave. They staid there 5 or six weeks, Major Johnson sent them more rations; The night of the election in May last my Vaquero told me the Indians had taken 2 horses that were picketed within two hundred yards of my house. The Indian said he had followed the trail into the brush, the Indians leading the horses, The night I returned the Indians came within 100 hundred yards of my house and took three other horses. One was picketed and the other two were not. Up to this time there had been no expedition made against the Indians by anyone, except those above referred to.

There were on that night stopping at my house two white men besides myself and four or five soldiers. I called on the Corporal to go out with me after the Indians and he told me that his instructions were not to leave the House to go after the Indians on any occasion – to kill no Indians unless they attacked the house. I directed the two white men who were stopping with me to trace up the Indians and I went to south Eel River for help and returned the same day and brought two men with me. Next morning at the brake of day five of us started and got out as far as the two men referred to had followed the track of the Indians and found where the Indians had separated – two of the horses having been taken one way and one another – followed the trail of the two horses some two miles farther. There we found where they had killed them, as evidenced by blood and hair.

We took the trail where they had carried the meat off followed about $\frac{3}{4}$ of a mile and found the Indians, in a very rough canon, we attacked them, they jumped into the brook and commenced shooting arrows at us, there was about 25 or 30 Indians in the party we killed 10 or 12 of them and one woman – after the fight we found the flesh of the 2 horses in their camp, which we burned, the meat we poisoned with Strychnine – we found afterwards a part of the horses spoken of – About this time the commission arrived for Mr. Laycock brought by Mr. [illegible] said he had been sent with it by Judge Hastings. I brought the commission to Round Valley to Mr. Laycock he took but refused to act under it, he took some steps to organize a company but afterwards abandoned it on account of the pay. About this time the stock had all moved out of Eden Valley – about the 10th or 15th of July Judge Hastings was here and found Laycock had not acted the Indians they were engaged in killing stock, The next day we went out found one Indian he shot and killed a horse in sight of us and escaped – we shot at him suppose we wounded him.

When Hastings we proposed to form another company under the commission offered to Mr. Laycock we formed a company with Mr. Jarboe as Captain. Jarboe told Hastings he would act as Captain. Captain Jarboe formed a company of 8 or 10 men, myself among the number, whom I think signed a roll. We then went to work against the Indians. We made an expedition to the west of Eden Valley on Eel River, we found Indians but got but one squaw who was shot by mistake. When we came back to Eden Valley we heard from Mr. Hildreth the Indians had killed some colts and a cow in the pasture near the house. I think on the next morning after we arrived the Indians came into the valley and killed four or five saddle colts, one or two mares and a fine American riding mule. The colts and mares belonged to Hastings and Henley and the mule I believe belonged to Henley – I understood them to be so owned. We immediately gave pursuit to the Indians. We followed them some 8 miles through almost impassable canons, we found the Indians camp, but they had left. We found their part of bones of animals, we followed the trail they had gone until we met Capt. Jarboe, but found no Indians that day and returned home. A few days afterwards the Indians killed some more cattle and I saw the parts of two or three carcasses. We then pursued the Indians and found some 20 or 30 Indians in camp and commenced the attack whereupon the Indians returned the fire. Captain Jarboe was wounded, 10 or 12 Indian killed and 8 were taken prisoner – four women, 3 children and one man. This male Indian was court-martialed and shot. The others were sent to Nome Cult Reserve. The next expedition

was to the forks of Eel River where two Indians were killed by the scouting party. The next was to the southeast of Eden Valley, we found a party of Indians in the brush, attacked them and killed two or three and the rest escaped. Soon after this a commission came to Captain Jarboe from the Governor to raise 20 men. I remained with the company until about the 8th of November when I obtained a substitute. I presume there were 30 or 40 Indians killed while I was with the company and something over 100 prisoners taken, who were sent to Mendocino Reserve. I believe that G.W. Henley supplied Capt. Jarboe with supplies for his command after his commission arrived. Their usual course was to knock down a beef whenever they wanted it where they could find it most convenient. I understood that they kept an a/c of all the beef they killed and reported it to the owners. I own 1/3 of Eden Valley and Judge Hastings and Col. Henley own the rest. Our cattle range over a country 10 miles long and two or three miles wide. L.W. Smith, has been working in the valley and is now near Mendocino Reserve. Charles McLean is now in this valley, William Vaughn, I think is in this valley. Neither of the last two have ranches that I know of, but they are both working men. During my connection with Capt. Jarboe and my acquaintance with his operation he exercised no cruelty toward his prisoners. The actual value of the property that I know and have good reason to believe, was killed by the Indians under my charge would bring in the market I make a rough guess not less than \$5,000. By the stallions being killed at that time when they could not be replaced, we lost the use of the mares for the season. The damage is equivalent to \$3000. I think there is a necessity for protection to be afforded to the citizens in this [??] for their lives and property.

H. L. Hall

Sworn to and subscribed before me at Storms' Hotel in Round Valley this [2?] day of February 1860.

J. B. Lamar Chairman

of the select Committee on Indian Affairs

Record F3753: 433 Deposition of William Robertson

William Robertson being duly sworn deposes and says – am [illegible] years of age – am a Ranchero I live in Ukiah Valley, Mendocino County. I have resided here since November 1858 – I have a wife here – In November 1858 I took cattle from Judge Hastings on shares first 240 head of cattle and in the following April there was 40 or 42 short, I suppose the most of them was killed by the Indians, Some of the cattle I saw after they were killed. In the last of April I secured 8 or 900 head more from Judge Hastings from that time on the Indians killed more as or less, and I saw some wounded and the remains of others. In August I took about 28 riding horses and put them in a pasture about one half mule from my house and the first night that I put them in the Indians killed four or five or six that I saw – the next night they killed two horses, and one mule, that I saw, Sometime in January, or February 1859 I know the Indians killed two very valuable stable horses belonging to Judge Hastings – The horses were worth two thousand dollars, I did not see them killed, but I am satisfied that the Indians killed them – The Indians confessed to me that they killed them and said they intended to kill stock and men as long as they lived. I abandoned my stock on account of the Indians about two months ago, because the Indians would kill more than my part of the increase would come to and sent word by an interpreter (Mr. Howard) that they would kill me. I was afraid to leave my family there without proper protection I alluded to my residence on Eel River. I expended \$[700?] taking these cattle up there, and worked myself all summer with two Vaqueros whom I paid and gave up my contract on account of the Indians. Several of the citizens from Round Valley – Little Lake Valley and Redwood Valley together some proposed to petition to the Governor to send a company to protect the citizens and property and property in that section of country – They then drew up the petition. They met in the summer of 1859 on South Eel River. I think it was in June. There were between twelve and twenty citizens present. I think they all signed the petition.

After the signing of the petition I think it was nearly two months until the Volunteer company was organized – The company was organized under the command of Capt Jarboe and Lt. Wood. That was the first organization I knew of. The organization was made at Eden Valley. There the officers were elected and the men signed the roll after Jarboe's commission had arrived. I signed at that time. At the time I enlisted I lived at Eel River. I had charge through my contract with Judge Hastings of the stock on Eel River and Eden Valley Ranches. Eighteen men enlisted at that time. A short time after the organization they brought in, at different times, some prisoners, but I do not know when or how many. I remained at Headquarters most of the time as camp keeper I was in service one and one half or two months. While I was there may have been from six to twelve prisoners brought in, who were sent, to Round Valley Reservation. They consisted of women of children. When the company was organized Capt Jarboe said to his men that he would discharge any man who harmed a woman or child. I think Capt Jarboe brought the prisoners above referred to

[Page 4 missing; not transcribed]

his companion saw some Indians crawling on him and warned him of the fact, when he discharged his pistol at the Indians and both parties ran. All the stock spoken of as having been killed were the property of Judge Hastings. There is over \$10,000 worth of stock missing since I went to Eel River in November 1858. I found one that was dead in the river, I suppose it had been dead two months or more. This was the only whole carcass I ever found out of the first lot of cattle. I have no present knowledge of these Indians attacking a man or residence. I have no personal knowledge of a white man attacking these Indians. I have heard of white men being killed by Indians. I have heard by general report. I have no personal knowledge of any one offering to procure for pay any Indian children. I know by general notoriety that some eight or ten or more white men have been killed by Indians during my residence in Mendocino County. I have known these Indians near two years. I have always looked upon them as hostile Indians. They are not brave but treacherous. I consider it dangerous for a white man to pass along the road through this section of country unarmed and I have traveled it a great many times and only once without pistol and I never was attacked. I generally had my gun. It is notorious that a good many Indians have been killed during my residence in Mendocino County.

Wm. Robertson

Sworn to and subscribed before me this 21st day of February 1860 In Ukiah City
J.B. Lamar
Chairman Special Committee on Indian Affairs

Record F3753: 443 Deposition of William J. Hildreth

William J. Hildreth being duly sworn deposes and says – I am 25 years of age – am a Ranchero – Doing business for myself. I reside here – I came here to live last April – I have resided in this county about eighteen months, I resided in Round Valley from May 1858 till I moved to this place – I have a Ranch here – I keep stock here on the share for Judge Hastings – When I went to Round Valley there were unfriendly relations existing between the Whites and the Indians surrounding the valley. I have been in this business since last July – While I was there, there was from 500 to 1000 Indians in the valley including those who worked on the Reservation. I heard that Mr. Lawson lost while I was in the valley, about 8 or 10 head of hogs (I think that was about July 1858) Which loss was attributed to Indians who worked on the Reserve – He had the prisoners with him and took them to the Reservation. The first depredations that I know of my own knowledge being committed by wild Indians on stock was committed in Eden Valley This was in July last. The mares, colts and horses of Judge Hastings about 380 in number, were delivered to Robertson and myself. I lived from July last year to the last of September in Eden Valley taking charge of the stock running

on that end of this range. I turned into my pasture all my riding horses, about 35 in number and one mule belonging to Hastings and Henley. After letting them run there about a week I sent my rangers after the horses which were in the pasture. He came back and reported that some of them had been killed by Indians. I went down and found three of the three year old colts, a mare and the mule – dead. They were shot and we found the points of arrows in them. I raised a party of six men and went into pursuit of the Indians and tracked them to where they crossed the Middle fork of Eel River going in the direction of the Reservation. I lost the trail at a point about 3 ½ miles in from the Reserve. Eden Valley is ten miles distant from this point in a northerly direction and Middle fork of Eel river is 15 miles from this place in a northerly direction. I have no means of judging what Indians committed this depredation but it was my impression at the time that they were Reservation Indians. Those five head of stock I should think were worth \$490. I valued the mule \$250. There are no other stock on this range but that of Judge Hastings and there has been none. About a week after there were four other horses killed in the same pasture. We found them dead with arrowheads in them. These animals were worth \$240. I then turned my horses out of the pasture, on the range for safety.

About two or three weeks after this I found three Indians skinning a yearling steer. I fired at them twice and they ran down the canon. I then raised a company and followed these three Indians to their Rancheria. We attacked them and killed Seventeen. One of our party Mr. Jarboe was wounded. I led the party. One squaw we found dead the rest were bucks. The squaw was shot by accident. We took one buck, four squaws and three infants prisoners. We took them to Eden Valley where the Indian through an interpreter confessed that his tribe had killed a great many stock and would continue doing so as long as any stock ran loose. He also stated that his tribe, would kill white men – The interpreter was a boy of the same tribe who had been raised by white men and belonged to Mr. Robertson. The boy was about 16 years of age and spoke their language well. He court martialed the man and sentenced to death and shot him. The squaws and infants were sent to the Reservation. Since that time I have never seen any stock dead that were killed by The Indians but at various times have seen cattle and horses with arrows sticking in them.

I have since July last missed seven or eight head of horse and colts that I cannot account for. The cattle I do not know how many are gone. Those that I have missed cannot be found on the Range, which is about sixteen miles square. Since I took charge in July last I estimate the damage to the stock to be not less than \$1,000. I have been acquainted with this stock since they were brought here. The first lot of stock consisting of 255 head of cows and 75 calves were brought here in January 1859. In April this lot was counted and there was 35 or 40 cows missing. At this time 670 head more of cows and steers and 200 calves were brought. These also came from Judge Hastings. About the 1st of July this lot was counted and about 60 head of cows and steers were missing. The stock that were missing up to July last were worth very near \$4000. In the Rancheria above referred to we found the skulls and horns of two head of cattle and also the hoofs of horses, also the crisped hide of a milk cow that I lost, and some jerked Horse flesh or beef. I belonged to Captn Jarboe's company which I found after his commission had arrived. The company was organized in Eden Valley. I joined in when the company was organized and was with them until October last. On one expedition we made to Long Valley we killed ten Men and took 50 prisoners. The prisoners were all sent to Mendocino Reservation. On another expedition in search of the body of John Bland we killed eleven men and took 97 or 8 prisoners. Most of these prisoners were tame Indians. About twenty of them were wild. We sent them to Mendocino Reserve. This was to the North East of Round Valley and about 25 miles from the Nome Cult Reservation or farm. George Henley furnished the prisoners. We took beef wherever we could get it. The above stated are the very successful expeditions I went on. I have a claim against the state for my services in the company. The prisoners were always given plenty to eat, tolerated well and given good advice through interpreters while I was witness [???]. Strict discipline was mentioned in the company and for an infraction of rules in regard to prisoners one of the men was discharged while I was with them. Captn Jarboe read instructions from the Governor instructing him to be sure to always get the guilty Indians and not punish Innocent ones. Capt Jarboe treated his prisoners kindly. He had bucks and a

squaw who were wounded and always dressed their wounds himself. I was employed on Nome Cult Reservation for one month in 1858 and I resided five or six months within a half mile of the Reserve. The Indians that worked were fed and those that did not were not fed. I worked Indians of the Yuki tribe. Captn Thomas was Indian Agent at that time and these Indians were allowed no meat and received six ears of corn per day while I worked them. Two Ears in the morning, two at noon and two at night. I worked them in an average eight hours per day. The Indians on this Reserve I think were treated very poorly.

W. J. Hildreth

Sworn to and subscribed before me this the 24th day of February 1860 at Hildreth's Rancho on the south fork of Eel River

J. B. Lamar

Chairman of the select committee on Indian Affairs

Record F3753: 444 Deposition of John R. Owens

John R. Owens being duly sworn says: I reside in Sacramento Valley. I came up here about the 22nd of the present month to assist in delivering some cattle for Judge Hastings. Day before Yesterday Indian sign was reported as having been seen on the trail from this place to Eden Valley also a mare was seen which was wounded. That night four of us went out about six or seven miles from this place in a westerly directions and camped for the night. At daylight yesterday morning we discovered an Indian Rancheria close in our vicinity. We attacked them but they all escaped. I suppose there were 30 or 40 Indians in their camp. We found the carcasses of three horses and one beef and some dried meat.

J. R. Owens

Sworn to and subscribed before me at Hildreth's Ranch on the South Fork of the Eel River this the 25th of February 1860.

J. B. Lamar, Chairman

Select Committee on Indian Affairs

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APPENDIX D: OTHER TRANSCRIBED DEPOSITIONS³³⁰

Record F3753: 357 First Deposition of Lt. Edward Dillon

Edward Dillon being duly sworn says I am 25 years old, am an officer of the US army, hold a commission of 2nd lieutenant of the 6 regiment of infantry, and am stationed at Round Valley in command of a detachment of 23 men.

I have been in the Valley in command since January 1859. My Headquarters are on the Nome Cult Indian Farm.

I have been in a position, by hearsay or actual observation to know all that has transpired in relation to Indian difficulties in this vicinity I mean in this valley or contiguous.

³³⁰ The following depositions were transcribed from longhand originals held in the State Archives of California, Office of the Secretary of State. Where possible, I have corrected spelling in the pursuit of readability. In situations where text was impossible to transcribe, [illegible] is used to indicate this case.

Upon my arrival here I found there were [illegible] upon the part of the settlers of serious depredations on part of the Indians. I was told that a large amount of stock was being killed daily or weekly and I understood that the settlers were in the habit of killing these Indians whenever stock had been killed or supposed to be killed.

I saw nothing however of these depredations myself not was anything reported until I had been here two or three weeks.

I had endeavored in the meanwhile to make the citizens understand that if depredations were committed and evidence of the facts were produced I should punish these Indians myself or turn them over to the civil authorities.

About that time Mr. Gibson informed me that the Indians had driven some hogs from his house and satisfied me of the truth of this assertion; I went accompanied by Mr. Gibson for the purpose of punishing the Indians who had committed the theft and took a portion of my command with me, I soon discerned signs of Indians going towards the forks of Eel River but discovered no sign of hogs. I came to a Rancheria which it seems these Indians must have entered, I told the Indians to come out which they refused to do and in consequence it became necessary to fire the hut and kill two Indians one of my men having been previously wounded by an arrow shot from a hold in the hut, no sign of hogs being found about the Rancheria.

A few days after this Mr. Hall of Eden Valley informed me that Indians had killed for him several cattle and a Stallion. I inquired if he knew the identical Indians or the identical Rancheria by whom this act was committed, he replied that he did not but requested that I should go and chastise the Indians near the forks of Eel River whom he supposed to be the guilty parties. I told him I had no intentions of making war upon innocent Indians but must know the identical parties, I told him moreover that I had been informed he had killed Indian, or men and squaws without sufficient evidence of their general guilt and that if the citizens intended to take this matter in their own hands it was useless for me to attempt to get the Indians upon the Reservation or to punish them without knowing of their guilt, I proposed to go with him with a party of men on one side of the River to bring these Indians in while I went on the other side for the same purpose, that if upon examination the Indians proved guilty I would assuredly punish them., this he agreed to do and a party left this Valley for that purpose. I found no Indians myself but heard shortly afterward that Mr. Hale and his party were engaged near Eden Valley killing Indians never having brought in one as he agreed to do; within a month after this, I went several times to the mountains for the purpose of bringing in Indians charged with killing stock but discovered in no one instance any evidence of their having done so.

