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UNIVERSITY OF CALIFORNIA, RIVERSIDE

Mariposa and the Invasion of Ahwahnee: Indigenous Histories of Resistance, Resilience,  
and Migration in Gold Rush California

A Dissertation submitted in partial satisfaction  
of the requirements for the degree of

Doctor of Philosophy

in

History

by

Andrew Shaler

September 2019

Dissertation Committee:

Dr. Clifford E. Trafzer, Chairperson

Dr. Rebecca Kugel

Dr. Larry Burgess

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The Dissertation of Andrew Shaler is approved:

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Committee Chairperson

University of California, Riverside

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## Dedication

In loving memory of my father, David Ivan Shaler  
the greatest man I have ever known

## ABSTRACT OF THE DISSERTATION

Mariposa and the Invasion of Ahwahnee: Indigenous Histories of Resistance, Resilience,  
and Migration in Gold Rush California

by

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Doctor of Philosophy, Graduate Program in History  
University of California, Riverside, September 2019  
Dr. Clifford Trafzer, Chairperson

The Sierra Nevada mountain range has been home to a diverse array of indigenous nations since time immemorial. Academic histories have often delegated the stories and experiences of these Miwok, Yokuts, Mono, and Paiute peoples to a peripheral place. This dissertation examines the rich and diverse indigenous histories of the southern Sierra Nevada, focusing especially on the ways tribal communities actively resisted, negotiated, adapted and endured in the face of colonial violence and encroachment in Gold Rush era. Throughout the nineteenth century, tribal nations of the southern Sierra regions took up armed resistance against violent settlers, actively negotiated with settler and government forces, and adapted their societies to better cope with the traumatic threats they faced. Many tribal peoples in this period, for example, engaged in gold mining while simultaneously maintaining their traditional economies of hunting, gathering, and fishing. In response to the increasingly violent actions of Gold Rush settlers, an intertribal movement of resistance gradually crystalized in and around

the greater Yosemite region. This movement was ultimately met with the “Mariposa War,” a disproportionately violent settler response which, with state sanction, aimed to crush all indigenous resistance to white settlement through forced removal.

California Indians, however, were not the only indigenous peoples to experience violence and discrimination in the Sierra regions. The historical literature leaves largely unexamined a rich and complex history of indigenous migration and diaspora in California. Cherokees and Wyandots from the American Midwest, Yaquis from Mexico, Māoris from New Zealand, and Aboriginal Australians—to name only a few—all converged upon Miwok, Yokuts, and Paiute lands from a wide variety of historical contexts. In many ways these indigenous emigrants straddled the spheres of “settler” and “indigenous” societies in Gold Rush California, often maintaining close relations with both. A critical examination of the particular ways all of these indigenous peoples understood and responded to settler violence and discrimination, along with their highly complex and dynamic relationships with each other, paints a highly complex picture of Native American history in California.

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## Introduction

Since time immemorial, the southern ranges of the Sierra Nevada mountains have been the home of an extremely diverse group of indigenous nations. The histories of these Miwok, Yokuts, Mono, and Paiute peoples, however, have often occupied only a peripheral place in the historiography of California. Much of this gap in the academic literature can be explained by the fact that the indigenous lands of the Sierra lay several hundred miles removed from the centers of Spanish and Mexican colonial settlement in California during the first half of the nineteenth century. Patterns of settlement in this period were most heavily concentrated around the coast and Central Valley regions; Spanish and Mexican missionaries, government officials, soldiers, and explorers recorded few direct encounters with the tribal peoples of the Sierra, and founded no permanent settlements in their territories. This paucity of written records and relative geographic distance have informed popular and academic assumptions that the indigenous peoples of the Sierra Nevada were effectively “untouched” or “beyond the reach” of non-Native colonists prior to the Gold Rush of 1848.<sup>1</sup> Beginning in the latter nineteenth century, problematic settler narratives of California history further suggested that the tribal communities of the Sierra subsequently “vanished” into “extinction” soon after the thousands of Euro-American prospectors descended into their lands. These historical myths effectively consign the indigenous history of the Sierra Nevada exclusively to the

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<sup>1</sup> Alfred L. Kroeber, *Handbook of the Indians of California* (Berkeley: California Book Company, 1953 [1925]), 445; Susan Lee Johnson, *Roaring Camp: The Social World of the California Gold Rush* (New York: W. W. Norton, 2000), 222; Robert Fletcher Manlove, *The Ethnohistory of the Chowchilla Yokuts* (Fresno: Craven Street Books, 2012), 9; Dee Brown, *Bury my Heart at Wounded Knee: An Indian History of the American West* (New York: Henry Holt & Co., 1970), 219.

early years of the Gold Rush, which swiftly pulled them out of a pristine past, “unpolluted” by white settlement, and led them shortly thereafter to inevitable “extinction.”<sup>2</sup>

In reality, the Miwok, Yokuts, and other tribal communities of the southern Sierra foothills were already deeply affected by the ravages of colonization by the time gold prospectors first invaded their territories. As increasingly violent settlers in the Gold Rush era threatened their very survival, indigenous nations actively responded, reacted, and adapted to these threats in a wide variety of ways. Large numbers of Native people worked as gold miners throughout this period, as a way to supplement their traditional economies of hunting, gathering, fishing, and trading. As colonial settlement severely threatened Native food sources, however, tribal communities additionally relied on stock raiding to keep their people fed. Euro-American settlers typically responded to these raids with disproportionate violence, often mercilessly hunting down any and all Native people in their vicinity, regardless of culpability. Indigenous peoples, however, did not passively stand by in the face of these brutal attacks. In the Sierra foothills and beyond, Native people actively responded to the violent encroachments on their people, lands, and resources.

Some tribes contested their treatment through shrewd and assertive negotiations with white settlers, demanding “tribute” for use of their lands, forging peace agreements,

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<sup>2</sup> See Lafayette Houghton Bunnell, *The Discovery of the Yosemite and the Indian War of 1851 which Led to that Event* (Chicago: Fleming H. Revell, ca. 1885), esp. 19, 44-45, 72, 231, 237, 291; Galen Clark, *Indians of the Yosemite Valley and Vicinity: Their History, Customs, and Traditions* (Yosemite Valley, CA: Galen Clark, 1904), ix, 1, 12; Brian W. Dippie, *The Vanishing American* (Lawrence, KS: University Press of Kansas, 1991).

and negotiating with representatives of the United States government. Others saw less viability in any peaceful negotiation, and took up armed resistance against the invaders to their lands. Most significantly, over the winter of 1850-1851, several Miwok, Yokuts, and Paiute communities formed a loose coalition of resistance against violent white settlers. Settler anxieties over all of these indigenous assertions of sovereignty eventually coalesced into the “Mariposa War,” a violent militia campaign in which more than 200 settler volunteers, with state sanction, targeted several Sierra tribes in an attempt to forcibly remove them from their ancestral lands.

Tribal communities also altered their responses to white settlement as shifting developments demanded. One tribe, for example, worked closely with an influential white trader in the early stages of the Gold Rush, but joined this intertribal movement of resistance after observing the brutal extent of settler violence, before leaving the coalition and suing for peace with the federal government.<sup>3</sup> Finally, white settlers and prospectors were not the only people to travel over, work on, and sometimes permanently settle on the indigenous lands of the Sierra foothills. Beginning in 1848, significant numbers of indigenous people from all corners of the globe traversed continents and oceans to reach the Gold Country, and converged upon Miwok, Yokuts, and other tribal territories. These indigenous emigrants straddled the supposed spheres of the “settler” and “indigenous,” complicating standard assumptions of Indian-white relations. The histories of these diverse groups of indigenous emigrants represent an often neglected facet of the Native American history of California in the nineteenth century.

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<sup>3</sup> The histories of the Potoyante Miwok are discussed more fully in chapters 3 and 5 of this dissertation.

Tribal peoples of California faced a confluence of several destructive forces over the course of nineteenth century—including an older Spanish style of colonialism, a more recent American brand of settler colonialism, and democratically-driven genocide—the legacies of which reverberate through to the present day.<sup>4</sup> In the latter half of the twentieth century, a small but growing literature on California Indian history began to flourish. Beginning in this period, historians began to earnestly consider the consequences of settlement, colonization, and violence on Native communities in California. By the early twenty-first century, a small but significant literature on violence in California Indian history has laid an important foundation and initiated important scholarly conversations. Many of these important and influential academic studies are broad, state-wide surveys concerned primarily with government Indian policy, genocide theory, and settler colonial theory. This study is directly focused on the Native peoples, cultures, and histories of the southern Sierra Nevada and eastern San Joaquin Valley, a far-reaching and diverse indigenous geography with *Ahwahnee*, or Yosemite Valley, representing its approximate center. Through this lens, this dissertation offers a critical

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<sup>4</sup> California Indian history under Spanish and Mexican colonization is treated extensively in Lisbeth Haas, *Saints and Citizens: Indigenous Histories of Colonial Missions and Mexican California*, (Berkeley: University of California Press, 2014); Kent Lightfoot, *Indians, Missionaries, and Merchants: The Legacy of Colonial Encounters on the California Frontiers* (Berkeley: University of California Press, 2005); Robert H. Jackson and Edward Castillo, *Indians, Franciscans, and Spanish Colonization: The Impact of the Mission System on California Indians* (Albuquerque: University of New Mexico Press, 1996). The history and theory of genocide in California are detailed most extensively in 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).



analysis of the ways in which Native peoples in these regions reacted and responded to the violence of settlement in and before the era of the California Gold Rush.

Chapter 1 examines the rich and complex indigenous geographies of a southern trans-Sierra region prior to settler colonization. Native American peoples have always maintained important relationships with neighboring communities, and indirect relations with those of greater distances. In the greater Sierra Nevada regions, however, the most lasting and significant relationships were generally maintained across an east-west axis, which stretched over both sides of the Sierra Crest. Long before the arrival of non-Native invaders to their territories, Yokuts peoples of the San Joaquin Valley and lower Sierra foothills, Sierra Miwok and Mono peoples of the upper western foothills, and Paiute tribes east of the Crest, maintained a trans-Sierra network of economic, cultural, spiritual, political, and social exchange. While all of these peoples also maintained important relationships and contacts with the tribes to their north and south, this trans-Sierra network represents the most fundamental conduit of exchange between them. As the boundaries and borders of the state of California and the United States were and remain entirely arbitrary to indigenous history, a close analysis of these intertribal networks is of central importance for any discussion of indigenous histories of the Sierra regions. For these reasons, the regions bound by these complex intertribal relationships and exchanges form the geographic center of study in this dissertation.

It was largely along these long-established and far-reaching indigenous networks that the ravages of colonialism reached the tribes of the southern Sierra in the period of Spanish and Mexican colonization. Yokuts traders acted as intermediaries, especially

through trade, between the Sierra and coastal peoples of California.<sup>5</sup> Chapter 2 explores the ways that the southern Sierra tribes were affected by European disease, social and economic disruption, and colonial violence, long before any permanent settlements were made on their lands. Indigenous networks and exchanges provided Sierra peoples access to colonial goods and culture, while also exposing them to the horrors of European disease, to which they had no immunity. These epidemics caused catastrophic levels of death throughout the Sierra regions, and also led to a drastic re-ordering of the social fabric.<sup>6</sup> As many tribes suffered population decline, survivors joined with neighboring tribes, migrated to new territories, and sometimes formed new culturally blended societies. In addition to these largely indirect legacies of colonialism, missionaries, soldiers, trappers, and explorers made a significant number of direct incursions into the tribal territories of the southern trans-Sierra beginning with the expedition of Gabriel Moraga in 1806. While relatively scant, the records documenting these early incursions illustrate indigenous traditions of adaptation and resistance that significantly pre-date the settler invasions of the Gold Rush.

In 1848, the discovery of gold on the American River initiated a massive influx of white prospectors onto the Miwok and Yokuts lands of the Sierra foothills, in what settlers would come to call the “Southern Mines.”<sup>7</sup> In the early stages of the Gold Rush,

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<sup>5</sup> See Brooke S. Arkush, “Yokuts Trade Networks and Native Culture Change in Central and Eastern California,” *Ethnohistory* 40, no. 4 (1993): 619.

<sup>6</sup> For detailed discussions of depopulation as a result of European disease in the Sierra regions, see Kathleen L. Hull *Pestilence and Persistence: Yosemite Indian Demography and Culture in Colonial California* (Berkeley: University of California Press, 2009).

<sup>7</sup> See Johnson, *Roaring Camp*, 12.

Miwok and Yokuts people mined in large numbers on their own ancestral territories.

Chapter 3 examines these dynamic histories, as tribal communities increasingly relied on gold mining as one way to provide for their people, especially as settler farming, ranching, and damming operations systematically decimated traditional sources of subsistence. While some Miwok and Yokuts people worked for white traders such as James D. Savage, many tribes maintained their own independent mining operations, which they incorporated into a mixed economy that included hunting, gathering, fishing, and stock raiding. Commonly held assumptions have suggested that Native American mining all but ceased by the end of 1849.<sup>8</sup>

For a variety of reasons, significant numbers of Native people, and especially Miwoks and Yokuts, continued to mine the placers well past 1850, by which time it had become mostly impossible for the Nisenan and other tribes of the northern Sierra. This period nonetheless ushered in a dramatic rise in settler violence against tribal communities in these regions, which generally represented a shift away from an older mode of European colonialism based on the perpetual exploitation of indigenous labor, and towards a genocidal brand of American settler colonialism that aimed above all else to “exterminate” or “eliminate” Native people.<sup>9</sup> While Miwok and Yokuts people

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<sup>8</sup> James J. Rawls, “Gold Diggers: Indian Miners in the California Gold Rush,” *California Historical Quarterly* 55, no. 1 (1976): 29

<sup>9</sup> James J. Rawls discusses the shift in settler attitudes towards California Indian people in *Indians of California: The Changing Image* (Norman: University of Oklahoma Press, 1984). For Settler Colonial Theory, see Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, vol. 4 (2006): 387-409; Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (New York: Palgrave Macmillan, 2010); and Margaret D. Jacobs, *White Mother to a Dark Race: Settler Colonialism, Maternalism, and the Removal of Indigenous Children in the American West and Australia, 1880-1940* (Lincoln: University of Nebraska Press, 2009).

aggressively fought these threats, and built the foundations of an intertribal movement of resistance, non-Native and white prospectors were not the only foreign people to arrive on their lands.

Chapter 4 examines the histories and experiences of the myriad indigenous emigrants that arrived on Miwok, Yokuts, and other California Indian lands in the Gold Rush decade. Cherokees, Choctaws, and Wyandots from the American Midwest, Yaquis from northern Mexico, Māoris from New Zealand, and Aboriginal Australians arrived in California to find a settler culture extremely hostile to Native Americans and indigenous peoples generally. The settler gaze, however, viewed these indigenous emigrants in wildly differing ways, with eastern Indians typically described as “civilized” and more trustworthy than others, while Yaquis were often conflated with other Mexican and Hispanic emigrants, and one white Australian subjected his Aboriginal laborers to a kind of “slavery” in all but name. Some of these Native prospectors and migrants, and especially those from eastern North America, maintained close relationships with both settler and tribal communities in California. Close analysis of these dynamics effectively complicates standard notions of Indian-white relations in California history, and places the Gold Rush within a broader context of indigenous diaspora and confluence.

Finally, Chapter 5 offers a detailed analysis of the Mariposa War of 1850-1851. Throughout the latter nineteenth century, settlers propagated sensationalist, exaggerated, and often false reports of planned pan-Indian uprisings that sought to drive all white

settlers out of the Gold Country.<sup>10</sup> In much of the historical literature this fact has tended to obscure the existence of an actual, if loose, intertribal coalition formed in 1850 to take up armed resistance against violent settlement. At various points this coalition included several tribes of Miwok and Yokuts people, along with the Ahwahneechees of Yosemite Valley. Citing anxieties over growing indigenous discontent, settlers acted on their own initiative and launched an armed campaign which targeted several of these tribes. After these settlers had taken violent action into their own hands, the governor of California ordered the raising of the “Mariposa Battalion,” which, with state sanction and funding, would specifically target any and all tribes that refused to remove from their ancestral territories onto reservations. With the arrival of United States Treaty Commissioners in 1851, and under the continuing threats of this militia company, some tribal leaders and representatives felt compelled to leave the coalition and negotiate with the government. This chapter centers the story of the Mariposa War around the actions, motivations, and voices of the Native people it targeted.

The Mariposa War, however, by no means represented the end of indigenous resistance to settlement in this trans-Sierra region. The conclusion of this dissertation considers the continuing endurance of these indigenous peoples, many of whom have continued to work and live on or near their ancestral territories. Most importantly, a number of these tribal communities continued to live entirely outside the orbit of the

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<sup>10</sup> See especially Lindsay, *Murder State*; Madley, *An American Genocide*; and Clifford E. Trafzer and Joel R. Hyer, eds., *Exterminate Them! Written Accounts of the Murder, Rape, and Enslavement of Native Americans During the California Gold Rush* (East Lansing: Michigan State University Press, 1999).

nascent reservation system in California for much of the nineteenth century, and into the present day.

By nature, many of these histories lie largely outside colonial archives.

Throughout the early nineteenth century, the Sierra tribes remained of mostly tangential interest to missionaries and other officials of the Spanish and Mexican colonial administrations in California. Later, in the Gold Rush period, large-scale indigenous migrations went directly against the stated intentions of the United States reservation system, with its primary goal of permanently confining Native peoples. As such, the federal records of individual Indian agencies and superintendencies reveal little of these regional and global migrations to Miwok and Yokuts lands. Further, the Miwok and Yokuts tribes that actively maintained mixed economies of mining, hunting, gathering, and raiding on their own ancestral lands were a constant source of frustration to white prospectors and Indian Agents alike, who sought to permanently force Native nations to adopt Euro-American economic and cultural traditions, especially agriculture. While colonial and governmental records provide detailed accounts of indigenous resistance negotiations in and after the Mariposa War, other sources outside of these official bodies of records are indispensable to this study. Tribal newspapers in the Cherokee Nation published the correspondence of their members that had left for California, and white prospectors and settlers recorded in their diaries and journals conversations and encounters with indigenous communities throughout Miwok and Yokuts territory. Most important are the indigenous voices, oral histories, and memories, by which tribal peoples have told and continue to tell their own stories.

## Chapter 1

### Indigenous Histories, Networks, and Geographies of a Trans-Sierra World

In 1904, Galen Clark released a small private publication entitled *Indians of the Yosemite Valley and Vicinity: Their History, Customs, and Traditions*.<sup>1</sup> Now in the later stages of his life, Clark had become something of a celebrity for his many years of service as “Guardian of Yosemite Valley,” while it was under the protection of the state of California.<sup>2</sup> Since 1857, Clark interacted with and guided many of Yosemite’s earliest tourists, who typically made their first stops in the region at the station he operated in Wawona.<sup>3</sup> Unlike many of Yosemite’s other early public advocates like John Muir and James Mason Hutchings, however, Clark had up until this point written little of the region or its history.<sup>4</sup> In his opening chapter, Clark explained precisely why he believed a publication concerning the indigenous peoples of Yosemite Valley was of such great importance. He felt specifically compelled to produce this book, as the “majority of visitors” to the nascent national park exhibited a “rapidly growing interest in the native Indians” they encountered there.<sup>5</sup> Visitors were particularly interested, he went on, to

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<sup>1</sup> Galen Clark, *Indians of the Yosemite Valley and Vicinity: Their History, Customs, and Traditions* (Yosemite Valley, CA: Galen Clark, 1904).

<sup>2</sup> Carl Parcher Russell, *One Hundred Years in Yosemite: The Romantic Story of Early Human Affairs in the Central Sierra Nevada* (Stanford: Stanford University Press, 1931), 146, 150; Kathleen L. Hull, *Pestilence and Persistence: Yosemite Indian Demography and Culture in Colonial California* (Berkeley: University of California Press, 2009), 41.

<sup>3</sup> Russell, *One Hundred Years in Yosemite*, 63; Clark, *Indians of the Yosemite Valley*, xii.

<sup>4</sup> Clark would later publish other works considering Yosemite such as *The Big Trees of California, their history and characteristics* (Yosemite Valley, CA: Galen Clark, 1907); and *The Yosemite Valley, its history, characteristic features, and theories regarding its origin* (Yosemite Valley, CA: N. L. Salter, 1910).

learn of these Indians' "former modes of life, habits and domestic industries, before their original tribal relations were ruthlessly broken up by the sudden advent of the white population of gold miners and others in 1850, and the subsequent war, in which the Indians were defeated, and, as a result, nearly exterminated."<sup>6</sup> Echoing such foreboding, W. W. Foote wrote in his introduction to the book that Clark's study was of grave importance, noting of Yosemite's Indians, "even in their diminished numbers, and their comparatively civilized condition, they are still a source of great interest to all visitors, and it has been suggested many times that their history, customs and legends should be put in permanent and convenient form, before they are entirely lost."<sup>7</sup>

These remarks speak to a broad public narrative of indigenous decline and "extinction" that coalesced around the formation of the national park. In his patronizing if well-intentioned account, Clark exoticized Yosemite's indigenous peoples, who represented little more than tragic relics of a distant and romantic past. These kinds of narratives, in which indigenous peoples are relegated squarely to the past, existing in the present only to crawl towards inevitable extinction, were certainly not exclusive to the Yosemite region in the Anglo-American imagination of the early twentieth century. Clark's treatment of the history of the Ahwahneechee people—the name by which Yosemite's indigenous people knew, and know, themselves—reveals a particular construction of an imagined and fictitious past.<sup>8</sup> Even read within the context of the

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<sup>5</sup> Clark, *Indians of the Yosemite Valley*, 1.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid., ix.



many other narratives of the “vanishing Indian” that pervaded Euro-American thought at the time, the historical Ahwahneechees of Clark’s imaginings existed in a past that is exceedingly narrow.<sup>9</sup>

In this telling, the people of Yosemite Valley lived in a kind of pristine isolation, frozen in time, entirely ignorant and removed from the colonial forces of the Spanish empire and Mexican republic present in California for centuries before the gold rush. Only the “sudden” appearance of gold prospectors to their territories by 1848 thrust the Ahwahneechee people out of their protohistorical, inert existence.<sup>10</sup> Further, the narrative continues, Ahwahneechee history in Yosemite effectively came to an end almost immediately after it began, with their forced removal at the end of the “Mariposa War” in 1851.<sup>11</sup> The indigenous history of Yosemite is thus clearly bound on two ends, beginning only with the gold rush invasions in 1848, and ending just three years later, when the “handful” of Indians that remained had been effectively “civilized,” or assimilated, to the point that white observers no longer considered them to be truly indigenous, culturally polluted by their contact with white settlers.<sup>12</sup> Through these narratives, Ahwahneechee history, presence, and resilience is thereby erased from the public conception of Yosemite. Perhaps most importantly, Clark’s narrative is generally symptomatic of a

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<sup>8</sup> This tribal name is sometimes alternatively spelled *Awahnichi*.

<sup>9</sup> For a thorough examination of the trope of the “vanishing Indian” in nineteenth century American discourse, see Brian W. Dippie, *The Vanishing American* (Lawrence, KS: University Press of Kansas, 1991).

<sup>10</sup> Clark, *Indians of the Yosemite Valley*, 1.

<sup>11</sup> The events of the Mariposa War are treated in detail in Chapter 5 of this dissertation.

<sup>12</sup> Clark, *Indians of the Yosemite Valley*, 1, ix.

tradition that considers Ahwahneechee people and history only as novelties within the larger story of the national park.

In the decades since Galen Clark's publication, common stereotypes and historical narratives have perpetuated the notion that the indigenous peoples of Yosemite, and the surrounding Sierra Nevada regions generally, had little to no contact with any outside peoples or forces prior to the outbreak of the gold rush in 1848. These notions advance a general assumption, pervasive in most settler societies, that indigenous peoples are fundamentally "local," rarely engaging with any peoples, ideas, or relationships outside their narrow spheres.<sup>13</sup> A closer engagement with interdisciplinary methods, including anthropology, archaeology, and indigenous oral histories is therefore necessary to more fully recognize the nature of indigenous histories and experiences. Such engagement reveals that in reality *Ahwahnee*, or Yosemite Valley, sat in the center of a far-reaching and complex system of indigenous networks, connecting the Ahwahneechees with their numerous Miwok, Yokuts, and Paiute neighbors, and more indirectly with those of even greater distances. A long legacy of cultural, social, intellectual, economic, political, and religious exchanges and relationships between these diverse and autonomous nations characterized the social fabric of California long before the first colonists arrived on its shores. Before considering the complex exchanges and relationships that made up these intertribal networks, however, an exploration must be

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<sup>13</sup> Alan Lester, "Indigenous engagements with Humanitarian Governance," in *Indigenous Networks: Mobility, Connections, and Exchange*, ed. Jane Carey and Jane Lydon (New York: Routledge, 2014), 51.

made of the individual and diverse cultures, geographies, and histories of each of these indigenous societies prior to the period of European invasion.

In the earliest times, the earth was entirely enveloped by water, and inhabited only by bird and mammal people.<sup>14</sup> When *Ah-hā'-le*, Coyote, proposed to create the first foods and first people, *Wa'tana*, Frog, asked how he expected the people to live in such a world, without any land to live on.<sup>15</sup> In response, Coyote enlisted *Hi'lkūhnai*, a blue duck, to dive as far as he could into the depths of this watery world in search of soil at its bottom. When *Hi'lkūhnai* failed, Coyote made the same request of two other ducks, and Watersnake, none of whom could manage the feat. Frog then decided to make the dive himself, and returned to Coyote with two handfuls of sand. This sand Coyote scattered across the world, and created all the land upon which the people could live. On this land Coyote then planted the first seeds, growing acorns, pine nuts, and other food-bearing plants. Coyote summoned the wisest of the animal people to discuss what kinds of people should be created to inhabit this land. *Pe-ta'-le*, Lizard, counseled that with “round” feet like Coyote’s, people would not be able to pick up any of the foods in the world, so Coyote agreed to give the people feet like Lizard’s, with five digits that could “pick up anything, shoot the bow and arrow, and do many useful things easily.”<sup>16</sup> The

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<sup>14</sup> Frank La Pena, Craig D. Bates, and Steven P. Medley, *Legends of the Yosemite Miwok* (Berkeley: Heydey Books, 2007), 23; S. A. Barrett, “Myths of the Southern Sierra Miwok,” *University of California Publications in American Archaeology and Ethnology* 16, no. 1 (1919): 4.

<sup>15</sup> Barrett, “Myths of the Southern Sierra Miwok,” 26.

<sup>16</sup> La Pena, Bates, and Medley, *Legends of the Yosemite Miwok*, 24; Barrett, “Myths of the Southern Sierra Miwok,” 5; C. Hart Merriam, *Dawn of the World: Myths and Tales of the Miwok Indians of California* (Lincoln: University of Nebraska Press, 1993 [1910]), 61.

wise animal people satisfied with this plan, Coyote created the first people, and sent them off upon the land in all directions, with women and men to live close together in the same villages, producing children every year to ensure the continued growth and prosperity of the people.<sup>17</sup> Finally, Coyote designated each of the places that the world's animals would live, sending Frog to the water, himself to scavenge in the night, upon the lands where the people now lived.<sup>18</sup>

Through these acts, Southern Sierra Miwok peoples understood, and understand, themselves to have first come to their lands, and to this world. Their territories, in the western foothills of the Sierra Nevada mountain range between the Cosumnes River in the north and the Fresno River in the south, comprise the geographical center of focus of this study.<sup>19</sup> "Miwok," meaning "people," is an extremely broad and somewhat arbitrary label referring not to any tribal entity, but rather to an extensive group of distinct and politically independent nations, connected through common languages and certain shared cultural traditions.<sup>20</sup> Sierra Miwok's Northern, Central, and Southern dialects, in fact, "just escape being mutually intelligible," and differ even more significantly from "Coast" or "Lake" Miwok languages.<sup>21</sup> While their total population is extremely difficult to

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<sup>17</sup> Ibid.

<sup>18</sup> La Pena, Bates, and Medley, *Legends of the Yosemite Miwok*, 24-25; Barrett, "Myths of the Southern Sierra Miwok," 5.

<sup>19</sup> Richard Levy, "Eastern Miwok," in *Handbook of North American Indians, Volume 8: California*, ed. Robert F. Heizer and William C. Sturtevant (Washington: Smithsonian Institution, 1978), 399; S. A. Barrett, "The Geography and Dialects of the Miwok Indians," *University of California Publications in American Archaeology and Ethnology* 6, no. 2 (1908): 335; Merriam, *Dawn of the World*, 24.

<sup>20</sup> Hull, *Pestilence and Persistence*, 91; Levy, "Eastern Miwok," 398.

estimate, Sierra Miwok peoples probably numbered somewhere around seven thousand before European colonization.<sup>22</sup>

To the west and south of their territories, a similarly broad label of “Yokuts,” also meaning “person” or “people,” is applied to refer collectively to the peoples of an extremely vast geographical area spanning most of the San Joaquin Valley and lower Sierra foothills.<sup>23</sup> Across this vast landscape, as many as twenty-five thousands people lived in 50 independent communities before colonization, speaking 40 related languages, often divided into Northern Valley, Southern Valley, and Foothill branches.<sup>24</sup> Finally, in the foothills of the eastern side of the Sierra Crest were many villages and communities of Paiute-speaking people. As with their Miwok and Yokuts neighbors to the west, “Owens Valley Paiute” and “Northern Paiute” peoples of the eastern Sierra foothills, between Owens Lake in the south and Mono Lake in the north, were tied mainly by shared language, but lived in numerous and entirely independent communities.<sup>25</sup> Since

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<sup>21</sup> Catharine A. Callaghan, “An ‘Indo-European’ type paradigm in Proto Eastern Miwok,” in *American Indian and Indoeuropean Studies: Papers in Honor of Madison S. Beeler*, ed. Kathryn Klar, Margaret Langdon, and Shirley Silver (The Hague, Netherlands: Mouton Publishers, 1980), 32; Barrett, “Geography and Dialects of the Miwok Indians,” 356-357; Merriam, *Dawn of the World*, 27; Hull, *Pestilence and Persistence*, 91-92.

<sup>22</sup> Levy, “Eastern Miwok,” 402.

<sup>23</sup> William J. Wallace, “Southern Valley Yokuts,” and “Northern Valley Yokuts,” in *Handbook of North American Indians*, Vol. 8, 448-449, 462-463; Robert F. G. Spier, “Foothill Yokuts,” in *Handbook of North American Indians*, Vol. 8, 471-473.

<sup>24</sup> Michael Silverstein, “Yokuts: Introduction,” in *Handbook of Indians of North America*, Vol. 8, 446; Robert Fletcher Manlove, *The Ethnohistory of the Cowchilla Yokuts* (Fresno: Craven Street Books, 2012), 1; Frank Forrest Latta, *Handbook of Yokuts Indians* (Oildale, CA: Bear State Books, 1949); 1.

<sup>25</sup> Catherine S. Fowler and Sven Liljeblad, “Northern Paiute,” in *Handbook of North American Indians*, Volume 11: *Great Basin*, ed. Warren L. D’Azevedo and Willaim C. Sturtevant (Washington: Smithsonian Institution, 1986), 435; Sven Liljeblad and Catherine S. Fowler, “Owens Valley Paiute,” in *Handbook of North American Indians*, Vol. 11, 412.

the nineteenth century, anthropologists and other non-Native scholars began referring to these peoples as “Mono,” “Monache,” or “Mono Paiute.” These peoples, however, have never known themselves by these names, and always referred to themselves as *nimi*, “person,” or “the people,” before also adopting the term “Paiute” from English.<sup>26</sup> In order to best acknowledge the rich linguistic, political, and cultural diversity that characterizes the indigenous geography of the greater Sierra Nevada regions, the specific names of individual sociopolitical entities, such as *Chowchilla* Yokuts, or *Pohoneechee* Miwok, will be used whenever possible.

One such community of Southern Sierra Miwok speakers came to live in the valley of Ahwahnee, along the Merced River. According to indigenous knowledge and tradition, long before the first people came to the valley, in the time of the bird and animal people, its walls were much deeper and narrower.<sup>27</sup> One day, two bear cubs climbed onto a boulder to dry themselves in the sun after swimming in the river. They soon fell asleep, and later awoke only to find themselves lifted into the heights of the sky, scraping the moon itself, as the rock had grown under them. Many of the bird and animal people tried in vain to scale what was now a vast rock wall, until Measuring-worm, *Tul-tak-a-na*, slowly made his way up the massive rock, and after many days and nights finally reached the top.<sup>28</sup> Tul-tak-a-na brought the cubs back to the bottom of the valley,

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<sup>26</sup> Liljeblad and Fowler, “Owens Valley Paiute,” 433; Fowler and Liljeblad, “Northern Paiute,” 463.

<sup>27</sup> Barrett, “Myths of the Southern Sierra Miwok,” 22; La Pena, Bates, and Medley, *Legends of the Yosemite Miwok*, 38.

<sup>28</sup> This story is told with slight variations in La Pena Bates, and Medley, *Legends of the Yosemite Miwok*, 37-38; Barret, “Myths of the Southern Sierra Miwok,” 22; and Frank Forrest Latta, *California Indian Folklore* (Shafter, CA, 1936), 107-108.

and the rock continued to grow from that day onward, known forever to the people of Ahwahnee as *Tu-tok-a-nu'-la*.<sup>29</sup> Measuring-worm once more scaled the heights of Tu-tok-a-nu'la, and stretched himself all the way across Ahwahnee, to the south rim of the canyon, with his head on one side and his tail on the other. He then crossed back to the north side, and descended back down to the valley. After Measuring-worm made his descent, the canyon walls started to collapse, and as the bird and animal people of Ahwahnee evacuated down river, the caving walls filled in the bottom of the valley with the very earth and rocks that form the valley floor as it exists today.<sup>30</sup>

On the floor of this valley the Ahwahneechee people established in various periods as many as 37 villages and camps along the north and south sides of *Wah-kal'-mut'tah*, the Merced River, over the span of many generations.<sup>31</sup> On the north side of the river, the village of Ahwahnee was situated on a long and flat stretch of valley floor. Because this particular village sat in the largest area of open land in the valley, its name came to represent the valley as a whole, and the Ahwahneechee people that lived there.<sup>32</sup> In the valley's indigenous geography, however, other, larger villages, such as *Koom-i-ne* or *Haw-kaw-koo-e-tah*, were the more significant centers of political and

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<sup>29</sup> This is the landmark white settlers would later call "El Capitan." See La Pena, Bates, and Medley, *Legends of the Yosemite Miwok*, 38.

<sup>30</sup> La Pena, Bates, and Medley, *Legends of the Yosemite Miwok*, 38; Barrett, "Myths of the Southern Sierra Miwok," 22.

<sup>31</sup> C. Hart Merriam, "Indian Village and Camp Sites in Yosemite Valley," *Sierra Club Bulletin* 10, no. 2 (1917): 202; Merriam, *Dawn of the World*, 228-229.

<sup>32</sup> Merriam, "Indian Village and Camp Sites in Yosemite Valley," 205; see also "Yosemite Valley: Explanatory," in Frank Latta Papers, 1922-1985, box 1, folder 29, Yosemite Archives, El Portal, CA (hereafter Cited as Latta Papers).

spiritual power, containing both a ceremonial house, and often the primary residence of the chief.<sup>33</sup> These and many other large villages of Ahwahnee were inhabited permanently.<sup>34</sup> In those sections of Ahwahnee that endured the harshest winters, meanwhile, the Ahwaneechee people maintained an extensive network of “summer villages” for the months most effective for hunting and gathering operations.<sup>35</sup> At the foot of Tu-tok-a-nu’-la, for example, the Ahwahneechees every year made use of a string of five small summer villages, between about April and October or early November, before moving back to the regions sheltered from the heaviest snowfall in the winter months.<sup>36</sup> Finally, the people used some small camps throughout the valley for brief periods of certain seasons, primarily for hunting or fishing.<sup>37</sup> Many of the permanent villages of Ahwahnee and the surrounding regions, meanwhile, saw their populations ebb and flow over the course of the year. In the winter months, for example, many people sheltered in the village of *Hol’low* in the far east of Ahwahnee, while some left the valley altogether, and lived in the villages about nine miles further down the river in Merced Canyon, where snowfall was light or nonexistent.<sup>38</sup>

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<sup>33</sup> Merriam, “Indian Village and Camp Sites in Yosemite Valley,” 205, 207; Hull, *Pestilence and Persistence*, 95.