I expressed myself very freely in regard to what I regarded indiscriminate killing of Indians and the citizens in consequence at least some of them seemed to think that I was unwilling to punish Indians upon such evidence as they considered good and I do not recollect that any report was made to me for several months except a letter from Mr. Hale of Eden Valley requesting me to send men there for his protection, which I did.

I heard however constantly of Indians being killed in the vicinity of this and Eden Valley and I have reason to believe that stock was also killed in the latter place.

About the last of May Mr. [illegible] of this Valley reported to me that two cows had been killed by the Indians, I sent a party to examine into the circumstances and three of the Indians were taken confessed the deed, being unable to send them out of the valley to be disposed of by the civil authorities, two of them escaped while prisoners, the third was turned over to Col. Tho. I. Henley who agreed to deliver him to the authorities or to dispose of him in such a manner that he would not return to this valley, from this time till

the organization of Capt. Jarboe's company no depredations were committed in this Valley that I know of. Though I heard of stock being killed in Eden Valley and that Jarboe before receiving his commission was constantly employed in killing Indians.

In a conversation with Mr. Hall of Eden Valley subsequent to the one alluded to I again told him that if Indian were killed in Eden Valley as I had heard upon insufficient evidence he could expect no sympathy from me.

After Capt. Jarboe had received his commission he came into this valley about the time that Mr. Bland was killed and sent me a note requesting my cooperation in chastising the Indians that had killed Bland and some near the forks of Eel River accused of having driven off 200 head of stock from Long Valley. I was engaged at this time in examining the evidence in the case of Mr. Bland and was far from being satisfied of what Indians had killed him or that he had ever been killed at all, nor had I any evidence of stock being driven from Long Valley, I therefore declined to cooperate with Capt. Jarboe for the above reasons.

Since this occasion I have never been requested to examine into case of Indian depredations or been informed of any citizens that any had occurred.

I have been in command of the force stationed here since my arrival in this Valley.

In speaking of my agreement with Mr. Hale that I would take one side and he the other I mean the middle fork of the Eel River. I took the North side and he the South side. I have stated that I had heard that Jarboe was constantly employed in killing Indians, Capt. Jarboe stated to Mr. Hale he has attacked 10 or 12 Ranches previous to receiving his commission.

I never made the remark to any one that I hoped that the Indians would kill all the stock in this Valley or any other valley, but I did say that Mr. Hale of Eden Valley could expect no sympathy from me and I did not care if they killed all his stock.

Mr. Gibson satisfied me that his hogs had been driven out of his corral by examination of the corral, by seeing the tracks about the place, it has been a year since I cannot recollect all the circumstances that convinced me of the facts.

The troops now under my command were sent here at the instigation of Col. Henley superintendent of Indian affairs to protect the property of the citizens and the property of the Government upon the Reservation and the Indians upon the Reservation.

I suppose that there has been between 3 and 4 hundred Indians killed in the various expeditions in this vicinity against them. I base this supposition upon the information derived from others.

I think that sometime in August last Col. Henley with some 8 or 10 citizens of the Valley come to the Quarters of Major Johnson and stated through Col. Henley that a party of Settlers had that morning attacked a Rancheria on the middle fork of Eel River and killed some 10 or 12 Indians, that after having made this attack and killed the Indians, they found in the Rancheria a horses ear and tongue or two of them which they presented to Major Johnson and asked him if he did not consider the evidence sufficient, he replied, that in this case it was perhaps true that stock had been killed, but this case was an illustration of the principles for which he contended namely that there was neither justice or law in hanging first and then condemning, the evidence of guilt not having been discerned until the Indians had been killed. I do not mean to be understood to say that Col. Henley was with the party who killed the Indians.

Sometime in April or May last Thomas B. Henley brought to the Reservation Three Indians which he stated he had brought from a Rancheria on or near the forks of Eel River that upon arriving at the Rancheria he called the Indians out and told them to follow him to the Reservation one of them pretended to be lame which Mr. Henley said he knew was not the case and refused to come. Mr. Henley either stated that he killed him or had him killed because the Indian would not come with him because that from his looks and other reasons he considered him to be a bad Indian and did not wish to leave him, he also stated in addition that he did not know of the Indians having committed any depredation but they were in too close proximity to him.

I believe that I have sufficient force now under my command to protect the citizens from Indian depredation I the immediate vicinity of this valley say 10 miles within this place, but if the citizens take this matter into their own hands and assume the right to punish Indians whenever they please, it would diminish very much if not entirely my control over them.

If the settlers should desist from punishing the Indians themselves and the Indians should [still] continue to commit depredations I should deem it my duty to bring them in at all hazards and either to punish them myself or turn them over to the civil authorities as in my judgment should be deemed proper.

I consider myself authorized to punish Indians for crimes to any extent. I consider my instructions or construe them as giving me authority to judge and punish Indians myself.

I have never punished an Indian.

I suppose there are about 500 Indians of both sexes on the Reservation at this time, there has been more.

At certain seasons sickness prevails to a greater extent they then leave for the mountains and while the harvest is in the fields they are able to get food easier, again they have been afraid of being attacked by Capt. Jarboe's command when they were here, on two occasions quite a panic prevailed among them they came to my quarters in considerable numbers saying that the bad white men were coming to kill them.

The Indians on the Reservation are receiving at present from three to six pounds of wholesome food per head to the working hands. I have heard the testimony of Capt. [Reece] relative to the treatment of the Indians on the Nome Cult Reservation and believe it substantially true and correct.

The management of the Reservation had been interfered with by citizens of this valley upon several occasions. Shortly after I came to the Valley a Nevada Indian upon the Reservation was badly beaten by one of the citizens of this valley and a complaint was made to me both by the Indian and the overseer, the overseer stated there was certain reasons why he did not request the arrest of this man but coincided with me in the opinion that the man should be brought to trial, I therefore arrested this man on conformity to my orders at that time, the next day the citizens 25 in number came charging to my house and demanding the release of the this prisoner stating if he was not released by the next morning they would take him from me by force. I declined to release him stated to them I should fire into them if any attempt were made to pass my sentiment, for some reason they did not make the attack at the time stated, in the meantime the prisoner attempted to escape.

The prisoner did not make his escape through the collusion of the officers or by any of their orders, nor [illegible] after the expiration of the time at which they threatened to take him from me by force they persistently stated [illegible] they intended at some time to take him by force. – I did not make any attempts

to arrest the prisoner again although he was in the valley because I thought it proper to wait farther instructions from my immediate commanding officer as it would have been extremely hazardous with my small force at that time 15 men to arrest the prisoner if defended by the number of men who threatened to take him. The name of the prisoner was Brigantine.

About this time a Yuki squaw was reported by the agent as having been taken by force from the reservation with a request to arrest the man. I did arrest him but upon examination found the evidence was such as did not warrant me in detaining him I released him, his name was [Norvale?]

Sometime in the month of June last Mr. Bland now deceased came upon the Reservation without the consent of the Agent and took two Indians whom he accused of having stolen some articles of clothing from him he carried them to Williams Valley where he then lived but before he had punished them a corporal and party of men sent by Major Johnson arrived at his house causing Mr. Bland to leave [illegible], the orders of this corporal were to arrest Bland and to bring him together with any Indians at his home to Major Johnson – The corporal found no one in the house except a squaw whom he brought over.

The squaw said she did not wish to return to Bland's house and was placed by the overseer for protection in a house occupied by a sick white man on the Reservation and Mr. Bland was told that he would not be allowed to take her away, one or two nights after this he came into that house and forced the squaw off he took the squaw by the arms and pulled the squaw out of the door.

Her house was about 20 yards from the overseer's house, the squaw escaped from Bland as he himself told me and went to the mountains. I have never seen her since. This occurred some six weeks prior to the first rumor of Mr. Bland's death.

Record F3753: 434 Deposition of Charles Eberle

Charles H. Eberle being duly sworn deposes and says I am 29 years of age, am a farmer – I reside in Round Valley – I have resided in Round Valley since October 1857. I am a magistrate there. I think there are many Indians in that vicinity residing there. I consider these Indians unfriendly to the whites. They manifest their feeling by killing stock and our neighbors and friends. When I first went there the feeling was about the same. The Indians had killed a good deal of stock previous to my going there. Three or four months after my arrival there the Indians killed Mr. William Maulet. Mr. Maulet was one of the party who volunteered to assist John Owens to drive his stock to Cold Spring Valley, and on his return, the water of Eel river being high he undertook to drive his mare across the river prior to swimming himself and while doing so he was shot by the Indians. These were Yuka Indians. John McDaniel was killed by them a year ago last September. I helped to bury his remains on the mountain. This was about twenty miles from the valley. He was a hunter. Mr. Mantel I knew personally – He was a quiet, peaceable man. I never knew him to molest Indians in any way. John Bland was killed by them last fall. I knew him personally- he was a quiet peaceable man. He was killed about 8 or 10 miles [illegible] east of Round Valley by the same tribe who took refuge immediately at the Reservation. Mr. Bland went out hunting and took a Reservation Indians out with him, the Indian being at my house at the time he started. He told me he expected to return in three or four days. Two week passed and nothing was heard of him. At the end of the expiration of this time this Indians came again to my house and I recognized him. He came within 50 yards of my house and I called to him to come to me. He attempted to run and I got out my gun and brought it to bear on him. He came up to me. I then took him over to Mr. Bourne where there were Indians that could interpret between us. They told me that this Indians would, if I would, go with him to the Reserve show me two Indians who were with Bland when he had left him. I went with him to the Reservation and he pointed out one of the Indians, who was at work under one of the employees, and I arrested him. I took him up to Mr. Reese's quarters the superintendent of the farm. The other Indian, the Indian who pointed this one out, said was gone. I left the Indians in charge of Mr.

Reese while I went for a Spanish interpreter. When I returned with the interpreter Mr. Reese informed me that the last Indian I had arrested had ran away. This Indian interpreter then said there was a squaw there that could tell us as much as the Indian who had escaped. I was informed that this squaw afterwards guided a part of Jarboe's company out to where Bland's remains were found. Mr. Bland went to Tehama and left his cabin locked, which on his return he found had been broken open and robbed. He found some of the Reservation Indians, wearing his clothes. He go two that other Indians told him had broken open the cabin and whipped them. The Indians complained to Major Johnson and he attempted to arrest him several times. Lt. Dillon had an Indian under arrest, who, he told me he had every reason to believe was concerned in the killing of Mr. Bland and said he would see that he was punished according to law – The Indians was taken out of the valley and sat at liberty by Lt. Dillon's orders. There has been during the last three years constant depredations upon the stock. For more than a year there has been 20 or more U.S. soldiers in Round Valley. I believe that the citizens have applied tot eh officer in command for protection. I do not know of any protection the troops have afforded. On two occasions they went out with some citizens and attempted to bring in the Indians. And at one time they brought in about 25 old and young. The depredations of the Indians were on the increase about four or five months ago and the citizens did not believe that the duty of protecting their property should devolve entirely on themselves and hence their application was made to the Governor for protection. Shortly after this application was made one of our citizens received a commission but refused to act under it. A short time afterwards Capt. Jarboe organized his company and was afterwards commissioned by the Governor. When stock was stolen the owner informed Jarboe of the fact and he acted accordingly and went I presume according to his orders. I have not heard of so many depredations in the last two months and I think the settlers have been benefited by the operation of this company. I think the most of the Indians have gone back towards Long Valley. I never went out with Jarboe. I know of several times that they brought in prisoners. I saw no cruel treatment to the prisoners. It is my impression that the Indians are liable to renew their depredations again. The general character of the inhabitants is good as all are farmers or hired by the farmers – I do not think the citizens are disposed to interfere with the officer of the Reservation nor are they restrained from so doing through fear of the troops, I think if the soldiers were removed entirely there would be no disposition on the part of the citizens so to do. I think the Indians would be more peaceable if the troops were moved from there.

C. H. Eberle

Sworn to and subscribed before me at Ukiah City this 22nd day of February 1860

J. B. Lamar, Chairman

On the part of the House of the special committee on Indian Affairs

Record F3753: 436 Deposition of William Frazier

William Frazier being duly sworn deposes and says I have resided in Long Valley since 1857. Am 38 years of age—am a farmer—I have no family. I am a single man. Have been in California since 1850. The first depredations on stock committed in Long Valley was last October, with the exception of a few head killed a year ago. The first stock I heard of being killed belonged to Woodman. He told me he had lost 75 head of horses up to that time. This was in November last. Mr. Woodman and others stated that they had lost a good many head of stock but could not tell how many because the grass was short and the stock had strayed through the hills. Woodman and others employed by him stated that cattle had come to his house with arrows in them which afterward died. Some two or three head. I do not know of my own knowledge of any cattle having been killed by Indians, but I saw several carcasses but from their appearance I could not tell positively how they came to their death. No cattle that I know of died from want of food. The Indians and whites in 1857 were friendly. The first serious difficulty that occurred between the whites and Indians was one year ago when the three head of stock above referred to were killed. When Mr. Simpson, Mr. White myself and others hearing that the Indians had beef in the Rancheria in the valley went to the

Rancheria for the purpose of chastising the Indians, when all fled but one and we shot his head off. He tried to escape. Some friendly Indians brought some beef from the Rancheria to us. This was the last difficulty up to October last with the Indians. These Indians were known as the Kaya-Pomos. At the time this difficulty occurred they came to terms with us and have been peaceable ever since. The Indians with whom we have had difficulties since October last are known as the Yukis, who do not reside in Long Valley but were driven over from the east side of Eel River in the vicinity of Round Valley. In December last towards the latter part the citizens met and organized a company of forty men under the Command of Capt. Farley, I was elected Lieutenant. A day or two after the organization we started on our expedition across Eel River and in the mountains between Round Valley and Long Valley. We left Long Valley in the evening and traveled in the night until we saw the fire of an Indian Rancheria, which we surrounded when day was breaking and waited until near sun up before we attacked and killed 20 consisting of Bucks, Squaws and children and also took 2 squaws and one child prisoner. Those killed were all killed in about three minutes.

I took the prisoners to White and Simpson ranch where there are some friendly Indians and delivered them up White and Simpson, who promised to take care of them. We found in this Rancheria no sign of any depredation having been committed by these Indians.

At White and Simpsons I found an interpreter through whom the squaws said, that they had lived on beef and horse meat for some time. We used no threats or promises to induce them to say so—

They said that they had heard the Indians say that they had been killing stock [illegible] than the white man knew anything about and that they intended to kill all the stock in the valley. They assigned no cause for killing the stock and we could not induce them to do so. About a week afterwards we went out on another expedition into the same section of country. On the first night we found and surrounded a Rancheria in which we found two wounded Indians and one old squaw all of which we killed. On our return home we found another Rancheria which we approached within fifteen feet before the Indians observed us, they then broke for the brush and we pursued them and killed thirteen bucks and two squaws. The rest escaped and therefore I do not know how many were in the Rancheria. We took no prisoners. We found in the camp the carcasses of two horses. One of these horses belonged to Mr. Lambert, the other was not recognized. Mr. Lambert recognized his by the brand on the hide and color. We then went home. This company was organized for mutual protection there being no regular force in that vicinity. There has never been a company of US Troops in Long Valley. This was the last expedition I was on with the company. The company still hold themselves in readiness to act when necessity requires it. I never belonged to Jarboe's Company. On the Trail that led in the direction of this Rancheria we saw sign of meat having been carried along and that caused us to attack it. From that Time up to three weeks ago last Monday there has been no fighting in Long Valley. I suppose from what I have heard that there has been 200 head of horses and cattle killed there since October last. They were worth at least \$6000. They are a cowardly tribe of Indians. There are about 300 Kaya-Pomos. There are about 40 or 50 Cahto Pomos living on the rancho of White and Simpson who are also friendly. In 1857 the different tribes of Indians in that vicinity had a meeting and sent for me to be present. I think there were 2000 present. I was told by the friendly Indians that the Yukis encouraged the attempt to kill me. They surrounded me and one Indian drew his bow and arrow and held it on me, but I brought my pistol to bear on him before he could shoot and he cooled down—I then rode off. The only cause they assigned for it was that I made those around me mind me and sometimes whipped them and that they did not like me. There has been no white men killed in Long Valley that I know of and no buildings burnt. I think there is a necessity for an armed force in that Valley for the protection of the lives and property of the citizens at present. I do not believe that the citizens have applied to the Federal Troops for protection. The White population in that valley consists of about 125.

I know of no attack being made by the Indians either upon a white person or upon residents. I have often traveled through the region inhabited by these Indians alone without being molested by them; I know of no children being taken away from these Indians to be sent away. Among these hostile tribes which we attacked we found no children and I believe there had been a practice of abducting the children from them by some white men, and for purpose of procuring profit.

Before my company was organized there had been a good many Indians killed in the valley by the citizens and Capt. Jarboe's Company.

William W Frazier

Sworn to and subscribed before me this 22nd day of February 1860

JB Lamar

Chairman of select Committee on Indian affairs

Examination resumed

In the camps of these hostile tribes that we attacked we found a plenty of acorns, and such other food as they usually eat for their subsistence.