<sup>34</sup> Merriam, “Indian Village and Camp Sites in Yosemite Valley,” 202.

<sup>35</sup> Merriam, “Indian Village and Camp Sites in Yosemite Valley,” 202. See also Levy, “Eastern Miwok,” 402; and Hull, *Pestilence and Persistence*, 99.

<sup>36</sup> These five villages are named *Aw’-o-koi-e*, *He-le-jah*, *Ha-eng-ah*, *Yu-a-chah*, and *Hep-hep-oo-ma*. Merriam, “Indian Village and Camp Sites in Yosemite Valley,” 206.

<sup>37</sup> *Ibid.*, 202.

<sup>38</sup> *Ibid.*, 202, 205, 208-209.



Ahwahnee's indigenous geography is highly revealing of the social, spiritual, and political fabric of the broader Sierra Miwok world. Throughout Sierra Miwok territory, as in Ahwahnee, communities were generally led by a chief, whose authority extended over a territory often including more than one village.<sup>39</sup> This political model, while pervasive, reveals little of the complex social fabric of the Sierra Miwok world. In many ways the "moiety" represented one of the most fundamental concepts ordering the Miwok universe. All Sierra Miwok people were associated with one side of this moiety divide, based on familial lineage.<sup>40</sup> It is this very division of the social, natural, and spiritual world that is most clearly visible in Miwok geographies. In Ahwahnee, for example, those village communities situated on the north side of Wah-kal'-mut'tah were associated with the *Tunuka* moiety, and those on the south side with the *Kikua*.<sup>41</sup> These moieties had far-reaching significance in their associations with particular animals, elements, directions, and intellectual concepts. For the Ahwahneeches, *Tunuka*, the land moiety, was associated with the *Oo-hoo-ma-te*, or Grizzly Bear, the north, and "inside," while *Kikua*, the water moiety, is associated with Coyote, "outside," and the south.<sup>42</sup> In different Miwok societies, moieties had differing animal and intellectual associations. In most Central Sierra Miwok communities, between the Tuolumne and Calaveras Rivers,

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<sup>39</sup> Levy, "Eastern Miwok," 399, 411; Hull, *Pestilence and Persistence*, 94.

<sup>40</sup> Edward Winslow Gifford, "Miwok Moieties," *University of California Publications in American Archaeology and Ethnology* 12, no. 4 (1916): 139; Levy, "Eastern Miwok," 411; Hull, *Pestilence and Persistence*, 97.

<sup>41</sup> Merriam, "Indian Village and Camp Sites in Yosemite Valley," 203-204; Gifford, "Miwok Moieties," 140.

<sup>42</sup> Merriam, "Indian Village and Camp Sites in Yosemite Valley," 203-204.

the land moiety was associated with the Bluejay, and the water moiety with the Frog.<sup>43</sup>

Local variations notwithstanding, this basic structure, in which society is most fundamentally divided into a “land” and “water” moiety, is present throughout all of Sierra Miwok country.<sup>44</sup>

In Sierra Miwok societies, the moiety connoted more than a simple association. On the most basic level, “all nature,” plant, animal, and human, was divided along the lines of “land” and “water.”<sup>45</sup> Edward Winslow Gifford, an anthropologist working in the early twentieth century, believed these divisions to be largely “arbitrary,” when the Miwok people he learned from explained that Coyote, for example, belonged to the “water” side.<sup>46</sup> This classification must be understood within the context of Sierra Miwok knowledge and understandings of creation. Southern Sierra Miwok peoples know Ah-hā’-le to have existed in a world covered entirely in water, before his creation of the first lands and first people, lending to a natural categorization in the water moiety.<sup>47</sup> In Central Sierra Miwok knowledge, meanwhile, Coyote himself “repeopled” the earth, after all of humanity had been killed in a flood.<sup>48</sup> Some of the individuals that spoke to Gifford, probably Central Sierra Miwok, explained to him that “Coyote had won a bet”

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<sup>43</sup> Levy, “Eastern Miwok,” 411; Gifford, “Miwok Moieties,” 140.

<sup>44</sup> Ibid.; Hull, *Pestilence and Persistence*, 97.

<sup>45</sup> Gifford, “Miwok Moieties,” 142; Levy, “Eastern Miwok,” 411.

<sup>46</sup> Gifford, “Miwok Moieties,” 142.

<sup>47</sup> La Pena, Bates, and Medley, *Legends of the Yosemite Miwok*, 23-25; Barrett, “Myths of the Southern Sierra Miwok,” 4-5. See also Merriam, “Indian Village and Camp Sites in Yosemite Valley,” 204.

<sup>48</sup> Edward Winslow Gifford, “Miwok Myths,” *University of California Publications in American Archaeology and Ethnology* 12, no. 8 (1917): 310-314.

with the creator, allowing him to remain on earth and take a water name for himself.<sup>49</sup>

Other seemingly “arbitrary” classifications, these individuals went on, were not “hard to understand” in the context of Sierra Miwok history and creation. Quail, for example, was part of the water side of nature, because Turtle was once known to have transformed into a quail.<sup>50</sup> This fundamental division of nature between land and water was inextricably connected not only to the composition and geographic location of individual village communities, as revealed in the indigenous geography of Ahwahnee. In ways both subtle and explicit, these divisions informed and were apparent in Sierra Miwok marriage practices, as well as one’s individual ceremonial responsibilities and personal name.<sup>51</sup>

Almost immediately after birth, a Miwok baby received a name he or she would bear for life, usually from a grandfather or other close relative.<sup>52</sup> This family member would select a name that included a reference to the child’s moiety, inherited from the father. A name’s particular connection to a moiety, whether referring to an animal, natural phenomenon, or other concept, was often only implied, and rarely clear in the literal meaning of the name itself.<sup>53</sup> A newborn child’s grandfather might select a name whose literal meaning was simply a form of the verb “to go” (*wuksu*). Only those involved in the child’s naming, or close friends of the family, might understand the

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<sup>49</sup> Gifford, “Miwok Moieties,” 143.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid., 142-146; Levy, “Eastern Miwok,” 411; Hull, *Pestilence and Persistence*, 97.

<sup>52</sup> Gifford, “Miwok Moieties,” 146.

<sup>53</sup> Gifford, “Miwok Moieties,” 146-147; Hull, *Pestilence and Persistence*, 97; See also Kroeber, *Handbook of the Indians of California* (Berkeley: California Book Company, 1953 [1925]).

implicit reference to the *sun* “going” down, placing the child within the land moiety.<sup>54</sup>

Those born into the water often received names containing implicit references to deer, salmon, quail, or water itself, while those of the land moiety often had names with subtle connections to the bear, farewell-to-spring flowers, bluejay, or even the act of whistling.<sup>55</sup>

Upon reaching adulthood, a Sierra Miwok individual’s marriage practices were nominally informed by moiety, as one was generally expected to marry outside one’s own moiety.<sup>56</sup> Better understood as mores rather than “rules” or laws, however, these practices were never “rigidly adhered to” or enforced, nor were violators seriously punished. Marriage outside the moiety was considered most “proper,” and friends or relatives might verbally object to or advise against an “improper” marriage, while taking no punitive action against it.<sup>57</sup> Marriage along these proper lines, however, retained a great deal of significance within Sierra Miwok society, long after the first arrival of European colonists. In the early twentieth century, Edward Winslow Gifford wrote that about seventy-five percent of marriages he recorded in Central Sierra Miwok territory were along “proper” moiety lines.<sup>58</sup>

Moieties played an important role in certain, but not all, ceremonies across the Sierra Miwok world. Chief among these were funeral and mourning ceremonies, as well

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<sup>54</sup> Gifford, “Miwok Moieties,” 146-147.

<sup>55</sup> Levy, “Eastern Miwok,” 411; Gifford “Miwok Moieties,” 146-147, 150.

<sup>56</sup> Levy, “Eastern Miwok,” 411; Hull, *Pestilence and Persistence*, 97.

<sup>57</sup> Gifford, “Miwok Moieties,” 141.

<sup>58</sup> *Ibid.*

as puberty ceremonies for girls' coming of age.<sup>59</sup> In funerary ceremonies, the deceased was cared for by those outside of his or her moiety. The period of mourning that followed, meanwhile, was brought to an end by the ritual "washing of the people," in which members of both moieties washed with water the mourners of the opposite moiety. When a Sierra Miwok girl came of age, meanwhile, an older girl of the opposite moiety, who had previously undergone the ceremony herself, exchanged dresses with her.<sup>60</sup> Moieties also played an important role in certain dances practiced in different Sierra Miwok communities. When Central Sierra Miwok people, for example, performed the *ahana* dance, dancers received ceremonial gifts from spectators of the same sex and opposite moiety.<sup>61</sup> Southern Sierra Miwok dancers, meanwhile, often indicated moiety in face paint, with those of the land moiety wearing stripes, and those of the water donning spots.<sup>62</sup>

Each of the many independent and sovereign Sierra Miwok communities, which usually included between 100 and 300 people, lived in a "definite and bounded territory" that included a number of individual villages, under the political leadership of a chief.<sup>63</sup> Individual communities usually took their name from that of their principal settlement, or from a significant place in their territory, as the Ahwahneeches derived their name from

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<sup>59</sup> Gifford, "Miwok Moieties," 145; Levy, "Eastern Miwok," 411; Hull, *Pestilence and Persistence*, 97.

<sup>60</sup> Gifford, "Miwok Moieties," 145; Levy, "Eastern Miwok," 411.

<sup>61</sup> Gifford, "Miwok Moieties," 145-146; Levy, "Eastern Miwok," 411.

<sup>62</sup> Gifford, "Miwok Moieties," 146.

<sup>63</sup> Levy, "Eastern Miwok," 410; Hull, *Pestilence and Persistence*, 94; See also Edward Winslow Gifford, "Miwok Lineages and the Political Unit in Aboriginal California," *American Anthropologist* 28, no. 2 (1926): 389-401.

the valley of Ahwahnee, and the Pohoneechees from *Pohono*, the drainage of Bridalveil Creek.<sup>64</sup> The members of the band collectively held, managed, collected, and exploited the natural resources within their particular territory.<sup>65</sup> Most individual villages within the tribal community housed about twenty people of common patrilineal descent. Each village elected one from among its population to serve as “speaker,” who, as a representative of the chief, acted as the leader of the village community.<sup>66</sup> Speakers assisted the chief in preparations for important ceremonies, and announced some of his decisions or proclamations to the community.<sup>67</sup>

In both permanent villages and seasonal camps, Sierra Miwok families lived in houses, *oo-moo'-chah*, with conical roofs made from slabs of bark or, especially in summer hunting camps in higher mountain elevations, thatch.<sup>68</sup> Especially in villages that experienced harsh weather, “semisubterranean earth-covered” houses with better insulation were used during the winter months.<sup>69</sup> Each house had at its center a hearth and an earthen oven for cooking.<sup>70</sup> Pine needles were scattered across the floor of the house, upon which a fur mat, usually of deerskin, was used as bedding. Sierra Miwok

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<sup>64</sup> Levy, “Eastern Miwok,” 410; Hull, *Pestilence and Persistence*, 94.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid., 410-411. See also C. Hart Merrim, “Ethnographic Notes on California Indian Tribes,” in *University of California Archaeological Survey Reports* 68, vol. 3, ed. Robert F. Heizer, 348, 355.

<sup>67</sup> Levy, “Eastern Miwok,” 410-411.

<sup>68</sup> Hull, *Pestilence and Persistence*, 100.

<sup>69</sup> Levy, “Eastern Miwok,” 408.

<sup>70</sup> Ibid., 408-409.

tribal communities also built larger sweat houses, *chap-poo*’, important sites where community members could seek cures to their diseases, and hunting parties could perform ritual purification before departing for the hunt.<sup>71</sup> Integral to the Sierra Miwok economy, meanwhile, were the *chuk-a*, tall acorn granaries, cylindrical structures with inner lining of grass and brush, which allowed for the storage of surplus acorn crop, of utmost importance during the winter season.<sup>72</sup>

The political, social, and spiritual core of the tribal community, however, lay in the *hange’e*, the ceremonial assembly house, where the most important ceremonies and social political gatherings were conducted.<sup>73</sup> In most Sierra Miwok communities, the assembly house was located in the same village that served as the principal residence of the chief, designating it the political and spiritual “capital” of the tribe.<sup>74</sup> After the death of a chief, the tribe burned the ceremonial house, and a new chief began his or her tenure of leadership by overseeing the construction of a new one.<sup>75</sup> The position of chief was hereditary, usually passing to sons, though the chief’s authority could be passed on to a daughter in the absence of a male heir. In addition, if the chieftainship was passed on to a

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<sup>71</sup> Levy, “Eastern Miwok,” 409; Hull, *Pestilence and Persistence*, 100.

<sup>72</sup> Levy, “Eastern Miwok,” 409; Hull, *Pestilence and Persistence*, 108.

<sup>73</sup> Edward Winslow Gifford, “Central Sierra Miwok Ceremonies,” *University of California Anthropological Records* 14, no. 4 (1955): 265; Levy, “Eastern Miwok,” 410; Hull, *Pestilence and Persistence*, 103. Gifford uses the alternate spelling *hang*i.

<sup>74</sup> Levy, “Eastern Miwok,” 410; Hull, *Pestilence and Persistence*, 95.

<sup>75</sup> Gifford, “Central Sierra Miwok Ceremonies,” 262.

minor, the child's mother would assume political authority until the young chief came of age.<sup>76</sup>

In certain circumstances, especially if the chief's lineage left no heir, the community could select a chief themselves, based on moral and ethical characteristics.<sup>77</sup> The chief's primary responsibilities included advising the people of the tribal community, management of natural and economic resources, the organization of ceremonies, arbitration over disputes, and the punishment of "criminal offenders" especially those committed by shamans that used spiritual power against the people.<sup>78</sup> While they managed all of the tribe's hunting and gathering operations, chiefs themselves did not always perform their own hunting. Young, especially unmarried, men of the community often resided with the chief, and served as hunters for his household, until the time of their marriage.<sup>79</sup> The chief also acted as the primary representative of his or her people in all dealings with other tribal communities. In addition to the elected speakers of each individual villages, "messengers" represented the chief, and were primarily charged with sending official invitations to chiefs of other tribal communities, especially for ceremonies. A messenger, another hereditary position, also made official pronouncements on behalf of the chief, addressing members of the tribal community from the roof of the assembly house.<sup>80</sup> Chiefs, speakers, and messengers were the

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<sup>76</sup> Ibid.; Levy, "Eastern Miwok," 410.

<sup>77</sup> Gifford, "Central Sierra Miwok Ceremonies," 262.

<sup>78</sup> Levy, "Eastern Miwok," 410-411.

<sup>79</sup> Gifford, "Central Sierra Miwok Ceremonies," 263; Levy, "Eastern Miwok," 410.



primary political officials throughout the Sierra Miwok world, but some individual communities had other important leaders and positions. In some Northern and Southern Sierra Miwok communities, for example, “moiety chiefs” were responsible exclusively for their people within the land or water moiety.<sup>81</sup> Specifically in times and acts of war, some Central Sierra Miwok people recognized “war chiefs,” whose authority was entirely separate from that of the tribal chief.<sup>82</sup>

Yokuts people, much like their Miwok neighbors, understood the world in its most ancient past to be covered in water.<sup>83</sup> According to the Dumna Yokuts of the Sierra foothills to the south of Miwok territory, *Yayil*, Chicken Hawk, scattered the sands brought up to him by ducks to create the first lands. The sands Yayil dropped upon the water sprang up to form the Sierra Nevada mountains, and pushed all the water far to the west.<sup>84</sup> The Michahay and Waksachi Mono people, meanwhile, know the Sierra Nevada to have formed when Crow and Falcon flew over the water, telling the piles of earth they dropped to grow into hills.<sup>85</sup> In these foothills, and across the floor of the San Joaquin Valley below them, Yokuts people lived across these vast lands, more than 250 miles long and 75 miles wide.<sup>86</sup> The western edges of the valley were almost entirely bereft of

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<sup>80</sup> Gifford, “Central Sierra Miwok Ceremonies,” 264; Levy, “Eastern Miwok,” 411.

<sup>81</sup> Levy, “Eastern Miwok,” 411.

<sup>82</sup> *Ibid.*

<sup>83</sup> A. H. Gayton and Stanley S. Newman, “Yokuts and Western Mono Myths,” *University of California Anthropological Records* 5, no. 1 (1940): 20, 28.

<sup>84</sup> *Ibid.*, 28.

<sup>85</sup> *Ibid.*, 31.

vegetation or water sources, so most Yokuts communities situated themselves in the rich environment of the eastern valley, fed by the San Joaquin and Kings River drainages. In this region, large communities lived around the shores of Tulare and Kings Lakes, which proved an abundant source of fish, water fowl, tule roots, while also ensuring ease of travel along the extensive waterways that stretched throughout the valley.<sup>87</sup> In the eastern edges of the valley, and in the lower Sierra Nevada foothills, groves of oak trees and plentiful game, especially deer and antelope, supported large communities that sometimes numbered in the several hundreds.<sup>88</sup>

Yokuts political and social organization bore some resemblance to that of their Miwok neighbors in the east, but with important differences, especially among individual communities. Each autonomous Yokuts tribe, for example, was comprised of several villages, with people often moving freely between them over the course of their lives.<sup>89</sup> While not all Yokuts tribes recognized moieties, some foothill communities divided the world between *tokelyuwish*, associated with the west, “downhill,” and “downstream”; and *nutuwish*, associated with the east, “uphill,” and “upstream.”<sup>90</sup> Often *tokelyuwish* was represented by Eagle, and *nutuwish* by Coyote.<sup>91</sup> Unlike most Sierra Miwok tribes,

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<sup>86</sup> A. H. Gayton, “Yokuts and Western Mono Social Organization,” *American Anthropologist* 47, no. 3 (1945): 409.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid., 410-411; Wallace, “Northern Valley Yokuts,” 463.

<sup>89</sup> Spier, “Foothill Yokuts,” 472; A. H. Gayton, “Yokuts-Mono Chiefs and Shamans,” *University of California Publications in American Archaeology and Ethnology* 24, no. 8 (1930): 365-366.

<sup>90</sup> Gayton, “Yokuts and Western Mono Social Organization,” 420.

<sup>91</sup> Ibid., 481; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 14.

however, most Yokuts communities were led by several chiefs, with at least one in every village.<sup>92</sup> None of these chiefs enjoyed entirely paramount authority, and instead met regularly to deliberate, leading by concurrence.<sup>93</sup>

It was considered the collective responsibility of these chiefs to direct and contribute to all the tribe's communal undertakings, especially seasonal ceremonies, feeding their people, and extending hospitality to outside visitors to the tribe.<sup>94</sup> Political and social responsibilities were often tied to lineage, and, for those that recognized them, moieties.<sup>95</sup> Many tribes, for example, were led by chiefs of both the tokelyuwish and nutuwish moieties, with their respective chiefs coming from the Eagle and Coyote lineages.<sup>96</sup> While these chiefs generally led together and through consensus, in the event of disputes, the Eagle chief typically took precedence, and is therefore sometimes considered to have functioned as the "central chief."<sup>97</sup> Even in tribes that did not recognize dual moiety divisions, most political positions in addition to the chieftainships were associated with a particular lineage, inherited patrilineally, each associated with an animal such as Dove, Bear, or Bluejay.<sup>98</sup> In many foothill communities, for example,

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<sup>92</sup> Gayton, "Yokuts-Mono Chiefs and Shamans," 377-378.

<sup>93</sup> Spier, "Foothill Yokuts," 482; Gayton, "Yokuts-Mono Chiefs and Shamans," 378.

<sup>94</sup> Spier, "Foothill Yokuts," 482; Gayton, "Yokuts-Mono Chiefs and Shamans," 385.

<sup>95</sup> Gayton, "Yokuts and Western Mono Social Organization," 416.

<sup>96</sup> Spier, "Foothill Yokuts," 481.

<sup>97</sup> Manlove, *Ethnohistory of the Chowchilla Yokuts*, 14; Spier, "Foothill Yokuts," 481; Brooke S. Arkush, "Yokuts Trade Networks and Native Culture Change in Central and Eastern California," *Ethnohistory* 40, no. 4 (1993): 622.

<sup>98</sup> Spier, "Foothill Yokuts," 481; Gayton, "Yokuts and Western Mono Social Organization," 415.

messengers, charged with carrying out the chiefs' decisions and endowed with spiritual protections allowing for safe travel to distant lands, came from the Dove lineage.<sup>99</sup> Every fall, meanwhile, after the completion of the acorn harvest, the crop could not be made available to the people until its taboo was lifted by a dance performed by members of the Bear lineage.<sup>100</sup>

Yokuts nations ranged from the sea-level plains of the eastern San Joaquin Valley floor, into the lower foothills of the Sierra Nevada south of Miwok territory, to elevations up to three thousand feet above sea-level. Immediately to the east of Foothill Yokuts territory, the "Monache," or "Western Mono" peoples, occupy the upper reaches of the same foothills, in elevations up to seven thousand feet.<sup>101</sup> Knowing themselves collectively only by the name *nimmi*, or "people," Western Mono peoples comprise the politically independent tribal nations of the Northfork Mono, Wobonuch, Entimbich, Michahay, Waksachi, and Patwisha.<sup>102</sup> It was primarily in their language, of little to no relation to Yokuts, that Western Mono peoples were distinguished from their neighbors in the lower elevations. "Mono" languages of the western foothills are much more closely related to those of their Paiute neighbors of the eastern side of the Sierra Crest, of the same "Numic" language family.<sup>103</sup> This shared linguistic heritage, however, did not

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<sup>99</sup> Spier, "Foothill Yokuts," 482; Gatyon, "Yokuts and Western Mono Social Organization," 416.

<sup>100</sup> Gatyon, "Yokuts and Western Mono Social Organization," 416.

<sup>101</sup> Robert F. G. Spier, "Monache," in *Handbook of the Indians of North America*, Vol. 8, 426-427.

<sup>102</sup> Ibid., 426.

<sup>103</sup> Ibid.; Liljeblad and Fowler, "Owens Valley Paiute," 412; Fowler and Liljeblad, "Northern Paiute," 435.

necessarily translate culturally. Due to their close and sustained social contact and relationships developed over the course of generations, Western Mono people borrowed, shared, and exchanged most extensively with Yokuts culture. Due to these close cultural and social relationships, the differences between Mono and Yokuts cultures probably were “no greater” than among each individual Yokuts tribe.<sup>104</sup>

While anthropologists often referred to them with the problematic designation of “Eastern Monos,” the cultures of the Paiute speaking peoples of the eastern Sierra Crest in some ways had more in common with those of the Great Basin than they did with Western Monos or other California tribes.<sup>105</sup> In the southern range of these territories, and directly to the east of Western Mono lands, an ecologically rich river valley supported the Owens Valley Paiute, bound by the Sierra foothills to the west, and those of the Inyo and White Mountain ranges to the east.<sup>106</sup> Speakers of the “Northern Paiute” language, meanwhile, lived in societies over an immense geographical range of the Great Basin, spanning some seventy thousand miles.<sup>107</sup> The lands of Northern Paiute peoples run parallel to the Sierra Nevada for about six hundred miles north of Owens Valley territory, but also extend far beyond it, to the Desatoya Range in central Nevada, and as far north as the Columbia-Snake River drainage area.<sup>108</sup>

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<sup>104</sup> Gayton, “Yokuts-Mono Chiefs and Shamans,” 362; Spier, “Monache,” 426; Dorthea J. Theodoratus, Clinton M. Blout, Albert L. Hurtado, Phillip N. Hawkes, and Myreleen Ashman, *Balsam Meadow Cultural Research Study* (Fair Oaks, CA: Theodoratus Cultural Research, 1978), 60-61.

<sup>105</sup> Julian H. Steward, “The Ethnography of the Owens Valley Paiute,” *University of California Publications in American Archaeology and Ethnology* 33, no. 3 (1933): 235.

<sup>106</sup> Liljeblad and Fowler, “Owens Valley Paiute,” 412-414.

<sup>107</sup> Fowler and Liljeblad, “Northern Paiute,” 435-437.

Within this vast cultural landscape, the *kucadikadi*, or Mono Lake Paiute, maintained the most direct ties and connections to the other communities of a trans-Sierra network, maintaining very close contact with both the Owens Valley people to their south, and Sierra Miwoks to the west.<sup>109</sup> Their territory, directly east of Yosemite Valley, is situated in the high mountain basin of Mono Lake.<sup>110</sup> At its lowest point, along the shores of the lake, Kucadikadi territory sits at about 6,400 feet above sea-level, though the community there would often make seasonal use of the higher reaches of the Sierra that range between nine and thirteen thousand feet, directly to the west of the lake.<sup>111</sup> In the generations before European settlement, the expansive and diverse landscape of the eastern Sierra Crest supported a population of Paiute peoples, in both Owens Valley and in the Mono Lake basin, that probably numbered more than two thousand.<sup>112</sup>

Paiute peoples lived in “seminomadic” communities, in which certain family groups often used the same villages and other sites intermittently at different stages of the year.<sup>113</sup> While these sites were not typically occupied at all points of any given year, they were “permanently localized,” holding important social, spiritual, and social functions for

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<sup>108</sup> Ibid., 435.

<sup>109</sup> Ibid., 437; Steward, “Ethnography of the Owens Valley Paiute,” 236. Alternate spellings of *kucadikadi* include “Kuzedika” or “Kutzadika.”

<sup>110</sup> Fowler and Liljeblad, “Northern Paiute,” 437.

<sup>111</sup> Ibid.; Emma Lou Davis, “An Ethnography of the Kuzedika Paiute of Mono Lake, Mono County,” *University of Utah Anthropological Papers* 75 (1965): 22.

<sup>112</sup> Liljeblad and Fowler, “Owens Valley Paiute,” 415.

<sup>113</sup> Liljeblad and Fowler, “Owens Valley Paiute,” 414.

the family units that maintained them.<sup>114</sup> Both Owens Valley and Northern Paiute peoples maintained a network of seasonal sites and villages over a far-reaching geography, integrated with Paiute economies of seasonal hunting and gathering operations. The Owens Valley Paiute, for example, specifically constructed specialized houses for seasonal use in the highlands of the Inyo and White Mountains, which contained the richest available supplies of piñon.<sup>115</sup>

The seasonal nature of Paiute economies meant that village populations often fluctuated throughout the year. In the winter months, for example, many Northern Paiute villages maintained relatively high populations, as many groups of families all congregated in common sites.<sup>116</sup> In the summer months, by contrast, individual kin groups, usually consisting of two or three related families, left for their own summer camps and villages to spend the season hunting and gathering in that particular locality, before returning to the larger groups in the lower elevation villages for the duration of winter.<sup>117</sup> Sustained by the waters and streams flowing east from the Sierra Nevada into Owens Valley, some people remained in the same villages permanently, but these villages saw their populations reach their greatest heights in Spring, when many families worked together to irrigate the valley, and in the fall, the time of the most important spiritual ceremonies.<sup>118</sup>

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<sup>114</sup> Ibid.

<sup>115</sup> Ibid., 423-424.

<sup>116</sup> Fowler and Liljeblad, "Northern Paiute," 443, 446-447.

<sup>117</sup> Ibid., 446-447.

For Paiute peoples, the most fundamental social and political unit was the family.<sup>119</sup> For the Kucadikadi community at Mono Lake and other Northern Paiute peoples, small groups of individual families spent much of the year together, and used and occupied in common a particular tract of land, known as the *tiwiba*.<sup>120</sup> For each of these groups of families, the *tiwiba* acted as both a home territory and a larger range of land to be used in hunting and gathering operations. The *tiwiba* thus had no strict boundaries or borders, and sometimes individuals or even entire family groups, moved from one *tiwiba* to another. At other times of year, when not camped together, individual families, *nogadi*, maintained smaller seasonal camps.<sup>121</sup> In Northern Paiute societies, each individual family was politically independent, and led by its elder members in all matters of any great importance.<sup>122</sup> When multiple families camped together, a *poinabi* served as an advisor to the broader village or camp community. The primary role of the *poinabi* lay in leading group discussions of any important issues facing the community, in consultation with each family's elders. The *poinabi* did not hold political authority in any strict sense, and instead worked to help the elders of the community lead by consensus.

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<sup>118</sup> Liljeblad and Fowler, "Owens Valley Paiute," 427; Steward, "Ethnography of the Owens Valley Paiute," 238.

<sup>119</sup> Fowler and Liljeblad, "Northern Paiute," 436; Liljeblad and Fowler, "Owens Valley Paiute," 414; Steward, "Ethnography of the Owens Valley Paiute," 294.

<sup>120</sup> Fowler and Liljeblad, "Northern Paiute," 436.

<sup>121</sup> Ibid.

<sup>122</sup> Ibid., 450; Davis, "Ethnography of the Kuzedika Paiute," 16.



This particular mode of political leadership was maintained in the event of a *poginabi*'s death, as the people gathered and deliberated to select a successor by consensus.<sup>123</sup>

Owens Valley Paiute families were also independent, with very little “public control” affecting their livelihoods or economic activities.<sup>124</sup> Despite this, several groups of families lived and worked together in large villages with as many as several hundred people at certain points in the year. Kin networks, however, extended far beyond the boundaries of each individual village community, and Owens Valley Paiute people continually traveled between various villages over the course of their lives.<sup>125</sup> Each of these particular village communities, meanwhile, was led by a *poginabi*, or chief, whose authority was generally limited given the independence of each individual family within any village.<sup>126</sup> The position was hereditary, and while each *poginabi* had the right to name his own successor, his selection was subject to public approval, illustrating the importance of consensus-driven decision making and leadership in Owens Valley Paiute society.

The primary responsibilities of the *poginabi* lay in directing certain communal activities, and in overseeing the construction of the assembly lodge.<sup>127</sup> Unlike Miwok and Yokuts assembly houses, those of the Northern Paiute served no important spiritual

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<sup>123</sup> Fowler and Liljeblad, “Northern Paiute,” 450.

<sup>124</sup> Liljeblad and Fowler, “Owens Valley Paiute,” 414, 425.

<sup>125</sup> Ibid.

<sup>126</sup> Ibid., 428.

<sup>127</sup> Ibid., 428, 425.

or ceremonial purposes. The people used these lodges primarily as social centers for each autonomous village community, providing a public forum for assembly and discussion, and housing for unmarried or elder men.<sup>128</sup> Revealing the highly porous boundaries between each independent village community, certain enterprises—most specifically the annual irrigation of the valley’s meadows, some hunting and gathering operations, and ceremonial activities—saw communal participation by members of many different Owens Valley Paiute tribes, sometimes from great distances.<sup>129</sup> The annual mourning ceremony, known as the Cry, for example, brought together people from communities all over Owens Valley to mourn all those lost in the previous year, and to ritually end the mandatory mourning period observed by those that lost family members.<sup>130</sup> In perhaps the most extensive intertribal activity of Owens Valley, poginabis organized and led the pine nut ceremony each year after the conclusion of the pine harvest, when people from all around the valley congregated in particular villages and performed ceremonial dances for up to one week.<sup>131</sup>

In the decades and centuries after the first white explorers, missionaries, soldiers, and settlers arrived on California’s shores, fictitious narratives emerged regarding the histories and cultures of the Native peoples of this vast and diverse trans-Sierra world. The earliest settlers’ written accounts to describe Paiute, Miwok, Yokuts, and Mono

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<sup>128</sup> Ibid., 425.

<sup>129</sup> Ibid., 428, 425.

<sup>130</sup> Ibid., 428.

<sup>131</sup> Ibid., Steward, “Ethnography of the Owens Valley Paiute,” 238.

people of the greater Sierra regions painted a picture in which each of these societies lived in a kind of pristine isolation from one another, defined above all else by the natural environment of their ancestral lands. These descriptions belied a staggering ignorance of the complex and far-reaching networks of exchange that in reality characterized this extensive indigenous geography.

After settling in Wawona in 1857, Galen Clark fostered a close and lasting relationship with the Ahwahneechees and other indigenous tribes of the region that would last more than fifty years. Over the course of those decades as a settler and in his service as guardian of the Yosemite Grant, members of these tribal communities guided Clark throughout their lands on hunting and exploring trips, and shared with him their knowledge of their own lands and history.<sup>132</sup> This relationship led Clark to appreciate something of the extensive trade networks and legacies of intermarriage that connected the Ahwahneechee people with their Miwok, Yokuts, and Paiute neighbors throughout a vast and diverse trans-Sierra world.<sup>133</sup> Clark believed, however, that only “minor differences” separated the many indigenous cultures of the western Sierra slopes. What few differences did exist, he went on, were “principally due to environment.” “As with all primitive peoples,” Clark explained, the “mode of life” of each California tribe was primarily “determined by natural conditions,” leading to some of the cultural differences

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<sup>132</sup> Clark, *Indians of the Yosemite*, xiii, 95-96.

<sup>133</sup> *Ibid.*, 21-22.

he detected between the tribes of “the warm foothills” and those “dwelling higher in the mountains.”<sup>134</sup>

Clark correctly recognized the immense ecological and environmental diversity that characterizes the southern trans-Sierra regions, ranging everywhere from the verdant San Joaquin Valley in the west, to the vast deserts of the Great Basin in the east, and the forested mountains and foothills everywhere in between. The correlations that Clark drew, however, between indigenous cultures and the natural environment itself, belie pervasive and longstanding stereotypes regarding Native peoples of California and beyond. By the time Clark published *Indians of the Yosemite Valley* in the early twentieth century and near the end of his life, non-Native settlers, government officials, and academics had constructed a popular and romantic historical narrative in which indigenous cultures were shaped by the natural environment itself. These highly problematic narratives, which treat indigenous cultures and histories as little more than curious facets of natural history, have permeated long into the twentieth century and to the present day. In his immensely popular work *Bury my Heart at Wounded Knee*, first published in 1970, Dee Brown lamented that California Indian societies “were as gentle as the climate in which they lived.”<sup>135</sup>

While Clark’s and Brown’s popular works helped perpetuate them well into the twentieth century and beyond, the narratives they presented have their roots in the earliest

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<sup>134</sup> Ibid., 21.

<sup>135</sup> Dee Brown, *Bury my Heart at Wounded Knee: An Indian History of the American West* (New York: Henry Holt & Co., 1970), 219.

written accounts by Anglo-American trappers, explores, and settlers that first invaded California Indian lands in the early nineteenth century. More importantly, by the turn of the twentieth century, the emerging academic field of anthropology disseminated a body of influential scholarship that lent credence to the idea that indigenous societies and cultures above all else reflect the natural environment.

By the late nineteenth century, many of the stereotypes and attitudes presented in such writings had been cemented in the settler consciousness of the United States. At the same time, the turn of the twentieth century ushered in a blossoming of the nascent academic field of anthropology. In this period the preeminent anthropologist of California Alfred L. Kroeber, along with his myriad students, produced hundreds of anthropological studies of the state's indigenous peoples, most especially focused on culture, religion, language, and other traditions before the advent of white settlement.<sup>136</sup> Much of this work was generally well-intentioned, with Kroeber hoping to provide for posterity a comprehensive "record of Native California's varied ways of life," and to end the " 'delusion' of racial superiority."<sup>137</sup> At the same time, Kroeber was almost exclusively concerned with indigenous cultures in their "uncontaminated" state prior to the advent of white settlement.<sup>138</sup> He took no academic interest in what he called the

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<sup>136</sup> Orin Starn, *Ishi's Brain: In Search of America's Last "Wild" Indian* (New York: W. W. Norton, 2004), 138.