William W Frazier

Sworn to and subscribed before me this 22nd day of February 1860 in Ukiah city

JB Lamar

Record F3753: 438 Deposition of H. H. Buckles

H. H. Buckles being duly sworn deposes and says I am 34 years of age. I am a Painter – I reside in Ukiah – have resided in this county about two years, and in this place about four months – I have never been in Round or Eden Valley but have been in Long Valley during the last season as Deputy assessor which office I now hold. Two or Three weeks after he had assumed the command of the Company Captain Jarboe and myself met in this place. He desired me to join his command. I then asked him under what authority he acted. He told me he had not at that time received a commission from the Governor but expected one. He then said that Hastings and Henley had become responsible for provisions and they promised to get a bill passed through the Legislature to pay them. I mean Judge Hastings and Col. Henley. I refused to join the command from the fact that I did not believe Judge Hastings promises could be relied on. As to Col. Henley I knew nothing about. I said I thought the proper way would be to get a petition from the citizens and get an appointment in that way, before he proceeded. About the time the commission arrived for Capt. Jarboe. Kaskel Mears & Co. show me a letter from Judge Hastings, which I read, and which in substance was a request to that firm to furnish Capt. Jarboe supplies, for which he (Hastings) and Henley would be responsible. Mr. Cohen the clerk of the firm showed me the letter and asked me if I thought the letter would be sufficient evidence to bind Mr. Hastings for the payment of the goods if they were delivered to Capt. Jarboe. I told him I thought it would. I told him that I thought he had rather pay the prior debt that he owed them than have the letter exposed. I knew some of Capt. Jarboe's command. I knew some three or four. One of them I think was a man whose veracity was very questionable. The others were good men. He has the reputation of being one of the best fighting men in the company.

The general reputation of the members of the company was fair in this community. They were men who the people of this community relied in a great deal for protection;

Since the disbanding of the company Capt. Jarboe told me that his company had killed more Indians than any other expedition that ever had been Before ordered out in this state. He stated that they had killed about two hundred, He told me that previous to attacking a camp he usually sent in messengers to [illegible] to treat with them peaceably, and upon their refusal so to do he attacked them, but when possible spared the women and children, and that he sometimes gave blankets + clothing to prisoners to tell their tribe that he would treat them all so if they would come in. And that the prisoners so sent seldom returned.

Capt. Jarboe told me that after he had received his commission from the governor that Hastings and Henley had in a measure thrown him off and owing to his (Jarboe's) limited means he was at his wit's ends to furnish supplies for his men.

H. H. Buckles

Subscribed and sworn to before me this 23 day of February AD 1860 at Ukiah City

Jasper B. Lamar

Chairman of the Senate Committee

Record F3753: 440 Deposition of B. Newman

February 23, 1860

B Newman being duly sworn deposes and says he is thirty four years of age is a married man, that he is a Merchant resides in Healdsburg, Sonoma County—I am a member of the firm of Kaskel Mears + Co doing business in Ukiah City + Healdsburg. I do not know of any letter being received by our firm from Judge Hastings authorizing Mr. Jarboe to purchase goods on account of himself and Col Henley, but I was told either by my clerk or my partners or perhaps both that such a letter was received here, but I do not know that it was directed to our firm. I usually attend to business in Healdsburg and visit this branch three or four times a year and remain here on an average about one week at a time. I have searched for the letter to day and did not find it. Mr. Cohen was our clerk in Ukiah city from 1st May last until about one month ago.

B. Newman

Sworn to before me on this twenty third day of Febry AD 1860 at the Town of Ukiah Mendocino Co

J.B. Lamar

Chairman

Record F3753: 441 Deposition of Dryden Laycock

Dryden Laycock being duly sworn deposes and says I am 35 years of age – am a Farmer – I have resided in this valley a little over three years I have resided here nearly all the time I have lived in this county. I am employed by Capt. Storms. When I came here I worked on the Reservation with Capt. Storms until I came to work for him in his private Farm. When I came into the Valley there were no settlements in it but the Reserve. At the time I came here this valley was inhabited by a great many Indians of the Yuki tribe. At that time there was about 2000 Indians on the Reserve and under the control of the management of the Reserve. At the time I came here the Indians were committing depredations on the Government stock. They killed stock that was on the Reserve. In 1856 settlers began to locate in the valley. There are about 15 Farmers and stock raisers in this valley. From the time I first arrived in the valley up to the present time the Indians have been committing more or less depredations. In 1856 the first expedition of the Whites against the Indians was made and have continued ever since. These expeditions were formed by gathering together a few white men whenever the Indians committed depredations on the stock. There were so many of these expeditions that I cannot recollect the number, the result was that we would kill on an average 15 or 20 Indians on a trip and take some prisoners which we always took to the Reserve. Frequently we would have

to turn out two or three times a week. These depredations were committed by the mountain Indians and the Indians on the Reservation. The cause of recent difficulties between the Indians and whites in this vicinity were caused by the Indians killing stock and white men. In February 1858 Mr. Mantel went out for provisions in a few days afterwards a domesticated Indian boy who went with him, returned and said he had been killed by the Indians while attempting to cross the Middle Fork of Eel River. A party went out from here and brought the body in. I saw the body. There were three or more arrow wounds in the body. The Indians belong to the Shurmaya tribe who lived in Eden Valley. During the last year Messrs. Storms, White, T. Henley, Wilsey, Corbett, Gibson, and Lawson have had stock killed in this valley. I have seen dead fifty head of Hogs, Horses, and cattle that had been killed by Indians all of which belonged to Mr. Storms. I saw the bodies in the Mountains and in this valley. There are about 250 head more missing that I have good reason to believe were killed by Indians. I have seen carcasses in the Rancherias and remains laying around in the mountains and valleys. About May last three or four men in this valley who had lost stock and Judge Hastings of Eden Valley caused the organization of a company. They called the men of Round Valley together by verbal notice. They met at the Reservation. The three or four men that I spoke of I do not recollect, I attended the meeting. Ten or fifteen citizens of this valley + Judge Hastings and Mr. Hall of Eden Valley were present. They concluded it was best to organize a company. I had been offered command of a company before this by nearly all the citizens of this valley and I refused to take it. A short time after the meeting referred to a company was started by Judge Hastings and the citizens of this valley and they wanted me to serve as captain and I refused to take it because I thought I would never get pay for it. I was not a member of the company. Mr. Hastings wanted me to go on with it saying that he would stand good for it. I mean that he would see that the expenses were paid. He wanted me to start the company and go on with it and he would get my commission from the Governor. The commission was obtained and brought to me by Mr. Hall of Eden Valley and I refused to take it for the same reason that I refused to take the captaincy before. The commission was presented to me here at the house of Major Storms. When I refused to accept the command it was offered to Capt. Jarboe by Judge Hastings and Mr. George Henley who appeared the most anxious for the organization of the company. He accepted it. Jarboe's company started about two or three weeks after this. It consisted of different men from those over whom I was offered the command. I think they were in operation about a month and a half before his commission arrived and went on several expeditions against the Indians I do not know how many.

His company was formed from men from the vicinity of Red Wood Valley on Russian river, I was not a member of Capt. Jarboe's company.

From a three years residence in Round Valley and my experience with the Indians in the vicinities of Eden and Round Valleys and North Eel River I am acquainted with their character.

They are all treacherous and all excepting those on North Eel River are cowardly. Those on North Eel river are known as the [illegible] Indians.

The wild Indians in the vicinities above referred to, between North Eel river and South Eel river I think number about ten thousand, They are divided up into small tribes viz the [illegible] [illegible] and the [illegible], and several other tribes, but they all go under the general name of the Yuki tribe.

There are two men now employed in this Valley to protect the stock from the depredations of the Indians. I do not know that the citizens previous to chastising the Indians made any attempt to induce the tribes to give up the guilty parties. There is a command of about 20 US soldiers stationed in this Valley. The citizens of this valley have made application to the officer in command to protect their property and he paid little if any attention to the request. I do not know who made the application. Lieutenant Dillon is in command of the troops here. He and the citizens are not generally on good terms. The reason that they are not on good

terms is that citizens have gone to him several times and Requested him to chastise the Indians who were killing stock + white men which he refused to do, He gave as his reasons that he did not believe the Indians were killing stock as reported. I do not know nor have reason to believe the Indians were killing stock as reported. I do not know nor have reason to believe that any persons in this country are engaged in abducting Indian children for the purpose of making them servants or any other purpose. The Indians first committed depredations I know of Nine White men who have been killed in this vicinity during my residence and have seen the bodies of four. The US Troops have been stationed here going on two years and the Indians have got no better but are getting worse. The reason I think so is that when the citizens go to chastise Indians who have committed depredations they go to Lt. Dillon for protection and it appears that he upholds them in it. I think it is necessary that the citizens of this valley should have protection for their lives and property. The Officers in command and myself are not in friendly terms. We frequently had to turn out of our beds at night to drive Indians off form the stock. The Ranch referred as that of Capt. Storms belongs to W.R. Storms.

Dryden Laycock

Sworn to and subscribed before me this 25th day of February 1860 at Storm's Hotel in Round Valley
LBJ Lamar Chairman of the Select Committee on Indian Affairs

Record F3753: 442 Deposition of James M. Wilsey

James M. Wilsey being duly sworn says – I am 25 years of age I have resided in this valley going on three years – I am a stock raiser – There has been a good deal of stock killed in this vicinity – This winter two years ago I lost I think between 25 and 50 head of cows steer and calves I know some of them were killed by Indians. I have seen some of the carcasses. I have been on expeditions against the Indians. I believe they were all killed by the Indians – I have lost stock off and on ever since. The last I lost I think was in January last. Last winter I lost about as many more. Since then I have lost a good many but I cannot say how many. Of my stock and those under my charge I brought 700 head into the valley. I never had any difficulty with the officers about Indians. They never came and took any from my house. There are a few stopping at my house. The employees of the Reserve. I have heard have taken some squaws from my house. I never took any Indians (either squaws or bucks) by force from the Reserve, nor kept any by force at my house, nor do know of any one doing so. I have two brothers living with me. I think an armed force is needed here to protect the property of the citizens form the depredations of the Indians. Since the US troops have been stationed here I do not think they have been of any service towards suppressing Indian depredations. I knew John Bland well in his lifetime. He was an honest, peaceable and quiet man, N.B. (Witness corroborates the testimony of Mr. Bourne in relation to the cause of Mr. Bland going in pursuit of the Indians)

Major Johnson sent a party of men to arrest Bland and take all the Indians he had about him to the Reserve. Mr. Bland saw them coming and went off leaving his squaw at the house whom they arrested and took to the Reserve. She was rather a good looking squaw. I never knew him use force to keep her and she always appeared contented. The next day after she was arrested I saw her at the Soldier quarters under guard. I don't know of her being charged with any crime or misdemeanor. She was standing in front of the Major's office and the guard was walking back and forth in front with a musket. The last time I saw her she was under guard. I believe the officers and citizens are generally on good terms.

J. M. Wilsey

Sworn to and subscribed before me at Storm's Hotel in Round Valley this the 28th day of Feb 1860
J. B. Lamar Chairman
select Committee on Indian Affairs

Record F3753: 448 Deposition of Jackson Farley

Jackson Farley being duly sworn deposes and says I am 39 years of age - am a farmer. I reside in Long Valley, have done so for near three years. I was one of the first settlers in the valley. I have a farm there and am raising stock. The valley is thickly settled. I suppose there are about one hundred voters in the Valley and vicinity. The Indians when I went there were wild and we could not get anywhere near them. The first stock killed there by Indians was three horses and a cow belonging to me. This occurred about the month of October 1857. I cut up one of the horses and found arrowheads in them. I applied to Captn Ford and he requested me not to interfere with them and said that when they took winter quarters he would remove them which he never did. Those Indians are there yet. They are not killing any stock now that I know of. The next stock they killed was this winter a year ago when they killed some six or seven head of Capt. Ford and he then took his stock away. The next stock that was killed was in November last, and was my stock. One milk cow. After some days search I found the remains of the cow and in searching for the Indians I found the remains of two horses in another Rancheria, one of which I believed to be a horse of my own for which I had refused \$500. I went home and got together a few of my neighbors and we went out to punish them. We killed three or four of them. The rest all escaped. I have lost 11 head of horses by Indians since I went there. Five of them were best quality of American horses. The cattle and horses that I have lost were worth \$3,000. Mr. Lambert, Mr. Woodman and Mr. Hale and several others have had stock killed. I suppose Mr. Woodman has had killed since last fall 100 head of stock, I walked along one evening and counted 48 head which I suppose they are Mr. Woodman because they were on his Range. The expedition I spoke of was the first against them there. About three months ago a company was organized in the valley under my command. Previous to that the citizens sent two petitions to the Governor applying for protection I signed the petitions. I think the company consists of 46 men. Mr. [Frazier?] is my first Lieutenant. The company turns out on the call of the captain. I never called them out except when stock had been killed. I have always endeavored to get only those Indians who had committed the depredations. I have been out at different times with the company 20 days. I think we have killed 150 or 200 Indians. We have taken 22 prisoners whom I sent to Mendocino Reserve. The Caya Pomos I think consist of 600 in all, they so far as I know have not killed any stock and say they will not if the whites won't kill them and we have never troubled them. Those that have been killing stock are [illegible] and Yukis. I think it is necessary that the settlers in Long Valley need protection for their property. The stock of the citizens roam around from 8 to 10 miles from the valley in the Hills. Mr. Buttner and Mr. Woodman have moved their stock from the valley for fear that the Indians would kill them.

Jackson Farley (his mark)

Sworn to and subscribed before me at Storms Rancho in Round Valley this 26th day of February 1860.

J. B. Lamar Chairman

Select committee on Indian Affairs

Record F3753: 451 Deposition of Lt. Edward Dillon

The statement made today by Capt. Rees before you is substantially correct.

In regard to the fences I have seen them after they had been pulled down and known that they could not have been pulled down by Indians by the fact that the rails were laid regularly aside and that wagon tracks apparently just made were seen in the gap, and that the fence was standing two hours previous to that time.

I have seen parties of which men too far off to identify them drive mules and horses into the reservation field; During my residence in this valley from observation and conversation with various parties I am firmly of the opinion that it is the object of certain parties to get rid of these Indians on the reservation for the purposes of possession themselves of the land occupied by the Government and to still further to extend

the stock range. Mr. Lamar, here asked the citizens to whom he alluded? And he declined to answer upon that is his belief and not positive knowledge

Examination Continued

I wish [illegible] [illegible] that the term hostile cannot be applied to these Indians. I have never heard of their having killed but one man in the last Eighteen months nor have I ever heard of their threatening to burn a house, I have never heard of their burning a man at the stake, nor have I ever heard on all these various attacks on the Rancherias of the white man being killed by Indians in their defense.

My orders when I first came to this valley were to arrest on good evidence any white man who interfered with the Indians or government + property, and report the fact to my Commanding officer.

My orders now are to arrest any citizen for any act for which one citizen of this state might not lawfully arrest another, in such a case my orders are to detain him in custody and report the fact to my commanding officer.

I made two unsuccessful attempts to arrest Mr. Bland after he left his cabin for the abduction of the squaw and he afterwards sent me word that he would like to converse with me on the subject and he came to my quarters and told me what I have above stated in relation to the abduction. I never attempted to arrest Mr. Bland for any other offense.

Edward Dillon
[illegible] Lt. 6th Infty

Sword to and subscribed before me at Storms' Hotel in Round Valley this the 27th day of February 1860
J. B. Lamar Chairman
of the select Committee on Indian Affairs

Record F3753: 455 Deposition of George Rees

George Rees being duly sworn says I am 49 years of age. I am overseer of Nome Cult farm – I have resided there and had charge since the latter part of September last. I think there are 5 or 600 Indians all told who remain on the Reserve all the time, there are 2 or 300 more who go and come occasionally but claim that as their home. These wandering Indians are furnished food when they are on the Reservation. Food is given to those Indians who do not work but not as regularly as those that work, those that work are regularly fed. The food given to those who work consists principally of corn, wheat, Beets, Pumpkins and Potatoes. About six or seven ears of corn per diem is the usual allowance of the work hands when they are fed on Potatoes we give them about six or seven per day. Most of the land on the farm I think is susceptible of a high state of cultivation. This farm is dependent for what is not raised upon the agent at Nome Lackee Reserve. When Indians are brought in from the mountains we give them food and clothing such as we have to induce them to remain. I think that under judicious management the farm is capable of subsisting 5 or 6,000 Indians. I have found the fence in different places prostrated and stock within the enclosure but I am unable to designate the parties who did throw it down. From the manner in which the fence has been thrown down and the rails disposed.

I could tell that it was torn down by white men, We find horse tracks and wagon tracks passing through the openings made. We have a couple of Nevada squaws upon the place who are good seamstresses whom white men have been in the habit of inducing to run off from the Reserve. Some two months ago some white men came and took them off and we brought them back, at that time we found them at the house of

Messrs. Wilsey. To punish the squaws we locked them up in a warehouse, hocked with a padlock on the outside. I think we had had them locked a day and night and the next night the lock was broken and they were taken away. We found one of them at Mr. Wilsey's the other we have not found. These women speak and understand English tolerably well for Indians, One of them is about sixteen and the other twenty years of age. They are tolerably good looking. They appear to be contented on the Reserve. I have good reason to believe that two white men took these squaws at the time the lock was broken. I know of one instance where Indians belonging to this Reserve were harbored by Mr. George Henley who refused to give them up and it was necessary to use force to obtain them. I sent a not to him for the Indian he sent word back that he would not give him up unless he was compelled to. This was as valuable a hand as there was on the Reservation.

I then went with Lt. Dillon and eight or ten soldiers to Mr. Henley's house and made a demand of Mr. Henley for the Indian, He said the Indian had gone out with a pack train and if he was there he would not give him up unless he was compelled to, and he was sorry he did not know we were coming, [and] if he had he would have been fixed for us. And that he did not consider the Indian a Reservation Indian was the reason he assigned for not giving him up. This Indian had formerly lived with Mr. Storms with three or four others. Mr. Geiger agent of the Nome Lackee Reserve ordered me to take those Indians and out them on the Reserve as they were valuable hands. I demanded these Indians of Mr. Storms, who objected to giving them up because he had raised them and did not consider them as Reservation Indians. About two or three months after this the boy came up to the Reserve of his own accord, sick and subsequently told me he wanted to stay there. Mr. Laycock came up after the boy and the boy stated to him that he came there to be cured. At that time there was no other Doctor in the valley but the Doctor on the Reserve. The boy had a squaw on the Reserve. Soon after this Mr. Storms came to the Reserve and said if the boy preferred to stay there than at his house he might stay. He remained on the reserve after this about six weeks or two months and until I found him at Mr. Henley's. This Indian is now on on the Reserve and came back because we sent word to him that if we were compelled to come after him we should punish him severely. There has been no other instance that I know of the enticing or abduction of Indians from the Reserve, nor have we been molested in any way except as above referred to. We have on the Reserve about 18 yoke of oxen, 5 or 6 Horses, 12 or 14 mules and 4 or 5 milk cows. They range inside the reservation enclosure, I have lost no stock since I have been there by Indian depredations. I have heard of some cattle and stock being killed by Indians in the vicinity. I think in one instance that men came to me and told me they suspected Reservation Indians of killing stock. Mr. Davis was the man. Mr. Davis stated that he suspected some Indians but it was a mere suspicion. Mr. Ross, Lt. Dillon and Mr. Battile went out and brought the Indians in but found no evidence of their having committed depredations. Since I have been on the Reserve I have no recollection of any application being made by citizens to Lt. Dillon for protection to their property. I think the Lieutenant would have told me if there had been. Upon several occasions after MR. Jarboe's company was organized I sent Reservation Indians to the mountain Indians to induce them to come to the Reserve, telling them if they did not that they would be killed. I never received any Indians from Capt. Jarboe's , but on the contrary they took Indians from this valley and sent them to Mendocino Reserve. From depredations that have been committed on the Reservation I think there are a good many in this valley not very favorable to the Reserve. I do not think that it is necessary that an armed force should be sent here for the protection of the property of the citizens. I think there is already a sufficient force here. I think the force that is here is needed to protect the Reserve from the depredations of certain white men in the valley and I think it is sufficient to keep the Indians in check. There were no passage when I came here through the Reservation grounds that had been used by the settlers that have since been closed. 5000 acres of land is claimed for the Reserve. There has been fencing done since I have been here, I think 4 or 5 miles. None of that fencing is off of the Reserve that I know of. We put up a [illegible] fence which extends about one mile into the hills to prevent stock from going on the Reserve. There are two settlers within the limits of the Reserve. The fence I have made obstruct the settlers from going to the passage usually. They can go by Mr. Bourne's now which is a

mile or three quarters farther than the old road. It was absolutely necessary to put up this cross fence to protect my crops. I do not consider the Yuki Indians in this vicinity hostile by any means. I do not allude to the killing of stock, I mean hostility to white men.

I know there are large bands of stock driven in to the mountains by white men which range from 7 to 10 miles from the Valley. There was an Indian boy missing from the Reserve shortly after the death of Mr. Bland and a day or two after his body was brought back by the Indians, his throat had been cut and he had also been shot. The Lieutenant, myself and two or three more endeavored to catch an Indian on the Reserve suspected of being engaged in murder of Mr. Bland and caught one and sent him down to Col. Johnson to be handed over to the authorities. This is not the Indian that Mr. Eberle brought us who escaped and he has never been seen since by white men. We have been on the lookout for him but have never been able to arrest him.

George Rees

Sworn to and subscribed before me at Storms' Hotel in Round Valley this the 27th day of Feb. 1860
J. B. Lamar Chairman
of the select Committee on Indian Affairs

Record F3753: 459 Deposition of G. W. Henley

G. W. Henley being duly sworn says

I am 26 years old, and am a stock raiser. I reside in Round Valley, Mendocino County. And have resided there since the first of January 1859. When I came I bought stock in this valley, and I was told that the citizens in the valley had been missing hogs that they supposed had been killed by the Indians, I was also told that the day before I arrived here the citizens had been out chastising the Indians.

I was a stranger here at that time and was not familiar with the habits of the Indians, and not aware of their roguish dispositions, and I was also to believe that they were committing very extensive depredations. About two weeks after my arrival here I was informed by a gentleman here that he had seen the tracks of a band of horses that he supposed had been driven off by the Indians.

In a few days after I had received this information I went out into the mountains myself south west of the valley beyond the distance where stock usually ranged and discovered the tracks of about ten horses in one band that had driven in the direction of the forks of Eel River and also in another place I found the tracks of another band of six or eight horses that had been driven in the same direction.

I followed both of these tracks for enough to ascertain that the horses had been driven off by the Indians. Mr. Storms was at that time in partnership with me and we owned about three fourth of all the horses in the valley.

In November 1859 an Indian informed by brother and myself, that some Indians over in Eel River had some hogs in their possession. We raised a party of eight and went with the Indian as a guide to the place where the Indians were encamped, attacked their Rancheria, and killed two of them, and supposed that we killed six of them and the rest then escaped. Those killed were all bucks.

We went into their Rancheria and their found the heads of seven hogs and portions of their carcasses. These hogs belonged to my brother and to Mr. Davis.

I have then sold out my interest in the valley to Mr. Storms, and did so because I found the Indians were so tiresome and was afraid that I would be unsuccessful in my enterprise.

Sometime in the month following there was some talk in this valley about raising a company of mounted men for the purpose of protecting the stock of the citizens of this valley from the depredations of the Indians.

The people here manifested an interest in raising this company in proportion to the amount of stock they owned in the valley. Several of the citizens met at this place and a statement was drawn up representing the condition of things in this valley, and embodying a request that someone be commissioned to raise a company of twenty men to protect the property of the citizens from the depredations of the Indians and this statement was sent to Gov. Weller.

I attended the meeting and drew up the statement myself.

Capt. Jarboe subsequently received a commission and raised the company and I made a contract with him to supply his company with provisions. I did so because he was not successful in making a contract elsewhere or with any other party, and rather than to have things fall through, and rather than to have the company not go into operation, I undertook to do it, but I state to Capt. Jarboe that I did not desire to do [it?] and was not prepared.

All the interest I had in this valley at that time was a few pack mules and for or five horses.

I agreed to furnish him flour at \$13 per 100 count but as to other things I told him I could not fix upon a certain price as I did not know what they would cost me, and I should have to go to Tehama for them but that I would furnish them for as low as I could.

My bill against the state for provisions and flour furnished to Capt. Jarboe amounts to about fifteen hundred dollars, and this included one beef which he got from my brother and which was charged to me.

In my opinion there is a present necessity for an armed force in this vicinity to protect the property of citizens from the depredations of the Indians. I mean an armed force independent of the US troops stationed here. From my knowledge of the relations existing between the whites + Indians in this vicinity [illegible] and from the conduct of the officers and troops in relative [illegible] I do not believe that the latter have been of any benefit to the settlers

The officers have manifested no disposition to afford any protection to the settlers, they seem perfectly indifferent to the depredations of the Indians.

The officer in charge to my knowledge never goes into the mountains to ascertain if any depredations has been committed by the Indians

The people in this valley do not countenance the killing of women and children.

I have been on speaking terms with the officer in command at the Reservation till within the last few days we are now unfriendly. There is unfriendly feeling existing between the citizens and officers they are regarded in fact as a nuisance. I looked upon Mr. Bland a quiet and peaceable man a temperate man. I have known him ever since I have been in the valley I have never known Mr. Bland to guilty of any misdemeanor or disgraceful act.

When I sold out my interest In this Ranch there was an Indian boy named Jake who desired to go with me when I located again it was agreed between Mr. Storms and myself that he should go with me he was an Indian Mr. Storms had raised and was not regarded as belonging to the Rancheria, this Indian remained

with Mr. Storms until sometime in December last and then went to the Reservation to be doctored and remained there about a week he then came to my house without my solicitation and said he had come to live with me three days after he came Capt. Reece sent an order by one of his men for his delivery. I refused as I did not consider the Reservation had any control over him, the next Mr. Reece sent Dillon and 18 armed men came down to my place and demanded the Indian. I informed Mr. Reece that the boy did not belong to the Reservation that he had no control over him as I considered and I refused to give up the boy. The boy was not in the house and they did not take him. The Indian spoken of was about 21 years of age.

Mr. Hall reputation with regard to truth and veracity with me is good and generally so with this community.

Mr. Pollard's reputations for truth and veracity is not generally good.

I never knew but one white man who was killed in an attack upon the Indians and he was a soldier under the command of Lieut Dillon.

I know of five white men who have been wounded by the Indians in these attacks.

G. W. Henley

Subscribed and sworn before me this 27th day of February 1860 at Storms Hotel. Round Valley.

J. B. Lamar

Chairman of committee

Record F3753: 462 Deposition of Lawrence Battaile

Lawrence Battaile being duly sworn says, I am thirty five next June. I am an employee on the Nome Cult farm and have been so employed since July 1858. I work at general work on the farm, when I came here Mr. Storms had charge of this farm. I first heard of the Indians killing stock in this vicinity in the Fall of 1858. I then heard of Mister Corbett and some others losing cattle and hogs, by the Indians. From what I have heard since I presume that the Indians have killed more or less stock from that time to this, principally on the South side of the Valley. During the last two months I don't recollect of hearing of any stock being killed by them. The number of Indians which I suppose to have been killed by white men in this vicinity since I came here from what I have heard in this valley is about 300 or 400. I base this estimate on what parties who have been out after Indians have told me.

I cannot estimate the number stock killed by the Indians, because the accounts of stock is frequently exaggerated.

The manner of attacking an Indian camp is to attack the camp first and after the Indians has been killed or run away, then to enter the camp and see if any evidence can be found against them.

I know this because persons who have gone out after Indians have told me of the pains it was necessary to take to surround a camp without the Indians knowing it.

I have seen during the last year several horses and cows that have died in this vicinity, some had been mired and some had died from poverty, I think I have seen some fifteen or twenty that have so since the Indians frequently come and tell me that animals have died and ask the privilege of going and getting them to eat.

I generally go and look at the carcass, to see whether the Indians have killed it or not. Those I have examined I have invariably found to have died by some other cause, than by Indians. The Indians when they take a

carcass to eat usually cut it up and take the hide, head and all to their Rancheria. If I should find these things in a Rancheria far off from where Cattle usually range I should think that they had killed the stock, unless the meat looked as if it had been [illegible]

There is stationed on this reserve a portion of a company of the soldiers under the command of Lieut. Dillon.

They have been stationed here about one year.

If any application had been made by citizens to the officer in command for protection I should have heard of it. I think there has been two or three or possibly more applications made. I know on three occasions of the officer sending out men upon these applications. I am acquainted with the Yuki tribe in this vicinity. I do not consider it dangerous for a man to travel in this vicinity alone from attacks from the Indians. I think it might be dangerous for a man to go alone about 15 miles west of this place. I have no fear of going alone to Eden Valley, Weaverville, or Tehama. I have not traveled to Weaverville alone, but have been told so by men who have traveled the route, I think the Indians south of this place are disposed to steal stock I should not call them hostile to the whites, they subsist on roots grass acorn + berries some little subsistence from game.

The Game is scarce having been killed by the hunters – the prevailing motive for killing stock is to get something to eat, although they kill some for spite – to spite some settlers who have been out killing them some told me that the Indians in Eden Valley would kill Mr. Halls stock in Eden Valley because Hall killed the Indians their women and children this was last spring. In November 1858 some settlers came to the farm and told Capt. Storms that some Indians had been killing their stock he sent for the Indians in the hills to come in a good many of them came in. The next day Mr. Storms accompanied by some of the settlers came up to the station where I was living at the time. They first got all of the Indians out of their houses and brought them up to my house. They told Juan an Indian Interpreter to pick out such Indians as he knew had been killing stock or as the other Indians said had been killing stock – Juan pointed out some 20 odd Buck Indians, Juan proceeded to pick more out when he was told to stop that, that was enough, these were placed by themselves, and the others were sent to work some after the others started to work all commenced to run, but 4 or 5 were stopped they the party then commenced firing on those running. We afterwards found (8) Eight dead bodies, one of the 4 or 5 who were stopped was hung and the remainder were put to work on the farm some time I think in October 1859 – on a Sunday morning I did see a dead Indian which upon examination I found he was killed by a bullet and I think his throat was cut –

I then sent for the interpreter learned through him from the Indians that 3 men the morning before had took the boy in the field and took him to Chas. Bowen and from Bowen to a thicket about $\frac{3}{4}$ of a mile below the corner of the field and there killed him. The deceased named was Bob. a workman on the farm and entrusted by Mr. Thompson with a rifle to go in the Mountains to hunt – he hired with Mr. Thompson off and on and when not with Thompson he lived on the farm for 9 or 10 months previous.

I think the Yuki Indians are better treated under Mr. Reese than they were before he took charge – and there are more of them on the reservation and they have improved under him, and worked better. I mean that there are more here at this season of the year than there was last year at this time.

I think there are over 200 working Indians on the farm – from my knowledge of condition things here at present I do not think that there is a necessity for an armed force to be raised or sent here for the protection of the property of the citizens – I think there is a sufficient armed force here not to protect the Citizens. If the officers in command were applied to – the cattle range is so large on the hills that I do not think a large force would prevent the Indians from killing stock occasionally.

Nor do I think that a regular organized Company would prevent, the going out of small expeditions against the Indians, the reason I think so is because, that small parties did go out whilst Capt. Jarboe's company was in operation – The forces on the farm have been pulled down often by the settlers evidently for the purpose of passing through and left down.

I think that if this Yuki tribe were all gathered in on the reservation that with proper treatment they would remain here. I think this from my personal intercourse with them and my knowledge of their habits and characters, Although they would frequently go in to the mountains – I believe such a course would conduce more to prevent depredations upon the stock of the settlers than the presence of any armed force or the occasional killing of the Indians as total extermination of them – the settlers always told me when they did go to hunt the Indians – that the Indians had killed stock – and they Generally told me that they found mean in the Rancherias – I think sometimes they told me they did not find any I am not conscious of having any feeling prejudice or Bias against any of the inhabitants of Round Valley.

In coming into this valley on the first occasion I met men with four (4) Indian boys taking them off and the third time I came on the trail I met a man taking of a girl – she afterward returned home = I never knew any citizen of Round Valley taking Indians out of the Valley to dispose of them. I have heard parties residing in this valley say that they have gone in to the mountains and taken Indians and brought them in to stay with them and from circumstances I believe it was done without the consent of the Indians, I believe some of the Indians living with the settlers are better provided for than if they were on the reservation and some are not

Lawrence Battaile

Subscribed and sworn to before me this 28th day of February AD 1860 at Nome Cult Farm
Wm B. Maxson of Assembly Committee

Record F3753: 463 Deposition of Chesley Vaughn

Chesley Vaughn being duly sworn says – I am familiarly known as Texas – I am about 20 years of age – I live in Round Valley. I have lived here since September 1858. I consider this my home. I was a member of Capt. Jarboe's company. I think I joined it about the 8th of October last. I think the company was formed to protect the stock and settlers in this vicinity from the Indians. The Indians had committed depredations on stock prior to my joining the company. I have been out to fight Indians before I joined it. In the fall of 1859 I went out after them in the mountains around Round Valley. I went once over in to main Eel River below the ford in company with Mr. Laycock. Something over a year ago I went out in company with Mr. Hall. I never was out with him but once when we found any Indian. Charles McLean, Mr. Smith, Mr. Hall, and myself were all of the company. The Indians that we were after at that time had killed some horses. I saw five or six Indians after they were dead. We fired into the Rancheria. Some were in the Rancheria and some were running when killed. We took no prisoners. I saw none killed but bucks. I saw a good many women and children who ran off while we were fighting. I think there were one or two squaws killed but I did not see them. They were killed in the fight. I never knew of anyone killing squaws or children who were prisoners nor did I ever hear anyone say that he had done so. I never knew of any one in any expedition that I was engaged in killing a squaw or child intentionally After the fight to which I have alluded we all four went to Mr. Hall's house together. I was with Capt. Jarboe's company nearly three months. He always treated, all the prisoners he had while I was with him kindly and fed them well and they stayed with him without being guarded.

Chesley Vaughn (his mark)

Sworn to and subscribed before me at Storms' Hotel in Round Valley this the 28th day of February 1860.
J. B. Lamar
Chairman of the select committee on Indian Affairs

Record F3753: 466 Deposition of George W. Jeffress

George W. Jeffress being duly sworn says I am 31 years of age, I am a Physician. I reside in Round Valley on the Nome Cult Indian farm, and am the Physician of this reservation, I have lived in this Valley Eighteen months.

When I arrived in this valley I heard that the Indians were killing stock and the whites were killing the Indians, I know that oftentimes parties were formed and went out from this valley for the purpose of hunting up Indians, but I do not know the result of those expeditions, excepting in one instance I heard a man by the name of Pat [illegible] say that he had killed three Indians that morning. This was on the first of Jan'y 1859, He assigned no reason for killing them, I do not believe that scarcely a week passed up to four months ago that I did not hear reports that Indians had been killing stock; there was a laborer, in this valley, at that time. There has been stationed on this reservation for about a year a company of from 15 to twenty soldiers, a part of the time under the Command of Major Johnson and a part of the time of Lieutenant Dillon, On one occasion application was made of Lieu't Dillon by Thos. B. Henley to send some soldiers out after some Indians who he claimed had stolen some of his hogs.