<sup>137</sup> Ibid., 138-139.

<sup>138</sup> Ibid., 24-25, 203.

“bastard cultures” of contemporary California, dismissing the legacies of colonization and settlement, and the resulting blending of Native on non-Native cultural elements.<sup>139</sup>

In the preface to his massive survey, *Handbook of the Indians of California*, Kroeber stated that his research deliberately omitted all “accounts of the relations of the natives with the whites and of the events befalling them after such contact was made.”<sup>140</sup> In focusing entirely on a fictitious “uncontaminated” indigeneity, Kroeber consigned Native Californian peoples to the past. Most importantly, Kroeber’s fixation with supposedly “uncontaminated” cultures of the “precontact” period served to strengthen, if not directly endorse, the toxic settler narrative that indigenous peoples are passively molded by the natural environment around them. Kroeber wrote, for instance, that the Paiute peoples of the eastern Sierra Crest, lived in an environment fundamentally “un-Californian,” dominated by desert soil and sagebrush. For these reasons, Kroeber went on, these tribes “belong to California unnaturally and only through the courtesy of arbitrary political lines.”<sup>141</sup>

While correct in noting that contemporary political boundaries dividing U.S. states such as California and Nevada have no bearing on indigenous geographies, Kroeber severely downplayed the extensive webs of cultural, linguistic, political, social, and spiritual exchanges between indigenous societies on both sides of the Sierra Crest. While Kroeber conceded it “could not be doubted” that the Paiute peoples of the eastern

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<sup>139</sup> Ibid., 140.

<sup>140</sup> Kroeber, *Handbook of the Indians of California*, vi.

<sup>141</sup> Ibid., 582.

Sierra may have held “much in common” with the other California tribes to their west, he ultimately concluded that they must be considered “true Basin people.” Paiute peoples of the greater Sierra regions, that is, were more “naturally” defined by their relationship to the desert environments and ecologies of the Great Basin, than by their sustained and close contacts—both direct and indirect—with the many nations of Miwoks, Western Monos, Yokuts, and Maidus to their west.<sup>142</sup>

At the very core of this thinking is the notion that the Sierra Nevada mountains represent, both naturally and culturally, “one of earth’s greatest walls.”<sup>143</sup> With California’s Native societies defined and understood by non-Native settlers, explorers, merchants, and academics, as figments of the natural world, the towering heights of the Sierra Nevada—more than fourteen thousand feet above sea level at its highest point—marked the most “natural” of barriers between the region’s many cultures and societies. In reality, for countless generations before the first non-Native intruders reached California, extensive indigenous networks of exchange built a vibrant and far-reaching trans-Sierra world. While this expansive region was extremely culturally diverse, the indigenous histories of California before non-Native invasion are characterized by intertribal relationships to an extent never appreciated by such non-Native observers as Galen Clark or Alfred Kroeber. In reality, the indigenous histories of this vast region, along with subsequent anthropological and historical scholarship, reveal the Sierra Crest

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<sup>142</sup> Ibid., 582-583.

<sup>143</sup> Ibid., 585.

to more accurately represent a “conduit” between peoples, rather than the kind of impenetrable “cultural barrier” of Kroeber’s conjuring.<sup>144</sup>

Perhaps most fundamentally, understandings of spiritual power, and its role in the order of the universe, unify the highly diverse and complex societies that make up this indigenous trans-Sierra world. While individual tribal communities kept and transmitted their own unique histories of their pasts through oral narratives of creation, Sierra Miwok peoples and their neighbors all understood the landscape itself to be endowed with “residual powers from the past, sites of historical moments, and the homes and places of residence of powerful beings, and themselves, in the recent past.”<sup>145</sup> One of the largest villages in the valley of Ahwahnee, Koom-i-ne, for example, lay near the foot of *Cho’-lok*, Yosemite Falls, whose pools housed the tremendous and sometimes dangerous power of the *Po’-loti* spirit women.<sup>146</sup> In an earlier age, the spiritual power of the *Po’loti* was known to have blown away an entire village community with a violent gust of wind.<sup>147</sup> This kind of pervasive power lay at the core of indigenous geographies far beyond Sierra Miwok territory, and the many diverse societies of Yokuts to the west and south, and Paiutes to the east, named countless landmarks in their own lands, as did the Miwoks, to convey something of the power, history, and spiritual resonance they held.

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<sup>144</sup> Liljeblad and Fowler, “Owens Valley Paiute,” 415.

<sup>145</sup> Lowell J. Bean, “Introduction,” in Merriam, *Dawn of the World*, 10.

<sup>146</sup> Merriam, “Indian Village and Camp Sites in Yosemite Valley,” 205; Barrett, “Myths of the Southern Sierra Miwok,” 23; La Pena, Bates and Medley, *Legends of the Yosemite Miwok*, 47.

<sup>147</sup> La Pena, Bates, and Medley, *Legends of the Yosemite Miwok*, 47; Barrett, “Myths of the Southern Sierra Miwok,” 23; Latta, *California Indian Folklore*, 129.



While traveling through and researching the Mono Lake Basin, for example, the turn-of-the-century geologist and volcanologist Israel Cook Russell learned of the spiritual power imbued in the volcanic landscape from the local Kucadikadi people. The largest of the lake's islands, they told Russell, was the home of spirits "having long, waving hair, that were sometimes seen in the vapor-wreaths escaping from the hot springs." After learning of these indigenous histories and beliefs, Russell felt it was important for the non-Native scientific community to designate natural landmarks "in the language of the aborigines that still inhabit the valley," especially words that connoted the landscape's spiritual endowment. The Paiute word for these spirits, *pa-o-ha*, he believed, should therefore be "attached" to the lands "with which they have long been familiar." For these reasons Russell decided the western scientific community should refer to this place as "Paoha Island."<sup>148</sup>

Russell's interest in this knowledge, however, stemmed largely from his fascination with what he perceived to be a race and culture "fast passing away," placing his comments within the larger context of contemporary "salvage anthropology" such as Kroeber's, which exoticized Native peoples and cultures as little more than curious figments of the past.<sup>149</sup> Russell's paternalistic attitude notwithstanding, the history the Kucadikadi shared with him points to the broader ways in which the Paiute, and

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<sup>148</sup> Israel Cook Russell, *Volcanoes of North America: A Reading Lesson for Students of Geography and Geology* (New York: Macmillan, 1910), 211.

<sup>149</sup> Ibid. For a discussion of what value the largely problematic traditions of "salvage anthropology" can have for Native and non-Native scholars, see Stephen Warren and Ben Barnes, "Salvaging the Salvage Anthropologists: Erminie Wheeler-Voegelin, Carl Voegelin, and the Future of Ethnohistory," *Ethnohistory* 65, no. 2 (2018): 189-214.

California Indian, world was and is shaped by a continuity of spiritual power and presence. Mono Lake's highly saline composition, for example, came from the "residual powers" continually emanating into the present and future from the deep past.<sup>150</sup> The Kucadikadi believe there once lived an enormous fish in June Lake, in the southern Mono Basin, so large that it could not adequately be contained by the lake's waters. The fish was forced to move around the country until it could find a lake large enough to accommodate it, eventually settling in *Havaka'tun*, a lake whose waters Wolf had dammed to keep and collect the fish there. When Coyote broke the dam, Wolf attempted to halt the flow with a large flat rock, but the giant fish blew straight through it, and eventually landed in Mono Lake. Its waters were so shallow that the fish scraped its scales against the bottom of the lake bed. When the fish left, eventually to settle permanently in Lake Tahoe, Mono Lake's water would forever be salty, while the scales it left on the lake floor spawned the *kucavi*, or the larvae of the brine fly, an extremely important staple of the Mono Lake Paiute diet and economy, and the source of their name for themselves, the Kucadikadi.<sup>151</sup>

As this indigenous knowledge demonstrates, for Paiute, Miwok, Yokuts, and Mono societies, spiritual power, though often emanating from the past, remained potent and powerful in both the present and the future. Most importantly, spiritual power was not some passive or abstract element of the natural landscape. Almost all people could

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<sup>150</sup> Bean, "Introduction," in Merriam, *Dawn of the World*, 10.

<sup>151</sup> Julian H. Steward, "Myths of the Owens Valley Paiute," *University of California Publications in American Archaeology and Ethnology* 34, no. 5 (1936): 429; Fowler and Liljeblad, "Northern Paiute," 437; Davis, "Ethnography of the Kuzedika Paiute," 33.

receive some degree of power, knowledge, and guidance from spirits over the course of their lives, but those that had especially “repeated and vivid” dreams and visions gained access to this power with such strength that they could harness it and “call upon it to do good.”<sup>152</sup> In harnessing such power these individuals, often referred to as “shamans” by non-Native people, played an extremely vital role in their communities. Each individual Native nation has its own traditions and specific names for these medicine people, including the Northern Paiute *puhagami*, or the *koyabe* and *alini* of the Central Sierra Miwok.<sup>153</sup>

The word “shaman,” therefore, does not reflect any of these specific traditions, which often included “specialists” in various areas of spiritual healing and knowledge, but instead refers generally to all Native American people that could access spiritual or supernatural power in any of its forms. In fact, the term originates from a Tungusic language word for spiritual authorities of northern Asian tribal peoples, subsequently applied to cultures of North America.<sup>154</sup> The term is problematic in that it obscures the myriad and highly differing tribal traditions involving access to spiritual power and knowledge. The noted scholar and historian Lowell Bean, for instance, has argued that understood in the broadest sense of the word, “shamans” can and should be seen as

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<sup>152</sup> Spier, “Foothill Yokuts,” 482; Gayton, “Yokuts-Mono Chiefs and Shamans,” 389; Fowler and Liljeblad, “Northern Paiute,” 451.

<sup>153</sup> Fowler and Liljeblad, “Northern Paiute,” 451; Craig D. Bates, “Sierra Miwok Shamans, 1900-1990,” in *California Indian Shamanism*, ed. Lowell John Bean (Menlo Park, CA: Ballena Press, 1992), 99.

<sup>154</sup> Lowell John Bean and Sylvia Brakke Vane, “The Shamanic Experience,” in *California Indian Shamanism*, 7-8; “Shaman” and “Shamanism,” in *The Compact Edition of the Oxford English Dictionary* (New York: Oxford University Press, 1971), 2766-2767.

“intellectuals; as artists; as healers par excellence; as managers of the physical and biotic environment; as psychics; as philosophers; and as the boundary players of the cosmological and social universe.”<sup>155</sup>

Shamans gained their spiritual power in visions that came to them during dreams, prayer, in vision quests, or through trances bought on by fasting or the drinking a substance of *Datura*, a flower with hallucinogenic properties.<sup>156</sup> In these visions, shamans acquired a guardian spirit whose power could be wielded by the shaman, especially in the curing of disease. Once gaining this power, a new shaman would receive training from an elder shaman, and would go on to perform a vital role in the tribal community.<sup>157</sup> While shamans throughout the greater Sierra Nevada regions went through roughly this same trajectory, there were important differences in how one might receive their power and knowledge. In Yokuts societies, the spiritual and social responsibilities that came with this role were so important that many people chose to forego formal training as a shaman, even if they received visions imparting spiritual knowledge.<sup>158</sup>

For Paiute peoples, deliberately ignoring such visions could bring about great illness or even death.<sup>159</sup> Spirit animals or beings generally came to a Paiute individual

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<sup>155</sup> Lowell John Bean, “Introduction,” in *California Indian Shamanism*, 1.

<sup>156</sup> Spier, “Foothill Yokuts,” 482; Gayton, “Yokuts and Western Mono Social Organization,” 414; Wallace, “Northern Valley Yokuts,” 467; Levy, “Eastern Miwok,” 412; Bean and Brakke Vane, “the Shamanic Experience,” 10.

<sup>157</sup> Spier, “Foothill Yokuts,” 482; Gayton, “Yokuts-Mono Chiefs and Shamans,” 389.

<sup>158</sup> Gayton, “Yokuts-Mono Chiefs and Shamans,” 372.

“unsought,” communicating instructions to attain power, while a Yokuts person could, “by voluntary effort,” seek to receive in a dream the knowledge and power of a specific guardian animal spirit.<sup>160</sup> Paiute people could seek out and spend an entire night at specific sites known to be imbued with *puha*, or spiritual power, which would only be granted to them if the spirit so chose.<sup>161</sup> A Yokuts individual, meanwhile, might specifically seek as guardian spirit the same animal of their lineage, which afforded particular powers and responsibilities. Members of the Rattlesnake lineage, for instance, who sought and received the rattlesnake as guardian spirit, were uniquely able to harness the spiritual power to protect the community from snake bites by performing every spring an important snake ceremony.<sup>162</sup> Many tribes of the greater Sierra Nevada regions had such shamans, who had access to particular or powers, or specialized in certain kinds of healing. Central Sierra Miwok *kalang’i* cured ailments through dance, while *tshimapulu*, or bear shamans, were impervious to fire, a power granted only to those that were captured and danced on by the bear over a period of four days.<sup>163</sup> Deer shamans could provide Miwok communities with prophecies regarding upcoming hunts, while weather shamans could wield their power to influence the rains or the wind.<sup>164</sup>

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<sup>159</sup> Fowler and Liljeblad, “Northern Paiute,” 451; Steward, “Ethnography of the Owens Valley Paiute,” 312.

<sup>160</sup> Fowler and Liljeblad, “Northern Paiute,” 451; Steward, “Ethnography of the Owens Valley Paiute,” 308-309; Gayton, “Yokuts and Western Mono Social Organization,” 414.

<sup>161</sup> Fowler and Liljeblad, “Northern Paiute,” 452.

<sup>162</sup> Gayton, “Yokuts and Western Mono Social Organization,” 415-416.

<sup>163</sup> Bates, “Sierra Miwok Shamans,” 100-101.

<sup>164</sup> Levy, “Eastern Miwok,” 412, Hull, *Pestilence and Persistence*, 105.

Healing, treating, and curing illness were among the most important services shamans provided for their communities. When a member of the tribe was afflicted with disease, a shaman could cure them at the sweat house, by locating within the body a “disease object,” by harnessing the power of their guardian spirit. After locating the object, which might be a piece of wood, a stone, or a worm, the shaman could remove the cause of the disease by sucking.<sup>165</sup> Other illnesses might be cured by ceremonial dance and song, or through the use of herbal medicines.<sup>166</sup> While male shamans might sometimes assist them, women, and especially elder women, held the most potent power in aiding and guiding mothers through childbirth.<sup>167</sup> Women were also shamans themselves, especially among the Owens Valley and Kucadikadi Paiute, where they were roughly as common as men.<sup>168</sup> While less common west of the Sierra Crest, the Central Sierra Miwok phrase *osa’ ka’ yabi* refers literally to a female shaman. Like their male counterparts, these women spent years studying and learning from elders before practicing themselves, and by the early twentieth century, some had built “large followings” in their communities, though often “to the disgust” of some male shamans.<sup>169</sup>

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<sup>165</sup> Levy, “Eastern Miwok,” 412; Hull, *Pestilence and Persistence*, 104; Fowler and Liljeblad, “Northern Paiute,” 452; Spier, “Monache,” 434; Bates, “Sierra Miwok Shamans,” 99-100; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 30-31.

<sup>166</sup> Fowler and Liljeblad, “Northern Paiute,” 452; Bates, “Sierra Miwok Shamans,” 99.

<sup>167</sup> Spier, “Foothill Yokuts,” 478.

<sup>168</sup> Fowler and Liljeblad, “Northern Paiute,” 451; Liljeblad and Fowler, “Owens Valley Paiute,” 428-429; Steward, “Ethnography of the Owens Valley Paiute,” 311.

<sup>169</sup> Bates, “Sierra Miwok Shamans,” 99.

For Miwok, Paiute, and Yokuts peoples, the spiritual power that resides within the landscape is not inherently good nor malevolent. While such power was ubiquitous and potent, those that accessed it could choose to use it for beneficent or nefarious purposes. In the early twentieth century, for example, Sam Osborn told the story of Wasic, a powerful shaman of the past that had been known to use his power to terrorize his Waksachi community. According to Osborn, Wasic once coerced other shamans to aid him in a plan to kill two young Waksachi girls, and to “skin them and stuff them like dolls.”<sup>170</sup> Central Sierra Miwok *tu yu ku*, meanwhile, accumulated deep knowledge of poisons, and held the ability to direct the poison’s trajectory towards vital organs after it entered a victim’s body.<sup>171</sup> While shamans played extremely vital and beneficial roles for their tribal communities, those like Wasic who would draw on their power to harm, were greatly feared and represented extreme threats to the people. While malevolent shamans usually worked secretively, their actions and plans might be revealed in the visions of other shamans within the community.<sup>172</sup> Those determined to have targeted the people of their tribes were universally condemned, and subject to the sanction or punishment of the chief, which could include death.<sup>173</sup>

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<sup>170</sup> Gayton, “Yokuts-Mono Chiefs and Shamans,” 392-393.

<sup>171</sup> Bates, “Sierra Miwok Shamans,” 101-102.

<sup>172</sup> Spier, “Foothill Yokuts,” 482.

<sup>173</sup> Thomas M. McCorkle, “Intergroup Conflict” in *Handbook of North American Indians*, Vol. 8, 698; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 15-16; Spier, “Monache,” 434-435; Bates, “Sierra Miwok Shamans,” 102.

In the generations prior to white settlement, the indigenous nations of the southern Sierra Nevadas were most broadly tied by this intellectual understanding of the order of the universe, in which the world is imbued with spiritual power. Each society was guided in large part by gaining access to and greater knowledge of these powers. This very broad intellectual connection points to the constant movement of spiritual and cultural ideas, physical objects, and people across tribal territories that mapped extensive trans-Sierra indigenous networks long before the arrival of the first non-Native settlers and colonists. The heights of the Sierra Nevada served as a “conduit” through which social, political, economic, spiritual, and intellectual relationships flowed.<sup>174</sup>

Throughout the greater southern Sierra Nevada regions, individuals from Mono, Paiute, Yokuts, and Miwok tribes often crossed into each other’s territories to take part in important spiritual ceremonies. While each tribe’s own spiritual traditions differed in significant ways, this extensive intertribal movement of people for spiritual purposes represents one of the myriad ways in which these societies were closely interconnected. Mourning ceremonies, of central importance for each of these tribal peoples, often brought thousands of groups and individuals from outside tribes and communities to participate in a week of song. Such ceremonies often involved a public “shaman’s contest,” in which shamans, often from different bands or tribes, used their spiritual powers against one another to determine whose abilities were strongest. In the annual mourning ceremonies of Sierra Miwok tribes, for instance, shamans would attempt to

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<sup>174</sup> Liljeblad and Fowler, “Owens Valley Paiute,” 415.



“poison” each other, with the victorious shamans afterwards drawing on their powers to heal their defeated opponents.<sup>175</sup>

Foothill Yokuts mourning ceremonies included one night in which shamans used their power to catch “shots” from the sun, which they directed towards their opponents.<sup>176</sup> Foothill Yokuts mourning ceremonies sometimes saw attendance by non-Yokuts speaking peoples from neighboring tribes, while Yokuts shamans commonly traveled into the higher foothills to participate in Mono mourning ceremonies.<sup>177</sup> In addition to these large mourning ceremonies, other spiritual gatherings fostered intertribal exchanges and participation. Members of numerous Foothill Yokuts and Western Mono tribes were often invited to attend the dances of rattlesnake shamans.<sup>178</sup> Spiritual exchanges such as these were not limited to the slopes of the western Sierra Nevada, as Mono and Miwok people sometimes traveled east over the Sierra Crest to participate in the fall ceremonies Owens Valley and Northern Paiute peoples held after a significant seed harvest or hunt.<sup>179</sup> In all of these cases, chiefs were generally responsible for the management of these ceremonies, and specifically sent messengers to distant tribes with invitations. For the duration of their stay, visitors were typically provided with food, lodging, and

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<sup>175</sup> Levy, “Eastern Miwok,” 412.

<sup>176</sup> Spier, “Foothill Yokuts,” 480; Spier, “Monache,” 434.

<sup>177</sup> Ibid.; Spier, “Monache,” 434.

<sup>178</sup> Gayton, “Yokuts-Mono Chiefs and Shamans,” 380.

<sup>179</sup> Steward, “Ethnography of the Owens Valley Paiute,” 320.

supplies from the chief or, especially in mourning ceremonies, from the families of the deceased.<sup>180</sup>

Further legacies of intellectual relationships abound in the California Indian societies of the greater Sierra Nevada regions. Most cultures of the Great Basin, for example, were not divided along the dual lines of the moiety that characterized Miwok, Yokuts, and Mono worldviews.<sup>181</sup> Some Paiute communities of the eastern Sierra Nevada foothills, however, were in such close and continual contact with their neighbors to the west, that the moiety system, while never fully adopted, influenced certain elements of their culture. In southern Owens Valley, groups of Paiute families that camped around Independence and Gorge came to be known by their neighbors as the “Eagles,” with another group to the north called the “Magpies,” associations with bird names comprising a “faint echo” of the moiety system.<sup>182</sup> In the western foothills, meanwhile, most Mono tribes adopted the Yokuts moiety system nearly in its entirety for ceremonial purposes.<sup>183</sup> Elements of material culture also flowed across these webs of exchange, as Mono traditions of pottery, used especially for cooking, “diffused” into many Foothill Yokuts communities of the lower foothills.<sup>184</sup> In the upper Sierra highlands, these Mono communities sat nearly in the middle of a vast web of linguistic,

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<sup>180</sup> Spier, “Monache,” 434; Spier, “Foothill Yokuts,” 480; Gayton, “Yokuts-Mono Chiefs and Shamans,” 380; Steward, “Ethnography of the Owens Valley Paiute,” 320.

<sup>181</sup> Steward, “Ethnography of the Owens Valley Paiute,” 294.

<sup>182</sup> Liljeblad and Fowler “Owens Valley Paiute,” 428.

<sup>183</sup> Ibid.

<sup>184</sup> Spier, “Monache,” 430.

cultural, and spiritual exchanges, acting as “cultural mediators” between the Paiute, Miwok, and Yokuts people on both sides of the mountain crest.<sup>185</sup>

Some of the most direct and indelible connections between the many autonomous communities of the greater Sierra Nevada regions came via an extensive network of trade routes and trails that ran from the valley floor of the San Joaquin, over the high mountain passes into the deserts of the Great Basin. While tribes of the southern Sierra foothills did maintain contact and relationships with the Nisenan and Maidu communities to their north, the most robust trade relationships in these regions ran from west to east, as tribes from highly “distinctive ecological zones” had access to different resources that were in demand among tribes of different environments.<sup>186</sup> This east-west trade network, meanwhile, extended far beyond the Sierra region itself, stretching to the California coast in the west, and deep into the Great Basin in the east.<sup>187</sup> While these economic relationships therefore stretched far beyond this region itself, the physical movement of peoples involved in this trade was most often that of relatively close neighbors, like the Sierra Miwok, Foothill and Valley Yokuts, Western Mono, and Owens Valley and Kucadikadi Paiute.<sup>188</sup>

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<sup>185</sup> Liljeblad and Fowler, “Owens Valley Paiute,” 415; Spier, “Monache,” 426-427; Theodoratus, Blout, Hurtado, Hawkes, and Ashman, *Balsam Meadow Cultural Research Study*, 63.

<sup>186</sup> Arkush, “Yokuts Trade Networks,” 619, 623.

<sup>187</sup> Ibid., 623; Levy, “Eastern Miwok,” 411-412; Wallace, “Northern Valley Yokuts,” 464; Davis, “Ethnography of the Kuzedika Paiute,” 21.

<sup>188</sup> Levy, “Eastern Miwok,” 403; Steward, “Ethnography of the Owens Valley Paiute,” 357-358; Spier, “Monache,” 427; Spier, “Foothill Yokuts,” 473-474; Robert F. Heizer, “Trade and Trails,” in *Handbook of North American Indians Vol. 8*, 692; Clark, *Indians of the Yosemite Valley*, 22-23.

The verdant and abundant San Joaquin region supplied Yokuts nations with a bountiful food supply that could be traded east over the Sierra Crest.<sup>189</sup> Deer and elk skins, readily available throughout most Yokuts territories, were also of great use and importance to Sierra tribes that endured colder winters in higher elevations.<sup>190</sup>

Geographically situated between the California coast and the Sierra regions, Yokuts traders also brought shell beads, among other goods, from their coastal neighbors into the Sierras, where Miwok, Foothill Yokuts, and Mono peoples sometimes used them as currency, or in necklaces.<sup>191</sup> In these exchanges, Yokuts peoples often received salt, pine nuts, sheep skins, berries, baskets, and obsidian from the east.<sup>192</sup> Acquired principally from Mono Lake Paiutes, obsidian had numerous spiritual, social economic, and military purposes for the tribal nations of the southern Sierras. Most basically, Sierra Miwok, Foothill Yokuts, and Western Mono peoples carved arrowheads of obsidian, especially useful both for the hunting of large game animals like bears, and for warfare.<sup>193</sup> During his years among the Ahwahneeches, meanwhile, Galen Clark learned of obsidian's

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<sup>189</sup> Arkush, "Yokuts Trade Networks," 622.

<sup>190</sup> Ibid., 623.

<sup>191</sup> Ibid.; Levy, "Eastern Miwok," 411-412; Heizer, "Trade and Trails," 691; Clark, *Indians of the Yosemite Valley*, 22-23.

<sup>192</sup> Arkush, "Yokuts Trade Networks," 623; Spier, "Foothill Yokuts," 473; Wallace, "Northern Valley Yokuts," 465; Davis, "Ethnography of the Kuzedika Paiute," 21.

<sup>193</sup> Clark, *Indians of the Yosemite Valley*, 74; Spier, "Monache," 429; Levy, "Eastern Miwok," 406.

particular importance as a medical implement, which shamans could use to make incisions on an ill person's body before sucking to remove the disease object.<sup>194</sup>

Trade networks facilitated not only the exchange of goods, but the physical movement of people, who often traveled significant distances outside their tribal territories on trade expeditions. Along with the intertribal participation in spiritual ceremonies, these economic relationships were instrumental in fostering direct contact across tribal nations throughout the southern Sierra regions. In some tribal societies, especially among the Yokuts, particular people acted specifically as professional traders.<sup>195</sup> Tribes and their traders maintained an extensive web of camps outside their own traditional territories, and individual traders sometimes traveled great distances and spent considerable time moving across these intertribal trails.<sup>196</sup> The seasonal camps along the trails were nodes in an extensive transnational web of economic and social exchanges, allowing for a continuing movement of peoples across the conduit of the mountains.<sup>197</sup>

One of the most notable and commonly trafficked intertribal trade routes across the Sierra Crest connected the Mono Lake Basin to Yosemite Valley.<sup>198</sup> Used commonly

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<sup>194</sup> Clark, *Indians of the Yosemite Valley*, 57. Shamans might sometimes be able to remove a disease object without making any incisions, using a special bone whistle. See Bates, "Sierra Miwok Shamans," 99.

<sup>195</sup> Arkush, "Yokuts Trade Networks," 623; Latta, *Handbook of Yokuts Indians*, 64-67.

<sup>196</sup> Heizer, "Trade and Trails," 692.

<sup>197</sup> Ibid; James A. Bennyhoff, "An Appraisal of the Archaeological Resources of Yosemite National Park," *Reports of the University of California Archaeological Survey* no. 34 (1956): 19.

<sup>198</sup> Steward, "Ethnography of the Owens Valley Paiute," 329; Davis, "Ethnography of the Kuzedika Paiute," 22.

by both Ahwahneechee and Kucadikadi people, a journey across the entire stretch of this trail took about one week on foot, and was the most direct link between the two nations. Kucadikadi traders brought obsidian, salt, and sometimes buffalo hides from the Great Basin over this route to Ahwahnee, while Ahwahneechees provided the Mono Lake Basin with berries, acorns, baskets, and coastal imports.<sup>199</sup> Most importantly, this route facilitated a sustained movement of people that fostered close intertribal relationships lasting countless generations. Near this intertribal trail, Kucadikadi people maintained a summer camp within Little Yosemite Valley—two thousand feet above and just upstream from Ahwahnee—allowing for closer commercial and social relations with the Ahwahneechees.<sup>200</sup> In the winter months, and especially when pine nut yields were low, some Kucadikadis relocated to live among their western neighbors in Ahwahnee itself, while some Ahwahneechees spent summers on the shores of Mono Lake.<sup>201</sup> Indigenous trade routes and trails such as this fostered and maintained connections that reached far beyond the most immediate neighbors. Members of the Northfork Mono at various times trekked across the Sierra Crest to live seasonally among the Kucadikadi, while Paiute people left the Mono Lake Basin and traversed the mountain passes, even in winter, to live among the Western Mono tribes along the San Joaquin River.<sup>202</sup>

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<sup>199</sup> Davis, “Ethnography of the Kuzedika Paiute,” 21; Steward, “Ethnography of the Owens Valley Paiute,” 257; Bennyhoff, “An Appraisal of the Archaeological Resources of Yosemite National Park,” 7.

<sup>200</sup> Steward, “Ethnography of the Owens Valley Paiute,” 325; See also Barrett, “Geography and Dialects of the Miwok Indians,” 348.

<sup>201</sup> Davis, “Ethnography of the Kuzedika Paiute,” 16, 21; Steward, “Ethnography of the Owens Valley Paiute,” 257-258; Kathleen L. Hull, “Archaeological Evidence for Mono-Paiute Occupation in Yosemite National Park” (unpublished ms., March 1990, Craig Bates Collection, Box 18, Yosemite National Park Archives), 4-5.

These extensive networks of economic, spiritual, and social exchanges reveal the arbitrary nature of non-Native or European understandings of strict “boundaries” or “borders” in California’s indigenous history. Eurocentric constructions of territory are entirely inadequate to explain the histories of California’s many indigenous peoples, whose economic and social fabrics were deeply “integrated” generations before the first European colonists and explorers arrived on their lands.<sup>203</sup> All of California’s tribal nations, those in the southern Sierra and beyond, maintained clearly defined ancestral territories known and respected by their neighbors, but in almost all cases neighboring communities used certain areas jointly, often for hunting or trading expeditions, or for ceremonial purposes. The highest reaches of the Sierra, for example, were never considered to be the exclusive domain of any particular tribe, and many neighboring communities from lower in the foothills used them seasonally, in common, for hunting and gathering.<sup>204</sup>

Rivers sometimes served as general markers between tribal territories, but their waters and the resources they harbored were very often understood to be shared, used in common for salmon fishing by various communities from both sides of their banks.<sup>205</sup> Across such “porous boundaries,” Chowchilla Yokuts, in the lower foothills, sometimes moved into the territories of the Nupchinchí, a Valley Yokuts tribe, to fish for salmon in

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<sup>202</sup> Davis, “Ethnography of the Kuzedika Paiute,” 21; Liljeblad and Fowler, “Owens Valley Paiute,” 415.

<sup>203</sup> Fowler and Liljeblad, “Northern Paiute,” 438.

<sup>204</sup> Clark, *Indians of the Yosemite Valley*, 21-22; Gifford, “Miwok Lineages and the Political Unit,” 391; Hull, “Mono-Paiute Occupation in Yosemite,” 1, 4; Kroeber, *Handbook of the Indians of California*, 443.

<sup>205</sup> Spier, “Foothill Yokuts,” 473; Liljeblad and Fowler, “Owens Valley Paiute,” 415.

the spring and fall.<sup>206</sup> At other times, Chowchilla people might move north into Chukchansi territory for access to acorns, while Chukchansis traveled south to gather materials for basket weaving.<sup>207</sup> To the east of the Sierra Crest, forests of Jeffrey Pine situated between the Mono Lake Basin and Owens Valley were used jointly by the Kucadikadi and Owens Valley Paiute, especially for gathering the larvae of the Pandora Moth.<sup>208</sup> In addition, a tribe facing an acute crisis like a severe food shortage might receive permission from a neighboring community to hunt, gather, or dwell within their territory.<sup>209</sup>

The relationships that these networks maintained were strengthened through legacies of intermarriage and political and social alliances. Marriages between members of individual Yokuts tribes were highly common, and unions with non-Yokuts speakers did take place, especially with neighboring Western Monos.<sup>210</sup> Intertribal marriages were also common between the Chukchansi Yokuts and Southern Sierra Miwok communities whose territories were roughly divided along the banks of the Fresno River.<sup>211</sup> The intertribal marriages of Ahwahneechees and Kucadikadis, as well as Western Monos and various Great Basin tribes, meanwhile, demonstrate that such unions often spanned the

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<sup>206</sup> Manlove, *Ethnohistory of the Chowchilla Yokuts*, 4, 6.

<sup>207</sup> *Ibid.*, 6-7.

<sup>208</sup> Fowler and Liljeblad, "Northern Paiute," 438.

<sup>209</sup> Gayton, "Yokuts-Mono Chiefs and Shamans," 365.

<sup>210</sup> Spier, "Monache," 432; Spier, "Foothill Yokuts," 472; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 13-14.

<sup>211</sup> A. H. Gayton, "Yokuts and Western Mono Ethnography II: Northern Foothill Yokuts and Western Mono," *University of California Anthropological Records* 10, no. 2 (1948): 175.



Sierra Crest itself.<sup>212</sup> For the Miwok, Yokuts, and Western Mono societies that believed in the dual division of the universe, the moiety system allowed for these intertribal marriages, with the newcomer placed within the moiety opposite his or her spouse.<sup>213</sup> In later centuries, after the coming of colonial settlement, this tradition was modified to allow for the adoption of indigenous people from other parts of the world, or non-Native people, into the tribal community, as a strategy to contend with the drastic changes and threats that came with colonization.<sup>214</sup>

In stark contrast to the image of Native peoples frozen in time and space, inert and passive in a pristine isolation, the indigenous histories of the Sierra Nevada were shaped by rich and complex intertribal relationships, long before the arrival of non-Native gold miners to their lands in 1848. Those first invaders and settlers arrived on what can only be understood as a largely transnational social fabric, with the Miwok, Mono, Yokuts, and Paiute peoples of both sides of the Sierra Crest bound via intricate networks of kinship, and economic, political, and spiritual exchanges. While each of these tribal peoples maintained highly diverse and individual cultural, social, and spiritual traditions, the legacies of these intertribal relationships would continue to hold great importance in the era of white invasion and settlement.

Though geographically removed from the primary colonial settlements of the Spanish and Mexican regimes, each of these Native nations—like all those in California

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<sup>212</sup> Steward, "Ethnography of the Owens Valley Paiute," 257-258, 294.

<sup>213</sup> Gifford, "Miwok Moieties," 148.

<sup>214</sup> Examples of these practices are discussed in more detail in chapter 4 of this dissertation.

and far beyond—faced significant and traumatic changes to their societies, as colonial invasions brought disease, violence, and displacement to their peoples, long before any permanent settlements were founded in their territories. Many of these colonial legacies effectively permeated via these long-standing indigenous networks, from the coastal centers of colonial power over the San Joaquin Valley and into the Sierra Nevada Mountains themselves. These intertribal trans-Sierra networks, therefore, illuminate not only a central aspect of Native history in the region prior to white settlement, but they also constitute a primary avenue over which the effects of colonization reached such spaces as Ahwahnee so far removed from the colonial centers on the coast. The tribal communities of the southern Sierra, however, actively responded and reacted to the monumental changes and threats that came with white invasion and settlement, long before the discovery of gold brought thousands of Euro-American miners and settlers to their lands.