Leu't Dillon with several men went after these Indians and when they returned the Leut Dillon said that they had found the Indians that were accused and had killed two of them, who refused to come out of the rancheria. I went to the rancheria but witnessed no evidence of there being any hogs in these Indians possession.

I think the company of Capt. Jarboe was first started by S. E. Hastings and company who had a large number of stock ranging between the South Fork of Eel River and the Middle Fork + who thought the Indians were committing so many depredations on it that it was necessary to have a volunteer company for the purpose of protecting this property, and the lives of the men who they had in this employ.

By Hastings and company I mean Hastings, Hall + Robertson.

The preliminary steps of the organization of the company of Capt. Jarboe were taken by Judge Hastings at Robinsons Camp, I think in April 1859, who drew up a petition directed to Gov. Weller asking for the appointment of a volunteer force to protect the people and property in the vicinity of Eel and Round Valley.

I was there on my way to Fort [illegible] and had stopped at the place, when this occurred. I think Mr [illegible] Laycock was recommended as the Captain of the company.

After this there was a company formed under the command of Capt. Jarboe. The mountains surrounding this Valley is inhabited by Indians who are called the Yuka tribe and a portion of them the Wailaki tribe, the stock of the citizens of the valley range in these mountains unherded, to a distance of six or seven miles, of my own knowledge I do not know the amount of stock killed by the Indians, but I believe the account of stock being killed by the Indians is frequently exaggerated and this from instances within my own knowledge.

Cattle here like those in all other places die from starvation and disease and during the pest season I have seen several not only in the valley but in the foot hills outside of the valley, and I have known the Indians

on several occasions to come to the reservation and ask permission to remove the carcasses, to their rancherias to eat.

I think from my knowledge of the condition of the Indians that they kill stock for subsistence, but I have no doubt that in many instances they kill it for revenge.

The Indians have never made any foray or incursion in the Valley on the citizens. I do not consider them as hostile but rather as a set of cowardly thieving vagabonds, I do not consider that they are brave, when two white men can drive 25 of them, and shoot them down while they are running. I know the fact that white men are in the constant habit of traveling through these mountains alone.

I have never heard of these Indians attacking a white man or attacking a residence in this Valley.

From my knowledge of the condition of things in this vicinity I do not believe there exists a present necessity for the existence of an armed force here for the protection of property of the citizens. I think the citizens should take care of their stock.

I think there is no danger in a white man traveling the trails from here to Tehama or from here to Ukiah alone, but I would advise a man to go armed for I do not know what might happen, I would also advise a man to go armed who traveled in a country where there was a great many Spaniards.

I entertain no feelings of animosity against the citizens of this valley or their interests, instead I feel quite to the contrary.

Capt. Jarboe's company never brought any Indians to this reservation, and I never heard of his taking any at the Nome Lackee reservation. I think should have heard of it if he had. I have heard that he took Indians to the mountains reserve.

I never knew of an application having been made to the officers in command of the troops on the reservation for assistance, by any Citizen which was refused.

During the time I have been here I have heard of only one white man being killed by the Indians, His name was Bland, I knew Mr. Bland in his lifetime, he had a small ranch in the upper portion of Williams Valley. I cannot say anything derogatory to his character.

It is a very common occurrence here than when men want work handled to go to any rancheria in the vicinity or in the foothills and take the Indians and put them to work, in some cases there may be inducements offered to the Indians. I know Mr. Pollard, His reputation for truth and veracity is good in this community, I never heard his veracity doubted.

Upon several occasions the management of this reservation has been molested by citizens of this Valley. Fences have been torn down, and on one occasion a lock was broken and some squaws that had been confined by the overseer for punishment were abducted.

I know of a band of hogs running wild in the mountains in this vicinity on North Eel River, which were hunted and some of them killed by white men, I know this because I was one of the party myself. This was about or a little more than a year ago.

Geo. W. Jeffress

Subscribed and sworn to before me this 28th day of February of 1860 at the Nome Cult Indian farm.
Wm. B. Maxson
Assembly Committee

Record F3753: 467 Deposition of Isaac W. Shannon

Isaac W. Shannon being duly sworn says I am 34 years of age, my present occupation Farming, reside in Round Valley, have resided here since August 1857.

During the time I have been here I have lost 1 Ox – this was about the last of August 1858. I owned at that time about 12 head of Cattle – 40 head of Hogs and 10 head of horses – since then my stock has increased to about 200 hogs 13 horses and 17 head of cattle – my stock generally ranges within 2 miles of my residence – I live near the center of the valley – I do not consider my stock in as much danger of being killed as if they were running in the hills – I appealed to Col. Henley for remuneration for my ox as my Indians told me that Capt. [illegible] and Buckaroo Sam Indians from the Reservation had killed it – Henley replied that if he paid for one he must pay for all, and he would get himself into a pretty scrape- that I had better go and take satisfaction out of the Indians myself – I do not know that the Indians are committing at this present time depredations upon stock. There is as much talk within the last six weeks about the killing of stock as there was six months ago – I am in the habit of traveling through the mountains alone – I have never been attacked by Yuki Indians but I have by the Wailakis – They reside about 10 or 15 miles northwest of this valley. This was about 1 year ago – The Yukis charged the Wailakis with driving away stock – myself and three of them went out to see about it and drive the stock back – we were attacked by them and I was slightly wounded by an arrow – since that time I have heard no charge against the Wailakis for killing stock – I have traveled armed and unarmed in the mountains among the Yukis and have never been molested by them I have been out with the citizens at three different times hunting Indians, At the time Mantle was killed we went out and killed 14 Indians – we found the Pants of Mantle in the Rancheria I consider the Yukis as low thieves rather than hostile from the fact they will not from fear molest a man but from the complaint constantly being made I think them thieves.

I know of no depredations being made by any citizen upon the Reservation.

One Indian was killed upon my ranch by some of Jarboe's men – They said he Indian had deserted them. The Indian had lived with me from April 1858 until he was killed in Oct. last – This Indian had obtained permission to go into the mountains. He was taken prisoner by Jarboe, and carried to Eden Valley. There he escaped from them and returned home.

A squaw was also wounded at the same time – another squaw that went out at the same time I have never seen since – whenever I went out I always endeavored and did get the guilty Indians. – I think the force now stationed here sufficient in numbers to protect the lives and property of the citizens – I think there is some bad feeling existing between the citizens and the troops – I can hardly tell the reason – there is some hard customers here who have always done as they please and they do not like to be restrained. I generally stay at home and mind my own business – on the 1st of January 1859 a party of citizens came to my house and said that they came to kill my Indians because some Indians had been stealing – I told them that I wanted my Indians to work for me and they must not hunt them – One of the Party stated that they had killed some Indians at [illegible] and some at Bourne's – Bourne was of the Party – so was Pat Ward – Four or five of the Party were drunk. They told me to pick out the Indians I wanted to work and they intended to kill the remainder – They left my house without killing any.

As between the whites and the Indians I think the Indians have been most abused.

W. Shannon

Subscribed and sworn before me this 28th day of February of 1860 at the Nome Cult farm
Wm. B. Maxson
Of the Assembly Committee

Record F3753: 471 Deposition of William T. Scott

William T Scott being duly sworn deposes and says. I am 28 years of age and a farmer and stock raiser. I reside in Scotts Valley Mendocino County and within five miles of South Eel River and Robinsons Ranch have resided there one year –

Then Indians in the surrounding hills [his being] there and trade backwards and forward across Eel River with other Indians they are alike the Yuki in appearance. I have seen them on the North side of Eel River. We have had some 700 head of stock in my charge since the first of June last and of this number I have never lost any by the Indians

These Indians have been in the constant habit of crossing Eel River and hunting in the surrounding country until Capt. Jarboe's company was started when they were afraid to go there. I heard Capt. Jarboe told these Indians that if he ever caught them along the River he would kill them.

I know Mr. Hall of Eden Valley that sometime in May last I had a conversation with him touching the Indian difficulties in this section of Country. Mr. Hall attributed the origin of the difficulty with the Indians to the following cause. That a little more than one year ago he employed 18 Indians in plan of pack mules to go and pack loads from Ukiah City to Eden Valley and promised to give each one a shirt in payment the distance. I think is about 40 miles. Mr. Hall said he did not get the shirts at the time to pay them, the Indians commenced complaining at not receiving the shirts and he Hall whipped two of them to keep them quiet. He said he never gave them the shirts after he whipped them as they left him and did not come back for them.

Mr. Hall said previous to this time the Indians had never killed any of their stock but soon after they killed some of their stock – then Hall [illegible] hunters with him and commenced killing all the Indians they could find in the mountains when Hall met Indians he would kill them.

Mr. Hall said the Indians had killed two fine stallions one of which cost \$600 and the other \$1000. Said he believed the Indians who had done the packing for him had killed the stallions because no other Indians would have known enough to have selected the most valuable stock.

At another time I hear Mr. Hall say that he did not want any man to go with him to hunt Indians who would not kill all he could find because a knit would make a louse.

Mr. Hall said he had run Indians out of their rancheria and put strychnine in the baskets of soup or what they had to eat.

The above stated facts transpired before Capt. Jarboe's company was organized.

A few days after Judge Hastings drove up a large band of cattle sometime in April last he said he wanted the range for stock that he could never keep stock there while the Indians were there that he would have them moved to the Reservation where they belonged. Judge Hastings said they could have the Soldiers removed and have them replaced by a volunteer company if the citizens would petition the Governor and that the citizens of Round Valley ought to do that. Said the soldiers were good for nothing in the mountains against the Indians that the Indians would have to be removed by a Volunteer Company.

Judge Hastings solicited me two or three times to sign a petition for a Volunteer Company. I told him it was nothing to me and that I did not think the Indians would be so bad if the whites would let them alone.

Before Capt. Jarboe's company came there Mr. Robinson who had charge of Hastings stock applied to me and said if he could get five or six men to go with him that there was about three miles down the River a Rancheria, that they could kill off the old Indians and get the young ones and make something by it. That he was afraid these Indians would kill his stock if they had not already. Mr. Robinson afterwards told me that he had been to the Rancheria [illegible] and killed some of the and took one Indian girl that he would have killed them all if it had not been for a man by the name of Howard who went with him who claimed some of the Indians, and presented him for killing them. Robinson said Howard should not go with him again for he believed Howard was as bad as the Indians and that he meant to kill all the Indians on this side of the River he could find. This was prior to the formation of Capt. Jarboe's Company.

I resided at Scotts Valley with my Uncle we had a large amount of stock never lost any and never felt any danger.

I frequently hunted slept out along by a large fire and picketed out my horse and was never disturbed by Indians camped within a half a mile of Indians camped within a half a mile of Indians.

I have lost about fifty head of stock from natural causes but none from Indians. As I believe some have died from getting into gulches want of good feed some from diseases. I know Indians eat the carcasses of animals found dead.

I saw three head of Hastings cattle dead from poverty or starvation on his range in August last.

I was solicited by Capt. Jarboe to come with him or join his company with 2 others residing with me he Capt. Jarboe said we could all three join and stay part of the time at home and part of the time with the company and our pay would go on all the same. Deponent told him he thought that would be swindling the state. Capt. Jarboe said the amount would be so small that it would never be missed. I told Jarboe that I did not like from report the manner he was conducting the war, he requested me to go a few days with him and see for myself. I went with him remained for five days Capt. Jarboe's orders to his men were to kill all the Bucks they [illegible] could find and take the women and children prisoners and if they got sight of an Indian never to lose sight of him as long as they could follow the track. The first we met while I was with Capt. Jarboe were two Indians about one half mile distant appeared to be gathering acorns unarmed. Capt. Jarboe send his men to surround them and be sure to get close enough to make good shots and kill them one was killed and the others escaped, this was on the Range claimed by Judge Hastings five miles from Eden Valley – on one other occasion a part of Jarboe's Company pursued two Indians the Indians hid in the rocks near the River they surrounded the place and sent his dog after the Indian to drive him out of the rocks the Indian shot the dog dropped his bow and arrow and plunged into the River and was shot in the water while endeavoring to escape. The Indian was hunting as he had the head of a deer stuffed used by them while hunting.

The Indians I think kill stock for the purposes of using it for food owing to the larger number of cattle in that section of country their usual resources to a great extent had been cut off they Indians eat clover + wild oats grass seeds and acorns.

I think an armed force is necessary to protect the stock. I think the Indians will have to be removed as they cannot subsist with that amount of stock in that section of country consuming the clover grass acorns and

wild oats which they have hitherto subsisted on – an armed force would be useful only in protecting the stock by exterminating the Indians

There is hardly any food in the mountains the Indians can get.

I know that Mr. Hildreth and Robinson belonged to Capt. Jarboe's company and that most of the time were on the Range attending to the stock on Hasting's Range.

The Beef for Jarboe's Company was mostly killed from Hastings Cattle and one day while they were killing some I heard Jarboe tell Robinson when they guessed a beef to weight 400 he Robinson might put it down 700 as the state would have to pay the bill anyhow, they had no scales to weigh beef and usually guessed at it.

Capt. Jarboe told Robinson that when his men stopped there and eat to charge six bills per meal.

Capt. Jarboe made a proposition to me to take some goods as a sutler to supply his company such as liquors, sugars oysters sardines crackers [illegible] shirts + cards and other articles Jarboe said he would not be in the business that I should charge a good price that he would collect the money once the profits should be divided between Jarboe Robinson and myself and further that I should share with them the profits on the beef over and above the regular price – Capt. Jarboe said he would collect my bills and charge them as bills for provisions

The Indians often visit my house I have treated them kindle and in a conciliating manner and to this fact I attribute the safety of my stock from Indian depredations. I believe that with a fair degree of kindness towards the Indians these depredations would generally be avoided much of the stock that has been killed has been killed through revenge as I believe

I have men offer to give me Indian children to send below if I could get in return for them presents to the value of fifty dollars as they said it was against the law to sell them.

W. J. Scott

Sworn to and [illegible] before me this 2nd day of March 1860 at Cloverdale, Sonoma County
Wm Maxson
Of the Assembly Committee

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APPENDIX E: TRANSCRIBED LETTERS, PETITIONS, AND MEMORIALS³³¹

Record F3753: 354 G. H. Woodman to Gov. Weller

To his Excellency Milton S Latham
Governor of the State of California

Sir

in behalf of the residents of Long Valley (and vicinity) of Mendocino County and as a citizen of aforesaid locality to beg leave to make the following representation relative to the Indian disturbances that there exist.

³³¹ The following letters, petitions, and memorials were transcribed from longhand originals held in the State Archives of California, Office of the Secretary of State. Where possible, I have corrected spelling in the pursuit of readability. In situations where text was impossible to transcribe, [illegible] is used to indicate this case.

The Indian tribes are now and for some time past have been constantly committing depredations upon the persons and the property of citizens who have given no cause for their hostility. Since about the 20th of September last they have killed three white men and about one hundred and fifty horses and about three hundred head of cattle. They have made frequent attempts to fire on our houses and announced their determination openly to wage a war of extermination against the whites and their stock. The different tribes having formed an alliance are now sufficiently powerful to cause us the most serious apprehension for the safety of our selves + families indeed unless we have some protection against the outrages of these savages we will be compelled to abandon our houses. Since the commencement of the hostilities the men of Long Valley formed/maintained themselves into a company for their mutual protection and performed alternately the duty of guarding and protecting themselves against the incursions of the Indians, these duties they are unable to longer to perform and therefore ask your Excellency to call the attention of the Legislature to the subject of our grievances and afford us whatever relief is in your power. It is my opinion that a company of fifty men can in ninety days completely subdue these hostile tribes and restore peace + tranquility. The foregoing facts I affirm are correct and true.

G. H. Woodman

Record F3753: 356 Lt. Dillon to Maj. Johnson

Round Valley, Cal

March 23, 1859

Major,

Sir:

I have the honor to report, that on the 11th inst, I went with ten men to look for the Indians supposed to have stolen the hogs, mentioned in my last letter to you.

On the morning of the 12th, I discovered fresh Indian sign[s], going from that part of the valley from which the hogs were taken, and following the trail came upon a hut some 12 miles from this place, and near the forks of the Eel River.

I surrounded the hut, and told the Indians, through a citizen, who accompanied me as guide and interpreter, that I wanted them to come out and go to the Reservation with me, and that I did not intend to hurt them. The squaws came out, but the men could not be induced to do so. I then ordered one of the men to take a pole and push down the top of the hut, expecting that would bring them out; in doing so the man "Patterson" exposed himself and was shot with an arrow in the breast, as I then thought mortally wounded; not choosing to expose the men more, I made the squaws set fire to the hut, which caused the Indians, 2 in number, to break to run, but they were both shot; one before he had fairly got out of the door, and the other within a few paces of it. I was very anxious to talk to these Indians without shooting them, but under the circumstances it could not be avoided. I do not blame the Indians however, for I supposed they expected to be killed anyhow, and as they have been deceived before, it is not strange that they should be incredulous of promises of safety.

I had to leave Patterson, out there as the road was terribly rough, and I was afraid to bring him in. I came in immediately, and sent the Doctor out that night, and employed the man the man who went with me as guide; to show the doctor the way. The wound though severe, was pronounced by the doctor not dangerous, and the man has recovered as far as to be able to ride in yesterday: he is still weak and suffers some pain, but I hope in the course of two weeks, will be entirely well; the arrow entered between the 3rd and 4th rib, about two inches over the heart, and [had] the Indian been on a level with, instead of being below the man, it would have penetrated the lung; but entering at an angle it only grazed it.