## Chapter 2

### The Coming of Settlement: Indigenous Histories of the Sierra Nevada Under Spanish and Mexican Colonization, 1806-1848

In June of 1542, the Viceroy of New Spain ordered Juan Rodriguez Cabrillo to undertake an expedition along the coast of “Alta California,” and to take possession of the country for the Spanish Empire.<sup>1</sup> Although more than two centuries would pass until any European empire made any permanent settlements on California Indian lands, this expedition marked the first direct interactions between California’s tribal communities and non-Native people. By the time Spanish friars, soldiers, and administrators landed in San Diego Bay in 1769 to establish a chain of Franciscan missions that ultimately spanned most of the California coast, members of the Kumuyaay, Chumash, Ohlone, Coast Miwok, and other coastal tribes had already contended with a number of European expeditions that followed Cabrillo’s, including those of Francis Drake, Sebastián Rodríguez Cermeño, and Sebastián Vizcaíno.<sup>2</sup>

In the southern Sierra Nevada Mountains, such indigenous spaces as Ahwahnee sat nearly two hundred miles from the closest of these colonial mission settlements. Seemingly on a geographic periphery of the colonial orbit, non-Native historical

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<sup>1</sup> William S. Simmons, “Indian Peoples of California,” in *Contested Eden: California Before the Gold Rush*, ed. Ramón A. Gutiérrez and Richard J. Orsi (Berkeley: University of California Press, 1998), 48; James J. Rawls, *Indians of California: The Changing Image* (Norman: University of Oklahoma Press, 1984), 25; Steven W. Hackel, *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769-1850* (Chapel Hill: University of North Carolina Press, 2005), 32; Ray Allen Billington and Martin Ridge, *Westward Expansion: A History of the American Frontier*, 6<sup>th</sup> ed. (Albuquerque: University of New Mexico Press, 2001), 63-64.

<sup>2</sup> Rawls, *Indians of California*, 25; Hackel, *Children of Coyote*, 33; Billington and Ridge, *Westward Expansion*, 64-67.

narratives have suggested that the Miwok, Yokuts, Mono, and Paiute peoples of these regions had little to no contact with non-Native peoples prior to the discovery of gold in 1848. Some of these notions stem from the fact that many academic studies of the indigenous histories of California's colonial period, prior to the American annexation, generally neglect consideration of indigenous societies of the Sierra Nevada, due to the scant written evidence available.<sup>3</sup> Academic and popular studies have instilled in the settler consciousness an image of California's interior tribes entirely removed from any Euro-American contact or influence, with settler peoples and cultures "almost unknown" to them until the advent of the gold rush.<sup>4</sup> Preeminent California anthropologist Alfred Kroeber, for example, specifically argued that Southern, Central, and Northern Sierra Miwok tribes escaped the "well-meant but nearly fatal influence" of Spanish colonization.<sup>5</sup> More recent studies have better illustrated a complex picture, and while some communities were certainly more heavily affected than others, suggestions that particular foothill tribes were "largely beyond the reach" of the Spanish and Mexican colonial grip, or "virtually unaffected" by it, serve to obscure the potent and sometimes

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<sup>3</sup> Important studies of California Indian experiences of the Spanish mission system include Lisbeth Haas, *Saints and Citizens: Indigenous Histories of Colonial Missions and Mexican California*, (Berkeley: University of California Press, 2014); Kent Lightfoot, *Indians, Missionaries, and Merchants: The Legacy of Colonial Encounters on the California Frontiers* (Berkeley: University of California Press, 2005); Robert H. Jackson and Edward Castillo, *Indians, Franciscans, and Spanish Colonization: The Impact of the Mission System on California Indians* (Albuquerque: University of New Mexico Press, 1996).

<sup>4</sup> Dee Brown, *Bury my Heart at Wounded Knee: An Indian History of the American West* (New York: Henry Holt & Co., 1970), 219.

<sup>5</sup> Alfred L. Kroeber, *Handbook of the Indians of California* (Berkeley: California Book Company, 1953 [1925]), 445.

catastrophic impact of colonial settlement, even upon those tribes that had only occasional or indirect contact with it.<sup>6</sup>

In reality, between 1806 and 1848 indigenous communities on both sides of the Sierra Nevada had significant, if infrequent, direct contacts and encounters with Spanish Missionaries and soldiers, American fur trappers and explorers, and other non-Native invaders to their lands. Perhaps more importantly, the far-reaching intertribal networks that characterized the indigenous geography of the greater Sierra Nevada allowed for the indirect transmission or “displacement” of European diseases, colonial violence, and cultural disruption to such spaces as Ahwahnee.<sup>7</sup> While non-Native settlers founded no permanent settlements on their lands during this period, the effects of both direct contact and of colonial displacement on the tribes of the southern Sierra cannot be understated. By the time the discovery on the American River sparked the California Gold Rush in January of 1848, Miwok, Yokuts, Mono, and Paiute communities of the southern Sierra Nevada had already contended for decades with the traumatic changes and threats of non-Native settlement. In these years, these tribal communities employed a wide variety of responses to contend with the monumental threats that came with these first invasions, resisting, adapting, and sometimes transforming their societies in fundamental ways, beginning a long legacy of resilience that would remain at the heart of indigenous

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<sup>6</sup> Susan Lee Johnson, *Roaring Camp: The Social World of the California Gold Rush* (New York: W. W. Norton, 2000), 222; Robert Fletcher Manlove, *The Ethnohistory of the Chowchilla Yokuts* (Fresno: Craven Street Books, 2012), 9.

<sup>7</sup> Here I borrow directly from Ned Blackhawk, whose pioneering research demonstrated the ways colonial violence was “displaced” across the American Southwest, affecting indigenous peoples on colonial peripheries and beyond. See Ned Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West* (Cambridge: Harvard University Press, 2006), 27.

responses to the settler invasions and catastrophic violence that followed in coming decades.

Although relatively scant, the written accounts of the earliest non-Native explorers and missionaries to traverse these trans-Sierra indigenous geographies offer important glimpses into both Euro-American imaginings of indigenous culture, and into the effects of their presence on Native societies. Most specifically, these explorers and their written descriptions constructed derogatory stereotypes and labels regarding the indigenous cultures of California, describing them as shaped primarily by the natural environment around them. Finally, while they first and foremost project the perspectives, attitudes, and prejudices of their non-Native authors, critical analysis of these written observations provides important insights into some of the Native responses to—and understandings of—the Euro-American invasions of the southern Sierra Nevada. While Spanish colonial records lack the level of detail on the Sierra that they convey for the coastal and valley regions, the various forays and expeditions Gabriel Moraga, Jedidiah Smith, Joseph Walker, and numerous others help form a more complete picture of Native-settler relations in the region before the coming of the Gold Rush settlements.

On September 21, 1806, Gabriel Moraga departed Mission San Juan Bautista, charged by the Spanish governor of Alta California with exploring the “tular” territories of the San Joaquin Valley. Moraga aimed to baptize as many of the region’s Native people as possible, and to survey the region for the most desirable sights for a proposed

inland chain of missions to mirror those already established along the coast.<sup>8</sup> While Valley Yokuts people had endured several previous Spanish incursions on their lands in the San Joaquin floor, Moraga's was likely the first to enter the lower Sierra foothills.<sup>9</sup> Pedro Muñoz, the expedition's chaplain, made a written account of the expedition and his attempts to convert the Native people he encountered. Muñoz's observations of Native peoples, and sometimes of their conspicuous absence, reveal an indigenous social fabric of the valley and the lower foothills already dramatically altered by the Spanish colonial invasion.

As Moraga's party approached the San Joaquin River, they expected to enter a large Yokuts village they believed had a population of some four hundred. Moraga and his men instead found a village entirely abandoned, containing "but a few signs of its ever having been inhabited."<sup>10</sup> The next night, camped along the banks of the San Joaquin, Moraga's men were met by 42 armed Nupchinchí Yokuts.<sup>11</sup> The Nupchinchí offered the Spaniards presents of salmon, and according to Muñoz, they reacted with such great enthusiasm when he explained "the object of our coming," that he found "their

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<sup>8</sup> Fray Pedro Muñoz, Robert Glass Cleland, and Haydeé Noya, "The Gabriel Moraga Expedition of 1806: The Diary of Fray Pedro Muñoz," *Huntington Library Quarterly* 9, no. 3 (1946): 224-225; Hubert Howe Bancroft, *The History of California, Volume II: 1801-1824* (San Francisco: The History Company, 1886), 50-53; George Harwood Phillips, *Indians and Intruders in Central California, 1769-1849* (Norman: University of Oklahoma Press, 1993), 48; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 20-21.

<sup>9</sup> Muñoz, Cleland, and Noya, "Diary of Fray Pedro Muñoz," 224n.1; Bancroft, *History of California, Vol. II*, 45-50; Phillips, *Indians and Intruders*, 47-48.

<sup>10</sup> Muñoz, Cleland, and Noya, "Diary of Fray Pedro Muñoz," 226.

<sup>11</sup> For Tribal territory, see William J. Wallace, "Northern Valley Yokuts," in *Handbook of North American Indians, Volume 8: California*, ed. Robert F. Heizer and William C. Sturtevant (Washington, D.C.: Smithsonian Institution, 1978), 462. Muñoz referred to the tribe as "Nupchenche."

behavior was such that it seemed as if they already were enlisted under the banner of the Holy Christ.”<sup>12</sup> The next day, the Nupchinchí led the Moraga party to their village, where Muñoz baptized 26 people of a population he believed to be around 230. Before departing, Muñoz specifically warned the community to “disown their heathenism.”<sup>13</sup>

On September 27, Moraga named the region and river between the Fresno and Merced drainages “Mariposas,” for the abundance of butterflies there, a name that settler peoples would later apply to the landscape and indigenous cultures of the greater southern Sierra Nevada.<sup>14</sup> Two days later the party reached the drainage of the Merced River, which flowed all the way from Ahwahnee, where it was known as *Wah-kal'-mut'tah*, a channel that connected the Awhaneechee and various Sierra Miwok communities in the upper foothills with the Coconoon Yokuts of the valley.<sup>15</sup> Moraga searched around the banks of the Merced, and again found two villages that appeared “deserted because the inhabitants had become frightened on seeing our camp and had fled to the mountains.”<sup>16</sup> In one of these villages, Moraga’s men found a solitary elder, a woman “unable to flee because of her advanced years.” When Moraga attempted to approach her, she immediately went to the water, “wading in a deep pool, from which we

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<sup>12</sup> Muñoz, Cleland, and Noya, “Diary of Fray Pedro Muñoz,” 227.

<sup>13</sup> Ibid., 227-228.

<sup>14</sup> Ibid., 228.

<sup>15</sup> Muñoz, Cleland, and Noya, “Diary of Fray Pedro Muñoz,” 229; C. Hart Merriam, *The Dawn of the World: Myths and Tales of the Miwok Indians of California* (Lincoln: University of Nebraska Press, 1993 [1910]), 228-229; C. Hart Merriam, “Indian Village and Camp Sites in Yosemite Valley,” *Sierra Club Bulletin* 10, no. 2 (1917): 202; Wallace, Northern Valley Yokuts,” 462; Richard Levy, “Eastern Miwok,” in *Handbook of North American Indians*, Vol. 8, 400.

<sup>16</sup> Muñoz, Cleland, and Noya, “Diary of Fray Pedro Muñoz,” 229.



had to rescue her.” One of Moraga’s neophytes had to “draw her out against her will,” as she appeared to “prefer the fury of the waters to our company.”<sup>17</sup> Muñoz claimed that after the woman was pulled from the water, he offered her “the Kingdom of God” through “as much instruction as was possible within the time available,” after which she eagerly received baptism and preferred to stay with Moraga’s men, rather than her tribe.<sup>18</sup>

Moving north, when Moraga reached the Tuolumne River, his men again found “no Indians to be seen, but there were several signs of several rancherias.”<sup>19</sup> Muñoz believed the tribes along the Merced “must have come to inform these of our coming and they must have fled.”<sup>20</sup> In the much deeper canyons of the Stanislaus River, the expedition came to a village, probably Siakumne Yokuts, situated on “steep cliffs, inaccessible because of their large, dangerous rocks.”<sup>21</sup> Muñoz was unable to climb to the village itself, but the people there continually refused to come down and meet him at the bottom of the canyon. Eventually a small group came and met the Spaniards somewhere between the village and the meadows below, and Muñoz again claimed that this group eagerly sought baptism and Christian teachings as soon as he could communicate with them. Most meaningfully, the Siakumne told Muñoz of six villages further up the river canyon, but refused to specifically disclose their “names or the name

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<sup>17</sup> Ibid., 229-230.

<sup>18</sup> Ibid., 230.

<sup>19</sup> Bancroft, *History of California, Vol. II*, 54; Muñoz, Cleland, and Noya, “Diary of Fray Pedro Muñoz,” 231.

<sup>20</sup> Muñoz, Cleland, and Noya, “Diary of Fray Pedro Muñoz,” 231.

<sup>21</sup> Bancroft, *History of California, Vol. II*, 54; Muñoz, Cleland, and Noya, “Diary of Fray Pedro Muñoz,” 232; Phillips, *Indians and Intruders*, 49.

of their chief, so great was their fear.”<sup>22</sup> Later, after exploring as far north as the Cosumnes River, the expedition returned to the Stanislaus, and forty armed Yokuts entered Moraga’s camp and asked if the Spaniards “had come to kill them.” After attempting to assure them of their “good will by every means of our command,” the Yokuts refused to cross the river to meet with Moraga and Muñoz, and instead “fled and were not ever seen again.”<sup>23</sup>

In early October of 1806, one contingent of Moraga’s men entered the Sierra foothills, where they “met many” Indian people, but were unable to communicate or perform any baptisms through their interpreters, with the Miwoks’ “language being entirely different from that of the tribes we had met previously.”<sup>24</sup> The expedition then turned back south, moving through the foothills near the territories of the Central and Southern Sierra Miwok back towards the Merced River. While Moraga’s men saw ample evidence of populous and thriving Native societies in these regions, they had almost no direct contacts or communications, as “whenever they saw the troop approaching, they fled like the wind, and not wishing to use violence, our group was unable to talk to any of them.”<sup>25</sup> After reaching the Merced River, one of Moraga’s contingents moved deeper into the foothills, while another stayed in the lower valley.

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<sup>22</sup> Muñoz, Cleland, and Noya, “Diary of Fray Pedro Muñoz,” 232.

<sup>23</sup> Ibid., 233-234.

<sup>24</sup> Ibid., 233-234.

<sup>25</sup> Ibid., 234.

On the banks of the Merced, one of these companies came across a group of about twenty Indian children, supervised by a few elder women. Upon seeing Moraga's men moving down the river canyon, the children "began to yell and to escape by throwing themselves in the river, being so frightened and in such haste that they took many a bad fall." This chaos continued until a group of men from the village came to the riverbanks "with their arms to defend them."<sup>26</sup> After Muñoz communicated peaceful intentions, a larger group from the village crossed the river to visit Moraga's camp, bringing gifts of salmon and grain. Muñoz found them to be "helpful" and "friendly," and the next day he visited their village on the other side of the river. Muñoz again claimed he found willing and eager converts in this village, and that "they all" wanted a mission to be built on their lands, before adding that it was difficult to estimate the population of the village, as "the majority of the women fled upon our arrival."<sup>27</sup> Muñoz recorded the names of this and an adjacent village as "Latelate" and "Lachuo."<sup>28</sup>

As the expedition continued into Northern Valley and Foothill Yokuts territory, Muñoz's discussion with the Native people he met there shed important lights on his earlier encounters. Following the San Joaquin River upstream in the tree-lined Sierra foothills, Muñoz came to a village of the Pitkachi Yokuts, where he met its chief, a man he called "Supyucomu."<sup>29</sup> Supyucomu spoke at length with Muñoz, and told him that

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<sup>26</sup> Ibid.

<sup>27</sup> Ibid., 235.

<sup>28</sup> Ibid. See also Wallace, "Northern Valley Yokuts," 470.

<sup>29</sup> Muñoz referred to this village as "Pizcache." See Muñoz, Cleland, and Noya, "Diary of Fray Pedro Muñoz," 237; Wallace, "Northern Valley Yokuts," 462; and Bancroft, *History of California, Vol. II*, 51.

some twenty years before Moraga's arrival on his lands, "soldiers from the other side of the Sierra," entered his territory, and that after his people offered the invaders armed resistance, "the soldiers gave battle, killing many," causing his tribe to remain "in fear of the return of those soldiers, and now they saw that they had shown up from the other side of the sierra." Supyucomu told Muñoz that his people "marveled at the kindness" of Moraga's men, as they had "expected extermination" after their previous experiences with Spanish forces.<sup>30</sup>

Extant colonial records do not document such an expedition from New Mexico, but Supyucomu's memory points to a broad indigenous awareness of a Spanish colonial presence and its dangers, even in the Sierra foothills. Many tribes, especially those of the valley regions, had in fact already met earlier Spanish expeditions from the coast.<sup>31</sup> While Supyucomu suggested the Pitkachis' initial reaction was informed by a history of direct contact, other tribes doubtless received information indirectly, via indigenous networks of communication, as indicated in Muñoz's belief that the tribes of the Merced had warned those along the Tuolumne of his approach.<sup>32</sup> In addition, the chief of another Yokuts tribe further up the Sierra foothills relayed information to a contingent of Moraga's men confirming Supyucomu's knowledge of Spanish soldiers invading from the east.<sup>33</sup> While Muñoz's narrative emphasized and exaggerated Yokuts and Miwok

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<sup>30</sup> Muñoz, Cleland, and Noya, "Diary of Fray Pedro Muñoz," 237.

<sup>31</sup> Phillips, *Indians and Intruders*, 47-48; Bancroft, *History of California, Vol. II*, 48-50.

<sup>32</sup> Muñoz, Cleland, and Noya, "Diary of Fray Pedro Muñoz," 231; William J. Wallace, "Southern Valley Yokuts," in *Handbook of North American Indians Vol. 8*, 448.

<sup>33</sup> Muñoz, Cleland, and Noya, "Diary of Fray Pedro Muñoz," 239.

interest in missions and baptisms, his diary's near constant descriptions of empty, abandoned villages, and people chaotically fleeing at Moraga's approach, sometimes flinging themselves into rivers, paint a picture of indigenous communities very much affected by direct experiences and shared knowledge of the colonial invasion and its traumatic threats.

Other observations in Muñoz's diary reveal just how dramatically Spanish colonial settlement had already affected indigenous societies of the San Joaquin and Sierra foothills by the early nineteenth century. In a village of the very populous Telamni Yokuts, a Southern Valley tribe east of Tulare Lake, Muñoz was brought before a "little girl in a condition of wasting flesh and dying," her parents asking that she be baptized.<sup>34</sup> Earlier that same year, one of the first major epidemics of measles swept the indigenous populations of the missions.<sup>35</sup> By that time, Yokuts communities along Tulare Lake had already had direct contact with Spanish missionaries who in previous years sought children to take back to the coastal missions, thereby exposing their populations to the ravages of European diseases to which they had no immunity.<sup>36</sup> As subsequent history will demonstrate, such diseases could permeate across indigenous networks even before the arrival of non-Native colonists, drastically altering the social fabric of indigenous spaces that had endured little to no contact with non-Native people. Most importantly, information regarding the effects of disease among Southern Valley Yokuts would

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<sup>34</sup> Ibid., 241.

<sup>35</sup> Sherburne F. Cook, *The Conflict Between the California Indian and White Civilization* (Berkeley: University of California Press, 1976), 19.

<sup>36</sup> Phillips, *Indians and Intruders*, 46-48; Haas, *Saints and Citizens*, 39.

doubtless be carried across the extensive intertribal lines of communication, just as the Pitkachis' knowledge of colonial violence had spread over the foothill regions.

Reconnoitering expeditions like that of Moraga's provided colonial authorities a more precise knowledge of the geography of California's interior, and allowed for numerous violent campaigns in subsequent years carried out to forcibly recapture escaped mission neophytes, who often sought refuge with their ancestral communities.<sup>37</sup> At the same time, direct experiences with these expeditions also left the indigenous nations of the San Joaquin and lower foothills prepared to actively and sometimes violently resist future colonial incursions on their territories. Armed with the knowledge collected the previous year, Gabriel Moraga led a second expedition in 1807 with the express purposes of locating and recapturing indigenous runaways.<sup>38</sup> When his 25 armed soldiers entered the Tulare Lake region, and into the hills above, the Yauelmani Yokuts killed two of Moraga's men and stole half of the expedition's horses, actively resisting the violent incursion into their territories and forcing the Spaniards to retreat back to Mission San José.<sup>39</sup>

The Chowchilla Yokuts, whose territory ranged between the valley floor of the San Joaquin into the hills up to about 1,000 feet above sea-level, had evaded Moraga's

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<sup>37</sup> Haas, *Saints and Citizens*, 38; Jackson and Castillo, *Indians, Franciscans, and Spanish Colonization*, 49.

<sup>38</sup> Phillips, *Indians and Intruders*, 50; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 21; Bancroft, *History of California, Vol. II*, 57.

<sup>39</sup> "Felipe Santiago García's Account of Moraga's Expedition of 1807," in S. F. Cook, "Colonial Expeditions to the Interior of California, Central Valley, 1800-1820," *University of California Anthropological Records* 16, no. 6 (1960): 255; Phillips, *Indians and Intruders*, 51; Bancroft, *History of California, Vol. II*, 57.

expeditions entirely, seemingly one of the many tribes that left only empty villages on his approach.<sup>40</sup> In 1815, however, Sergeant José Dolores Pico entered Chowchilla territory in search of runaway neophytes. After attacking and capturing 66 people from another nearby Yokuts tribe, the Chowchillas located and followed Pico's men, and fired upon them as they attempted to cross the San Joaquin River. Pico fired back and killed two, before the Chowchillas retreated into the brush. Just before dawn the next day, the Chowchillas again approached Pico's men, averring to the expedition's interpreter that they wished "to fight." After returning the Chowchillas' fire, Pico killed three and captured one, and added that, "of those who escaped some were seen to be wounded, and, according to the quantity of blood visible along the river, I consider that most of them must have died."<sup>41</sup>

The Chowchillas' active resistance to Pico one decade after their conspicuous avoidance of Moraga point to complex and shifting responses to colonial encroachments in the lower Sierra foothill regions in the first decades of the nineteenth century. One of those Pico killed was himself a runaway neophyte from Mission San Juan Bautista. After escaping and returning to his ancestral territory, he became, in Pico's words, "the one most determined" to lead his people in their resistance of Spanish colonial power.<sup>42</sup> Pico's highly disproportionate response to this indigenous resistance, in which only one of his own men was killed, is reflective of the broader contours of Spanish-indigenous

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<sup>40</sup> Manlove, *Ethnohistory of the Chowchilla Yokuts*, 20-21.

<sup>41</sup> "José Dolores Pico's Diary, 1815," in Cook, "Colonial Expeditions to the Interior of California," 268-269.

<sup>42</sup> *Ibid.*, 269.

relations in California's colonial period. One former soldier described this system of colonial violence, whereby Spanish forces specifically targeted any tribal communities that harbored refugees from the missions, or that "committed acts of hostility," with "military power and capture them all, taking them by force to the missions in order to baptize them."<sup>43</sup>

The threat of this violent force placed extreme pressures on those tribal communities that sheltered runaway neophytes, and that actively resisted the Spanish incursions in their lands. By 1818, for example, Friar Juan Cabot wrote that the Telamni Yokuts were "almost entirely dispersed and debilitated from starvation." As Friar Muñoz's earlier experiences revealed, the Telamni people had by this point already suffered the ravages of European disease, and knew of the violent practices the Spanish would employ to recover runaways. Under these colonial pressures, Cabot believed, the Telamni community would no longer "admit refugees."<sup>44</sup> For some Native people like the Telamni parents that sought baptism for their dying daughter, affiliation with the Spanish missions and conversion to the Catholic faith offered one of the only ways to adapt and survive the threats of colonial violence, disease, and resource destruction.<sup>45</sup>

Throughout the early decades of the nineteenth century, almost all Yokuts tribes in the San Joaquin Valley continued to accept refugees from the missions, despite the

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<sup>43</sup> José Canuto Boronda, "Notas Históricas Sobre California, 1878," in Cook, "Colonial Expeditions to the Interior of California," 280.

<sup>44</sup> Fr. Juan Cabot to Captain de la Guerra, May 23, 1818, in Cook, "Colonial Expeditions to the Interior of California," 280.

<sup>45</sup> Haas, *Saints and Citizens*, 42.



immense dangers involved. While some of these escapees were Yokuts themselves, many were of coastal tribes, especially the Chumash, who found refuge in Yokuts territory largely independent of direct colonial control.<sup>46</sup> In direct contradiction to Cabot's report, in 1818 even the Telamni Yokuts housed refugees from all the central California missions.<sup>47</sup> Around this same time, further colonial forays brought tribes of the higher Sierra regions into direct contact with Spanish invaders. In October of 1819, Lieutenant José María Estudillo left the Presidio of Monterey, and with 26 soldiers and more than 40 neophytes, including two Yokuts guides, set out for the Tulare regions in search of mission runaways.<sup>48</sup>

When Estudillo arrived in the village of Chischa, a settlement either part of or neighboring the Wukchumne Yokuts, their chief informed him that neither he nor his people "had ever seen troops," but that they "heard through their friends," the Telamni, that some had "passed below" in previous years, most likely those of the Moraga expedition.<sup>49</sup> Estudillo also learned that the people of Chischa were preparing to host a mourning ceremony that brought members of at least six other tribes to participate. Among them were Yokuts people of the Choinuk, Nutunutu, and Telamni tribes, along

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<sup>46</sup> Ibid., 38.

<sup>47</sup> Phillips, *Indians and Intruders*, 62; Haas, *Saints and Citizens*, 44.

<sup>48</sup> A. H. Gayton, ed. and trans., "Estudillo Among the Yokuts," in *Essays in Anthropology Presented to A. L. Kroeber in Celebration of His Sixtieth Birthday*, ed. Robert H. Lowie (Berkeley: University of California Press, 1936), 68-69.

<sup>49</sup> Ibid., 74; See also S. F. Cook, "The Aboriginal Population of the San Joaquin Valley, California," *University of California Anthropological Records* 16, no. 2 (1955): 47; A. H. Gayton, "Yokuts and Western Mono Ethnography I: Tulare Lake, Southern Valley, and Central Foothill Yokuts," *University of California Anthropological Records* 10, no. 1 (1948): 126.

with four chiefs and more than one hundred people from “the interior of the Sierra Nevadas.”<sup>50</sup> The chiefs of these Sierra tribes, most likely Western Mono, told Estudillo that they too “had never seen people like us before.”<sup>51</sup> When the chiefs explained their desire to trade with the Spanish, Estudillo told them that they could “come when they like” to Monterey, and he granted them a pass that would allow for their protection to make a crossing over a network of small colonial outposts that spanned the San Joaquin Valley.<sup>52</sup>

The intertribal mourning ceremony held at Chischa is revealing of the vibrant intellectual and spiritual relationships that characterized the indigenous geographies of the Sierra foothill regions in the Spanish colonial period. While no Spanish expeditions had penetrated their own lands in the higher reaches of the foothills, Western Mono people were brought into direct contact with these colonial invaders via intertribal relationships that brought them to Yokuts land for spiritual purposes. In addition, while many Foothill Yokuts and Mono communities had never met European people prior to Estudillo’s campaign, some had evidently learned of the Spanish colonial presence long before his arrival, with the information carried over extensive intertribal webs of communication. Estudillo’s meeting with the Yokuts and Mono chiefs also underscored

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<sup>50</sup> Gayton, “Estudillo Among the Yokuts,” 75; Gayton, “Yokuts and Western Mono Ethnography I,” 126; See also Albert L. Hurtado, *Indian Survival on the California Frontier* (New Haven: Yale University Press, 1988), 35.

<sup>51</sup> Gayton, “Estudillo Among the Yokuts,” 75.

<sup>52</sup> Gayton, “Estudillo Among the Yokuts,” 75; See also Frank Forrest Latta, “Early Spanish Settlements: Las Juntas” (unpublished ms., 1931), Frank Latta Papers, Yosemite Archives, Yosemite National Park.

the ways the tribal communities of the southern Sierra Nevada became highly engaged in colonial commerce, long before the arrival of the first permanent settlers to their lands.

This trade was most basically facilitated by the extensive intertribal trade networks that connected the territories of the Chumash, Ohlone, and other coastal peoples with the Miwoks, Monos, and Paiutes of the trans-Sierra, long before the arrival of European colonists to California's shores. Yokuts traders acted as intermediaries in these indigenous trade networks for countless generations, and with the advent of Spanish colonization, their access to colonial markets brought new Spanish and Mexican goods and technologies to the tribal communities of the trans-Sierra.<sup>53</sup> Existing indigenous trade networks in California integrated the new colonial markets, allowing for the transmission of Spanish and Mexican material culture, and legacies of colonialism, to the indigenous spaces of the Sierra Nevada. As early as 1775, Spanish expeditions in the San Joaquin Valley gave Yokuts tribes access to glass beads, which subsequently became important trade goods in the trans-Sierra network.<sup>54</sup>

The introduction of these goods had profound and transformative effects on the indigenous economies of the Sierra regions. Before Spanish settlement, shell beads imported from the coastal tribes had often served as currency, even in the Sierra regions, but by the early nineteenth century glass beads became so integral to California Indian economies they had replaced shell beads entirely in some communities.<sup>55</sup> Such a

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<sup>53</sup> Brooke S. Arkush, "Yokuts Trade Networks and Native Culture Change in Central and Eastern California," *Ethnohistory* 40, no. 4 (1993): 619; Haas, *Saints and Citizens*, 44-45.

<sup>54</sup> Arkush, "Yokuts Trade Networks and Native Culture Change," 623-624.

<sup>55</sup> *Ibid.*, 625.

“transforming” of indigenous economies was not limited to the tribes of the San Joaquin valley floor. Among the Waksachi and Michahay, both Western Mono tribes, nearly “all money” came via Yokuts neighbors to the west, and after Spanish colonization “red and blue European beads were introduced” to their economies.<sup>56</sup> East of the Sierra Crest, the Kucadikadi Paiute people of the Mono Lake Basin adopted white and blue glass beads into their economies, which came to assume the same “purpose and name” previously ascribed to shell beads.<sup>57</sup> These transformations amounted to more than an aesthetic change in material culture, as they ultimately signaled a growing economic dependence on colonial markets.<sup>58</sup> The Spanish colonial presence in California thus brought indelible economic disruptions to the indigenous societies of the Sierra regions, communities still free from direct colonial rule.

In addition to glass beads and other trade goods, colonial markets and settlements gave California Indian communities access to the horse. Especially for Valley Yokuts and Plains Miwok peoples, the rapid adoption of the horse led to significant political, cultural, and economic transformations. Horses, acquired from raids on mission settlements, allowed Valley Yokuts people “a means to retain control of their region” in the face of Spanish colonial encroachment.<sup>59</sup> By 1830, some Yokuts and Miwok tribes

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<sup>56</sup> A. H. Gayton, “Yokuts and Western Mono Ethnography II: Northern Foothill Yokuts and Western Mono,” *University of California Anthropological Records* 10, no. 2 (1948): 227.

<sup>57</sup> Julian H. Steward, “Ethnography of the Owens Valley Paiute,” *University of California Publications in American Archaeology and Ethnology* 33, no. 3 (1933): 258.

<sup>58</sup> Arkush, “Yokuts Trade Networks and Native Culture Change,” 625.

<sup>59</sup> Haas, *Saints and Citizens*,” 40.

maintained herds of several hundred horses in the San Joaquin Valley, greatly strengthening their ability to carry out raids of colonial settlements on the coast.<sup>60</sup> Such significant cultural shifts, meanwhile, were not limited to the tribes of the valley regions, as some Sierra Miwok and Owens Valley Paiute peoples adopted horses acquired from indigenous traders from the west.<sup>61</sup> Finally, the actual movement of peoples across indigenous trans-Sierra trade routes was greatly expanded by the introduction of the horse. On horseback, Yokuts traders could travel much farther distances on individual trade expeditions than they did prior to European colonization.<sup>62</sup> The Spanish colonial presence thus altered and expanded the reach of existing trans-Sierra trade networks, allowing for an even greater integration of indigenous economies, and an extensive transmission of non-Native goods and culture into the indigenous territories of the Sierra Nevada.

These transmissions are evident even in indigenous spaces far removed from colonial settlements. A Spanish coin minted in 1781, for example, was discovered in a cave in Ahwahnee.<sup>63</sup> While it is likely this coin arrived in the region some time in the nineteenth century, it is unclear whether it was carried over indigenous trade networks before the Gold Rush era, or if it was brought later in the period of permanent

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<sup>60</sup> Ibid.; Arkush, "Yokuts Trade Networks and Native Culture Change," 629; Phillips, *Indians and Intruders*, 81-89; Hurtado, *Indian Survival on the California Frontier*, 34-35, 46.

<sup>61</sup> Arkush, "Yokuts Trade Networks and Native Culture Change," 628-629; Haas, *Saints and Citizens*, 44-45; Phillips, *Indians and Intruders*, 85.

<sup>62</sup> Robert F. Heizer, "Trade and Trails," in *Handbook of North American Indians*, Vol. 8, 692.

<sup>63</sup> Craig D. Bates, "A Spanish Coin from the Sierra Nevada," *The Masterkey for Indian Lore and History* 56, no. 1 (1982): 13; See also Craig D. Bates, "The Implications of a Spanish Coin from Yosemite Valley" (unpublished ms., Yosemite Research Library, 1980), 1.

settlement.<sup>64</sup> While coins like this are not highly common in the archaeological record of the indigenous Sierra, other examples point to the ways tribal communities sometimes adopted them and translated their use for indigenous cultural purposes. A Southern Sierra Miwok grave site near Coulterville, for example, included both a Spanish coin minted 1804, and an Irish half cent minted 1766.<sup>65</sup> One of these coins, which arrived in Miwok territory some time before 1921, had a hole drilled through it, possibly indicating it had been used as an ornament on a necklace, as previously done with shells.<sup>66</sup>

Additionally, by the end of the nineteenth century, European or American coins sometimes supplanted the traditional role of abalone pendants to be placed over the eyes of the deceased in a burial. One such example was the burial of Kosano, a Kucadikadi shaman and healer, who was buried at Ahwahnee in 1875 with a half dollar minted in San Francisco placed by his head.<sup>67</sup> While it is unclear exactly how early such coins entered these territories, the indigenous histories of Ahwahnee abound with examples of other elements of European culture arriving in the period of Spanish and Mexican colonization. Relationships with indigenous trade partners brought glass beads, European textiles, and metal tools into Ahwahnee, for example, in the decades before non-Native settlement in that territory.<sup>68</sup> In addition to these cultural and economic shifts, however, trans-Sierra

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<sup>64</sup> Bates, "A Spanish Coin from the Sierra Nevada," 16-18, 20; Bates, "The Implications of a Spanish Coin from Yosemite Valley," 2-4.

<sup>65</sup> Bates, "The Implications of a Spanish Coin from Yosemite Valley," 4.

<sup>66</sup> Ibid.

<sup>67</sup> Bates, "A Spanish Coin from the Sierra Nevada," 20.