The day after this thing happened, Mr. Hall came in from Eden Valley, and told me that the Indians several days previously had killed 3 cows, and a fine stallion which cost, he says, one thousand dollars.

I told him that provided the settlers would not make up a party to hurt and kill these Indians, I would try and bring them in, or at least drive them off some distance, but if they intended to take the matter into their own hands, I would have nothing to do with it. He proposed to go with a party of citizens down one side of the River, while I went on the other; this I agreed to do, and went out accordingly, I did not see an Indian, and the water was too high to cross; neither did I hear anything of the other party, but they have returned, and I understand one or two Indians, without bringing in any, which they said was their object.

The Storms found an arrow in one of his horses a few days since, and I have no doubt, but that some stock has been killed by the Indians this winter. On the day before yesterday, Mr. Battles at the upper station, was out in the field and saw a man going towards the Rancheria; shortly afterwards he heard cries in that direction, and making towards it, saw a man get on his horse and run off; he is almost sure he can identify the man, as he was within one or two hundred yards of him. The Indians then told him that this man had come up and forcibly taken a little squaw off behind some bushes, where Mr. Battles found her lying, her person torn and bloody.

The Indians say that this man drew a knife on some of them who attempted to interfere, and that they knew him.

Mr. Battles started over to the cabin of the man he believed it to be, but nobody was to be seen, and everything indicated that the owner had taken hasty departure. There is no doubt that between the Indians and Mr. Battles, the perpetrator of this fiendish act, can be identified; but I told Capt. Storms that I could not do anything, for the man lives off the reservation: even if he was on the Reserve, I do not see that I could do anything under my last order, for I am not aware that any citizen has a right to arrest another, under any circumstances, except perhaps when he is an eyewitness to a capital offence.

This man's name is supposed to be Murphy, being about a mile from Mr. Battailles' house, and the victim is a Yuki girl some 12 or 14 years of age, perhaps younger.

Although in neither of the written orders received, is anything said about my affording any protection to the citizens, or taking any means to punish Indians, who commit thefts; yet I consider myself obliged by the verbal orders given me at first, to do anything in my power to put a stop to their depredations.

I am unable however to do more than take a party out in the mountains occasionally, with the expectation of bringing some of them in or at least of frightening them off.

I would like to have one or two mules to pack on such occasions as these, and have on previous occasions had to use Indians and feed them.

I also want to make a garden here if there is any possibility of my being here this summer, and should like to have a variety of seeds, and plenty of them, especially melons of all sorts, which they say grow finely here; the mules in this case will be needed to plough. The men want some occupation badly, and I think it would be a good plan even if we derive no benefit from it; no time should be lost in beginning it. I will give an order on Carlin for twenty dollars the amount I agreed to pay the man for guiding the doctor back to place at which Patterson was shot.

April 2nd, Smith arrived here day before yesterday, with his pack train, he told me he saw Lieut Carlin as he went down, and that you then expected to send me an express in a few days.

I have said above that the party that went to Eden Valley to hunt Indians, returned having killed two; this is a mistake, for only a portion returned, leaving the larger number in Eden Valley, where they have been nearly two weeks hunting Indians, and although I cannot of course make the statement as a fact, yet it is currently reported here, that two hundred and forty Indians were killed, and I have been told by a reliable man as there is in the valley, that one of the party had said they killed that number. Mr. Hall was here a day or two since, and asked me if I intended to do anything in the matter; I told him I could do nothing, and would do nothing; that after his exploit, he could expect no sympathy, if Indians should kill every head of cattle or stock in the valley. He said that the citizens intended to organize a company, to go out and hunt the Indians to extermination; and I have no reason to doubt that it will be done. On last Sunday Thomas Henley went over on Eel River, with some of his employees, and finding some huts surrounded them, and sent an Indian in, to tell the Indians to come out and come in to the Reservation; that they would not be shot; four bucks came out, but one of them professed to be lame and unable to walk; whereupon Mr. Henley, either shot him, or had him shot; the other three Indians came back with him. Mr. Henley does not charge these Indians with having stolen anything from him, but says they were too near to him, and is afraid they will steal; he says he killed the Indian because he looked like a bad Indian, and he did not want to leave him. The three Indians who came in, say that all the rest of their band would come in, but they are afraid. I told the interpreter to tell them to go out, and tell all the Indians they could find, to come in, or they would be killed by the citizens, but would be protected here. Night before last fifty seven came in, and I think it likely that before long more will follow.

April 4th. Last night some forty Indians came in, and they say that all the Eden Valley Indians will come in. I received this morning the within note from Mr. Hall, and shall send a few men over to Eden Valley to stay till I receive some instructions from you in regard to this matter. I hardly think that he is in any danger; yet I am sure, that should I refuse to comply with his request, some handle would be made of it. I shall give the men a week's provisioning and direct the corporal to return at the expiration of that time, unless he receives orders from you to remain or unless the Indians show a disposition to attack Hall. It would be very difficult for me to send them rations from this place, as I should have to hire horses to get them across the River, which is barely fordable. I shall have to hire horses now for that purpose, as well as one to take the man who carries this letter; for the horse I have is unfit to go, having been hurt when last in Eden Valley. Should the River get low enough for the men to wade it, I may go to Eden Valley in a few days, and try to get those Indians in, for I think they will all be killed if they do not come in.

Very respectfully your obedient servant
Edward Dillon,
2nd Lieutenant, 6th Infantry
Commanding Detachment [F?] 6th Infantry

[To:]
Brevet Major Johnson
6th Infantry Commanding
Fort Weller,
California

Record F3753: 360 Petition of Round and Eden Valley Settlers to Gov. Weller
Robertson's Camp South Fork Eel River April 24th 1859

To His Excellency Govr Weller

The undersigned residents of Round and Eden Valley submit the following statement that the country on and between the North & South Forks of Eel River surrounding Eden Valley and bordering on Round Valley is inhabited by a numerous tribe of hostile Indians known as the “Yukis” who have been for the last two years not only at open war with the white inhabitants but with all the other tribes of Indians in this region of country.

These Indians have within the last two years killed at least seventy white inhabitants have destroyed at least \$40,000 worth of property of the Inhabitants of Round Valley and within the last two months at least \$5000 worth of property of Eden Valley.

That these Indians attack on sight every man who travels over this country unarmed – That the inhabitants have exhausted all means of defense against the depredations of the Indians & will be compelled to abandon this country unless some remedy is immediately adopted by the state authorities.

That the only remedy which the undersigned can suggest is a small company of volunteers not to exceed twenty men armed with rifles and revolvers. That this company can be raised in one hours’ notice and we would recommend Dryden Laycock or some other person, be elected by the Company as a suitable person & commander.

The services of this company would not be requested for a period of over three months.

9 signatures, including Hall and Robertson

Record F3753: 361 Petition of Round and Eden Valley Settlers to Gov. Weller

Robertson’s Camp South Fork Eel River April 24 1859

To His Excellency Gov. Weller

The undersigned residents of Round and Eden Valleys submit the following statements that the country on and between the North and South forks of the Eel River surrounding Eden Valley and bordering on Round Valley is inhabited by a numerous tribe of hostile Indians known as the “Pau Pao” who have been for the last two years, not only at open was with the white inhabitants, but with all the other tribes of Indians in this region of country. These Indians have within the last two years killed at least seventy white inhabitants, have destroyed at least \$40,000 worth of property of the inhabitants of Round Valley, and within the last two months at least \$5000 worth of property of Eden Valley.

That these Indians attack on sight every man who travels over this country unarmed. That the Inhabitants have exhausted all means of defense against the depredations of the Indians & will be compelled to abandon this country unless some remedy is immediately adopted by the State authorities.

That the only remedy which the undersigned can suggest is a small company of volunteers not to exceed Twenty men, armed with Rifles and Revolvers.

That this Company can be raised in an hours’ notice, and we would recommend Dryden Laycock or some other person selected by the company, or a suitable person to command it. The services of the Company would be required for a period of over three months.

9 signatures, including Hall and Robertson

The undersigned having been in this country about two weeks personally knows the facts stated by the [illegible] and others to be true.

Eel River Country
April 24, 1859
Thos J Henley
Sup Ind Aff
Jos Tobin
S. C. Hastings

Record F3753: 362 Gov. Weller to Gen. Clarke

Executive Department
Sac April 29th 1859
Genl Newman S. Clarke
General Commanding Cala Division U.S. Army

Sir

I send herewith a copy of a petition signed by a number of the citizens of Mendocino County in regard to Indians difficulties. It is represented to me the Federal force now stationed in that county is wholly inadequate to give protection to the whites against hostile Indians.

I desire to ascertain the number and character of the troops now in that county and whether (if the present is insufficient) you can increase the force so as to give security and protection to the people in Round and Eden Valley.

Very respectfully
Your Obedient Svt
John B. Weller

Record F3753: 363 S. C. Hastings to Gov. Weller

San Francisco May 4th 1859

Gov Weller

I have a report direct from Eden Valley of further depredations by Indians since I left there.

The Indians attacked and killed 2 Mares + colts picketed at Mr. Collins, there being a Post of Major Johnsons Co of Infantry in the Cabin at the time.

In do not think that the Indians would have done this but for the presence of the troops who you will see from Leiu Dillon's Report are the friends of the Indians, and appear to be engaged in a campaign against American Citizens settled in this Country.

Now sir I have purchased of the State of California Eden Valley with School Land Warrants. I have by the laws of this State the right of possession – I demand protection of the State.

I am attacked by Indians in front and the tax collector in the rear. If you delay for reply from Genl Clarke I fear that very serious depredations will be committed.

I did hope that at least our State Government could afford to investigate the grievances which I have laid before your Excellency, If thought advisable to send some Gentlemen to Eden + Round Valleys to make such an investigation I will be happy to afford him any facilities – I may be found at Benicia.

Yours Truly + c
S. C. Hastings

Record F3753: 364 Lt. Churchill to S. C. Hastings

Office of General Comdg Dept of California
San Francisco, April 30, 1859

Sir,

In reply to your letter of this date I have the honor to inform you that the disposition of the troops now in California is as follows:

At Fort Umpqua.....1 Company 3rd Artillery
“ “ Humboldt & vicinity.....2 Companies 4th & 6th Infantry
“ “ Weller.....2 officers & 40 men “ “
“ Round Valley.....1 “ & 16 “ “ “
“ Mendocino.....20 men “ “
“ Benicia Barrack.....1 Company “ “
“ Fort Tejon.....1 “ 1st Dragoons
“ “ Yuma.....3 companies 3rd Artillery
On Mohave Expedition ..7 companies 6th Infantry
Escorting Major Prince to Dept of Utah...1 company 1st Dragoons

I am unable, being only in charge of this office, to state whether or not any of the troops are unemployed.

Genl Clark, Commanding the Department is now in Los Angeles also Major W. W. MacKall, assistant adjutant General.

I am Sir, very Respectfully
Your Obedt Servt
Charles C. Churchill
1st Lieut 3rd Art
In Charge of Office

To: Hon S. C. Hastings, &c &c&c San Francisco

Record F3753: 365 S. C. Hastings to Gov. Weller

San Francisco, April 30, 1859
Gov. Weller

Dear Sir,

I am here in the Adjutant Generals office and am told that no reply will be made to your letter of yesterday until it is forwarded to Genl Clark who is in Los Angeles in command of his troops against the Mohaves - & to get the information before you which you request, I have addressed a note to Charles Churchill, 1st Lieut, who is in charge of the [illegible] [illegible] office & he has given me the reply which I send to you.

If Genl Clark receives yours and his reply would be the same

The fact is now established in a Semi Official manner it is true that the Government of the United States has not any disposable forces in California capable of moving against the Yuka Indians with any prospect of success for as I said to you yesterday, And as a Military man your Reserved Infantry cannot attack Indians scattered over the Mountains of Eel River in small bodies concealed in Chaparral, Cactus, & [illegible] bushes

You will see that all the forces are now occupied even the company of Infantry under Major Johnson are needed to protect the Round Valley + Mendocino Indian Reservations.

I hope you will send some gentlemen [illegible] to Round Valley, with power to put into the field the small force of 15 or 20 men volunteers. Ask this gentlemen come down on the Monday night boat to San Francisco I will meet him on board at Benicia to come down with him. He will have then to go to Petaluma & can take the Stage to Cloverdale Where he can procure a horse. I think the emergency is great for immediate action & that delay is equivalent to defeat. I will see that the men are provided with ammo

I know that the people of Round Valley will soon be looking daily for orders from your Excellency for the employment of the volunteers for their relief.

Your Obt Svt
S. C. Hastings

Record F3753: 366 S. C. Hastings to Gov. Weller

San Francisco, May 4th 1859

Gov. Weller

I have a report direct from Eden Valley of further depredations by Indians since I left them

The Indians attacked and killed 2 Mares & colts picketed at my cabins There being a part of Maj Johnsons Co of Infantry in the cabin at the time

I did not think the Indians would have done this but for the presence of the troops who as you will see from [illegible] Lieu Dillon [illegible] are [illegible] friends of the Indians and appear to be engaged in 6 campaigns against the American citizens settled in this country.

Now sir, I have purchased of the State of California Eden Valley with school land warrants – I know by the laws of the state the laws of possession. I demand protection of the State. I am attacked by Indians in front and the tax officers in the rear.

If you delay for reply from Genl Clark I fear that very serious depredations will be committed. I did hope that at least our State Government could afford to investigate the grievances which I have laid before your Excellency.

If thought advisable to send some gentlemen to Eden + Round Valleys to make such an investigation I will be happy to afford him any facilities I may be found at Benicia.

Yours respectfully sir
S. C. Hastings

Record F3753: 367 S. C. Hastings to Gov. Weller

San Francisco April 30, 1859

Gov. Weller

Dear Sir,

I am here in the Adjutant Generals Office and am told that no reply can be made to your letter of yesterday until it is forwarded to Genl Clark who is in Los Angeles in command of the Troops against the Mohaves + to get the information before you which you want I have addressed a note to Charles Churchill First Lieut who is in charge of the Adjutants Genl Office + he has given me the reply which I send to you. If Genl Clarke were present the reply would be the same.

The fact is now established, in a semi Official manner it is true that the Government of the United States has not any disposable forces in California capable of moving against the "Yuka" Indians with any prospect of success for as I said to you yesterday, and as a military force you know Infantry cannot attack Indians, scattered over the Mountains of Eel River In small bodies concealed in Chaparral Canons + chemere bushes.

You will see that all the forces are now occupied even the Company of Infantry under Major Johnson are needed to protect the Round Valley + Mendocino Indian Reservations. I hope you will send some Gentlemen immediately to Round Valley with power to put into the field the small force of 15 or 20 men Volunteers. Let this Gentleman come down on the Monday nights Boat to San Francisco. I will meet him on board at Benicia + come down with him. He will have then to go to Petaluma can take the Stage to Cloverdale, where he can procure a Horse.

I think the Exigency is great for immediate action + that delay is Equivalent to defeat. I will see that the men are furnished with arms. I know that the people of Round valley will soon be looking daily for orders from your Excellency for the employment of the volunteers for their relief.

Your truly +c

Record F3753: 368 Gen. Clarke to Gov. Weller

Headquarters Dept of Cala
San Francisco May 13, 1859

Sir,

Your letter of April 29th was received by me at Los Angeles, having previously sent you a report in relation to the Indian troubles in Mendocino. I delayed my reply hoping that I would hear further from you on that subject.

I have now the honor to inform you that in Round and Eden Valley I have a detachment of sixteen men and on Russian River another of thirty.

The detachment has been in Round Valley since the 1st of January last, and the officer in command has not been able to ascertain that a single white person had been killed since his arrival, and I therefore argue that there is reasonable protection.

I have troops at my disposal in California amply sufficient to protect the citizens of Mendocino but until satisfied that their presence is needed I do not feel authorized to add to the public expenses.

I am Sir,

Very Respectfully
Your Obt Servt

F. S. Clarke
Col. 6th Infantry
Bvt. Brig Gen.
Comdg

His Ex. J. B. Weller
Governor of State of California
Sacramento

S. C. Hastings

Record F3753: 370 Petition by Citizens of Nome Cult Valley to Gov. Weller

Nome Cult Valley
June 10th 1859

To His Excellency
John B. Weller
Governor of California

Sir,

We the undersigned Citizens of Nome Cult Valley Cal. knowing that various statements have been made in regard to Indians affairs at this place, desire to state our opinion in regard to it.

It is well known that the Indians in this vicinity have destroyed a very large amount of property the value of which it is impossible to estimate accurately – They have also killed a number of men to our certain knowledge, and traces have been found of their having killed others. We would also state that it is our candid opinion that the representations made to your Excellency by Chas. H. Bourne, W. Robinson and others in their memorial to you are true and correct as far as can be ascertained. We would respectfully ask that the desired aid and protection be Extended to the Citizens of this Valley.

Ever since the settlement of this Valley the Indians have committed their depredations with a degree of success and boldness hardly credible to one not cognizant of the facts.

In several instances they have come to the very door of our houses and taken away as many as twenty head of Hogs out of the Corral, and driven them off. They have also killed stock in the Valley in the day-light and have committed innumerable depredations under cover of night.

At first it was the policy of the Citizens to treat them leniently in the hope of getting them to go on to the Reservation and live peaceably. But finding that would not do, we adopted more sever measures, and to those unacquainted with the circumstances that controlled our actions it may seem that we have been unnecessarily severe, yet we feel that we have done nothing but what necessity actually compelled us to do.