<sup>68</sup> Kathleen L. Hull, *Pestilence and Persistence: Yosemite Indian Demography and Culture in Colonial California* (Berkeley: University of California Press, 2009), 207.

indigenous networks effectively facilitated the transmission of European disease into Ahwahnee and other indigenous spaces in the Sierras, long before the coming of permanent settlement.<sup>69</sup>

The first concerted non-Native invasion of Yosemite Valley occurred in 1851, when members of the Mariposa Battalion waged a violent campaign of removal against the tribes of the Sierra foothills and San Joaquin Valley.<sup>70</sup> Lafayette Bunnell, a doctor and member of the battalion, provided a written account of his experiences during the expedition. While his narrative is told through the lens of settler prejudices and assumptions, Bunnell also included his conversations with Tenaya, the Ahwahneechee chief at that time, who told the “traditional history” of his ancestors in the region.<sup>71</sup> Even when relayed through Bunnell’s settler gaze, Tenaya’s oral histories represent a critical archive of indigenous knowledge, and comprise the most important historical source for understanding the deep and drastic transformations that Spanish colonialism brought to the Ahwahneechee community. Tenaya’s ancestral knowledge revealed that for generations the Ahwahneechee had been “a large tribe, and lived in territory now claimed and occupied by his people.” In more recent years, a “fatal black-sickness (probably smallpox or measles)” fell upon the tribe, Tenaya explained, and “nearly all had been destroyed.” In the wake of this deadly epidemic, surviving members of the Ahwahneechee tribe evacuated Yosemite Valley, and sought refuge with neighboring

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<sup>69</sup> Arkush, “Yokuts Trade Networks and Native Culture Change,” 628.

<sup>70</sup> The history of this campaign is covered in detail in chapter 5 of this dissertation.

<sup>71</sup> Lafayette Houghton Bunnell, *The Discovery of the Yosemite and the Indian War of 1851 which Led to that Event* (Chicago: Fleming H. Revell, ca. 1885), 64.

tribes throughout the Sierras. One significant portion of these survivors trekked to the east and lived among the Kucadikadi Paiute of Mono Lake. In these years of refuge, Tenaya explained, Yosemite Valley was left entirely “uninhabited,” and few dared even visit the place marred by this catastrophe.<sup>72</sup>

Among those that went to Mono Lake was Tenaya’s father, who married the Kucadikadi woman that would give birth to their son. Tenaya spent most of his childhood and youth in the Mono Basin among this community of mixed Paiute and Miwok heritage.<sup>73</sup> During his adolescence and into his early adulthood, Tenaya received guidance from an elder Ahwahneechee shaman, and one of his father’s oldest friends.<sup>74</sup> This elder advised Tenaya return to his father’s homeland and “establish himself in the valley of his ancestors as their chief.”<sup>75</sup> Along with this shaman, Tenaya led a small group across the intertribal trade route that for generations connected Ahwahnee to Mono Lake. This party included Ahwhaneechee survivors, Kucadikadi Paiutes, and their offspring, some of whom, like Tenaya himself, were of mixed heritage. After finally returning to his father’s ancestral territories, the now very aged shaman, shortly before his own death, told Tenaya that “while he retained possession of Ah-wah-ne his band would increase in numbers and become powerful.” He went on to “caution the young chief against the horsemen of the lowlands (the Spanish residents), and declare that,

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<sup>72</sup> Ibid.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid., 70-71.

<sup>75</sup> Ibid., 71.



should they enter Ah-wah-ne, his tribe would soon be scattered and destroyed, or his people taken captive, and he himself be the last chief in Ah-wah-ne.”<sup>76</sup>

The group that arrived in the valley to re-establish the Ahwahneechee tribe included some survivors that remembered the great epidemic, including the elder shaman.<sup>77</sup> Considered together with Tenaya’s age at the time he met the Mariposa Battalion (by which time he had several adult children and at least one young grandchild), this suggests that the period his people spent in exile among their neighbors amounted to about one generation.<sup>78</sup> Most probably Tenaya was born around the turn of the nineteenth century, and re-established his father’s tribe some time between 1805 and 1820.<sup>79</sup> Tenaya’s oral history regarding this period reveals the extent to which Spanish colonization had threatened indigenous societies of the Sierra Nevada. The Ahwahneechee people by the end of the eighteenth century had endured the ravages of European disease before the arrival of European missionaries, explorers, or settlers to their lands. Even without any such direct contact, the shaman’s warning about the “horsemen of the lowlands” illustrates Ahwahneechee knowledge of the Spanish colonial presence in California and the extreme dangers it posed to indigenous communities.

Both the knowledge and the devastating effects of this colonial presence reached Ahwahnee via the vast intertribal networks and relationships that spanned the indigenous

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<sup>76</sup> Ibid.

<sup>77</sup> Ibid.

<sup>78</sup> Hull, *Pestilence and Persistence*, 62-63.

<sup>79</sup> Ibid., 63.

Sierra Nevada. These same networks, however, represented a critically important resource for Ahwahneechee adaptation, survival, and resilience in the face of colonialism. The Ahwahneechees' relationships with their Paiute neighbors at Mono Lake, relationships which pre-dated the arrival of Spanish colonists, allowed them shelter and refuge from the devastation which threatened to tear their community asunder. A generation later, the Ahwahneechee tribe was re-established by a multicultural and multilingual group of Miwok-Paiute people. The social fabric of Ahwahnee, already characterized by generations of Miwok-Paiute relations, was thus re-ordered as a result of Spanish colonization. Tenaya also "befriended those that sought his protection," welcoming members of other surrounding tribes to take refuge with his people in Ahwahnee.<sup>80</sup> It was largely through these intertribal relationships that Tenaya and other members of his re-constituted community spoke and understood Spanish. Some of those that sought refuge with the Ahwahneechees had evidently come from Miwok and Yokuts tribes of the lower foothill and valley regions to the west, where they had more direct contact with Spanish and Mexican colonists and settlers. In this highly diverse and multicultural tribe born of these relationships and exchanges, several languages were spoken and understood to varying degrees, including most notably Northern Paiute, Southern Sierra Miwok, Spanish, and a number of other Miwok and Yokuts languages.<sup>81</sup>

Within this context of an indigenous Sierra Nevada already deeply stricken by the legacies of Spanish colonization, the earliest groups of Euro-American fur trappers,

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<sup>80</sup> Bunnell, *Discovery of the Yosemite*, 71.

<sup>81</sup> Ibid., 51-51, 66; Hull, *Pestilence and Persistence*, 62.

explorers, and settlers arrived in California. In 1826, the first of these American expeditions, led by Jedediah Strong Smith, arrived at Mission San Gabriel after crossing overland from New Mexico and through the Mojave Desert.<sup>82</sup> This expedition effectively commenced a burgeoning fur trade connecting the California interior to the commercial centers of the Southwest borderlands in Taos and Santa Fe.<sup>83</sup> Along the new network of trails, referred to collectively as the “Old Spanish Trail,” New Mexican and Ute traders effectively integrated the indigenous trans-Sierra economies into the greater Southwest borderlands.<sup>84</sup>

Meanwhile, the arrival of increasing numbers of Euro-American trappers, explorers, and, eventually, settlers, marked an important turning point for the indigenous histories of the Sierra Nevada. While the colonial legacies of violence, economic disruption, and European disease had already rattled their societies, few tribal peoples of the Sierra Nevada had ever had direct contact with European or non-Native colonists prior to Mexican independence in 1821. The transnational Southwestern trade that followed Smith’s expedition for the first time brought great numbers of non-Native invaders directly into this trans-Sierra world. Native societies continued to resist and adapt in the face of these increased and more direct colonial encroachments. In glaring contrast to the image of Native peoples “untouched” by colonial settlement, indigenous peoples in this period directly incorporated their trans-Sierra economies into growing

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<sup>82</sup> Rawls, *Indians of California*, 48; Hurtado, *Indian Survival on the California Frontier*, 39.

<sup>83</sup> Ibid.

<sup>84</sup> Blackhawk, *Violence Over the Land*, 134.

colonial markets, all while resisting growing encroachments on their lands. Finally, the Euro-Americans that invaded indigenous lands in the trans-Sierra left written accounts that helped influence settler attitudes and stereotypes regarding California's Native cultures.

After Smith's men left Mission San Gabriel and were received by a number of Southern Valley Yokuts tribes, they moved further north into Miwok territory in search of beaver. Along the Mokelumne River, the local Plains Miwok fled "screaming into the woods" at Smith's approach, echoing the indigenous knowledge of colonial threats evidenced in earlier expeditions such as Moraga's. In the hopes of forcing the Miwoks into trading or providing him information, Smith forcibly captured two of their women. In response to this violent act, a group of Miwok people "rushed from their concealment" and threatened violent resistance, forcing Smith and his men to leave their lands.<sup>85</sup> Smith's encounters with Miwok people on the Cosumnes River, further north, provide an early glimpse of the extreme settler violence that would come to characterize Indian-white relations in the region. When Smith believed a Miwok group had stolen a trap from his expedition, the first Native person to enter his sights was immediately "fired upon by a rifleman and killed."<sup>86</sup>

More violence followed when the party moved into Nisenan territory, before they turned back south to the Stanislaus River drainage, in search of a pass over the Sierras.<sup>87</sup>

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<sup>85</sup> George R. Brooks, ed., *The Southwest Expedition of Jedediah S. Smith: His Personal Account of the Journey to California, 1826-1827* (Glendale, CA: Arthur H. Clark Company, 1977), 152.

<sup>86</sup> *Ibid.*, 153-154.

<sup>87</sup> *Ibid.*, 156-157; Hurtado, *Indian Survival on the California Frontier*, 40.

Smith himself then trekked towards the Sierra Crest through the territories of the Central Sierra Miwok and crossed into the Great Basin, while another contingent of his men remained in the lowlands.<sup>88</sup> After Smith's departure, a Muquelemne Plains Miwok chief, "Te-mi," met with the trappers camped along the Stanislaus. The Miwoks assured Smith's men of their friendly intentions, and traded berries, seed, and information in exchange for meats.<sup>89</sup> In addition to Te-mi's evident enthusiasm to trade with Smith's men, thereby incorporating indigenous economies into colonial markets, this encounter reveals some of the dramatic ways Spanish and Mexican colonization re-ordered the indigenous social framework throughout California's interior. The lower reaches of the Stanislaus River, where Smith's men were encamped, lay in the ancestral territory of the Lakisamne Yokuts.<sup>90</sup>

Legacies of colonial violence, disease, and encroachment, however, brought about severe depopulation of the Yokuts community, leading most survivors to be relocated, whether willingly or by force, to Mission San José.<sup>91</sup> Into this vacuum the Muquelemne Miwoks extended their effective territories and sphere of influence south into the Stanislaus River drainage. When news of this political and social realignment reached the Lakisamne community at the mission, as many as four hundred fled back to their homelands. The friars at Mission San José believed them to be specifically emboldened

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<sup>88</sup> Brooks, *The Southwest Expedition of Jedediah S. Smith*, 166.

<sup>89</sup> Maurice S. Sullivan, ed., *The Travels of Jedediah Smith: A Documentary Outline Including the Journal of the Great Pathfinder* (Lincoln: University of Nebraska Press, 1934), 35.

<sup>90</sup> Wallace, "Northern Valley Yokuts," 462.

<sup>91</sup> Hurtado, *Indian Survival on the California Frontier*, 40.

by Americans offers of “protection to abandon the mission.”<sup>92</sup> The growing power of the Muquelemnes in the region, however, may have been another important factor, as by this point in time tribes like Te-mi’s had amassed substantial herds of horses and maintained a relative level of autonomy from Mexican colonial forces.<sup>93</sup> The Muquelemnes sheltered many of the runaways, and Mexican authorities left for the Stanislaus in an attempt to detain Smith’s men. Their ultimate failure to do so, as the historian Albert Hurtado has suggested, may well have been due to fears over a perceived alliance between a powerful Muquelemne tribe and the American trappers.<sup>94</sup> As a result of colonial depopulation and devastation, the indigenous geography of the lower Stanislaus fundamentally realigned into an increasingly transnational and intertribal space. As in Ahwahnee around the same time, these developments represent not a passive result of colonial actions, but rather an active indigenous response to the mounting threats of colonialism.

After crossing the Sierra Crest, Smith traversed the Great Basin, reaching as far as Bear Lake, Utah, before returning to California. Smith described these “sandy deserts” as a country “completely barren and destitute of game.”<sup>95</sup> He believed the Native people he encountered in these regions, meanwhile, “appeared the most miserable of the human race having nothing to subsist on (nor any clothing) except grass seed, grass-hoppers,

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<sup>92</sup> Ibid., 40-41.

<sup>93</sup> Arkush, “Yokuts Trade Networks and Native Culture Change,” 629; Phillips, *Indians and Intruders*, 81-89; Hurtado, *Indian Survival on the California Frontier*, 34-35, 46.

<sup>94</sup> Hurtado, *Indian Survival on the California Frontier*, 41.

<sup>95</sup> Jedediah Strong Smith, “The Smith Narrative,” in *The Ashley-Smith Explorations and the Discovery of a Central Route to the Pacific, 1822-1829*, ed. Harrison Clifford Dale (Glendale, CA: Arthur H. Clark Company, 1941), 189-190.

etc.”<sup>96</sup> Many of the subsequent expeditions of American traders and trappers that followed Smith’s took a similar overland course through the Great Basin into California. These Euro-Americans’ written accounts largely echoed Smith’s attitudes regarding both the physical landscape of the Great Basin, and the indigenous cultures that occupied them. Most importantly, these writings conflated these attitudes together, cementing in the Euro-American imagination the notion that indigenous cultures were first and foremost reflective of the natural environment.

In one such subsequent expedition, in 1830, William Wolfskill led a company of fur trappers from Taos, New Mexico across the deserts of the Great Basin.<sup>97</sup> As the party trekked through what is now southern Utah, one member of the expedition, George Yount, described the natural landscape as a “wild wintry waste,” finding only “solitary gloom—very little timber, interspersed with scattered clumps of dwarfish trees... Nature’s verdure all departed.” When the party was met by a solitary Paiute man, Yount found that his “dwarfish & lean stature, half starved, nakid person, a heap of bones & skin, well corresponded with the region where he dwelt.”<sup>98</sup> Paiute people, in Yount’s estimation, resembled “little else than animals in human shape,” comprising “apparently the lowest species of humanity.”<sup>99</sup> Yount detailed the Paiute diet as consisting of

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<sup>96</sup> Ibid., 190.

<sup>97</sup> Charles L. Camp and George C. Yount, “Chronicles of George C. Yount: California Pioneer of 1826,” *California Historical Society Quarterly* 2, no. 1 (1923): 37.

<sup>98</sup> Ibid., 38.

<sup>99</sup> Ibid., 39, 38.

“occasionally a rabbit, with roots & mice, grasshoppers and insects, such as flies, spiders & worms of every kind—Where nuts exist they gather them for food.”<sup>100</sup>

Yount’s extreme ignorance and dismissiveness toward Native food ways was not at all unique among the earliest trappers and traders to traverse the Great Basin into California. In fact, characterizations of indigenous diets such as his were central to the nascent but growing settler perception of the Indian “Digger.” This racist and pejorative term was first applied to the indigenous cultures of the Great Basin, and was later extended to the tribes of California.<sup>101</sup> This label connoted a total lack of culture and intelligence, and suggested that such peoples subsisted by aimlessly “digging” to eat whatever might be found in the dirt.<sup>102</sup> By the Gold Rush era, when settlers flooded into the Sierra Nevada by the tens of thousands, this dehumanizing label was all but cemented in the American consciousness, and would occupy a central place in settler justifications of genocidal violence against Native peoples in the state.<sup>103</sup>

Later in 1833, Joseph Reddeford Walker led another early Anglo-American fur-trapping expedition into California, which ultimately traversed the territories of Yokuts and Miwok peoples in the San Joaquin Valley and the Sierra Nevada.<sup>104</sup> One member of

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<sup>100</sup> Ibid., 39.

<sup>101</sup> Rawls, *Indians of California*, 49. See also Clifford E. Trafzer and Joel R. Hyer, eds., *Exterminate Them! Written Accounts of the Murder, Rape, and Enslavement of Native Americans During the California Gold Rush* (East Lansing: Michigan State University Press, 1999), 2, 30; and Robert F. Heizer, ed., “*They Were Only Diggers*”: *A Collection of Articles from California Newspapers, 1851-1866, on Indian and White Relations* (Ramona, CA: Ballena Press, 1974), esp. 36-37.

<sup>102</sup> Trafzer and Hyer, *Exterminate Them!*, 30.

<sup>103</sup> Ibid., 35.



the expedition, Zenas Leonard, wrote an account of this expedition which included descriptions of California Indian peoples that echoed Yount's earlier portrayal of the Paiute. His descriptions linked indigenous cultures to the natural environment in a way that would become all but ubiquitous in settler writings throughout the rest of the nineteenth century. Along the Merced River, a group of Yokuts people "exhibited the most unbounded alarm and fear" as Walker's party approached their village. After "convincing them that they had no reason to apprehend any danger," the Yokuts allowed Walker's men into the village, where the trappers made "many efforts to get some information from them" regarding the region's geography and availability of beaver, though only little could be conveyed to them, "being entirely ignorant" of the Yokuts language. Before the party left the village, however, Walker's men noticed "two blankets and a knife, which convinced us that they had some communication with white people." According to Leonard, when asked about these goods, the Yokuts replied "Spanish," and pointed to the west.<sup>105</sup>

Continuing through the San Joaquin Valley, Leonard described the people he met as "quite small," and "much darker than those of the buffaloe country, as well as more indolent & slothful."<sup>106</sup> Leonard specifically ascribed their supposedly "delicate and

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<sup>104</sup> Rawls, *Indians of California*, 51; Carl Parcher Russell, *One Hundred Years in Yosemite: The Romantic Story of Early Human Affairs in the Central Sierra Nevada* (Stanford: Stanford University Press, 1931), 6; Hull, *Pestilence and Persistence*, 70.

<sup>105</sup> Zenas Leonard, *Narrative of the Adventures of Zenas Leonard*, ed. Milo Milton Quaife (Chicago: The Lakeside Press, R.R. Donnelly & Sons Co., 1934 [1839]), 141-142.

<sup>106</sup> *Ibid.*, 143.

feeble” physiques to the Yokuts diet of acorns.<sup>107</sup> In his description of California Indian culture as markedly inferior to that of the plains tribes, Leonard’s specific attention to skin color reveals the pernicious ways indigeneity was and is racialized in settler narratives. Narratives such as these would only grow throughout the later nineteenth century, as Euro-American settlers defined and understood indigenous societies within a constructed hierarchy of race, along with culture, religion, and language. Later the next spring as the Walker party began its return journey and made its way over the Sierra foothills, Leonard described a sizeable Native community of sixty or seventy households, most likely Foothill Yokuts, in a similar manner to his earlier portrait of the Valley Yokuts. The foothill tribes, he believed, “live poor, and are as indolent as any of those we met in the Spanish dominions,” along the California coast.<sup>108</sup> These people he also described as “small in stature, complexion quite dark,” qualities of weakness that he again attributed to their diets, which he described as consisting of “roots and weeds,” along with acorns.<sup>109</sup> Thus while the plains tribes were associated with the romance of the bison hunt, Leonard’s portrait of Yokuts and other California Indian peoples placed them squarely in the derogatory category of the “Digger.”

While Euro-American traders and trappers were expanding their presence throughout the Sierras in this period, Walker’s expedition marked the first non-Native

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<sup>107</sup> Ibid., 144.

<sup>108</sup> Ibid., 199.

<sup>109</sup> Ibid., 198.

incursion into Ahwahneechee territories.<sup>110</sup> Shortly after crossing the Sierra Crest on its way into California, the Walker party

travelled a few miles every day, still on top of the mountain, and our course continually obstructed with snow hills and rocks. Here we began to encounter in our path, many small streams, which would shoot out from under these high snow-banks, and after running a short distance through deep chasms which they have through the ages cut through the rocks, precipitate themselves from one lofty precipice to another, until they are exhausted in rain below.—Some of these precipices appeared to us to be more than a mile high. Some of the men thought that if we could succeed in descending one of these precipices to the bottom, we might thus work our way into the valley below—but on several attempts we found it utterly impossible for a man to descend, to say nothing of our horses.<sup>111</sup>

The precise location of Leonard's description remains uncertain, as some scholars have argued that this description corresponds to Yosemite Valley, viewed from somewhere above the north rim between the Merced and Tuolumne Rivers, while others have suggested Walker's party may have entered Hetch Hecthy Valley.<sup>112</sup> Nonetheless, indigenous knowledge confirms the presence of non-Native intruders in the greater Yosemite region in this period. About two decades after this expedition, Tenaya told Lafayette Bunnell that "a small party of white men once crossed the mountains on the North side, but were so guided as not to see it." Walker himself later told Bunnell that

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<sup>110</sup> Hull, *Pestilence and Persistence*, 70.

<sup>111</sup> Leonard, *Narrative of the Adventures of Zenas Leonard*, 129.

<sup>112</sup> Francis P. Farquhar, "Walker's Discovery of Yosemite," *Sierra Club Bulletin* 27, no. 4 (1942): 42-44; Hull, *Pestilence and Persistence*, 70; Russell, *One Hundred Years in Yosemite*, 6-7; Carl Parcher Russell, "Notes on the Discovery of the Yosemite," Yosemite Research Library.

“Ute and Mono guides gave such a dismal account of the canons of both rivers, that he kept his course near to the divide.”<sup>113</sup> Any indigenous people that provided the Walker expedition with information would likely have recognized that Tenaya’s elder shaman had directed spiritual power to “hold it [Yosemite Valley] sacred for him and his people alone; none other would ever dare to make it their home.” By actively steering the Walker party away from Ahwahnee, these guides or informants would have protected the Ahwahneechee community from the destruction that the shaman prophesied would follow any non-Native entry to the valley.<sup>114</sup>

Leonard recorded one direct encounter between Walker’s men and a Native person while in this region, news of which may have disseminated into Ahwahnee thereafter. Shortly after coming upon the steep chasms, Walker divided his men into several groups, which desperately searched for a pass out of the mountains. One of these men returned to Walker’s camp with a “basket full of acorns,” which he said he acquired from “an Indian who had them on his back travelling as if he was on a journey across the mountain, to the East side.— When the Indian seen our hunter he dropped his basket of provision and run for life.”<sup>115</sup> Evidently the startled man had been traveling along one of the intertribal trade routes that crossed the Sierra Crest.<sup>116</sup> Leonard’s observations thus illustrate a trans-Sierra trade still thriving in the 1830s, and suggest that the

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<sup>113</sup> Bunnell, *Discovery of the Yosemite*, 70.

<sup>114</sup> *Ibid.*, 71.

<sup>115</sup> Leonard, *Narrative of the Adventures of Zenas Leonard*, 130.

<sup>116</sup> Farquhar, “Walker’s Discovery of Yosemite,” 44.

socioeconomic link between the Ahwahneechee and Kucadikadi had been re-established shortly after Tenaya's return to his father's ancestral territory. It was only by subsequently following one network of these trails that Walker's men were finally able to descend into the San Joaquin Valley.<sup>117</sup>

As these such non-Native explorers, trappers, and other temporary sojourners penetrated further into the indigenous lands of the Sierra Nevada range, this period also ushered in the first waves of Euro-American settlers into the Central Valley. This growing settler presence proved profoundly transformative for indigenous societies, and initiated a ripple effect that transmitted into the trans-Sierra territories. One of the first permanent settlers to arrive in the Central Valley was John Marsh, who in 1838 purchased a tract of land near Mt. Diablo, at the confluence of Bay Miwok and Northern Valley Yokuts territories.<sup>118</sup> Marsh faced indigenous resistance just months after his arrival. After a short trip to San José, Marsh returned to find his ranch house raided and nearly all of his horses driven off.<sup>119</sup> In Marsh's new settlement, tribal nations had an important new target for horse raiding, which in turn allowed them to further consolidate their autonomy in the region. In a reaction that would characterize settler-indigenous relations in California over the next decades, Marsh reacted to this property theft with

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<sup>117</sup> Leonard, *Narrative of the Adventures of Zenas Leonard*, 133; Farquhar, "Walker's Discovery of Yosemite," 44-45.

<sup>118</sup> Rawls, *Indians of California*, 74-75; Phillips, *Indians and Intruders*, 111; Johnson, *Roaring Camp*, 91; Levy, "Eastern Miwok," 399; Wallace, "Northern Valley Yokuts," 462.

<sup>119</sup> George D. Lyman, *John Marsh, Pioneer: The Life Story of a Trail-Blazer on Six Frontiers* (New York: Charles Scribner's Sons, 1930), 228-229; Rockwell D. Hunt, ed., *California and Californians, Vol. 1* (Chicago: Lewis Publishing Company, 1926), 421-422; Phillips, *Indians and Intruders*, 112.

punitive violence. Shortly after the raid, Marsh joined a group of Mexican rancheros and made his way towards the lower Sierra foothills, where they found an encampment of Native people watching over a herd of horses. The settlers fired upon the camp and killed eleven, before returning to the valley with five hundred horses and other stock animals.<sup>120</sup> These Native raiders were most likely local Plains or Bay Miwok, or Valley Yokuts, that retreated towards the Sierra regions outside their ancestral land base. Colonial disruptions to the indigenous geopolitical framework had already led to similar patterns elsewhere, as the Muquelemne Miwok, for example, had recently extended their operations into traditionally Yokuts territories. Whether these raiders came from valley or Sierra tribes, however, Marsh's armed pursuit points to a transmission of colonial violence into the Sierra Nevada that long preceded permanent settlement in the region.

Two years later Governor Juan Bautista Alvarado of California granted John Sutter, a Swiss immigrant, Mexican citizenship and a land grant of nearly fifty thousand acres along the Sacramento River, about fifty miles north of Marsh's settlement.<sup>121</sup> Alvarado granted Sutter "full civil authority" over his holdings, with the expectation that Sutter would bring an end to the Indian raids on Mexican settlements and ranches, and provide a check against the growing presence and influence of American trappers in the state.<sup>122</sup> After arriving in California, Sutter made his way up the Sacramento River with a group that included a young indigenous boy from the Rocky Mountains, and ten Kanaka

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<sup>120</sup> Ibid.

<sup>121</sup> Rawls, *Indians of California*, 77; Hurtado, *Indian Survival on the California Frontier*, 47-48.

<sup>122</sup> Hurtado, *Indians Survival on the California Frontier*, 47-48; Johnson, *Roaring Camp*, 91.

Maoli (Native Hawaiian) contract laborers.<sup>123</sup> When a group of Gualacomne Miwoks met Sutter on the banks of the river, they sent one of their men with him as a guide, who specifically steered Sutter north out of Miwok territory.<sup>124</sup>

Sutter finally settled in the territory of the Nisenan, and quickly established a colony built on the labor and subjugation of the local indigenous population.<sup>125</sup> For the next decade Sutter controlled a significant indigenous workforce that included the local Nisenan, Miwoks from the south, and Native Hawaiians, more of whom crossed the Pacific in later years to join those that had originally come with Sutter.<sup>126</sup> After this intertribal force of laborers built the fort and all the other buildings of what would be the settlement of New Helvetia, Sutter organized many of these laborers into an armed militia of 150 Native people.<sup>127</sup> With this force Sutter would use violence and coercion to control the indigenous populations of the Central Valley. Sutter sent messages to the chiefs of local tribes demanding they send laborers for his colony, and all who refused were faced with this armed militia.<sup>128</sup>

Indigenous peoples in these regions responded to the violent reprisals of settlers like Marsh and Sutter in myriad ways. For some people, work in New Helvetia provided

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<sup>123</sup> David A. Chang, *The World and All the Things Upon It: Native Hawaiian Geographies of Exploration* (Minneapolis: University of Minnesota Press, 2014), 164; Hurtado, *Indian Survival on the California Frontier*, 48.

<sup>124</sup> Hurtado, *Indian Survival on the California Frontier*, 48.

<sup>125</sup> Rawls, *Indians of California*, 78.

<sup>126</sup> Ibid.; Chang, *The World and All the Things Upon It*, 164; Johnson, *Roaring Camp*, 91-92.

<sup>127</sup> Hurtado, *Indian Survival on the California Frontier*, 50.

<sup>128</sup> Ibid., 48.

an important way to supplement sources of subsistence that had been increasingly threatened under settlement.<sup>129</sup> Some Plains Miwok and Valley Yokuts communities were so devastated by the effects of European disease that they sought medical treatment from John Marsh, who “on various occasions treated some of the Indian women who were suffering from maladies that the Indian doctors did not know how to cure.”<sup>130</sup> With shamans finding their healing methods severely ineffective against these new threats, many tribal communities found it necessary to actively employ foreign doctors and medicines to combat new foreign diseases like smallpox and measles.<sup>131</sup> Some groups continued to carry out raids and mount armed resistance to Sutter’s and Marsh’s encroachments on their lands.<sup>132</sup> Rather than face continuing violent reprisals, however, some tribal communities specifically sought peaceful negotiation. In 1845, for instance, a group of Miwok chiefs sought to negotiate a treaty “the object of which,” Sutter wrote, “will be to put an end to their thefts, and have them come here in person.”<sup>133</sup> The chiefs informed Sutter that they would cease their raids on New Helvetia only if he “pardoned

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<sup>129</sup> Ibid., 53-54; Johnson, *Roaring Camp*, 92.

<sup>130</sup> Hunt, *California and Californians*, Vol. I, 421.

<sup>131</sup> In the early twentieth century, many of California’s tribal communities actively fostered these kinds of relationships with non-Native medical practitioners. See Clifford E. Trafzer, *Fighting Invisible Enemies: Health and Medical Transitions among Southern California Indians* (Norman: University of Oklahoma Press, forthcoming 2019).

<sup>132</sup> See John Sutter to John Marsh, June 28, 1844, John Marsh Collection, 1823-1856, California State Library, Sacramento (cited hereafter as Marsh Collection); Hurtado, *Indian Survival on the California Frontier*, 51-52.

<sup>133</sup> John Sutter to Antonio Suñol, June 14, 1845, John Augustus Sutter Collection, 1839-1879, California State Library, Sacramento (cited hereafter as Sutter Collection).



them,” which Sutter “promised to do,” an agreement Sutter found to be “more efficacious than costly and pretentious campaigns that never meet with success.”<sup>134</sup>

While Sutter’s violence and coercion had the most direct effects on the local tribes of the Central Valley, the disruptive legacies of his settlement permeated into the trans-Sierra regions, as Marsh’s had before. Throughout the 1840s, Sutter sent hunters and trappers out from New Helvetia into the Sierra Nevada Mountains.<sup>135</sup> Indicating the extent of these operations, Sutter wrote to Antonio Suñol, to whom he owed a sizeable debt, assuring him that he could “pay you almost the entire amount in beaver skins that I am to receive this winter from the Sierra Nevada Mts.”<sup>136</sup> Coupled with the increasing presence of American trappers and traders coming from the east, these hunters from the west placed even greater strain on indigenous food sources in the Sierra Nevada. When he lacked enough indigenous laborers for his colony, meanwhile, Sutter sometimes sent his militia directly into the Sierra foothills, especially deeper into Nisenan territory.<sup>137</sup> These campaigns would have been all the more necessary due to the effects of agricultural destruction of indigenous food sources and the ravages of European disease on the indigenous labor force of New Helvetia. Such devastation to local indigenous societies was made plainly clear as early as 1841, when Sutter wrote that Native workers “are dying and fighting... I have few laborers here, and don’t know where to get

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<sup>134</sup> Ibid.

<sup>135</sup> John Sutter to Antonio Suñol, October 30, November 9, 1844, and July 16, 1845, Sutter Collection.

<sup>136</sup> John Sutter to Antonio Suñol, October 30, 1844, Sutter Collection.

<sup>137</sup> Hurtado, *Indian Survival on the California Frontier*, 57-58.

more.”<sup>138</sup> In 1845, meanwhile, Sutter sent 31 Native laborers to John Marsh’s farm.

Intended to be collected by Suñol as payment for the earlier debt, Marsh wrote that they had “arrived as usual, dying of hunger.”<sup>139</sup>

Contrary to Governor Alvarado’s hopes, Marsh and Sutter’s settlements greatly inflated American interest in California, and led to a wave of overland migrations into the state. Marsh wrote a series of letters to politicians and newspapers in eastern cities, extolling the “vast superiority of California, both in soil and climate.”<sup>140</sup> In a letter to Michigan Senator Lewis Cass, Marsh explained that in numerous instances, white settlers had intentionally settled their farms near Indian villages, and that “in a short time they would have the whole tribe for willing serfs.”<sup>141</sup> The publication of these and other letters and pamphlets sparked a wave of permanent settlers to travel overland into California, beginning in 1841 with the Bidwell-Bartleson company.<sup>142</sup> Many of these parties made crossings through high mountain passes in the indigenous territories of the trans-Sierra. The Bidwell-Bartleson company, for instance, likely crossed somewhere near Sonora Pass, descending into Central Sierra Miwok territory.<sup>143</sup> In 1844, Elisha

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<sup>138</sup> John Sutter to José Noriega, August 16, 1841, Sutter Collection.

<sup>139</sup> John Marsh to Antonio Suñol, July 16, 1845, Marsh Collection.

<sup>140</sup> John Marsh, “Letter of Dr. John Marsh to Hon. Lewis Cass,” *California Historical Society Quarterly* 22, no. 4 (1943): 317. See also Hunt, *California and Californians*, Vol. 1, 421; Hurtado, *Indian Survival on the California Frontier*, 73-74; Rawls, *Indians of California*, 77; Johnson, *Roaring Camp*, 91.

<sup>141</sup> Marsh, “Letter of Dr. John Marsh to Hon. Lewis Cass,” 321.

<sup>142</sup> Michael L. Tate, *The Great Medicine Road: Narratives of the Oregon, Mormon, and California Trails, Part 2: 1849* (Norman: Arthur H. Clark Company, 2015), 21, 24; Rawls, *Indians of California*, 75.

Stephens led a party of men, women, and children in about a dozen wagons through a pass in the northern Sierra Nevada, through Washoe and Nisenan lands.<sup>144</sup> After reaching the valley floor, most emigrant parties then made their way to Marsh's ranch or, more often, to New Helvetia, which became the central hub of the nascent overland migrations.<sup>145</sup> Here the new arrivals received shelter and provisions, and observed Sutter's system of subjugation over his Native workforce.<sup>146</sup>

The tribal nations of the Sierra Nevada regions actively protected their territories and communities from these parties of overland settlers. In October of 1841, the Bidwell-Bartleson party was desperately searching for a pass out of the mountains. One contingent of the settlers "hired an Indian pilot" who, according to Bidwell, "led them into the worst place he could find and absconded."<sup>147</sup> The next day as the party made camp, Bidwell claimed he saw "the Indians were watching us, among them the old rascally pilot."<sup>148</sup> As the settlers wandered into the depths of a ravine, one of Bidwell's men "remained concealed to see if the old Pilot was among the Indians," until he found "the old gentleman was at the head of his band, *and as he had undoubtedly led us into*

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<sup>143</sup> John Bidwell, *A Journey to California with Observations About the Country, Climate, and the Route to this Country* (San Francisco: John Henry Nash Printer, 1937) v-vii; Hubert Howe Bancroft, *History of California, Volume IV: 1840-1845* (San Francisco: A. L. Bancroft & Company, 1886), 271.

<sup>144</sup> Bancroft, *History of California, Vol. IV*, 445-446; Norman L. Wilson and Arlean H. Towne, "Nisenan," in *Handbook of North American Indians, Vol. 8*, 388.

<sup>145</sup> Rawls, *Indians of California*, 78; Johnson, *Roaring Camp*, 91; Bancroft, *History of California, Vol. IV*, 447.

<sup>146</sup> Rawls, *Indians of California*, 78.

<sup>147</sup> Bidwell, *A Journey to California*, 26.

<sup>148</sup> *Ibid.*, 27.

*this place to perish, his crime merited death—a rifle ball laid him dead in his tracks.*”<sup>149</sup>

The actions of this “pilot,” most likely Central Sierra Miwok, present a striking parallel to Tenaya’s oral history. In both of these cases indigenous communities of the Sierra Nevada specifically acted to protect their ancestral territories from settler incursions and exploitation. Bidwell’s immediate and violent response, meanwhile, illustrates the grave danger that Euro-American settlement posed to the tribal nations of the trans-Sierra.

Bidwell’s observations in these regions also reveal some of the ways Sierra Miwok societies were affected by economic shifts and disruptions throughout this period. In Bidwell’s estimation, “the Indians in the mountains, here, prefer the meat of horses to cattle, and here in these gloomy corners of the mts. they had been accustomed to bring stolen horses and eat them.” When a group of Miwoks “stole a couple of our horses,” two nights after Bidwell’s men murdered the “pilot,” the settlers searched a nearby village, where they “passed along by several huts, but they were deserted as soon as we came in sight, the Indians running in great consternation into the woods. At one place the bones of a horse were roasting on a fire, they were undoubtedly the bones of the horses we had lost.” The Miwoks’ flight before Bidwell’s approach is explained by his murderous actions, and fits within the broader indigenous history of the Sierra Nevada in this period. Stealing the party’s horses, Bidwell believed, represented the primary “design of the veteran, Indian Pilot” in “leading us into this rugged part of Creation.”<sup>150</sup> This encounter thus reveals a brief though important glimpse into the ways Sierra Miwok

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<sup>149</sup> Ibid. Emphasis original.

<sup>150</sup> Ibid.

economies and diets altered as a result of Spanish and Mexican colonialism. Since the 1820s many Valley Yokuts and Plains Miwok peoples incorporated highly nutritious horse meat into their traditional diets.<sup>151</sup> To some extent the Sierra tribes experienced similar shifts in diet, especially with increased access to horses and other colonial goods via Yokuts trading partners.<sup>152</sup>

While New Helvetia represented the largest and most influential settler colony in California, a number of Euro-American settlers acquired and began to move onto the indigenous territories that would form the heart of the “Southern Mines” of the California Gold Rush. Many of these settlers had direct experience working with and for Sutter, and would adopt his exploitative model of indigenous labor in Miwok and Yokuts territories. Charles M. Weber, for instance, arrived with the Bidwell-Bartleson company, which was received at John Marsh’s ranch.<sup>153</sup> After observing Marsh’s coercive system of Indian labor, Weber worked for John Sutter at New Helvetia before settling on his own rancho near present-day Stockton.<sup>154</sup> James D. Savage, meanwhile, departed from Independence, Missouri, where he would begin the long overland journey over the Plains and Great Basin before arriving at Sutter’s Fort in the fall of 1846.<sup>155</sup> He arrived in a

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<sup>151</sup> Hunt, *California and Californians*, Vol. I, 422; Haas, *Saints and Citizens*, 40.

<sup>152</sup> See Arkush, 628-629.

<sup>153</sup> Hunt, *California and Californians*, 421; Rawls, *Indians of California*, 121.

<sup>154</sup> Rawls, *Indians of California*, 121; Phillips, *Indians and Intruders*, 130; Bancroft, *History of California, Volume VI: 1848-1859* (San Francisco: The History Company, 1888), 11, 465; Hull, *Pestilence and Persistence*, 71.

<sup>155</sup> Annie R. Mitchell, *Jim Savage and the Tulareño Indians* (Los Angeles: Westernlore Press, 1957), 21, 24; Neva Jeanne Harkins Muñoz, “Political Middelmannship and the Double Bind: James D. Savage and the Fresno River Reservation,” (Ph.D. Diss., University of California, Riverside, 1980), 56.

state embroiled in the turmoil of the Mexican-American War, and in October enlisted in the “California Battalion,” which marched south and fought a number of battles and skirmishes, effectively wresting military control of the state away from Mexican colonial authorities.<sup>156</sup> When Savage mustered out of service in April of 1847, he returned to New Helvetia, where he worked for Sutter as a teamster, and was sent with James Marshall to oversee the construction of a millrace on the American River.<sup>157</sup> For the mill, Marshall selected a site directly adjacent to the Nisenan village of *Kolo-ma*, largely for the availability of indigenous workers, and when construction began Savage observed firsthand Sutter’s coercive system of Indian labor.<sup>158</sup> Marshall commanded a workforce that consisted largely of the local Nisenan population, along with other Nisenan, Maidu, and perhaps Miwok people that traveled with him from Sutter’s Fort.<sup>159</sup> After learning of the economic opportunities these exploitative models offered white landowners in the state, Savage departed for the south, where he would eventually establish a series of trading posts throughout the San Joaquin Valley and lower Sierra foothills, relying heavily on his relationships with several tribal communities there.<sup>160</sup>

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<sup>156</sup> William F. Swasey, “California, 1845-1846,” p. 16, Bancroft Library; Mitchell, *Jim Savage and the Tulareño Indians*, 31, 33; Lisbeth Haas, “War in California, 1846-1848,” in *Contested Eden*, 333.

<sup>157</sup> Mitchell, *Jim Savage and the Tulareño Indians*, 33; James A. Sandos, “Between Crucifix and Lance: Indian-White Relations in California, 1769-1848,” in *Contested Eden*, 218-219.

<sup>158</sup> Sandos, “Between Crucifix and Lance,” 218; James J. Rawls, “Gold Diggers: Indian Miners in the California Gold Rush,” *California Historical Quarterly* 55, no. 1 (1976): 29.

<sup>159</sup> Rawls, “Gold Diggers,” 29; Johnson, *Roaring Camp*, 92.

<sup>160</sup> Mitchell, *Jim Savage and the Tulareño Indians*, 34.

Finally, in 1845, John C. Frémont led an expedition charged with surveying portions of the lower Sierra Nevada, along with territories in the Rocky Mountains and Great Basin. Departing from Sutter's Fort, Fremont moved south through the San Joaquin Valley before following the Merced River upstream into the mountains.<sup>161</sup> Once in the foothills the party turned southeast towards the Mariposa River into Southern Sierra Miwok territory, and came upon what Fremont believed had been a temporary camp site of a local Indian village, "as the ground was whitened with the bones of many horses."<sup>162</sup> About half a mile from this camp, the party found a large Miwok village and, according to Frémont, "my men had been discovered by the Indians," who soon "nearly surrounded the knoll and were about getting possession of the horses." Two Delaware men of Frémont's party ran to recover the animals, while one of his other men, Dick Owens, fired upon and shot the Miwok man that came closest to the horses. Frémont then retreated back to his camp, but was followed by a group of Miwoks "scattered among the rocks and trees, whence they harangued us."<sup>163</sup> The Miwoks, who spoke Spanish well, then warned Frémont, "there are two large villages up in the mountains close by; we have sent for the Chief; he'll be down before morning with all the people, and you will all die. None of you shall go back; we will have all your horses."<sup>164</sup> Following these threats, the Frémont expedition retreated back into the Central Valley.

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<sup>161</sup> John Charles Frémont, *Memoirs of My Life: Including in the Narrative Five Journeys of Exploration* (Chicago: Belford, Clarke, & Company, 1887), 444.

<sup>162</sup> Ibid., 445.

<sup>163</sup> Ibid.

<sup>164</sup> Ibid., 446.

This encounter most likely took place in or near the valley of Agua Fria.<sup>165</sup> Unbeknownst to Fremont at the time, the territory sat within a large Mexican land grant, in the possession of Juan B. Alvarado since 1844.<sup>166</sup> Citing concerns of Indian hostilities in the region, Alvarado himself had never made any attempts to settle this “Las Mariposas” grant, which was bound between the San Joaquin, Chowchilla, and Merced Rivers west of the Sierra Crest.<sup>167</sup> In 1847, Fremont purchased Las Mariposas from Alvarado, and sent Joseph Willard Buzzell to settle the tract.<sup>168</sup> When Buzzell arrived in the Sierra foothills, the supposed hostility of the local Indians compelled him to move “farther down” the Mariposa River, “thinking it might be more safe.”<sup>169</sup> There he met a chief of another tribe, who presented him with a “certificate” signed by Fremont, attesting to his friendliness towards white settlers. The chief explained, however, that the tribes on the opposite bank of the river “were hostile and that Buzzell would be killed if he should remain.” Over the course of the following year, Buzzell attempted three more times to permanently settle this territory, and each time was prevented by the active resistance of the local tribal communities.<sup>170</sup>

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<sup>165</sup> C. Gregory Crampton, “The Opening of the Mariposa Mining Region, 1849-1859, with Particular Reference to the Mexican Land Grant of John Charles Frémont,” (Ph.D. Diss., University of California, Berkeley, 1941), 19.

<sup>166</sup> Ibid., 7.

<sup>167</sup> Ibid., 11.

<sup>168</sup> Crampton, “The Opening of the Mariposa Mining Region,” 29; Johnson, *Roaring Camp*, 260; Hull, *Pestilence and Persistence*, 71.

<sup>169</sup> Crampton, “The Opening of the Mariposa Mining Region,” 29-30.

<sup>170</sup> Ibid., 30.



The subsequent failures of Alvarado and Fremont to settle this territory in the southern Sierra foothills present a striking historical irony. The very lack of Euro-American settlement in these lands stoked popular and academic attitudes of an indigenous Sierra Nevada “untouched” or “unaffected” by colonialism. By the middle of the 1840s, however, such settlement in the southern Sierras was prevented only by active and ongoing indigenous resistance. Most importantly, the continuing legacies of indigenous resistance to invasion, encroachment, and settlement, were informed in no small part by memory and direct experience of settler violence, such as that brought by the Frémont expedition and the Bidwell-Bartleson company. On the eve of the California Gold Rush, therefore, indigenous societies of the trans-Sierra regions had already contended with the traumatic effects of colonialism for generations. Especially in the Spanish period, these effects were often indirect, and many indigenous societies were fundamentally transformed and threatened by epidemic disease, economic disruption, and social realignment, long before any non-Native people had entered their lands.

Tribes of the trans-Sierra, however, did experience numerous contacts with non-Native invaders, especially after the 1820s, as growing numbers of trappers, traders, and explorers penetrated their lands, nearly always bringing violence in their wake. While many colonial encounters were doubtless left unrecorded by non-Native invaders, both the written and oral record clearly illustrate an indigenous Sierra Nevada deeply affected by devastating colonial legacies. By the time the gold rush brought the first hordes of settlers into their lands by the thousands, indigenous communities of the trans-Sierra understood the very real threats of settler invasion. In the Spanish and Mexican colonial

eras, tribal nations of the Sierra Nevada still vastly outnumbered any foreign invaders, and retained a relative degree of autonomy. The arrival of thousands of non-Native invaders to their lands in and after 1848 violently upended this framework. In remarkable testaments to traditions of indigenous resilience, these tribal communities continued to actively resist, adapt, negotiate, and survive in the face of this violent onslaught.

### Chapter 3

#### Miwok and Yokuts Histories of the California Gold Rush, 1848-1850

In October of 1848, Edward Gould Buffum and a small party of Euro-American gold-seekers wandered through the slopes of the Sierra Nevada Mountains towards the Yuba River. The young men, “entirely ignorant” of where gold could be found, soon encountered two Nisenan women gathering acorns.<sup>1</sup> Startled by Buffum’s party and unable to understand their language, the women took up their acorn baskets and ran into the foothills. Buffum’s group trailed the women all the way to their village, situated on both sides of a small ravine. Suspicious of the white men that had just arrived armed with rifles, about forty Nisenan people surrounded Buffum’s party. Buffum alleviated these initial tensions when he discovered one of the Nisenan men spoke Spanish. Buffum assured him that he and his party wished only to visit, and offered bread and tobacco as tokens of friendship.<sup>2</sup> In their conversation that followed, the Nisenan man, who introduced himself as “Pule-u-e,” led Buffum around the village, introducing him to his people, and showing him their bows, arrows, and dwellings. Buffum, however, was most interested in the village’s evident mining operations. He learned that each day, one group of Nisenan would travel to the Yuba river to mine gold, which they exchanged for flour, meats, and other supplies in nearby towns, while another group hunted in the surrounding foothills.<sup>3</sup> Buffum, who had traveled to these lands for the express purposes of gold

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<sup>1</sup> Edward Gould Buffum, *Six Months in the Gold Mines from a Journal of Three Years in Upper and Lower California, 1847-1849* (Philadelphia: Lea and Blanchard, 1850), 43-44.

<sup>2</sup> Ibid., 44.

<sup>3</sup> Ibid., 46.

prospecting, was fascinated and seemingly surprised that Nisenan people had already been successfully mining for gold for some time. He asked Pule-u-e if his people had been aware of the existence of gold “prior to the entrance of the white men into the mines.”<sup>4</sup> Pule-u-e told Buffum that when he was a boy, he often “picked it from the rocks in large pieces, and amused himself by throwing them into the river as he would pebbles.”<sup>5</sup>

Encounters such as these would have been common in California’s Gold Country in 1848 and early 1849.<sup>6</sup> In its earliest stages, the California Gold Rush was little more than a “regional story” that generated a great deal of local attention and excitement.<sup>7</sup> Most of the emigrant miners in this period, like Buffum, had arrived in California prior to the initial discovery of gold, or they traveled relatively short distances from Oregon or northern Mexico.<sup>8</sup> These first emigrants encountered California Indian miners frequently, and greatly relied on Native knowledge of auriferous regions. Although written and oral records both clearly attest to this reality, many academic studies of the gold rush by non-Native historians have neglected this history. While acknowledging precolonial indigenous knowledge of gold and other mineral deposits, archaeologist

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<sup>4</sup> Ibid., 45.

<sup>5</sup> Ibid., 45-46.

<sup>6</sup> James J. Rawls, “Gold Diggers: Indian Miners in the California Gold Rush,” *California Historical Quarterly* 55, no. 1 (1976): 30.

<sup>7</sup> Michael L. Tate, *The Great Medicine Road: Narratives of the Oregon, California, and Mormon Trails, Part 2: 1849* (Norman: University of Oklahoma Press, 2015), 18-19.

<sup>8</sup> Sucheng Chan, “A People of Exceptional Character: Ethnic Diversity, Nativism, and Racism in Gold Rush California,” in *Rooted in Barbarous Soil: People, Culture, and Community in Gold Rush California*, ed. Kevin Starr and Richard J. Orsi (Berkeley: University of California Press, 2000), 52.

Robert F. Heizer noted that California's tribal societies displayed a "surprising disregard and disinterest in metals which were obtainable in the native state," and that "the history of California might have been very different if the Indians had employed native gold and tapped the rich placer deposits of the Sierra Nevada."<sup>9</sup> Such statements belie a highly problematic though popular assumption that California Indian societies "lived in a technological stone age," and were thus incapable of tapping such rich resources without "European methods and inducements."<sup>10</sup>

As indigenous knowledge and history reveal, however, differing cultural understandings of value—and not technological ignorance—most fundamentally explain California Indian societies' "disinterest" in gold prior to the coming of colonial settlement. Pule-u-e's story demonstrates that California Indian peoples held deeply rooted knowledge of the presence of gold long before Euro-American settlement. This knowledge is also contained in the tribal histories and creation narratives of many other California Indian peoples. In the early twentieth century, Waksachi elder Sam Osborn, of the village of Tushao, a community of mixed Yokuts and Mono heritage and culture, described the creation of the Sierra Nevada Mountains: "Falcon and Crow... were each carrying handfuls of earth, and as they flew along they deposited some grains of dirt and told them to become hills. There were gold and silver in the hills, and oil in those to the west."<sup>11</sup>

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<sup>9</sup> Robert F. Heizer and Adan E. Treganza, "Mines and Quarries of the Indians of California," *California Mines Report XL of the State Mineralogist* (1944): 292-293.

<sup>10</sup> Ibid.

As suggested in Pule-u-e's narrative, gold held little cultural value for most of California's tribal nations. Other mineral resources, however, played important roles in indigenous economies and social traditions. Most importantly, for generations before the arrival of European colonists and settlers, California Indian peoples developed and maintained technological methods for mining and quarrying other more valuable mineral resources, including hematite, steatite, obsidian, malachite, flint, quartz, pumice, granite, and many others.<sup>12</sup> Along the canyons of the north fork of the Tuolumne River, for instance, Central Sierra Miwok people quarried steatite deposits at a site they knew as *lotowayaka*, which provided material for bowls, arrow straighteners, and, when crushed, a kind of talcum powder.<sup>13</sup> The Chukchansi Yokuts people of the lower Sierra foothills, meanwhile, developed particularly durable pottery by heating or "cooking" steatite.<sup>14</sup> Paiute quarries east of the Sierra Crest provided the obsidian so frequently carried across trans-Sierra trade networks.<sup>15</sup> Minerals also played important roles in spiritual tradition

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<sup>11</sup> A. H. Gayton and Stanley S. Newman, "Yokuts and Western Mono Myths," *University of California Anthropological Records* 5, no. 1 (1940): 31.

<sup>12</sup> Heizer and Treganza, "Mines and Quarries of the Indians of California," 342.

<sup>13</sup> *Ibid.*, 308.

<sup>14</sup> *Ibid.*, 294, 308.

<sup>15</sup> Heizer and Treganza, "Mines and Quarries of the Indians of California," 305; Julian H. Steward, "Ethnography of the Owens Valley Paiute," *University of California Publications in American Archaeology and Ethnology* 33, no. 3 (1933): 257; Robert F. G. Spier, "Monache," in *Handbook of North American Indians, Volume 8: California*, ed. Robert F. Heizer and William S. Sturtevant (Washington, D.C.: Smithsonian Institution, 1978), 429; Richard Levy, "Eastern Miwok," in *Handbook of North American Indians, Vol. 8*, 411-412.

and ritual, as Sierra Miwok and other foothill peoples often used quartz crystals in burials.<sup>16</sup>

Indigenous mining operations were of great importance to many tribal societies across great geographic distances. While passing through New Almaden, south of San Francisco, James Mason Hutchings observed a mine which “had been worked for several centuries, principally by Indians, for vermillion with which to ornament their persons, and for this purpose Indians have come from several hundred miles.”<sup>17</sup> The local Ohlone people had mined Cinnabar deposits there for generations, and by the early nineteenth century had excavated a tunnel more than fifty feet long.<sup>18</sup> This site represented a central source of red pigment for many tribes throughout northern California, especially for the Yokuts, Plains Miwok, and Sierra Miwok who constituted the Ohlones’ principal trading partners.<sup>19</sup> As Hutchings’s observations suggest, however, the reach of its influence extended far beyond northern California. Walla Walla people from the Columbia River drainage, for example, were known to have made the extremely distant journey to trade for the Ohlone Cinnabar.<sup>20</sup>

Providing an early glimpse of what would become a common pattern in the later Gold Rush era, Hutchings claimed that after the establishment of Mission Santa Clara,

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<sup>16</sup> Heizer and Treganza, “Mines and Quarries of the Indians of California,” 332.

<sup>17</sup> Journal of James Mason Hutchings, June 28, 1855, Bancroft Library.

<sup>18</sup> Richard Levy, “Coastanoan,” in *Handbook of North American Indians*, Vol. 8, 493; Heizer and Treganza, “Mines and Quarries of the Indians of California,” 493.

<sup>19</sup> Levy, “Coastanoan,” 493.

<sup>20</sup> Hutchings, Journal, June 28, 1855; Heizer and Treganza, “Mines and Quarries of the Indians of California,” 298; Levy, “Coastanoan,” 493.

“the Indians having this [cinnabar] on their persons, and in quantity, the mission fathers soon learned its value.”<sup>21</sup> Historical evidence suggests that Spanish colonists exploited indigenous labor at the site, and that Ohlone miners continued to work the deposits until as late as the 1840s.<sup>22</sup> Along with their deep-rooted knowledge of gold deposits, then, California Indian societies had maintained rich traditions of mining and quarrying long before the arrival of Euro-Americans to their lands. While gold was of little cultural value, many other mineral resources played important roles in tribal economies, and social and spiritual traditions. Once non-Native interest in gold was made abundantly clear, however, great numbers of California Indian people would draw on their knowledge of auriferous regions to become some of the first gold miners in the state.

When Buffum first encountered the Nisenan miners along the Yuba River in 1848, nearly a year would pass before the hordes of overland and overseas emigrants swarmed upon Native lands by the tens of thousands.<sup>23</sup> In this time of relatively slow immigration and settlement, California Indian people mined for gold in great numbers, sometimes working for white landowners like John Sutter, but often working independently, like those that met Buffum.<sup>24</sup> As settlers occupied Native lands and depleted Native resources, gold mining became an important tool for California Indians to navigate the dramatic changes that came with settlement. California’s military

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<sup>21</sup> Hutchings, Journal, June 28, 1855.

<sup>22</sup> Heizer and Treganza, “Mines and Quarries of the Indians of California,” 302.

<sup>23</sup> In 1849 alone, as many as forty thousand overland emigrants entered California. Tate, *The Great Medicine Road, Part 2*, 20.

<sup>24</sup> Rawls, “Gold Diggers,” 28-29.



governor Richard B. Mason estimated in 1848 that “upwards of four thousand men were working in the gold district, of whom more than half were Indians.”<sup>25</sup> With this relative numerical strength, Native people were able to endure the violent intimidation of non-Native emigrants that sought to push them out of the gold fields. By the end of 1849, however, as thousands occupied Native territory in search of gold, these strategies would come under increased threats as Indian-white relations came to be characterized more by genocidal violence than by the friendly exchanges Buffum recalled.

This precipitous rise in violence, committed by settlers that increasingly viewed indigenous people as little more than obstacles in need of elimination, coincided with the introduction of settler colonialism in California. While the Gold Rush era featured many temporary emigrants and sojourners, it ushered in an explosive increase in permanent settlement that never reversed. In the two short years since the initial gold discovery, California’s non-Native population increased from just 15,000 to over 165,000, and by 1860 it would reach nearly 400,000, devastating Native lives and resources.<sup>26</sup> Many of California’s gold prospectors never imagined that they would “come to stay,” but would ultimately abandon mining for more permanent industries like ranching and agriculture, as California’s settler colonial structure began to emerge.<sup>27</sup> California’s indigenous

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<sup>25</sup> R. B. Mason to R. Jones, August 17, 1848, in United States, 30<sup>th</sup> Congress, 2<sup>nd</sup> Session, *House Executive Document 1* (Washington, D.C., 1848), 60.

<sup>26</sup> Brendan Lindsay, *Murder State: California’s Native American Genocide, 1846-1873* (Lincoln: University of Nebraska Press, 2012), 128; James J. Rawls, *Indians of California: The Changing Image* (Norman: University of Oklahoma Press, 1984), 171, 214; Albert L. Hurtado, *Indian Survival on the California Frontier* (New Haven: Yale University Press, 1988), 194.

<sup>27</sup> Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (2006): 388; Lawrence James Jelinek, “‘Property of Every Kind’: Ranching and Farming During the Gold-Rush Era,” in *A Golden State: Mining and Economic Development in Gold Rush California*, ed.

peoples, meanwhile, actively responded to the violence of these new settlers, sometimes with adaptation, sometimes with peaceful negotiation and accommodation, and sometimes with violent resistance.

When John Sutter charged James Marshall with constructing a millrace in 1847, a group of Native laborers led him to a site near the Nisenan village of *Kolo-ma*, along the American River. Over the next several months, Marshall exploited the labor of the local people of Kolo-ma to supplement the workforce of Nisenan, Maidu, and perhaps Miwoks that had initially travelled with him from Sutter's Fort.<sup>28</sup> On January 24, 1848, the discovery of gold in this very millrace sparked the beginnings of the Gold Rush that eventually brought hundreds of thousands of non-Native emigrants and settlers to indigenous lands in the Sierra Nevada. While Marshall himself ultimately claimed credit, the historian James Rawls has argued that it was likely one of the many Native American workers at the mill that made the first discovery of gold there.<sup>29</sup>

In the aftermath of this discovery, a great many of the Native people in Marshall's workforce, along with those from surrounding Nisenan communities, began mining for gold. This period of significant Indian mining, however, would soon come under the threats of violent settlement. A party of Euro-Americans from Oregon, among the first

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James J. Rawls and Richard J. Orsi (Berkeley: University of California Press, 1999), 233; Gary C. Anderson, *Ethnic Cleansing and the Indian: The Crime that Should Haunt America* (Norman: University of Oklahoma Press, 2015), 216.

<sup>28</sup> Rawls, "Gold Diggers," 29; Annie R. Mitchell, *Jim Savage and the Tulareño Indians* (Los Angeles: Westernlore Press, 1957), 33; Susan Lee Johnson, *Roaring Camp: The Social World of the California Gold Rush* (New York: W.W. Norton, 2000), 92.

<sup>29</sup> Rawls, "Gold Diggers," 29-30.

overland emigrants to reach California, arrived in Nisenan territory in 1849. Violence erupted after the Oregonian men invaded a Nisenan village and raped its women. The Nisenan soon retaliated and killed five of the Oregonians, commencing a cycle of violence that would lead to catastrophe for Nisenan people.<sup>30</sup> Edward Gould Buffum, who had since moved on to the Coloma area after his stint on the Yuba River, described this bloody turn of events. A group of armed settlers had banded together in Coloma to chase down the Nisenan men. The settlers pursued them to a nearby village, where Buffum claimed they massacred twenty people and took thirty prisoners. Of these Nisenan prisoners, the settlers identified the six they claimed to be guilty of murdering the Oregonians, and fired upon them in a kind of public execution.<sup>31</sup> Buffum's commentary on these violent developments is deeply revealing of the rapid changes that settler colonialism brought to California Indian societies. Almost immediately after the killings at Coloma, Buffum recalled,

several expeditions were fitted out, who scoured the country in quest of Indians, until now a redskin is scarcely ever seen in the inhabited portion of the northern mining region. Their Rancherias are deserted, the graves of their ancestors are left to be desecrated by the white man's footprint, and they have gone—some of them to seek a home beyond the rugged crest of the Sierra Nevada, while others have emigrated to the valley of the Tulares, and the whole race is fast becoming extinct.<sup>32</sup>

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<sup>30</sup> These events are recorded in detail in Rawls, "Gold Diggers," 38-40; Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873* (New Haven: Yale University Press, 2016), 84-90; and Clifford E. Trafzer and Joel R. Hyer, eds., *Exterminate Them! Written Accounts of the Murder, Rape, and Enslavement of Native Americans during the California Gold Rush* (East Lansing: Michigan State University Press, 1999), 17.

<sup>31</sup> Buffum, *Six Months in the Gold Mines*, 100.

Indeed, the conclusion of these events corresponded with a precipitous rise of genocidal fervor that would rage across California Indian lands. White emigrants like those from Oregon often resented the Native presence in California's Gold Fields, and the Euro-Americans that exploited their labor, as an obstacle to their own economic opportunities.<sup>33</sup> The growing settler population, with its agricultural, ranching, damming, and fishing operations, put tremendous stresses on Native economies, while increasing settler violence drove many California Indians in the region away from mining.<sup>34</sup> Under these constraints, California Indian communities increasingly relied on stock raiding to keep their people fed. In what became a common pattern, settler communities incensed by Native stock thefts reacted with organized violence, petitioning the state government for legal authority to form militia companies.<sup>35</sup> State sanctioned volunteer militia campaigns in 1850 and 1851 targeted the Nisenan, Miwok, and Yokuts people of the central and southern Sierra Nevada Mountains.<sup>36</sup> Just as often, however, settlers were

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<sup>32</sup> Ibid., 100-101.

<sup>33</sup> James A. Sandos, " 'Because He is a Liar and a Thief': Conquering the Residents of 'Old' California, 1850-1880," in *Rooted in Barbarous Soil*, 91; Rawls, *Indians of California*, 129-133; Johnson, *Roaring Camp*, 185.

<sup>34</sup> See folders 8, 15, 17, Hiram Dwight Pierce Collection, California State Library; William Pennell to D. A. Pennell, September 19, 1851, and November 14, 1851, William Doyle Pennell Collection, California State Library; Friedrich Gerstäcker, *Narrative of a Journey Round the World, Comprising a Winter-Passage Across the Andes to Chili, With a Visit to the Gold Regions of California and Australia, the South Sea Islands, Java &c.* (London: Hurst & Blackett, 1853), 150.

<sup>35</sup> These patterns are discussed most comprehensively in Lindsay, *Murder State*; and Madley, *An American Genocide*.

<sup>36</sup> See Records 9-41, 46-50, Military Department, Office of the Adjutant General, Indian War Papers, California State Archives (hereafter cited as Indian War Papers); Lafayette Houghton Bunnell, *The Discovery of Yosemite and the Indian War of 1851 which Led to that Event* (Chicago: Fleming H. Revell, ca. 1885); C. Gregory Crampton, ed., *The Mariposa Indian War, 1850-1851: Diaries of Robert Eccleston* (Salt Lake City: University of Utah Press, 1957); George Harwood Phillips, *Indians and Indian Agents:*

willing to take violent action into their own hands, with or without state sanction.

Regardless of culpability, Native people faced grave danger under the specter of property theft.

These violent developments in Nisenan territory have in part informed academic assumptions that Indian mining in California all but ceased by the end of 1849. Even with their numbers severely diminished from the pre-settlement period, many Native people continued to mine even in the wake of settler violence. By November of 1850, Robert Bolyan noted that the Nisenan people he met in the northern gold regions were visibly “afraid of the whites.”<sup>37</sup> Still, Bolyan wrote that a Nisenan chief was still actively engaged in mining with and for white settlers in the area. This chief led Bolyan to a local gold-bearing region, and offered to mine for him, but Bolyan flatly rejected, complaining, “Indians are poor help.”<sup>38</sup> Bolyan gladly accepted the knowledge of his Nisenan informant, a man he called his “friend,” but forbade him to mine alongside him. As this encounter demonstrates, Euro-American prospectors continued to rely on Native knowledge of gold well after 1849. While violence and intimidation certainly forced many Native people from the gold fields, many continued to mine and resist settler violence and occupation.

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*The Origins of the Reservation System in California, 1849-1852* (Norman: University of Oklahoma Press, 1997); Hurtado, *Indian Survival on the California Frontier*, 114, 132-136; Madley, *An American Genocide*, 183-194.

<sup>37</sup> R. J. Bolyan to Wife, November 15, 1850, R. J. Bolyan Gold Rush Letters, 1850-1853, California State Library (cited hereafter as Bolyan Letters).

<sup>38</sup> Ibid.

This was most especially the case south of Nisenan lands, in the territories of Sierra Miwok and Yokuts peoples. Euro-American prospectors had invaded these territories soon after the initial discovery on the American River. Differing local and historical contexts, however, allowed Miwok and Yokuts people to employ strategies to contend with violent settlement that had become mostly unavailable to their Nisenan neighbors in the north. Although Euro-American designations are arbitrary to indigenous geographies, Sierra Miwok territory roughly comprised the heart of what settlers came to call the “Southern Mines,” in Mariposa, Tuolumne, Calaveras, and Amador Counties, while Northern Sierra Miwok territory extended as far as the Middle Fork of the Cosumnes River in El Dorado County, on the southern edge of the “Northern Mines.”<sup>39</sup> Foothill and Valley Yokuts peoples lived in the lower, western reaches of these territories, along the watercourse of the San Joaquin.<sup>40</sup> In the years prior to the gold rush, John Sutter wielded violence and coercion to exploit the local Nisenan population, which came to comprise the primary labor force at his colony of New Helvetia.<sup>41</sup>

While Miwok and Yokuts communities to the south had also suffered under colonial legacies of violence, disease, and coercion, their geographic isolation from such colonial centers—including New Helvetia—allowed them to maintain a relative degree of political autonomy. For these reasons, most Nisenan tribes did not develop the same

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<sup>39</sup> Johnson, *Roaring Camp*, 27-28; Levy, “Eastern Miwok,” 400.

<sup>40</sup> William J. Wallace, “Northern Valley Yokuts,” in *Handbook of North American Indians*, Vol. 8, 462; Robert F. G. Spier, “Foothill Yokuts,” in *Handbook of North American Indians*, Vol. 8, 471.

<sup>41</sup> Rawls, *Indians of California*, 77-79; Hurtado, *Indian Survival on the California Frontier*, 57-58, 75-76; Johnson, *Roaring Camp*, 91-92.

culture of horse-raiding that strengthened Miwok and Yokuts societies in the 1830s and 1840s.<sup>42</sup> Finally, these southern territories yielded poorer diggings than those found to the north. As a consequence, the Northern Mines underwent a rapid process of industrialization, as commercial quartz mining operations eventually pushed out most individual placer miners from the district. The poorer southern diggings never underwent such developments at the same pace, and individual miners—especially indigenous people and non-Anglo emigrants—predominated.<sup>43</sup> For Miwok and Yokuts tribes specifically, gold mining continued to represent an important strategy and adaptation to contend with the traumas of settlement well into the 1850s.

Charles M. Weber was one of the earliest Euro-Americans to exploit the labor of Yokuts people in the mines. In the years prior to the Gold Rush, local Yokuts labor had been essential in establishing and maintaining his ranch near present-day Stockton.<sup>44</sup> In June of 1848, Weber traveled north to mine what would come to be called “Weber’s Creek” near Placerville, in Nisenan territory.<sup>45</sup> Weber arrived armed “with articles of trade, and soon gathered around him a thousand Indians, who worked for him in consideration of the necessities of life.”<sup>46</sup> These Indian miners dug some fifty thousand

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<sup>42</sup> Hurtado, *Indian Survival on the California Frontier*, 55-71; Johnson, *Roaring Camp*, 92.

<sup>43</sup> Johnson, *Roaring Camp*, 12, 51; Hurtado, *Indian Survival on the California Frontier*, 112.

<sup>44</sup> George Harwood Phillips, *Indians and Intruders in Central California, 1769-1849* (Norman: University of Oklahoma Press, 1993), 130.

<sup>45</sup> Buffum, *Six Months in the Gold Mines*, 92; Erwin G. Gudde, *California Gold Camps* (Berkeley: University of California Press, 1975), 366; Rawls, *Indians of California*, 121; Rawls, “Gold Diggers,” 32.

<sup>46</sup> Buffum, *Six Months in the Gold Mines*, 92; see also Mason to Jones, August 17, 1848, in 30 Cong., 2 Sess., *House Exec. Doc. 1*, 58.

dollars' worth of gold for Weber. Some time after that summer, Weber returned to the San Joaquin Valley and organized the "Stockton Mining Company."<sup>47</sup> In previous years Weber had gained access to Indian laborers through an alliance with the Siakumne Yokuts chief José Jesus.<sup>48</sup> After the discoveries of gold in the north, Weber asked José Jesus for "some able-bodied members of his tribe" to work as miners at his diggings at Weber's Creek.<sup>49</sup> The chief agreed to supply Weber with some 25 men, who accompanied Weber to the Northern Mines.

Weber then sent a number of these Yokuts miners south to prospect along the Stanislaus River, where they made many of the first gold discoveries in the Southern Mines, along Carson's Creek and Wood's Creek.<sup>50</sup> Under their agreement with Weber, these Yokuts miners could trade the gold they dug at the town of French Camp in exchange for clothing, or other "such articles as they best loved."<sup>51</sup> These discoveries proved so lucrative that in August Weber moved his entire indigenous labor force to the Stanislaus River.<sup>52</sup> Yokuts knowledge of auriferous regions in their own territories was fundamental to the success of Weber and other Euro-American prospectors throughout these regions. Traveling through this country, James Carson noted that Yokuts people

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<sup>47</sup> Hubert Howe Bancroft, *History of California, Volume VI: 1848-1859* (San Francisco: The History Company, 1888), 74.

<sup>48</sup> Phillips, *Indians and Intruders*, 130.

<sup>49</sup> Bancroft, *History of California, Vol. VI*, 76.

<sup>50</sup> Ibid.; Rawls, *Indians of California*, 121-122; Rawls, "Gold Diggers," 32; Hurtado, *Indian Survival on the California Frontier*, 112.

<sup>51</sup> Bancroft, *History of California, Vol. VI*, 76.