When the detachment of troops now here, first came to this place, Everyone was highly pleased at their presence, for we believed that we would then be relieved of the troublesome and unpleasant duty of guarding and protecting our property against the hostile Indians, but so far from that being the case, the indifference manifested by the Officers in command has encouraged rather than checked the Indians in their outrages.

When Major Johnson came here he did not ask the cooperation of the Citizens, but told them that he would manage the matter in his own way, though he kindly gave us Permission, in case any stock was driven off by the Indians to follow them if there was a chance to recover the property, but we were not allowed to molest the Indians.

It was Major Johnsons professed idea to bring the Indians into the Reservation and detain them there, but there has been only two efforts made to carry out that policy since the troops came here and they have succeeded in bringing in only Eighteen (18) Indians all told; three fourths of whom were squaws and children. The whole course of conduct of the Officers in charge at this place has been strangely inactive and they have manifested no disposition to subdue the Indians, or afford any protection to the Citizens.

In view of the above facts we cannot reply upon the U.S. authorities for any assistance, and we are reluctantly compelled to call upon your Excellency for protection of our lives and property.

We are anxious that some steps should be taken in this matter before the scenes they have recently been enacted in the Sacramento Valley on Antelope Creek are enacted here. The Indians have already a good many arms among them, and they are growing worse as they become Enlightened by contact with the whites; and unless some steps are taken very soon to subdue them, in some future time it will cost a great deal both of money and lives to do it. The raising of a volunteer company, we regard as the most Effectual and speedy manner of bringing these difficulties to a close; and we hope that your Excellency will Exercise your authority to cause a Company to be raised.

In regard to the memorial gotten up at this place, denying the truth of the statements made by C.H. Bourne, W. Robinson and others we would simply say, that it was signed by only seven Citizens of the Valley. The remainder of the signers are employees on the Reservation, nonresidents of the place and Soldiers.

When the news was first received here, that authority was given to raise a Volunteer Company, these same Citizens above referred to were among the first to come forward and Offer their services, And they were very desirous to have the Company raised. What has caused such a sudden change in their views and opinions we are unable to ascertain.

Twenty-two signatures (evident on copy)

Record F3753: 371 Memorial of the Settlers of Eden and Round Valleys to Gov. Weller

Eden Valley & Vicinity

July 11th 1859

The undersigned have agreed by unanimous consent to select Walter S. Jarboe Esq as Captain of our company of volunteers against the Yuki Indians in place of Dryden Laycock who declines to serve.

17 signatures – includes Henley, Bland, Hall, Robertson

At a meeting of the citizens of Eden Valley and South Eel River at Robertson's Ranch July, 1859 it was resolved – That the attack of the Yuki Indians upon E.L. Hall on the 8th last and upon [illegible] on the 7th that and their raids cause such destruction of horses and cattle demands immediate action –

That Dryden Laycock having declined to organize a force against these Indians we unanimously recommend W. S. Jarboe, Esq. as the Capt. of an Expedition against the Indians (in whom we have all confidence) –

That all persons present be requested to sign the paper herewith presented who are willing to serve under Wm. Jarboe

That these proceedings be [illegible] and forwarded immediately to His Excellency Gov. Weller

Wm Robertson

[Illegible]

[Illegible]

[Illegible]

Record F3753: 379 William Robertson to S. C. Hastings

Eel River Aug 26th 1859

Well Judge since I wrote to you a few days I have been all amongst the cattle and horses and have found several dead and a good many wounded with arrows and some more missing horses [illegible] I think the Indians kill several head every day I miss a good many of our cattle they have killed some of our [work?] cattle I think I can't find them I am going to Eden tomorrow again and shall get all the stock and bring it to the Hildreth Ranch I think it is some better but the Indians will soon follow they are determined never to let up as long as there is any animal left Capt. Jarboe and Hildreth have not returned yet when I get to Eden tomorrow I will send for Hildreth to assist me in getting the stock all over I don't suppose the Henley Boys will come. Judge if you knew how much we lost a day here you would come here mighty quick or tell me to move the stock some where I have nothing to lose but I don't want to lose for you and I won't If you will take my advice If I had them where I could stand guard over them I would rather than lose all of these. Write to me immediately & tell me what to do. I could tell you more but it [illegible]

But Still Respect Yours

Wm Robertson

Record F3753: 382 Gov. Weller to Jarboe

Executive Department

Sacramento Sept 8th 1859

W. S. Jarboe Esq

Sir,

I deem it proper to instruct you that your operations against the Indians under my order of the "6th" must be confined strictly to those who are known to have been engaged in killing the stock and destroying the property of our citizens.

Human life must not be taken when it can possibly be avoided and the women and children under all circumstances must be spared. If prisoners are taken they must be turned over to the Superintendent of Indian Affairs at Mendocino.

The information which I have secured satisfies me that there is only a small band of these Indians engaged in committing outrages upon the whites and you should be careful to discriminate between the innocent – and the guilty – an indiscriminate warfare against the whole tribe could not be justified by the facts now in my possession.

Very Respt

Your Obt Sr

John B. Weller

Record F3753: 385 Jarboe to Gov. Weller

Eden Valley Sept 16 1859

To His Excellency John B. Weller

I have the Honor to report to your Excellency I have this day enrolled in the service of the State Twenty men, I believe them to be insufficient to accomplish the heavy task now before them.

If I had forth men in the field, I could in a very short time take every hostile Indian out of Shasta Mountains.

I have the honor to be
Your most Obedt Servant
W. S. Jarboe

Record F3753: 388 Jarboe to Gov. Weller

Elk Creek Oct 1st 1859

To his Excellency John B. Weller Governor of the state of California

I have the honor to report that on the 20th day of Sept I left Eden Valley and took a Northwest course on the 25th I had a fight near the forks of Elk River in which I killed twenty five Buck Indians and took 20 prisoners the Indians had three Horses in camp that they had just killed. I had a valuable dog killed by an arrow was all the loss I sustained.

On the 28th I surprised a party of 80 Indians on South Eel River about 12 miles from Eden Valley and took them all prisoners without the fire of a gun. I have sent them all to the Mendocino Reservation.

The country inhabited by the Indians is extensive and they have all declared their determination to kill stock and the whites as long as they can. I have just received a petition from the citizens of Long Valley calling on me for help. It is 8 miles west of the country I am ordered to range in by your Excellency I have observed your instructions strictly and have only 20 men at my command hardly sufficient to protect the country I am order to range in. With an additional 20 men I think I can give sufficient security to life and property and prevent any future depredations.

A great many Indians have left the South Branch of Eel River and have collected on mane Eel River about 25 miles North West of Long Valley they have prepared to fight and sent me word to come but they are grate cowards and I think after the first [illegible] I will be able to take them prisoners.

Respectfully
Your Obedt Servant
W. S. Jarboe

Record F3753: 390 S. C. Hastings to Gov. Weller [undated]

If these documents were given to me yesterday at Ukiah City I have lost them this morning in coming over the mountains but possibly I left them at the clerk's office in Ukiah City and will be sent to you by post. I suppose Capt. Jarboe will report to you the conflict with the Indians in Long Valley –

I am reliably informed that the Indians followed Jarboe's troops to the cabins of Long Valley discharging [illegible] to—

After the conflict the people elected Jarboe their captain of which I presume you are duly informed – Jarboe was not present and his competitor was [illegible] Jarboe beat him two to one – The truth is Jarboe is the only man in this mountain who can command the volunteers for if you [drop] him 100 captains will spring up (all brave)

I think that Jarboe's company should be filled immediately and if your excellency deem it admissible to do so & will forward your orders to my address at Benicia I will immediately send for express Capt Jarboe I mean I will employ a messenger as [illegible] to carry the orders [illegible]

Your Srvt +c +c
S. C. Hastings

P.S. Offices who signed the statement which I supposed as my [illegible; four names given]
SCH

Record F3753: 392 Jarboe to S. C. Hastings

Round Valley Oct 7th 1859

Friend Hastings

Sir I have just arrived here with 17 of my men and will attack a Rancheria on the 9th Just 25 miles north of this place supposed to contain 500 Wailaki Indians. Woodman has had 200 Horses drive off by them and I think I can recover what is not killed if I succeed in Whipping them.

John Bland of this Valley was killed last week my force is [insufficient?]to chastise all the Indians in this portion of the country in six months.

I think I will have to Build Winter Quarters some place north of this as the Indians are gathering in great numbers north.

I haven't time to give you all the particulars at present will write again soon.

Yours Respectfully,
W. S. Jarboe

Record F3753: 398 Jarboe to Gov. Weller

Eden Valley Oct 16th 1859

To His Excellency John B. Weller

I have the honor to report that on the 12 Inst I found the remains of John Bland who was killed by the Yuki Indians on the 7 Inst 25 miles North of Round Valley. I attacked the Indians encampment the same night killed eleven Buck Indians took six Bucks and twenty seven squaws prisoners. They confessed killing Bland by burning him at the stake also killing a Number of Horses.

Arrived here on the 15th with the prisoners on route for the Mendocino Reservation About 12 O clock last night they attempted to kill the guard and made their escape they failed killing the guard and up to the present I have only been able to retake fourteen of them E.M. Haurell a private in my company deserted on the 4 Inst.

I find it very difficult to take prisoners and when I do take them the only way that I can keep them is by tying them and march them tied together. I have called on Lut. Dillon of Com D 6 Inf Round Valley According to the requirements of your Excellency to cooperate with me against the Indians for killing Bland and other outrages against the whites but he passionately refuses to aid me in chastising the Indians for any offense.

I have the honor
To remain your Most
Obed Servant
W. S. Jarboe

Record F3753: 399 Gov. Weller to Jarboe

Executive Department
Sac Oct 23rd 1859

Capt. W.S. Jarboe

Sir,

Your communication of the 16th inst has been received. In consequence of some information which I have received from Mendocino County I must again call your attention to my instructions of the 8th Sept. Your company was organized to protect the lives and property of the Citizens in certain localities and not to wage a war of extermination against the Indians. You will therefore place your command upon the defensive and take care that none but the guilty are punished. I cannot believe that the great body of the Wailakis have been engaged in committing outrages upon the whites and the innocent ought not to suffer – A war of extermination against the whole tribe because of the acts of a few bad Indians would be wholly unjustifiable. If you have any prisoners in your possession who participated in the recent murder to which you refer they must be turned over to the civil authorities for trial.

Respt
Your Obed Sr
Jms B. Weller

Record F3753: 400 Jarboe to Gov. Weller

Robertson's Ranch Oct 28/1859

To His Excellency John B. Weller

I have the honor to report to Your Excellency That on the 23 Inst I had an engagement with an encampment of Indians a few miles North of Round Valley killed 9 and took 30 prisoners they had a portion of a Cow they had killed belonging to Master Cabot of Round Valley

On Tuesday the 25 I surrounded a Rancheria of 70 Indians they were well prepared to fight I treated with them and on Wednesday they surrendered and started with me for Mendocino Reservation ten of them broke away last night I have ninety with me to day

I discharge William Daley one of my company Yesterday for disobedience and imprudent conduct with a squaw.

I have the honor

to remain your obet
Servant W. S. Jarboe

Record F3753: 402 Jarboe to Gov. Weller

Dec 3 1859

Headquarters Eel River Rangers

To his Excellency
John B. Weller
Gov. State of Cal

Sir

In compliance with former instructions, I have the Honor to submit my sixth report, and also acknowledge the receipt of your letter dated Nov 10th

I left Headquarters for Long valley on the 7th inst with 18 men on receiving information from Citizens of Round Valley that Indians were committing depredations killing Stock in great numbers etc on the 18th. I sent Mr. Birch with 8 men to their relief. I continued on to Long Valley with the balance of my command (10 men) same day came upon a Rancheria on South Eel River. Killed 3 Bucks and took 6 prisoners I sent one of them out as another Experiment to induce his tribe to come to my camp and have a talk and treat for peace. On the 18th a violent storm came on snowing and raining tremendously. In crossing the river discovered a band of say 20 Indians, they approached 10 ½ miles distant and made some hostile gestures but owing to the severity of the Storm and the fact that I must of necessity proceeded to Long Valley for provisions, of which I was extremely short I did not think it advisable to pursue them. The Indian that I have sent out on a mission of peace was no doubt at their head and as had been the case often before in sending friendly messages to them by one of this tribe he has never returned. I arrived in Long Valley on the 20th where your letter reached me. The citizens of the Valley were much alarmed at the continual thieving and killing stock by the Indians and desired me to chastise them if possible. A Cow had been killed the night previous within 200 yards of a House. I at once ordered 8 men under Mr. Pool to proceed and punish them if found.

I started back on the 23rd arrived at headquarters on the 24th Birch and party returned to camp on the 28th, He reports that while in Round Valley he was compelled to remain in Camp one half the time in consequence of inclement weather, a constant snow and rain was falling, and next to an impossibility to keep fire arms in condition to be available. Some Cattle were reported killed near the crossing of Middle fork of Middle Eel River. Birch immediately went in search of them and surprised a large Rancheria at about daylight and killed 9 Indians, but few making their escape. A lot of Beef was found in their huts which established their guilt. On the 24th a man came in from hunting stock and reported that 5 Horses were killed, and that he saw Indians there at work cutting them up. This was but 3 miles from the Valley. Birch being encamped but a short distance from where the news was received was sent for and with his command started at night in the direction indicated by those who professed to know their haunts. The company came upon the Indians some 15 miles East of the Valley in a deep Canon on the waters of Eel River, this was in the night and the Indian Spies had discovered their approach there was no time to lose, and the attack was at once made several were killed and 9 squaws + children taken prisoners. A tolerable interpreter being with the Company the squaws were questioned, and revealed to them that the guilty party was ½ mile distant in another Canon. They at once went as directed, and found them in possession of the very horse flesh (identified by marks on the hides) that had been reported stolen. Of this party none escaped death. While the was going on the prisoners made their escape party in consequence of the darkness, and because; the Entire force being in the Engagement. Total killed 18 all Bucks, one little girl left by them in this fight was

found nearby frozen to death and brought into the valley, This was a remnant of the same tribe that I had punished and severely thinned and on a previous occasion. Mr. Birch + Command returned to Headquarters on the 28th as before stated. Provisions were quite scarce in the Valley and no forage for animals of any kind at any price. In consequence of this state of affairs, the animals were very much worn down, and in fact both they and the men were fatigued and required rest and recruiting. Today Dec 3rd I started 8 men in charge of Mr. Birch to capture a band of thieving Indians known to be moving in the regions of South Eel River and tributaries. Mr. Pool has not yet arrived with is command, is probably ranging in the vicinity of Long Valley in pursuance of orders from me at the time I parted from him Your letter instructing me to bring the Indians together for the purpose of repeating to them your advice and counsel and if possible to make a treaty of peace and establish friendly relations permanently I have taken the liberty of anticipating so far as circumstances and facilities at command would admit of.

It will at once be seen by information already furnished you, that all attempts heretofore made to get them to come in, and have a friendly talk with a view to induce them to cease their depredations and become friendly to the whites and remove to the Reservations, or in any other wise to terms, with as little slaughter to them as possible taking care that the innocent be unharmed and the guilty not allowed to escape.

The manner in which Lieut Dillon in command of a detachment US soldiers has reported to my calls upon him for Cooperation and assistance will best be explained and understood by you by the enclosed correspondence between myself and him. He is against me in every particular and is entirely under the control of that most unpopular institution the Reservations.

The condition of my company at present is good and the men are generally contented + well satisfied – but two being on the sick list – Awaiting further instructions.

I have the Honor
To subscribe myself
Your Most Obt Servt, WS Jarboe

Record F3753: 406 Jarboe to Lt. Dillon

Headquarters
Eel River Rangers Dec 21 59

Lieut Dillon

Sir

It is with feelings of surprise mingled with regret that I have to inform you that Lieut Wood of my Command has just returned with a detachment of men from a trip, to the East of round Valley in search of hostile Indians and brings with him as prisoners 4 of the Indians presumed to be living on the Reservation and under your control. The Lieut reports that on his return when was the month of Elk Creek? His men being somewhat scattered, they came upon a party of Indians and as Animals had been killed nearby, they very naturally supposed them to be the identical Indians they were in quest of. Some of the Company in advance seeing them run charged upon them and fired not knowing whether any execution was done or not. Just at that moment the Lieut came up and seeing an Indian advance toward them with a paper, at once, gave orders to Men cease firing and this alone saved their lives as of course, they would not have the same fate that all Hostile Indians do at the hands of the Co under my Command.

This I trust will be sufficient warning (if you have not been convinced before) that in order to insure the safety of Indians [over?] whom you assume control and who you propose to protect it is strictly necessary

that you should either keep them rather close at home, if not in range of your guns or send a White man with them as an escort when sent on errands visiting or roaming our territory known to be infested by hostile Indians and embraced within the limits prescribed for my command to range in and when I am authorized, and expected to protect.

I send your Indians home after feeding and counseling them as to their actions.

Your Respectfully
W. S. Jarboe

Record F3753: 407 Petition of Residents of Round Valley to Gov. Weller [undated]

To His Excellency the Governor of the
State of California

Dear Sir-

The Residents of Round Valley whose signatures are hereto affixed respectfully ask the removal of W.S. Jarboe [illegible] Capt. of a Volunteer Co established by the State to render assistance to the Settlers against the depredations of the Indians.

They aver that the said Jarboe is entirely unfitted for the position, incompetent to command that force under his command and from gross inattention to the position he holds has compelled them to employ parties at a large pecuniary loss to perform the duties that he was in [????] duty to order his men to perform.

They who aver that the men under said Jarboe's command are Known (the bulk of them) to the residents of this Valley as good and efficient men and but for the inability of the Capt would readily serve efficiently and for the purposes for which they enlisted.

Under these circumstances we beg leave to ask that such a commander may be appointed in lieu of said Jarboe, who is compelled to act, if not for our benefit at least not to our detriment and respectfully beg your official [illegible] in that behalf.

[illegible]

[illegible]

Geo White

Thos. B. Henley

John W. Lacock

Sam. L. David

R. S. Wilsey

J. S. W. Gray

J. O. Wilsey

Record F3753: 409 Gov. Weller to Jarboe

Executive Department
Sac Jan 3rd 1860

To Capt. W. S. Jarboe

Sir

Having accomplished all that was anticipated when the force under your command was organized you will proceed immediately to disband the force called out under orders of the 6th + 8th Sept last.

In doing this you will accept for yourself and the [illegible] men who were associated with you in this campaign my sincere thanks for the manner in which it was conducted.

Very
Your Obedient Servant
John B. Weller

Record F3753: 412 Lt. Dillon to Maj. Mackall

Round Valley Cal.
January 14th 1860

I do not like to leave the Valley while I see that there is a continual disposition, on the part of the settlers, to annoy the Reservation. The fences are almost daily pulled down, by persons taking pains to prevent detection, and it is a common occurrence to have Squaws taken by force from the place. About a week ago some of the [illegible] came into the yard, broke open a door, and took off the Squaws that had been locked up by the Agent: This was done at night and was witnessed by no white person, consequently I can do nothing. For God's sake, how long are these things to continue. I have felt, and still feel greatly interested in this place, and these Indians, but I am severely disheartened at being [illegible] though without the power to punish the offenders. It seems to me an unheard of case, in which acts of this kind are committed on a Military Reservation without any inquiry, or attempt to bring the perpetrators to justice.

Signed E. Dillon

A true Copy:
Signed, W. T. Carlin } Head Quarters Dept of California
1st Lieut 6th Infantry } San Francisco February 1st 1860 } A true copy

W. W. MacKall
A. A. Genl

Record F3753: 413 Petition of Citizens of Mendocino County to Gov. Latham

To His Excellency the Governor of California

We the undersigned, your humble petitioners, residents of the County of Mendocino, would respectfully represent and petition your honor, the immediate necessity of affording protection to the frontiers of this our County. The command under Capt. W. S. Jarboe having been disbanded, the hostile Indians that were partially held in subjugation by said command have already carried their depredating further into the settlement, although but a few weeks have elapsed, and the people residing in the northern part of this county have to stand guard day and night over their property and their family. We would therefore under these disturbing circumstances humbly petition and pray of your honor that you take immediate steps for our protection and would humbly suggest Capt. Jarboe be recommissioned with full power to raise a company of Forty men, in order that we may have their protection to enable us to provide the necessities of life for our family by tilling the soil and gathering in our harvests for the coming season, without which protection we shall be unable to provide for our daily wants.

Ukiah City, January 15, 1860

[Eighty-two signatures not transcribed]

Record F3753: 414 Memorial of the Eel River Rangers to Gov. Latham

To His Excellency M. S. Latham
Gov. State Cal

Headquarters
Eel River Rangers Jan 15 1860

To the Citizens of Mendocino Co and particularly those of the Eel River District.

We the undersigned members of the company known as the Eel River Rangers being desirous of maintaining discipline and good order in the company and that immediate steps should be taken to ensure to us reasonable and regular supplies and that the Company should be so conducted as to gain and not forfeit the respect and confidence of the Community and that the affairs of the Co. should so be managed in every particular that the State Department from whence the Company derives its authority as it expects to receive remuneration for services will not withhold or refuse to pay for each services rendered the Citizens and the State Would most respectfully represent that in order to accomplish the above it is absolutely necessary that W. S. Jarboe should cease to act as Capt and that we Elect one of our number of [illegible] well tried and true of our own choice whom we have confidence in and believe to be competent to discharge the duties of the Office and carry out the designs for which the company was organized. To enter into minute detail, as to the reasons why we refuse to longer serve under Capt Jarboe would make this quick too lengthy and is we think unnecessary. Suffice it to say that it is through his weak and imbecile management that we have been compelled the most of the time since our organization to subsist on less than half rations – often without sufficient food to sustain life decently. We have by his orders started on laborious and most hazardous trips without a pound of meat and sometimes without bread stuff of any kind, and little or no Coffee or sugar, And never have we had a full or fair supply of provisions in Camp for a week at any one time. This has been the case when good, and responsible men have offered to furnish the company with everything necessary with regularity and on reasonable terms on the faith of the State.

Capt. Jarboe has done this under pretense of economizing in expenses for the benefit of the State. He has lost all confidence that his men should have placed in him by sundry remarks which he has made.

Showing that he had no confidence in or respect for them – that he did not value their lives above that of a Digger etc. etc. He has dishonorably discharged good and true men against the protestation of the Company for no other reason or offense than that which he was himself guilty of and first set the example, and by such means has caused wrangling– dissention and insubordination in the Company.

He has lastly prostituted and made use of his position to accomplish his own selfish ends. He has continually practiced fraud upon the citizens the Company and upon the State Department by wholly and willfully misrepresenting the affairs of the Co to the Governor and in keeping us in total ignorance of the instructions he received from the Department and of such information as legitimately belonged to the Company. He has gone to the Capital for the estimable purpose of settling the affairs of the Co, a duty which we consider him entirely incompetent to perform and left the Company short of supplies in the middle of Winter when we are surrounded by swollen and impassible streams which renders it near to an impossibility for us to obtain provisions and he never making an effort to furnish them to us. He has by his constant misrepresentations and double dealing kept the company in suspense half fed or wholly unprovided for and by his maneuvering and unreliability has tended to bring the company into disrepute if not disgrace and has prevented the

Company from rendering as efficient and valuable service as we otherwise would have done, in preventing Indian depredations.

For these and many other reasons, we are determined to place another man in command. Should the citizens of this District deem it advisable. We will with this assistance and [illegible] hold ourselves in readiness to go forward and render them such protection of life and property as it is our power under our new and we trust better organization

[includes page of signatures not transcribed]

Record F3753: 420/421 Memorial of the Eel River Rangers to Gov. Latham

Ukiah City Jany 25 1860

To his Excellency Milton Latham Governor of the State of California

We the undersigned members of the company Known as the Eel River Rangers would most respectfully represent that we did in a moment of Excitement sign a document and send it to the Governor of the state of California condemning the course of W.S. Jarboe Captain. We did it under the Greatest possible Excitement together with misrepresentations and put our names to the paper, which in our cool and sober judgment we would not have done.

We therefore ask of your Excellency; to return to us the position and take no notice whatever of it and we are of the opinion that Capt. W.S. Jarboe has under all the circumstances done the best he could. He may have erred, who has not? He has had many arduous obstacles thrown in his way, and has successfully contended against them, and we see no cause to complain –

Being anxious to have the affairs of the company adjusted as speedily as possible and on as fair and Equitable terms as possible We ask of your Excellency to return the said paper in order that we may make amends for Errors committed in the heat of passion and we will Ever Pray –

Signed

J W Graham

W. J. Hildreth

J. S. Lamb

G. Green

John Martin

C. W. Styles

F. S. [Stunk]

B. Birch

J. W. [illegible]

Wm Wall

P. C. [illegible]

Wm K. Cole

Jas E. Woods

John K. Gardener

Wm Pool

Jas P Waters

Record F3753: 424 Gen. Clarke to Gov. Downey

Head Quarters Dept of California

San Francisco, February 1st 1860

Sir:

Have not yet received the official report from the Officer in command in Round Valley; but the enclosed copy of a private letter from him to his commanding Officer will probably allay the fears you entertain for the safety of the citizens in that Valley.

I am Sir, with great Respect
Your obt Servt
N. A. Clarke
Col. 6th Inf
Bt Brig Genl
Com'g

His Excellency John G. Downey
Governor, State of California
Sacramento

Record F3753: 425 Fred Green to Gen. Kibbe

San Francisco Jany 31 1860

Dr Sir

Enclosed I send you W.C. Effordes bill bread. Also DHays Bill Drayage, as you requested, + assure you that when the Legislature in their wisdom see fit to make an appropriation for their payment, as well as for the transportation of the Indians to the [illegible] that the money will be very acceptable.

Very Respfly Yrs
Fred P. Greene

To
Genl Wm C. Kibbe
Sacramento

Record F3753: 427 Gen. Kibbe to George Henley

Headquarters California Militia
Office Quarter Master and Adjutant General
Sacramento, Feb 9th, 1860

Sir

You are hereby authorized to review and receipt for all stores of every description now in the possession of Capt W. S. Jarboe and belonging to the State of California. And hold the same [??] to this order.

Wm C. Kibbe
[illegible]
State of California

To George Henley Esq
Round Valley
Mendocino County

Record F3753: 428 Petition of the Citizens of Long Valley to Gov. Downey

Long Valley Mendocino Co Feb 13 60

To His Excellency J. G. Downey
Governor of the State of California

We the undersigned citizens of said Valley pray your Excellency to render us immediate protection against the wild Indians inhabiting this section of country who are daily becoming more bold & hostile & declare they will not only kill our stock of Cattle & horses but ourselves also Notwithstanding the strict watch kept on our stock, the Indians have killed since Sept 20th 59 over four hundred head of cattle + horses. Murdered three men & wounded several.

Since the 15 January 1860 the Indians have killed to our knowledge not less than four thousand (\$4000) dollars of stock.

We are now seriously alarmed as to the safety of ourselves & families & pray prompt attention to the above. [Sixty-one signatures not transcribed]

Record F3753: 432 Jarboe to Gov. Downey

Sac City Feb 18 1860

To His Excellency—
John B Downey
Governor of California
Sir—

I have the honor to report to your excellency that on the 6th day of September 1857 the Hon John B. Weller Governor of California, authorized me to muster into the service of the State of California, twenty men accustomed to Indian Warfare and frontier life, for the suppression of Hostile Indians between the north and south forks of the Eel River and in the Vicinity of Eden and Round Valleys. The Indians inhabiting that portion of country are the Yukis, Chumas, Cayopomos, and Wailakis: all of whom are hostile and number about nine thousand.

Immediate on the receipt of the communication I proceeded to comply with the order, and on the 16th day of Sept. in Eden Valley, I mustered into the service of the State of California, twenty men possessing the requisite qualifications, mounted on horseback and armed with rifles and pistols. Up to that time the Indians had killed nineteen settlers and six hundred head of stock in the region of country spoken of and were unduly committing their depredations. I endeavored to make a treaty of peace with them and sent my interpreter out to their camps, who talked to them: he was a friendly Chumac Indian. They replied that they would kill every white man they could, and all the stock they could find; giving no reason for it and daring me to come out and fight. I did not attack them for some days afterwards, still hoping I might get along without bloodshed. On the night of the 20th September, they came to Eden Valley and drove off some cattle; I followed and fought them with a detachment of ten men; and from the same date to the 24th of January, I fought them 23 times, killed 283 Warriors, the number of wounded was not known, took 292 Prisoners, sent them to the Reservation. In the several Engagements I had four men severely wounded as well as myself—In obedience to an order from the Hon John B. Weller, dated January 16th inst 1860, I proceeded to Eel River to disband my company, which was done on the 26th day of January, leaving the object for which my company was called into the field, only partly accomplished owing to Federal troops refusing to co-operate with me [illegible] the [illegible] force under my command, one fourth of which was disabled. I submit to your Excellency and the Legislature of this State the Expenses of the Expedition in full belief that they will prove entirely satisfactory.

The Aggregate Expense of the Expedition, exclusive of the pay of men is Five thousand, three hundred and sixty four and ^{44/100} dollars (\$5,364 ^{44/100}). The amount of their pay, using the schedule adopted by the Act making the appropriation for the Expedition in Humboldt and Klamath Counties A.D. 1858+9, called into service under similar auspices, would amount to Five Thousand seven hundred and seventy nine ^{33/100} dollars (\$5,779 ^{33/100}), which makes the total expenses of the expedition, Eleven Thousand one hundred and forty three ^{77/100} (\$11,743 ^{77/100}).

Most Respectfully Submitted
I have the honor to be
Your Obedt Servant
W. S. Jarboe
Capt Commanding Expedition

Record F3753: 475 Petition of the Citizens of Humboldt County to Gov. Downey

To his Excellency John G. Downey
Governor of California

The undersigned citizens of the Town of Union and vicinity in Humboldt County California, respectfully represent, that said Town is situated at the Northern extremity of Humboldt Bay, and is the chief point of supply for the mining settlements of Klamath County and a considerable portion of Trinity County. That the Indians inhabiting the interior + Northern portions of the County, as well as those occupying the middle and Southern portions, have for several years past, and very recently manifested a decided hostility to the white population, + evince a determination to prevent, by every means in their power, the spread of white settlements; + the transit through the country they occupy of trade and travel. Those Indians are numerous and scattered over a considerable tract of country. The number of white settlers on the same land is small, and so far removed from each other; from the body of white population, as to be in constant danger of being cut off, or driven from their homes, and having their property destroyed. In fact, much property has already been destroyed, settlers have been compelled to abandon their homes, and trade and travel between this Town and Trinity County have become so precarious and unsafe , as to seriously affect the business of those engaged in and dependent upon the carrying trade between the points mentioned.

While other portions of the population of the County have suffered from like causes in their peculiar interests, we confine our statements; to facts within our own observation, + more immediately affecting our own immediate population and business. The arms of the general Government, the military + Indian reservations, from misdirection, apathy, or mismanagement, have proved wholly inefficient to remedy these evils. The only effort in the right direction proceeding from the authority of Government, was the expedition organized by your predecessor in office, Gov. Weller, + that was only a partial success, for the want of an adequate force in the field, to affect the desired end. In view of these facts, a few persons in the more southern portion of the county, driven to madness + desperation by losses of their property, + seeing no hope of relief from the [illegible] authorities, committed a barbarous and indiscriminate slaughter of Indians living on the coast + in the immediate vicinity of our principal [illegible] and inevitable consequence of our present condition + relations with the Indians. Nor can it be denied, that this deed must tend to exasperate the savage passions of the Indians, and stimulate them to acts of still greater violence from fierce revenge. Your memorialists believe that the time has come when the Indian population in this County must be removed by authority of law , and if necessary by competent force, or a war of extermination between the white and Indian races must ensue, with all the excess and atrocities ever attendant on such conflict.

Your memorialists, deeply deprecating such a result and desirous of avoiding scenes which tarnish the name of humanity earnestly entreat your Excellency, to order the enrollment of a competent force, to remove the hostile Indians from the sectors of country mentioned to be disposed of in such manner, as to ensure protection + care to them + safety to the lives + property of the whites.

Dated Union March 9th 1860

[Thirty signatures not transcribed]

Record F3753: 486 S. C. Hastings to Gov. Downey

Benicia Feb 2nd, 1860

Gov. Downey

I forward with this the deposition of Mr. Wm H Pool relative to Indian Matters and if your excellency should deem it of sufficient importance suggest that this document should be submitted to the House to whom the Mendocino Indians war matters have been referred.

I have lost more than \$10,000 worth of horses and cattle within a few months of Indian depredations – My herdsmen have been frequently attacked by them and driven in for protection – the man in whose charge I placed my stock has been compelled to leave the ranch and is now living near Ukiah City. The Indians have threatened to kill him and his family should he remain during the winter thaw.

Yours [illegible]

S. C. Hastings

Jas E Wood

C.B. Burch

Wm H Cole

J H Gardner

F. S. Stout

J Shaw

Wm Wall

J W Graham

D. Brock

J. W. Hacker

E. L. Wright

J. P Watters

Anton garcilla Q

William H. Pool

S. S. Dinny

P. C. Fern

C. W. Stites

Chesley Gaugh

Long Valley March 10, 1861

To His Excellency J. W. Downey

Governor of the State of California

Sir,

We the undersigned residents of Long Valley and vicinity (Mendocino Co) beg leave most respectfully to represent that the Indians living in a North East course from said Valley commenced their depredations upon our stock on or near the 20th of Sept 1859 and have continued destroying our stock up to this day. They are known here as the Yukis and Chemar tribes are daily becoming more bold and desperate and declare they will kill not only stock but the settlers as long as one of their tribe exists. They have killed several hundred head of Cattle and Horses and if some protection is not given up immediately all stock raising men will be compelled to leave. One is gone & two more settlers are now gathering up their stock to follow which takes from here over one thousand head of horses & cattle.

Long Valley is a beautiful tract of land, the state Road passes through it leading to Humboldt Bay Humboldt Co. Said Valley has 70 voters Twenty five Families. Our land is surveyed & offered for sale on the 10th June next.

Numerous applications have been made for protection either by regular or state troops but none given and unless your Excellency gives us soon efficient protection we must either gather up the remnant of our property and leave or stay and be beggared, or else hire a party of men to subdue said Indians & give said Co our property as a remuneration for their services. We trust your Excellency will not compel us to resort to either of the above courses. We have banded ourselves tougher for a long time to protect our property & lives but cannot sustain ourselves a month longer & many have a picket guard out on hills until the above facts could be laid before your Excellency & steps taken for our immediate relief as the circumstances of our condition demands.

We feel assured your Excellency will give us such assistance as in your power & for which we will ever pray

[Twenty-six signatures not transcribed]

[separate page]

We the undersigned request the Governor to call the volunteer company into service to protect the [illegible] stock and relieve the citizens from doing their own fighting.

[Forty-three signatures not transcribed]

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