<sup>52</sup> Ibid.; Rawls, *Indians of California*, 122; Rawls, "Gold Diggers," 32.



provided Weber with “leading information” of the “direction in which the new discoveries were to be made.”<sup>53</sup> Yokuts knowledge later led Carson himself to the gold-bearing diggings of “Carson’s Creek,” where he and his partners mined 180 ounces each over the course of ten days.<sup>54</sup>

In the summer of 1848, one member of Weber’s company, John M. Murphy, left for diggings further south along Dry Creek in Calaveras County, which came to be known as “Murphys Old Diggings.”<sup>55</sup> As was typical throughout this region and period, Murphy gained a substantial fortune by contracting indigenous labor. On July 8, Chester S. Lyman observed this system as he saw John Murphy trading clothing and “glass beads for their weight in gold” with local Central Sierra Miwok miners.<sup>56</sup> Murphy subsequently moved to Angels Creek, where he and his brother Daniel established “Murphys New Diggings,” or simply “Murphys.”<sup>57</sup> Here the Murphy brothers continued to exploit the labor and knowledge of the local indigenous populations. Passing through this region, Walter Colton was invited to Murphy’s tent, which was “pitched in the midst of a small tribe of wild Indians who gather gold for him, and receive in return provisions and

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<sup>53</sup> James H. Carson, *Early Recollections of the California Mines, and a Description of the Great Tulare Valley* (Stockton: San Joaquin Republican, 1852), 5.

<sup>54</sup> William Perkins, *Three Years in California: William Perkins’ Journal of Life at Sonora, 1849-1852*, ed. Dale L. Morgan and James R. Scobie (Berkeley: University of California Press, 1964), 14-15; Owen C. Coy, *In the Diggings in ‘Forty-Nine* (Los Angeles: California State Historical Association, 1948), 15; Bancroft, *History of California*, Vol. VI, 77; Rawls, “Gold Diggers,” 32.

<sup>55</sup> Gudde, *California Gold Camps*, 232-233.

<sup>56</sup> Frederick J. Teggart and C. S. Lyman, “The Gold Rush: Extracts from the Diary of C. S. Lyman 1848-1849,” *California Historical Society Quarterly* 2, no. 3 (1923): 188.

<sup>57</sup> Gudde, *California Gold Camps*, 233; Johnson, *Roaring Camp*, 220; Rawls, *Indians of California*, 122; Rawls, “Gold Diggers,” 32.

blankets. He knocks down two bullocks a day to furnish them with meat.”<sup>58</sup> William Redmond Ryan echoed these observations, noting that Murphy’s trading post was deliberately situated near the local tribe, which included about six hundred individuals in his estimate.<sup>59</sup> A later visitor to Murphys, Leonard Noyes, noted that Daniel Murphy had “all the Indians working for him,” who received at his trading post “course white blouses or shirts for their weight in gold.”<sup>60</sup>

To further consolidate his power over his Native laborers, John Murphy married a relative of the local Miwok chief.<sup>61</sup> From this position Murphy commanded a certain level of social control over the Miwok miners that traded with him. When Colton observed that he “saw no signs of intoxication among these Indians,” Murphy explained that “he allowed no liquors in the camp.”<sup>62</sup> These arrangements proved so lucrative for the Murphy brothers that Daniel Murphy was said to have gambled as much as 90 pounds of gold at once, while Ryan once saw a Miwok miner enter the trading post with “a very fine specimen of ore, weighing about five pounds.”<sup>63</sup> As these encounters demonstrate, mining for the Murphys offered Miwok communities an important strategy to contend

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<sup>58</sup> Walter Colton, *Three Years in California* (New York: S. A. Rollo & Co., 1859), 277.

<sup>59</sup> William Redmond Ryan, *Personal Adventures in Upper and Lower California, Volume II* (London: William Shoberl, 1852), 40.

<sup>60</sup> Diary of Leonard Withington Noyes, p. 45, Calaveras County Museum and Historical Society, San Andreas, CA (transcript of original ms. held at Essex Institute, Salem, MA).

<sup>61</sup> Colton, *Three Years in California*, 277; Ryan, *Personal Adventures in Upper and Lower California, Vol II.*, 40.

<sup>62</sup> Colton, *Three Years in California*, 278.

<sup>63</sup> Noyes, Diary, 45; Ryan, *Personal Adventures in Upper and Lower California, Vol. II*, 40.

with the mounting pressures and threats that they faced as a result of non-Native settlement. Non-Native hunting, agricultural, logging, and damming operations rapidly decimated Native sources of subsistence.<sup>64</sup> With traditional hunting and gathering sources severely depleted, affiliating with traders like Murphy allowed tribes access to meat, flour, and clothing. The chief of this tribe may have sought a kinship alliance with Murphy to maintain access to these resources, and to gain protections from an increasingly violent settler population that sought their removal from the gold fields.

By far the most extensive exploiter of Indian labor in the southern mining regions was James D. Savage. Some time between the spring of 1847 and early 1848, after his service in the California Battalion and employment with John Sutter, Savage made his way south through the San Joaquin Valley and the lower Sierra foothills along the Merced River. Soon after his arrival Savage fostered relationships and alliances with the local Miwok and Yokuts tribes, and became especially close with José Rey, most likely the Eagle Chief of the Chowchilla Yokuts.<sup>65</sup> Although he remained illiterate throughout his life, Savage quickly learned and became fluent in several of the local indigenous languages.<sup>66</sup> With the advent of the Gold Rush, Savage took up several claims, but enriched himself only after exploiting his relationships with local tribes.<sup>67</sup> Beginning in

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<sup>64</sup> See Lindsay, *Murder State*; Madley, *An American Genocide*; Trafzer and Hyer, *Exterminate Them!*

<sup>65</sup> Mitchell, *Jim Savage and the Tulareño Indians*, 34; Robert Fletcher Manlove, *The Ethnohistory of the Chowchilla Yokuts* (Fresno: Craven Street Books, 2012), 37.

<sup>66</sup> Mitchell, *Jim Savage and the Tulareño Indians*, 34.

<sup>67</sup> C. Gregory Crampton, ed., *The Mariposa Indian War, 1850-1851: Diaries of Robert Eccleston* (Salt Lake City: University of Utah Press, 1957), iii; Hurtado, *Indian Survival on the California Frontier*, 113.

1848, Savage profited from Indian miners at such sites as Wood's Crossing, the Big Oak Flat District, and as far north as the Tuolumne River.<sup>68</sup> Most importantly, Savage set up two trading posts on the Merced River, one on the South Fork and one on "Piney Creek," where Miwok and Yokuts miners exchanged gold for food, blankets, clothing, flour, or various other "trinkets" available at the stores.<sup>69</sup>

Euro-American visitors to these trading posts often reacted with a kind of shocked curiosity to Savage's relationship with the local indigenous populations. Passing through the Merced trading post in 1850, Joseph Warren Wood observed that Savage had "between 3 and 500 Indians encamped by him, of whom he was the chief. He spoke their language and they appeared to esteem him and his fine things very highly... He has a couple squaws for his wives."<sup>70</sup> While briefly camping with Savage a few months later, Hiram Dwight Pierce claimed that Savage had "27 wives and about 2,700 warriors," and that two of his wives were only eleven and thirteen years of age.<sup>71</sup> Savage, Pierce went on, "is very social, and thinks he is doing much good."<sup>72</sup> While salacious and

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<sup>68</sup> Mitchell, *Jim Savage and the Tulareño Indians*, 39; Gudde, *California Gold Camps*, 37.

<sup>69</sup> Bunnell, *Discovery of the Yosemite*, 15; Mitchell, *Jim Savage and the Tulareño Indians*, 38; Crampton, *Diaries of Robert Eccleston*, iii; Rawls, *Indians of California*, 124; James A. Sandos, "Between Crucifix and Lance: Indian-White Relations in California, 1769-1848," in *Contested Eden: California Before the Gold Rush*, ed. Ramón A. Gutiérrez and Richard J. Orsi (Berkeley: University of California Press, 1998), 219; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 36.

<sup>70</sup> Joseph Warren Wood, Diary no. 2, February 20, 1850, Huntington Library (hereafter cited as Wood Diary).

<sup>71</sup> Hiram Dwight Pierce to Sara Jane Pierce, April 28, 1850, Hiram Dwight Pierce Collection, California State Library (cited hereafter as Pierce Collection); Pierce, *A Forty-Niner Speaks: A chronological record of the observations and experiences of a New Yorker and his adventures in various mining localities in California, his return trip across Nicaragua, including several descriptions of the changes in San Francisco and other mining centers from March 1849 to January, 1851* (Sacramento: Sacramento Corral of the Westerners, 1978), 57.

exaggerated, these accounts reveal something of the nature of the relationships between Savage and the tribal nations of the southern Sierra foothills. Savage did marry at least five women from local tribal communities, including two named Eekeno and Homut, of the Nukchu Miwok.<sup>73</sup> Some of Savage's wives may have come from the families of tribal chiefs, while Pierce claimed that all were "daughters of chiefs."<sup>74</sup>

For Savage, these kinship ties strengthened relationships with such powerful tribal leaders as José Rey, solidifying his access to and control over Native labor. The French journalist Étienne Derbec additionally believed that this kinship alliance prevented indigenous resistance to white settlement. Derbec commented that Savage maintained "a great influence" over the tribes that worked for him, "and it is to that influence that whites owe the fact that they are pretty much respected, or at least no longer attacked too openly" by the tribes along the Merced.<sup>75</sup> For the local Yokuts and Southern Sierra Miwok communities, meanwhile, such an alliance represented a significant source of stability in increasingly precarious times. This relationship with Savage provided vital access to food sources, especially after 1849, when gold discoveries near Agua Fria led to a massive influx of white settlers to the region which decimated traditional economies

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<sup>72</sup> Pierce, *A Forty-Niner Speaks*, 57.

<sup>73</sup> C. Gregory Crampton, "The Opening of the Mariposa Mining Region, 1849-1859, with particular reference to the land grant of John Charles Fremont," (Ph.D. Diss., University of California, Berkeley, 1941), 97; Mitchell, *Jim Savage and the Tulareño Indians*, 34; Sandos, "Between Crucifix and Lance," 219; Rawls, *Indians of California*, 124; Hurtado, *Indian Survival on the California Frontier*, 114.

<sup>74</sup> Hiram Dwight Pierce to Sara Jane Pierce, n.d., folder 2, Pierce Collection.

<sup>75</sup> A. P. Nasatir, *A French Journalist in the California Gold Rush: The Letters of Etienne Derbec* (Georgetown, CA: Talisman Press, 1964), 148.

based on hunting and gathering.<sup>76</sup> Throughout the Sierra regions, tribal communities actively pursued kinship ties with such white traders and settlers as the Murphy brothers and James Savage as a means to navigate the turbulent effects of white settlement and encroachment.

Savage's status among several tribes throughout the lower foothills—and the access to labor it granted—amassed him a substantial fortune between 1848 and 1850, and lent him the nickname of *El Rey Tulareño*, or “King of the Tulares.”<sup>77</sup> Numerous Euro-American observers wrote of immense riches flowing into Savage's posts. In May of 1848, Charles L. Ross ran a store near Savage's trading posts along the Merced River. One morning, Savage entered Ross's store and offered to buy “everything” Ross had in the store in exchange for a large sack of gold dust. According to Ross, all the “remnants of stock” he had left in his store were worth about \$125, while Savage's “bag contained about nine hundred dollars worth of gold dust.”<sup>78</sup> Ross eagerly accepted the offer, and noted that Savage had “wanted these articles to trade with the Indians.”<sup>79</sup> This trade had so enriched Savage that, according to another observer, he was known to gamble away gold at “a hundred pounds at a lick,” echoing similar descriptions of the Murphy brothers to the north.<sup>80</sup> Benjamin Butler Harris observed indigenous miners receiving “daily

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<sup>76</sup> Crampton, “The Opening of the Mariposa Mining Region,” 38-40.

<sup>77</sup> Mitchell, *Jim Savage and the Tulareño Indians*, 37; Sandos, “Between Crucifix and Lance,” 219.

<sup>78</sup> Charles L. Ross, “Experiences of a Pioneer of 1847 in Cal.,” pp. 3-4, Bancroft Library.

<sup>79</sup> *Ibid.*, 4.

<sup>80</sup> Hiram Dwight Pierce to Sara Jane Pierce, n.d., folder 1, Pierce Collection.

rations and a blanket each” in exchange for gold at Savage’s stores, estimating Savage’s “profits per day often mounted to ten or twenty thousand dollars.”<sup>81</sup> Finally, according to the Indian agent Oliver M. Wozencraft, between 1848 and 1850, Savage amassed “four or five hundred thousand dollars” in gold dug by Miwok and Yokuts miners working near all of his posts, between the Merced River in the south and the Tuloumne in the north.<sup>82</sup>

White settlers increased their riches off the backs of Indian miners through their particular modes of payment, which can only be described as extortion. Following a model long established at the California missions, and later by Mexican ranchers and American settlers like John Sutter, men like Savage, the Murphys, and Weber paid their Native miners in a variety of ways, most often in blankets, clothing, flour, meat, or beads, but never in money wages.<sup>83</sup> Although access to these resources was vital for tribal communities as their traditional means of subsistence came under increasing threats, these arrangements also ensured that these white settlers maintained a significant level of social and economic control over their Native laborers. Most importantly, Miwok and Yokuts miners typically received their payments in goods in equal weight to their gold diggings. After James Savage bought Charles Ross’s store in its entirety, David S. Terry

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<sup>81</sup> Benjamin Butler Harris, *The Gila Trail: The Texas Argonauts and the California Gold Rush* (Norman: University of Oklahoma Press, 1960), 146.

<sup>82</sup> O. M. Wozencraft, “Indian Affairs, 1849-50” p. 2, Bancroft Library.

<sup>83</sup> See Rawls, *Indians of California*, esp. 69-133; Hurtado, *Indian Survival on the California Frontier*, 55-71; Robert H. Jackson and Edward Castillo, *Indians, Franciscans, and Spanish Colonization: The Impact of the Mission System on California Indians* (Albuquerque: University of New Mexico Press, 1995), 85; Kent G. Lightfoot, *Indians, Missionaries, and Merchants: The Legacy of Colonial Encounters on the California Frontiers* (Berkeley: University of California Press, 2005), 66-68; Steven W. Hackel, “Land, Labor, and Production: The Colonial Economy of Spanish and Mexican California,” in *Contested Eden*, 122.

observed him after his return to the Merced River, where he traded these goods, including “doorknobs and catches... off to the Indians for gold dust, weighing the hardware against the gold, equally.”<sup>84</sup> In addition, Savage often “sold liquor, for which he received gold dust, equal weights, including the bottles.”<sup>85</sup> Further north, the Murphy brothers paid Central Sierra Miwok miners in beads, clothing, or blankets, for their equal weight in gold.<sup>86</sup> Yokuts and Nisenan Miners working with Weber’s Stockton mining company could be seen, “giving handful of gold for a cotton handkerchief or a shirt.”<sup>87</sup> Theodore T. Johnson wrote of another employer of Indian labor in the mines, describing a “Dutchman, named Smidt... one of the few who obtained a considerable quantity of gold dust by employing the Indians to dig.” According to Johnson, Smidt “sold common glass beads all winter... to the Indians for gold, weight for weight.”<sup>88</sup>

Throughout 1848 and early 1849, most of the initial gold discoveries of the “Southern Mines,” were made by Miwok and Yokuts miners.<sup>89</sup> While many of those mined for white settlers like Savage or Weber, many individual tribal communities maintained independent mining operations as a supplement to their traditional economies. Antonio Franco Coronel met one such group of independent miners in the earliest months

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<sup>84</sup> Ross, “Experiences of a Pioneer of 1847,” 4.

<sup>85</sup> Ibid., 4-5.

<sup>86</sup> Noyes, Diary, 45; Teggart and Lyman, “Diary of C. S. Lyman,” 188.

<sup>87</sup> Carson, *Early Recollections of the Mines*, 5.

<sup>88</sup> Theodore T. Johnson, *California and Oregon: Or, Sights in the Gold Region and Scenes by the Way* (Philadelphia: Lippincott, 1857), 188.

<sup>89</sup> Bancroft, *History of California, Vol. VI*, 75.



of the Gold Rush. Coronel arrived in California in 1834, and first ventured into the southern Gold Country in August of 1848.<sup>90</sup> When his party reached the Stanislaus River, they were met by a group of seven Indians, probably Central Sierra Miwoks, each armed with a sack of gold.<sup>91</sup> The Miwoks traded about nine ounces of their gold in exchange for some of Coronel's blankets, and two pounds' worth for a horse.

Immediately struck by their early success in mining, a member of Coronel's party, Benito Perez, suggested he follow these Miwoks to discover where they acquired their gold. After the Miwoks left Coronel's camp that same night, Perez and one of Coronel's servants stalked them back to their village.<sup>92</sup> There the two hid all night, until the next morning they noticed a group of Miwoks head east into the hills. Perez followed them until they reached a ravine where the Miwoks began digging for gold. According to Coronel, the Miwoks "seemed hostile" when Perez "insisted in digging in a place next to theirs," but Coronel nonetheless ordered him to immediately "take possession of the land which he considered to be the richest."<sup>93</sup> This encounter established what would become a broad pattern in the Southern Mines, in which non-Native gold-seekers co-opted Miwok and Yokuts knowledge of gold, and attempted to move any Native presence from the most lucrative diggings.

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<sup>90</sup> Antonio Franco Coronel, "Cosas de California," in *The Mexican Adaptation in American California, 1846-1875*, ed. and trans. Richard Henry Morefield (San Francisco: R & E Research Associates, 1971), 76.

<sup>91</sup> *Ibid.*, 77.

<sup>92</sup> Coronel, "Cosas de California," 78.

<sup>93</sup> *Ibid.*, 78.

Independent groups of Indian miners were so frequent in the Southern Mines that when Chester Lyman arrived at the Stanislaus River, only shortly after Coronel, he found that “not many yet are digging besides Indians.”<sup>94</sup> Even two years later, in the same region Timothy Osborn observed a “party of Indians washing out gold in wooden basins,” noting “it was the first mining we had ever seen, and we watched them carefully.” Assuming them to be “Mission Indians” because of their knowledge of Spanish, Osborn asked them how much gold they found, to which they responded, “little—half an ounce a day.”<sup>95</sup> Osborn and his party then staked a claim along the same banks. The earliest Euro-American prospectors to enter Miwok and Yokuts territory were often disconcerted at this visible presence of Native miners, “mingled amongst the whites” in the placers.<sup>96</sup>

These Miwok and Yokuts miners were not subject to the social control of settlers like Savage or the Murphy brothers, and were free to barter their gold in local towns to help sustain their communities. While thus enjoying a level of economic autonomy, these Native miners working and trading independently had to contend with the exploitative and deceitful practices of white traders in such commercial centers as Sonora, Jackson, Mariposa, Stockton, and Sacramento. These traders actively took advantage of California Indians’ early ignorance of the value settlers placed on gold. Edward Gould Buffum recalled that in the earliest stages of the Gold Rush, Indian miners

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<sup>94</sup> Teggart and Lyman, “Diary of C. S. Lyman,” 195.

<sup>95</sup> Journal of Timothy C. Osborn, June 22, 1850, Timothy Coffin Osborn Journal and Letters, 1850-1855, Bancroft Library (cited hereafter as Osborn Journal).

<sup>96</sup> Carson, *Early Recollections of the Mines*, 35.

“had very little conception” of gold’s value to white settlers, and “would readily exchange handfuls of it for any article of food they might desire, or any old garment.”<sup>97</sup> James Carson echoed these observations, and noted that “in their first trades,” Indian miners gave “all they had in their possession... as they had no idea of the value of gold.”<sup>98</sup>

Very soon after the advent of the Gold Rush, however, Miwok, Yokuts, and other Native miners learned of the immense value white invaders placed on the mineral. As James Carson recalled, Indian miners soon became acutely aware that white traders “sold to each other by *ounces* and *pesos*, and that they could get more if they would have their gold weighed.”<sup>99</sup> As Native knowledge of settlers’ commercial practices grew, however, white traders devised new ways to extort Indian miners. Exorbitantly inflated “Indian prices” were adopted for meat, clothing, blankets, and beads.<sup>100</sup> In addition, once Native miners began to demand their gold be weighed, many white traders employed a fraudulent “digger ounce,” using, for example, a two ounce weight to represent one ounce of gold.<sup>101</sup>

Native miners actively resisted this discriminatory treatment, and continued to mine the placers in support of their communities. After learning the extent of white

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<sup>97</sup> Buffum, *Six Months at the Gold Mines*, 93.

<sup>98</sup> Carson, *Early Recollections of the Mines*, 35.

<sup>99</sup> Carson, *Early Recollections in the Mines*, 35. Emphasis original.

<sup>100</sup> *Ibid.*, 36.

<sup>101</sup> Teggart and Lyman, “Diary of C. S. Lyman,” 199; Rawls, “Gold Diggers,” 36.

traders' fraudulent practices, Native miners, Buffum noted, had "become more careful, and exhibit a profounder appreciation of the worth of the precious metal."<sup>102</sup> When traveling to trading posts or settler towns, Buffum went on, Native miners increasingly "go in a party of ten or twelve, and range themselves in a circle, sitting a few yards distant from the shop." The miners would then approach the trader, one at a time, and offer a specific amount of gold, usually no more than a "tea-spoonful," for a particular item, and would then barter as necessary.<sup>103</sup> According to Buffum, Native miners began exercising such extreme caution precisely because "they have been frequently plundered, and are afraid to trust themselves alone with a white man with too much gold upon their persons."<sup>104</sup>

One such group approached the store "Hoope & L'Amoreaux" in Sacramento, the largest commercial center in the California Gold Country. A local newspaper, the *Sacramento Daily Union*, reported that "a crowd of digger Indians" entered the store "intently engaged in purchasing... hundreds of 'pesos' worth of beads."<sup>105</sup> This group, the paper went on, had come from the Cosumnes River region, at the confluence of Nisenan and Northern Sierra Miwok territories, where they "had by hard labor and perseverance accumulated quite a smug little sum."<sup>106</sup> This report reveals not only the

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<sup>102</sup> Buffum, *Six Months in the Gold Mines*, 93.

<sup>103</sup> Ibid.

<sup>104</sup> Ibid., 93-94.

<sup>105</sup> *Sacramento Daily Union*, June 24, 1851.

<sup>106</sup> Ibid.; See also Levy, "Eastern Miwok," 400; Norman L. Wilson and Arlean H. Towne, "Nisenan," in *Handbook of North American Indians*, Vol. 8, 388.

substantial quantities of gold that tribal communities continued to dig, even after 1849, but also something of the social makeup of Indian mining parties. The crowd of Native miners that entered the trading post evidently included numerous women and children, as the paper derisively commented “their squaws and papooses looked as if they had been dug up with the last lump of gold.”<sup>107</sup>

While gender roles varied to some degree across different individual tribes, Native women and children were a nearly ubiquitous presence in the mines, especially in the period between 1848 and 1850. As plainly suggested in the *Sacramento Daily Union*’s coverage, this tangible and continuing presence was variously unsettling, alluring, or comical to Euro-American gold-seekers, who by contrast were almost exclusively male. In most of California’s tribal societies, women were primarily responsible for gathering roots, berries, acorns, and other plant resources, while also weaving baskets and carrying out most domestic and household work within the villages and camps themselves. Men more typically worked away from the villages, especially in hunting, fishing, and horse raiding.<sup>108</sup> Anglo-American and other non-Native observers usually reacted with scorn to this gendered division of labor, often commenting that women appeared to do most of the work, subsidizing Native men’s “great aversion to labor.”<sup>109</sup> Jean-Nicolas Perlot, a Belgian miner, for example, contended that “outside of

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<sup>107</sup> *Sacramento Daily Union*, June 24, 1851.

<sup>108</sup> Kathleen L. Hull, *Pestilence and Persistence: Yosemite Indian Demography and Culture in Colonial California* (Berkeley: University of California Press, 2009), 98, 106; Levy, “Eastern Miwok,” 402-405.

<sup>109</sup> Walter Van Tilburg Clark, ed., *The Journals of Alfred Doten, 1849-1903, Volume I* (Reno: University of Nevada Press, 1973), 212; See also Jean-Nicolas Perlot, *Adventures of a Belgian Argonaut during the Gold*

fishing and hunting,” a Miwok man “does absolutely nothing, it is the woman who does everything.”<sup>110</sup>

Informed by European understandings of gender, non-Native, and especially Anglo-American men understood gold mining and other manual labor to fall exclusively into the male sphere, while women were expected to carry out exclusively domestic work. The persistent presence of Native women in the mines was thus disturbing to these deeply held convictions. Tribal communities of the Sierra Nevada, however, understood women’s work according to their own conceptions of gender. Miwok and Yokuts communities actively translated and adapted their traditional gender roles for the tumultuous changes and threats brought by the settler invasions of the Gold Rush era. Women’s important roles as gatherers, that is, were often extended or translated to include gold mining in and after 1848. Non-Native observers often commented on their mining labor with the same kind of derision they leveled against most Indian women’s work generally. Alfred Doten, for example, claimed that when a Miwok man “happens to stand in need of a little money, he generally repairs with his squaw to the most convenient ‘diggins’ and sets her to work digging and carrying dirt, while he sits in some comfortable place by the water and washes out the dirt in a pan as she brings to him. As is generally the case among all Indian tribes, the women have to do all the hard work.”<sup>111</sup>

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*Rush Years*, trans. Helen Harding Bretnor, ed. Howard R. Lamar (New Haven: Yale University Press, 1985), 169-170; Bunnell, *Discovery of the Yosemite*, 46; Hull, *Pestilence and Persistence*, 98.

<sup>110</sup> Perlot, *Gold Seeker*, 234.

<sup>111</sup> Van Tilburg Clark, *The Journals of Alfred Doten, Vol. I*, 212.

Miwok and Yokuts women played a vital role in most tribal mining operations, but men and women often worked together, and gendered divisions of labor were more complex than Euro-American narratives often suggested. Along Weber's Creek, where both Yokuts and Nisenan people labored in the employ of the Stockton Mining Company, Vicente Pérez Rosales, a Chilean miner, looked on as "many Indians of both sexes were at work washing gold from the mud of a small spring. We went among them to watch them work, and their extraordinary skill was surprising."<sup>112</sup> Pérez Rosales was unable to speak with any of these miners, as "none of them could speak any but his Native tongue," but observed their highly developed system of mining, as "the men dug and gave the mud to the children, who then carried it in baskets to the women. The women, lined up along the spring, then washed it in grass baskets of the most perfect construction. The gold was tied in rags, in amounts more or less equal, and they use these little parcels to trade with just as if they were money."<sup>113</sup>

Miwok communities, especially those that mined independently, employed similar practices. The German writer and commentator Friedrich Gerstäcker believed Miwok miners worked independently in greater numbers than their northern neighbors, and almost always "in families." Gerstäcker's explanation of the Miwok tendency to work in family units was informed by Euro-American prejudices and attitudes regarding race, gender, and labor. Writing of Miwok miners working around Murphy's New

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<sup>112</sup> Edwin A. Beilharz and Carlos U. Lopez, trans. and ed., *We Were 49ers! Chilean Accounts of the California Gold Rush* (Pasadena: Ward Ritchie Press, 1976), 52; See also Bancroft, *History of California*, Vol. VI, 75-76.

<sup>113</sup> Beilharz and Lopez, *We Were 49ers!*, 52.

Diggings, Gerstäcker argued, “these natives, as with all other lazy people, whenever they do work they cannot bear to see an idle person around them, and women and children have to be as busy as bees in such cases.” These Miwok families followed a similar division of labor that Pérez Rosales described in the north, in which men “work out the ground with the pickaxe, while the women and children carry it off in their pans to the water and wash it out.”<sup>114</sup>

Other settler accounts abound with such descriptions of indigenous families working the placers. Mining along Jackson Creek, in Northern Sierra Miwok territory, John Hovey wrote in his journal of encountering a group of “about fifty or sixty Indians and squaws with their pappouses washing gold, and they generally have about five or six dogs a piece with them.”<sup>115</sup> The particular presence of dogs in Native mining parties was perplexing to many other Euro-American observers, with one Anglo prospector claiming that Miwok people “think a great deal of thir [sic] dogs in fact almost as much as they do of their children.”<sup>116</sup> California Indian nations had domesticated and kept dogs in their communities for countless generations, both as pets and as hunting guides, and their continuing presence in the placers alongside women, men, and children helps underscore the extent to which mining was a family enterprise for many Miwok and Yokuts people, a reality highly unsettling to Anglo understandings of labor and gender.<sup>117</sup>

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<sup>114</sup> Friedrich Gerstäcker, *Narrative of a Journey Round the World* (New York: Harper & Brothers, 1853), 218.

<sup>115</sup> Journal of John Hovey, April 26, 1850, Huntington Library; See also Levy, “Eastern Miwok,” 400.

<sup>116</sup> Charles L. Camp, ed., *John Doble's Journal and Letters from the Mines: Mokelumne Hill, Jackson, Volcano, and San Francisco, 1851-1865* (Denver: Old West Publishing Co., 1962), 43.



One Anglo-American prospector working on Miwok lands, Timothy Osborn, dismissed the indigenous mining traditions he observed with a patronizing air. In October of 1850, Osborn observed “several families of Indians have already built their wigwams on the opposite bank of the river where they will work now and then” mining the placers. Osborn was surprised to find at the same time many women of the tribe “busily engaged in collecting acorns for the winter, while with the same labor expended in mining they could realize gold enough to keep them supplied with flour and provisions for the entire winter!”<sup>118</sup> Osborn’s comments not only obscured the substantial indigenous presence in the mines throughout this period, but also deliberately ignored his own earlier observations, which included numerous encounters with Native miners. More importantly, Osborn’s sardonic remarks described a particular kind of mixed economy that had become vital for Yokuts and Miwok tribes at the advent of the Gold Rush. As hordes of non-Native emigrants arrived on their lands by the thousands between 1848 and 1850, individual tribal communities began to incorporate gold mining into their traditional economies of hunting, gathering, and fishing. Work in the placers provided an important supplement, but rarely a complete replacement, for tribes’ traditional means of subsistence continually decimated by settler farming, ranching, and logging operations.

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<sup>117</sup> Wallace, “Northern Valley Yokuts,” 464; Hull, *Pestilence and Persistence*, 106; Galen Clark, *Indians of the Yosemite Valley and Vicinity: Their History, Customs, and Traditions* (Yosemite Valley, CA: Galen Clark, 1904), 44; Julian H. Steward, “The Ethnography of the Owens Valley Paiute,” *University of California Publications in American Archaeology and Ethnology* 33, no. 3 (1933): 257.

<sup>118</sup> Osborn, Journal, October 20, 1850.

Many settler accounts provide vivid glimpses of the blended economies many tribes maintained throughout this period, if ignorant of their central importance. In the fall of 1850, for example, Osborn “overtook a wandering tribe” of Sierra Miwoks, “whose company I kept for several miles,” noting that “some of them carried wooden pans (bateas), small crowbars (the only mining tool they use) and their game, bows and arrows, etc.”<sup>119</sup> This group of Miwok miners and hunters, men and women travelling together, speaks to the particular ways Miwok and Yokuts tribes adopted gold mining within their existing traditions. Walter Colton provided a similar kind of description of the Miwok people that mined for the Murphy brothers, while also carving arrowheads to be used in deer hunts.<sup>120</sup> While gold mining became an integral component of many tribal economies, Yokuts and Miwok peoples also adopted certain elements of Euro-American culture, while still vigorously maintaining their traditional ways. Settler attitudes and prejudices maintained that California Indian cultures were frozen, unchanging figments of the natural world. Timothy Osborn thus wrote of the frequent “nude Indian” that passed by his camp in precisely these terms, claiming “in the same degree that nature dictated to our first parents in the Garden the covering of fig leaves, so far does the wild Indian yet untutored in the habits and manners of the ‘pale face’ exercise the same virtue.”<sup>121</sup> Tribal people’s active adoption of elements of Euro-

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<sup>119</sup> Osborn, Journal, September 17, 1850.

<sup>120</sup> Colton, *Three Years in California*, 278.

<sup>121</sup> Osborn, Journal, August 14, 1850.

American culture, most especially dress, would prove highly disruptive and upsetting to these settler notions and conceptions.

In his report on the mining districts in 1848, Colonel Mason noted that “Indians, who before hardly knew what a breech cloth was,” were so successful at mining that they could “now afford to buy the most gaudy dresses.”<sup>122</sup> Observing a group of Miwoks pass by his party, Timothy Osborn was especially bemused by one man, “attired in a garb which gave him a ludicrous *tout ensemble*. It was a suit of clothes made entirely of second handed red flannel shirts which he had cut up, and from the sleeves of the shirt had made him a pair of legs to his pants.”<sup>123</sup> Some, Osborn went on, were “entirely nude,” while other wore “a mere piece of skin of some kind tied around their loins, others with beaver hats and shirts only,” while the women “were dressed in petticoats alone.”<sup>124</sup>

James Carson described the dress adopted by Miwok miners as “laughable,” with some “taking a fancy” to shirts, “red sashes and handkerchiefs,” while others “thought a Spanish hat sufficient to cover their nakedness.”<sup>125</sup> Rooted as they are in settler stereotypes and attitudes, these observations reveal that tribal communities selectively adopted American and European culture as it suited them, and some individuals doubtless derived more value from settler modes of dress than others. Étienne Derbec, for example, noted that the Indian miners working for James Savage “had for their customary

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<sup>122</sup> Mason to Jones, August 17, 1848, in 30 Cong., 2 Sess., *House Exec. Doc. 1*, 59.

<sup>123</sup> Osborn, Journal, August 8, 1850. Emphasis original.

<sup>124</sup> Ibid.

<sup>125</sup> Carson, *Early Recollections of the Mines*, 36.

dress a colored shirt or a pair of trousers,” while all others “go naked.”<sup>126</sup> Derbec’s descriptions belie his views of indigenous people as primitive and uncivilized, but also suggest that Euro-American dress, especially that manufactured to withstand mining labor, would have held particular value for those Miwoks and Yokuts that worked the placers. Finally, an active adoption of settler languages was of critical importance for those tribes that mined independently, and had to barter with non-Native traders that continually sought to discriminate against them. While some tribal communities of the Sierra Nevada had acquired knowledge of the Spanish language in previous decades, both directly and indirectly, Alfred Doten noted that “those who live about the towns and camps” that were actively engaged in mining “learn English very readily.”<sup>127</sup>

In other ways settler accounts provide important insights into the legacies of cultural blending and hybridity that emerged in the Gold Rush era. Charles Ross observed that after Savage paid a group of Indian miners for their gold dust, “the Indians had broken up the door knobs and latches and bolt hinges and other articles, and strung them in small pieces around their necks and noses as ornaments.”<sup>128</sup> This active adoption of non-Native material culture represents a continuation of a long-held tradition. For countless generations before non-Native settlement, Sierra tribes had imported shells from the coast, and during the eras of Spanish and Mexican colonization acquired

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<sup>126</sup> Nasatir, *A French Journalist in the California Gold Rush*, 154.

<sup>127</sup> Van Tilburg Clark, *The Journals of Alfred Doten, Vol. I*, 212.

<sup>128</sup> Ross, “Experiences of a Pioneer of 1847,” 4.

European beads for similar purposes.<sup>129</sup> While mining the Merced River, Joseph Warren Wood believed Savage's Indian miners greatly valued the "fine things" they received in exchange for gold, and were "proud as could be" to wear Euro-American clothing. Wood was somewhat fascinated, then, to see that this indigenous community continued to prepare food in their traditional ways, overserving as the women "boiled their food in baskets of willow, woven so closely as to be water tight," using heated stones to bring the water to a boil.<sup>130</sup> As these indigenous histories demonstrate, those tribal communities that took up gold mining selectively adopted certain modes of non-Native culture, including dress, language, and material culture, while vigorously maintaining their own languages and traditions of gathering, hunting, fishing, cooking, and basket weaving.

In the earliest stages of the California Gold Rush, Miwok and Yokuts communities outnumbered non-Native invaders, and represented a majority of the miners working the placers in the southern mining district.<sup>131</sup> Over the course of the next decade, however, as many as seventy thousand non-Native settlers arrived on and occupied the heart of these lands which had traditionally supported perhaps seven thousand Southern, Central, and Northern Sierra Miwok people, along with their Yokuts neighbors to the west.<sup>132</sup> The rapid influx of non-Native settlement in and after 1849 had

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<sup>129</sup> Brooke S. Arkush, "Yokuts Trade Networks and Native Culture Change in Central and Eastern California," *Ethnohistory* 40, no. 4 (1993): 623-624; Robert F. Heizer, "Trade and Trails," in *Handbook of North American Indians, Vol. 8*, 691; Levy, "Eastern Miwok," 411-412; Clark, *Indians of the Yosemite Valley*, 22-23.

<sup>130</sup> Wood, Diary, February 20, 1850.

<sup>131</sup> Hurtado, *Indian Survival on the California Frontier*, 123.

<sup>132</sup> Levy, "Eastern Miwok," 402; Johnson, *Roaring Camp*, 59.

decimated traditional sources of subsistence for many tribal communities, and put severe strains on indigenous economies. The traumatic effects of this increase in settlement is made plainly clear in the writings of Euro-American miners that encountered Miwok and Yokuts tribes at this time. By September of 1849, as John Hovey travelled through Northern and Central Sierra Miwok lands, Indian miners remained a common sight, and his party often traveled through “Indian settlements,” sometimes numbering several hundred individuals. Just as common in his narrative, however, was the frequent sight of Native people in a state of near starvation. Working along the Mokelumne River, Hovey’s party “had a visit from some half a dozen of Indians, when they began beggin for *pan*, which means bread.”<sup>133</sup> Descriptions like these fill much of Hovey’s journal throughout the rest of the autumn, as individuals and groups of Miwok people approached his tent begging for food, often deterred by the aggression of Hovey’s dog, “a terror to all Indians,” and “down on all foreigners.”<sup>134</sup>

By the winter of 1850, Hovey’s party had pressed on to more remote regions of the foothills, “here in the mountains, all alone, no other camp within 10 miles of us except Indians and wild beasts.”<sup>135</sup> One night, while camped in this region, a group of Miwoks “came... when they thought we were asleep, and stampeded our animals.” Hovey and the other members of his party “started out in all hands, and found them a short distance off, and got them all into the camp and secured them, without much

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<sup>133</sup> Hovey, Journal, September 5, 1849. Emphasis original.

<sup>134</sup> Hovey, Journal, November 6, and September 18, 1849; See also entries for September 18, 27, 29, October 11, 1849

<sup>135</sup> Hovey, Journal, March 24, 1849.

trouble.”<sup>136</sup> Hovey’s encounters with Northern and Central Sierra Miwok people throughout 1849 and 1850 provide a template for what would become a highly familiar pattern of Indian-white relations throughout the southern Gold Country. As tribal communities were increasingly pushed to the brink of starvation, many were forced to turn to raiding white mining camps for stock, flour, and other foodstuffs to keep their people fed. In most cases, however, such Native raids did not end “without much trouble,” like the one Hovey recorded. Hiram Dwight Pierce’s commentary was more representative of the typical settler reaction to Native raiding. During the same harsh winter of 1849-1850, Hiram Dwight Pierce presciently noted that after a group of Indians, probably Miwoks, stole two of his party’s mules, the local settlers “will shoot them sooner than they would a deer.”<sup>137</sup> In the Gold Rush Era, it was not uncommon for individual or small groups of settlers to act on impulse and murder whatever Native people they might find in the vicinity of a supposed theft.<sup>138</sup>

Non-Native settlers often understood and explained Indian raiding practices within the context of the “Digger” Indian stereotype. Étienne Derbec, for example, argued that throughout California’s Gold Country, it was “rare for a night to pass without the Indians stealing several of these animals. They have even succeeded in carrying off

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<sup>136</sup> Hovey, Journal, March 22, 1849.

<sup>137</sup> Pierce, *A Forty-Niner Speaks*, 48.

<sup>138</sup> See William Rogers to Brig. Gen. Winn, February 22, 1851, Indian War Papers; *Daily Alta California*, February 4-5, 1853; Numerous other examples abound in Robert F. Heizer, *The Destruction of California Indians* (Santa Barbara and Salt Lake: Peregrine Smith, Inc., 1974); and Trafzer and Hyer, *Exterminate Them!*.

whole convoys of mules which were transporting provisions.”<sup>139</sup> Derbec lamented that “those animals are mercilessly killed and eaten by the tribe,” motivated only by the “great honor” of a “well-executed theft.”<sup>140</sup> In this construction, “Digger” Indians, devoid of culture or intelligence, are driven only by primal, animalistic thieving impulses. While such attitudes pervade non-Native writings in the Gold Rush era, many white miners and settlers clearly understood the devastation their settlement and occupation brought to California’s indigenous peoples. Alfred Doten reminisced in 1855 that with the advent of the Gold Rush, Indian people watched as “the tall trees fall first before the axes of the ever encroaching ‘pale faces;’ towns and cities sprung up rapidly in the very midst of his hunting grounds, and all the once clear and sparkling mountain streams are made thick and muddy by the incessant wash of the industrious miner.”<sup>141</sup> In a sardonic lament, Doten remarked that these changes had wrenched Native peoples out of their pristine, natural past, in which “the Indian hunter chased the nimble deer,” and “venison, fish, acorns, roots, grub-worms and grasshoppers were plenty and easily procured for food.”<sup>142</sup> Still, his remarks accurately identify the general contours of the threats faced by Native communities in this period. The newspaper *Daily Alta California* perhaps explained these developments most perceptively, recognizing that “if we drive the poor Indian from his old hunting grounds, and break up his fisheries, and cut down his acorn orchards, and

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<sup>139</sup> Nasatir, *A French Journalist in the California Gold Rush*, 141.

<sup>140</sup> Ibid., 141-142.

<sup>141</sup> Van Tilburg Clark, *The Journals of Alfred Doten, Vol. I*, 211.

<sup>142</sup> Ibid.



burn up his grass seeds, and drive him from his old haunts which the god of nature has given him, it is to the mountains and starvation that we drive him.”<sup>143</sup>

Most perniciously, some settlers sought to deliberately drive Native communities to starvation. Friedrich Gerstäcker recorded one such case in the summer of 1850 at Douglas Flat, near Murphy’s New Diggings, where two Central Sierra Miwok men were accused of stealing nineteen hundred dollars’ worth of gold dust. After hearing this accusation in a nearby trader’s tent, a party of Euro-Americans from Texas immediately “gave chase.” According to Gerstäcker, “the natives hardly saw white men with their rifles in their hands start after them, before they knew only too well what they had to expect.” The Miwok men ran to their village, and alerted the community of their armed pursuers. In the frantic evacuation of the village, “even the women had hardly time to snatch up their babies and save themselves from a hostile attack for which they could assign no cause.”

By this time several other white settlers from the region had joined the Texans in their chase, and when they arrived at the abandoned village, they set it on fire and “maliciously burned the provisions and blankets, as well as the only shelter the poor natives had raised for themselves,” all “without even enquiring” if anyone from the village had actually stolen any gold. Gerstäcker claimed that were it not for two other settlers that arrived and doused the flames after the fire had consumed about half the village, “every thing that tribe before possessed, would have been destroyed.”<sup>144</sup> As

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<sup>143</sup> *Daily Alta California*, January 12, 1851.

<sup>144</sup> Gerstäcker, *Narrative of a Journey Round the World*, 214-215.

these actions indicate, many white settlers in California understood the precarious position Native societies found themselves in, and the critical importance of food stores for their survival. The deliberate destruction of those resources would prove to be a common strategy that settler militias and individuals employed in their attempts to eradicate Native populations throughout this period.

After the destruction of the village, one of the Texans continued to chase after the fleeing Miwoks, and when he got within sight of them, took “deliberate aim at one” and “shot him in the back.”<sup>145</sup> Unable to climb further into the gorge, the Texans returned to their camp, and the Miwoks managed to carry the wounded man off to safety, but in the following days he succumbed to the bullet wound and died. This Miwok community, however, did not submit to this violent treatment from non-Native settlers on their lands. The day after the attack, a delegation of Miwok people entered the settler town of Stoutenburg, and demanded the population explain “what they had done that the whites should make war upon them,” and told the “alcalde” that “one of their member had been shot, and their village burnt by some of their white brethren.”

A jury was then assembled to decide the case against the man that had falsely accused the Miwoks of the theft. That this man was an immigrant from India who supposedly did not understand English helps to explain the settlers’ eagerness to swiftly convict him. As white traders and settlers provided vigorous testimony laden with hateful racial slurs, “everything was proved against him,” while none of the white settlers

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<sup>145</sup> Ibid, 215.

that had burned the village, nor the Texan that committed murder, were even charged.<sup>146</sup>

The Indian immigrant was sentenced to twenty-five lashes but, according to Gerstäcker, the Miwoks were “not satisfied with this, and swore they would kill him for raising the false cry against them,” and the man had to be placed under the protection of the sheriff while he awaited his sentence.<sup>147</sup> This Miwok tribe deeply understood from their own experiences the grave danger they faced under the accusation of theft, and vehemently demanded justice for the violence done to their community as a consequence. So disgusted with these events was Gerstäcker that he wrote he was “ashamed of being a white man,” after observing firsthand how “the whites behaved worse than cannibals” towards Indian people, “whom they had robbed of nearly every means of existence, and now sought to trample under foot.”<sup>148</sup>

The massive influx of settlers that arrived in the thousands, especially in and after 1849, brought with it a precipitous rise in such acts of violence against California’s tribal peoples. Prior to this explosive increase in migration and settlement, white landowners and traders like Sutter, Marsh, Weber, or Savage employed great numbers of Native people in their ranching, farming, and mining enterprises. Following earlier models of labor adopted at the Spanish missions and Mexican ranchos, these early white settlers in California viewed Native people above all else as a “useful class” to be exploited, whether in the mines or in the fields.<sup>149</sup> Most of the non-Native emigrants that arrived on

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<sup>146</sup> Ibid., 216.

<sup>147</sup> Ibid., 217.

<sup>148</sup> Ibid., 216, 217.

California Indian territories after 1849 carried with them a different attitude. Guided by a strong free-labor ideology, many of these new settlers and miners resented men like Sutter and Savage that benefited from the work of their Indian laborers, viewing them as direct obstacles to their own economic opportunities in the gold fields.<sup>150</sup> Informed by these attitudes, which intersected with the settler image of the “Digger” Indian as the most primitive form of human existence, these more recent Anglo emigrants regarded the Native people of California as little more than obstacles to be removed, or outright exterminated. In some important ways these developments mark an important shift in California’s history away from an older mode of colonialism based on perpetual exploitation of Native labor, and towards a genocidal brand of settler colonialism, in which settlers and state forces sought explicitly to “eliminate” or “exterminate” the indigenous population, and “replace” it with a new population of white settlers.<sup>151</sup>

These motivations fueled what would become termed the first “El Dorado Campaign,” which targeted Native peoples between the American and Cosumnes Rivers, near the confluence of Nisenan and Northern Sierra Miwok territories.<sup>152</sup> Increasingly in

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<sup>149</sup> Rawls, *Indians of California*, 69-70.

<sup>150</sup> Ibid.; See also Stacey L. Smith, *Freedom’s Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University of North Carolina Press, 2013), 7, 8, 10; and Rawls, “Gold Diggers,” 39.

<sup>151</sup> For important and influential works of Settler Colonial Theory, see Patrick Wolfe, “Settler Colonialism and the Elimination of the Native”; Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event* (London: Cassell, 1999); Margaret D. Jacobs, *White Mother to a Dark Race: Settler Colonialism, Maternalism, and the Removal of Indigenous Children in the American West and Australia, 1880-1940* (Lincoln: University of Nebraska Press, 2009); and Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (New York: Palgrave Macmillan, 2010).

<sup>152</sup> Levy, “Eastern Miwok,” 400; Towne, “Nisenan,” 388.

and after 1849 settlers sought and received state sanction and financial support for campaigns such as these. Continuing a long tradition of resistance to colonization, Native communities there fought against the increasing settler encroachments on their lands. Local settlers reacted to this resistance with a panicked fervor, petitioning the governor of California, Peter H. Burnett, for an armed militia company. Governor Burnett's response points to his particular alarm that the reported acts of indigenous resistance might impede further white settlement of the newly burgeoning U.S. state, as he ordered the Sheriff of El Dorado County, William Rogers, to assemble a militia of two hundred men with the express purposes of targeting "the Indians engaged in the late attacks in the vicinity of the Ringgold and along the emigrant trail from Salt Lake to California."<sup>153</sup> This militia company was made up entirely of local settlers in El Dorado County, and after electing its own officers, sent separate contingents to the American and Cosumnes Rivers.<sup>154</sup> On November 3, ten of these militiamen attacked a group of some 150 Miwok or Nisenan people along the South Fork of the Cosumnes, killing fifteen.<sup>155</sup> As with the individual acts of violence like those detailed by Gerstäcker, these more official operations often drew on supposed thefts or murders as a pretext to target any and all Native people within a general vicinity, almost never making any efforts to identify individuals or tribes actually involved in the suspected raids.

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<sup>153</sup> Peter H. Burnett to William Rogers, October 25, 1850, Indian War Papers.

<sup>154</sup> William Rogers to Brigadier General Winn, October 28, 1850, Indian War Papers; William Rogers to Brigadier General Winn, October 24, 1850, Indian War Papers; E. W. Boone to William Rogers, November 4, 1850, Indian War Papers.

<sup>155</sup> William Rogers to Brigadier General Winn, November 4, 1850, Indian War Papers.

State-sanctioned militia operations became more and more frequent after the El Dorado Campaign and soon spread into the heart of Miwok and Yokuts territory further to the south. Throughout this period, however, many white settlers were equally likely to take violent action into their own hands, with or without government support. Leonard Noyes, camped along the Calaveras River, described one such campaign that took place in the winter of 1850. After a number of white mining settlements in the region had lost horses and cattle, “the Indians were charged with being the thieves.” In the aftermath of these supposed thefts, a group of incensed settlers congregated in nearby Cave City and a “campaign was organized” and armed to hunt down the suspected Indians. They soon organized an irregular militia of 150 men which, Noyes claimed, consisted of 50 “Americans,” 25 Mexicans, and “75 of the Guard Mobile, French Refugees.” Marching south to the Stanislaus River, Noyes entered an abandoned Miwok village, but found “there were no signs of cattle ever having been there or horses as no tracks appeared.” Upon finding that the tribe’s acorn stores remained, however, “some of the crowd wanted to burn these.” A repeat of the earlier events described by Gerstäcker was only avoided because, according to Noyes, “most of us concluded that we had been lied to in regards to the Indians having stolen the cattle.”<sup>156</sup> As the march of this large armed force underscores, actual culpability in thefts was usually of minor concern for the settlers that sought to carry out such violent campaigns.

In a wide variety of ways California’s many tribal communities actively reacted and responded to violent settlement. California Indian societies contested both the logic

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<sup>156</sup> Noyes, Diary, 39.

and practice of elimination through active and sometimes violent resistance, cultural and social adaptation, negotiation, and unflinching assertions of indigenous sovereignty.

According to James Carson, when the first white miners worked at a site called Burns Diggings, in March of 1849, just south of the Merced River, “the Indians attacked them in large numbers, drove them out, and dangerously wounded two of their party.”<sup>157</sup> In 1850 Étienne Derbec warned that indigenous resistance to white settlement was so vigorous in the southern fringes of the gold country that “one cannot cross those parts without a considerable force” to contend with “the cruel tribes which are the bitter enemies of the whites.” Derbec cited an instance in which a group of fifty miners working in those regions were “hacked to pieces” by Yokuts people: “only seven returned, stripped of everything and yet they considered themselves very lucky to have their lives spared.”<sup>158</sup>

Derbec was most likely referring to events in the previous year. In March of 1849, after a group of Indians arrived in Monterey armed with “large specimens of gold, and reported it to have come from King’s River and vicinity,” William Gardner organized a “trading expedition” to that region. Guided by some of these same Indians that had brought the gold, Gardner set off with six wagons, and crossed the Kings River into the Sierra foothills, where he was met by a large group of Yokuts people, “who displayed large quantities of gold; they refused to trade with him unless he came to their settlements.” Gardner followed them “into the mountains” for two days, “where the

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<sup>157</sup> Carson, *Early Recollections of the Mines*, 9.

<sup>158</sup> Nasatir, *A French Journalist in the California Gold Rush*, 153.

Indians attacked him, killing himself and all his party with the exception of a Sonorian who was accompanying them.”<sup>159</sup>

With the settler demand for gold now made abundantly clear, Yokuts leadership in the Kings River region took active measures to control the subsequent migration of white settlers through their territories. By December of 1849, B. Oscar Field arrived with the intention of commencing a mining operation and “with a view of establishing at some point on the river a trading post a ferry to meet the wants of the large emigration” then en route from Los Angeles into the Southern Mines. Finding the country in the possession of a populous group of tribes, Field met with three local Yokuts chiefs and stated his desire to open the region to mining and emigration. After this meeting, Field left for Stockton to purchase the provisions needed for these operations, and when he returned to the King’s River, these chiefs there met him again and guided him twelve miles downriver. As Field recalled, the chiefs led him “to a point which they gave me, saying this was the point for the emigrants to cross, and that here I could locate and establish a ferry.” In return for their guidance and for the use of this crossing, Field paid the chiefs with some gifts, and for the next several months began ferrying white settlers over the river, during which time “nothing occurred to disturb the friendship” Field perceived he had forged with these Yokuts tribes.<sup>160</sup> Expecting further settler migrations to flood into their lands imminently, these Yokuts communities chose to transfer knowledge of a

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<sup>159</sup> Carson, *Early Recollections of the Mines*, 9; See also Crampton, “The Opening of the Mariposa Mining Region,” 39-40.

<sup>160</sup> B. Oscar Field, Deposition, 1851, Bancroft Library.



crossing to Field in a way that would steer settlers to a particular point they knew, thereby controlling the flow of non-Native emigration. Because this territory lay south of the Gold Country proper, and since emigrant trains were still only “expected” as of late 1849, however, these chiefs may not have fully grasped the scale of the incoming migration.

In May of 1850 Field wrote to the Indian Agent Adam Johnston that a group of Yokuts “entered my premises” and forcibly stole \$4,700 in gold dust, along with substantial amounts of “flour, pork... sugar, dried apples and teas, calicoes,” and other provisions. Field demanded that Johnston pay him back the full \$7,000 sum of this property, with interest, drawing on public funds allocated for Indian Affairs.<sup>161</sup> While illuminating the range of sophisticated indigenous responses to settler encroachments, Field’s descriptions also reveal the immense strains those encroachments placed on tribal communities. The very fact that in his complaints to Johnston, Field placed as much emphasis on stolen meats and flour as he did on gold place this incident squarely within longstanding trends in settler-indigenous relations, in which tribal communities were forced to carry out raids not for pecuniary gain but for survival and subsistence. These developments were further complicated by rising intra-tribal tensions over the question of what represented the most effective response to the recent settler migrations and incursions.

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<sup>161</sup> Ibid.

On May 9, two of the Yokuts chiefs returned to Field “some apparel and a few other articles, which had been taken... in the night of May 5.”<sup>162</sup> The chiefs told Field that these items “were all they could get of the other Indians at the time, as the rest had been taken off and destroyed by them,” presumably against their wishes.<sup>163</sup> These chiefs had come to an agreement with Field that other members of their tribes may not have agreed with, especially after the months of ferry operations began to bring ever greater numbers of white settlers over their lands. Read under this lens, these Yokuts individuals recognized the devastation that followed in the wake of white settlement, and stole and destroyed these items as an act of overt resistance, while the chiefs evidently sought to continue a policy of accommodation and peaceful negotiation.

Throughout the southern mining districts, other tribal communities attempted to steer and control the flow of non-Native migration, sometimes with methods more aggressive than those of the Kings River Yokuts. In October of 1850, for example, Étienne Derbec warned that “five men alone could not risk going farther” into the foothills beyond the sources of the San Joaquin. “The Indians,” he went on “are becoming more numerous and, consequently, more daring.” While traveling through this country, Derbec claimed that “after having welcomed us,” groups of Indians, probably Yokuts, “started following our trail... so as to surprise us in our sleep, to rob and scalp us.”<sup>164</sup> Sensationalist though this account is, it points to a longer tradition of indigenous

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<sup>162</sup> Lewis Tharp, in Field, Deposition.

<sup>163</sup> Ibid.

<sup>164</sup> Nasatir, *A French Journalist in the California Gold Rush*, 153.

history in the region, echoing the histories of tribal communities that led the Walker Expedition and the Bidwell-Bartleson party away from their own territory, or into mortal danger. Hyperbolic and fearmongering accounts like Derbec's nonetheless pervaded the Southern Mines, where in some places Miwok and Yokuts communities continued to outnumber non-Native settlers in this period. In the summer of 1850, Timothy Osborn cited fears over this very numerical imbalance, writing that in the territory between the Tuolumne River and the town of Mariposa, Miwok people "frequently plundered Americans and Mexicans and then murdered them and burned them, but there were not Americans or Mexicans enough in the vicinity to avenge the deaths of so many of their countrymen."<sup>165</sup>

While stock raiding became an increasingly important source of food for tribal communities in the Gold Rush era, Native peoples employed a broad array of other strategies to adapt and contend with the ravages of white settlement on their lands. Gold mining, for example, had become such a central fixture in Native economies that some tribes came to rely on it for their subsistence as much as hunting, gathering, fishing, and stock raiding. James Carson observed California Indian communities receiving so much of their food supplies from trading gold that he believed they had become "slaves, in a manner of speaking," to the white traders that supplied them.<sup>166</sup> The observations of John Hovey reveal some of the ways tribal peoples continued to maintain these vital practices

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<sup>165</sup> Osborn Journal, August 21, 1850.

<sup>166</sup> Carson, *Early Recollections of the Mines*, 35.

in the face of an increasingly violent settler population that sought their removal from the gold fields.

In March of 1850, near the intersection of the North and South Forks of the Mokelumne River, Hovey claimed that a party of ten Indians stole a mining cradle from his camp, and ran off before the settlers could find them.<sup>167</sup> The following morning, a group of six Northern Sierra Miwoks entered Hovey's camp, "one of them was more shy than the rest which made us notice him more, we recognized him as one of them of yesterday." Hovey's men then immediately "laid the charge to him of stealing the rocker, but he denied it as long as he could," until Hovey threatened him with his revolver, "and made him understand that we should shoot him if he did not find the rocker." Hovey and his party then tied the man's hands behind his back, and at gunpoint forced him to lead them a mile up into a gulch, where the man pulled it out from within a bush. A group of Northern Sierra Miwok people congregated at Hovey's camp after the man returned the rocker, where Hovey's men told them, in Spanish, that "if we caught them stealing again we was determined to shoot them." Satisfied with his handling of these events, Hovey concluded his description of this encounter by noting that the Miwoks "appeared to be glad they weren't shot as they expected they should be, because they deserved it."<sup>168</sup> In the wake of white settlement and the decimation of traditional food sources, access to mining implements such as this rocker would have been of vital importance to indigenous communities in these regions. As this encounter reveals, some tribes specifically sought

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<sup>167</sup> Hovey, Journal, March 27, 1850.

<sup>168</sup> Hovey, Journal, March 28, 1850.

such tools alongside livestock or other food sources in their raids of settler mining camps in their efforts to maintain their communities.

While some tribes attempted to make these adaptations, and some took up armed resistance to white settler incursions on their lands, others specifically sought peaceful negotiation with settler communities, even after suffering slews of violent attacks. In one notable example, in November 1849, a group of Southern Sierra Miwoks negotiated a treaty with a group of white settlers in “Fremont’s Diggings,” a mining community that had recently dispossessed them of their vital winter hunting grounds.<sup>169</sup> Access to deer and other wild game in this territory was of critical importance for Sierra Miwok peoples in the winter months, as they would otherwise have had to rely on their limited stores of acorns and plant foods gathered during the fall.<sup>170</sup> Prevented from hunting in these territories, these Miwoks relied increasingly on stock raiding for subsistence, leading to disproportionate violent reprisals from the settler community and “Indian hunters” in Mariposa County.<sup>171</sup> Hoping to bring an end to these cycles of violence, Miwok leaders gathered with white gold seekers in the region, and offered to cease their raids on mining camps if the settlers would allow them free and peaceable access to their traditional winter grounds.<sup>172</sup> While these white settlers agreed to this treaty in late November, it is

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<sup>169</sup> George W. B. Evans, *Mexican Gold Trail: The Journal of a Forty-Niner* (Los Angeles: Anderson & Ritchie, 1945), 219-220.

<sup>170</sup> Levy, “Eastern Miwok,” 402-403; Osborn, *Journal*, October 20, 1850.

<sup>171</sup> Evans, *Mexican Gold Trail*, 220-222.

<sup>172</sup> *Ibid.*, 225-226.

not known if and for how long its terms were respected and enforced.<sup>173</sup> The negotiation of this treaty, however, clearly demonstrates that California Indians vigorously contested their position within California's emerging settler colonial society, long before the arrival of the more famous United States treaty commission.<sup>174</sup>

Some of the Central Sierra Miwoks in the employ of the Murphys seemed to have come to another kind of agreement with the local settler community. After "numerous thefts" and "many savage murders" were falsely attributed to them, placing their tribe in immediate grave danger, a number of these Miwoks helped a party of white prospectors track down one of the "Indians of the snowy range" that had committed the alleged crimes. When this man was captured, he "confessed to having assassinated the individual in question... out of revenge for injuries inflicted upon his people by the white men. Upon his own declaration to this effect, he was shot."<sup>175</sup> Maintaining the trust of white settlers could offer a level of stability for some tribes in this period of extreme chaos and trauma. Chester Lyman, meanwhile, wrote that a group of Native people were paid \$30 in gold for agreeing to help find a settler's lost oxen near Weber's Diggings.<sup>176</sup> Other encounters, however, reveal just how dangerous it could be for Native people to seek any such agreements with white settlers. According to Theodore T. Johnson, after a white

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<sup>173</sup> Ibid.

<sup>174</sup> For these later treaties, see Robert F. Heizer, "The Eighteen Unratified Treaties of 1851-1852 Between the California Indians and the United States Government" (Berkeley: Archaeological Research Unit, 1972); Ruth Caroline Dyer, "The Indians' Land Title in California: A Case in Federal Equity, 1851-1942" (Master's Thesis, University of California, Berkeley, 1944); and Harry Kelsey, "The California Indian Treaty Myth," *Southern California Quarterly* 55, no. 3 (1973): 225-238.

<sup>175</sup> Ryan, *Personal Adventures in Upper and Lower California*, Vol. II, 40-41.

<sup>176</sup> Teggart and Lyman, "Diary of C. S. Lyman," 188.

prospector in the southern mines lost his horse, he “called an Indian boy to go and aid him: the poor boy, not understanding him, ran away in fright, but was instantly shot dead by the rifle of his pursuer.”<sup>177</sup>

These efforts at reaching agreements or drafting treaties point to a broad legacy of negotiation, in which Miwok and Yokuts tribes made concerted efforts to control the flow of white settlement onto their lands on their own terms. Galen Clark, for example, noted that when non-Native prospectors first arrived in the southern mining districts, numerous Yokuts and Miwok chiefs approached the settlers and came to specific agreements whereby white prospectors would be allowed to work on indigenous lands if they agreed to pay the tribes a certain portion of the gold they dug there. Clark noted that the prospectors never respected these terms, and instead sought to violently push Native people off of their own mining claims, in what became typical fashion.<sup>178</sup> Still, these histories help to reveal that Native peoples in this period did not simply stand by as their lands were invaded and their resources destroyed.

While observing the many Native people that worked for and traded with James Savage, Étienne Derbec noted that “nevertheless, all the tribes have not been willing to recognize his authority; some of them prefer to remain free.”<sup>179</sup> As these comments suggest, individual and independent tribes reacted and responded to settler incursions in a wide variety of ways. While some would continue to forge alliances and kinship ties

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<sup>177</sup> Johnson, *California and Oregon*, 188.

<sup>178</sup> Clark, *Indians of the Yosemite Valley*, 7.

<sup>179</sup> Nasatir, *A French Journalist in the California Gold Rush*, 148.

with powerful white traders like Savage or the Murphys, some tribes came to view armed resistance as the only effective method to contend with the invaders. By the spring of 1850, some of Savage's indigenous workers and allies had warned him of rising discontent among some of the "hill-Indians" of the neighboring tribes, who resented his presence and were planning to drive him off their lands.<sup>180</sup> Not long after, Indians attacked and destroyed his Merced River trading post. Fearing further hostility and resistance, he left the area and opened a new store further south on the Agua Fria, in Southern Sierra Miwok territory, and one on the Fresno River, on the lands of the Chowchilla Yokuts.<sup>181</sup> The attack on the Merced had been carried out by a band of Tenaya's Ahwahneechees.<sup>182</sup> Between 1848 and 1850, their lands further up river, in the valley of Ahwahnee, had remained generally out of the reach—and knowledge—of non-Native settlers and prospectors. The advent of the Gold Rush, however, saw non-Native miners inch closer to the valley than any had since the time of the Walker Expedition. In October of 1849, William Penn Abrams and U. N. Reamer stopped at Savage's Merced River post before they left to follow some bear tracks into the mountains, hoping "to hunt him down." Entirely lost, the two men eventually found an Indian trail. Abrams wrote in his diary that this trail led them "past a valley enclosed by stupendous cliffs rising perhaps 3,000 feet from their base and which gave us cause for wonder. Not far off a

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<sup>180</sup> Mitchell, *Jim Savage and the Tulareño Indians*, 39.

<sup>181</sup> Bunnell, *Discovery of the Yosemite*, 15; Crampton, *Diaries of Robert Eccleston*, iii; Mitchell, *Jim Savage and the Tulareño Indians*, 39-40; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 36.

<sup>182</sup> Bunnell, *Discovery of the Yosemite*, 15; Phillips, *Indians and Indian Agents*, 38-39; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 36.



waterfall dropped from a cliff below three jagged peaks into the valley while farther beyond a rounded mountain stood, the valley wide of which looked as though it had been sliced with a knife as one would slice a loaf of bread which Reamer and I called the Rock of Ages.”<sup>183</sup> The Ahwahneechee attack on Savage’s post must be understood within the context of this rapid expansion of the settler sphere. By 1849, Tenaya’s people were already well aware of the ravages of colonialism, and actively fought against its further spread into their lands.

In the aftermath of the attack on his trading post, Savage began to panic over the possibility of an intertribal “general war on whites” in the region.<sup>184</sup> Savage grew so desperate to prevent his own Native laborers from turning against him that in October of 1850 he took a “large retinue of Indians” to San Francisco on a trading venture “principally to impress upon them the power of the white men.”<sup>185</sup> Travelling with him were two of his wives as well as the Chowchilla Yokuts chief José Juarez.<sup>186</sup> According to one account, Savage had taken the trip with a substantial amount of gold, which he promised to spend on provisions and blankets for the tribes in his employ. Savage then lost nearly all of this gold gambling, leading an enraged Juarez to publicly remonstrate him. Savage was so angry that a “red man dared call him down in a public place” that he

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<sup>183</sup> Diary of William Penn Abrams, October 18, 1849, Bancroft Library; See also Weldon Fairbanks Heald, “The Abrams Diary,” *Sierra Club Bulletin* 32, no. 5 (1947): 126-127; and Carl Parcher Russell, “The Discovery of Yosemite,” unpublished ms., Yosemite Research Library.

<sup>184</sup> Bunnell, *Discovery of the Yosemite*, 15-16; Crampton, *Diaries of Robert Eccleston*, iii.

<sup>185</sup> Mitchell, *Jim Savage and the Tulareño Indians*, 40.

<sup>186</sup> Bunnell, *Discovery of the Yosemite*, 16.

physically beat the chief to the floor.<sup>187</sup> Savage would return to the Southern Mines to find a growing movement of indigenous resistance to the white settler presence. This very resistance would soon meet the violent reprisals of an incensed settler community, with the backing, sanction, and funding of state authorities.

These rich and complex Miwok and Yokuts histories illustrate that California Indians did not simply submit to the violence or intimidation of settlers in the Gold Rush era; they actively resisted, adapted, and negotiated, as increasingly violent settlers flooded into their lands. This struggle would continue throughout the rest of the Gold Rush decade, and on into the present day. Non-Native people, however, were not the only settlers to arrive on California Indian lands in the Gold Rush Era.

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<sup>187</sup> Jill L. Cossley-Batt, *The Last of the California Rangers* (New York: Funk and Wagnalls Co., 1928), 112.

## Chapter 4

### Indian Emigrants, Aboriginal Argonauts, and the Pacific World, 1848-1858

In the summer of 1849, James Mason Hutchings made his way across the Nebraska plains with a wagon train of mostly Euro-American men, bound for the California gold fields. On July 15, they camped within view of some of the most famous natural sites along the overland trails, known as “Chimney Rock” and “Court House Rock.”<sup>1</sup> After making note of these natural wonders, Hutchings wrote in his journal that near dusk, “we saw a solitary horseman along the bluffs on the other side of the river, thought him an Indian, but he proved to be an emigrant.”<sup>2</sup> His momentary panic abated, Hutchings moved on, with “not a tree, nor buffalo, nor Indian” in sight.<sup>3</sup> Hutchings’s brief observations reveal a problematic settler perception that has long shaped popular understandings of Native American history and culture. Such a worldview has assumed a clear dichotomy between categories of “Indian” and “emigrant.” This categorization suggests that migration, movement, mobility and settlement were and are exclusively the attributes of non-Native, and usually white Americans. Native peoples, by contrast, are imagined to be fixed in space, exclusively local, never leaving their own ancestral territories.

In reality, great numbers of indigenous emigrants, prospectors, and settlers from all corners of the world flocked to the California Gold Country beginning in 1849. While

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<sup>1</sup> Michael L Tate, *The Great Medicine Road: Narratives of the Oregon, California, and Mormon Trails, Part 2: 1849* (Norman: Arthur H. Clark Company, 2015), 143n.13.

<sup>2</sup> Journal of James Mason Hutchings, July 15, 1849, Bancroft Library.

<sup>3</sup> Ibid.

the hundreds of thousands of immigrants that converged on Native lands in and after 1849 were a famously diverse group of people from China, Chile, Mexico, Peru, Canada, Europe, and Australia, indigenous migrants have received almost no attention in popular and academic treatments of this phenomenon. Many important historical studies have considered the devastating consequences of this migration and settlement on California's own tribal communities, but the literatures of genocide theory, settler colonial studies, and indigenous studies all leave largely unexamined a rich history of indigenous diaspora and confluence in nineteenth century California.<sup>4</sup>

Cherokees and Wyandots from the American Midwest, Yaquis from northern Mexico, and Aboriginal Australians—to name only a few—converged upon California Indian lands from widely varying historical contexts. The stories of these Native migrations across continents and oceans serve to directly contradict the stereotypes long perpetuated by white settlers and historians alike, alleging that indigenous peoples were and are permanently tied to their own lands, and thus “exclusively local.”<sup>5</sup> Such problematic narratives suggest Native peoples are “the most tenacious clingers to their wild lands,” and thus “almost never ranged outside their own lands,” with their very

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<sup>4</sup> Important studies that have considered the effects of Gold Rush settlement and violence against Native peoples include Brendan Lindsay, *California's Native American Genocide, 1846-1873* (Lincoln: University of Nebraska Press, 2012); Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873* (New Haven: Yale University Press, 2016); Jack Norton, *Genocide in Northwestern California: When Our Worlds Cried* (San Francisco: Indian Historian Press, 1979); Albert L. Hurtado, *Indian Survival on the California Frontier* (New Haven: Yale University Press, 1988), esp. 100-124; and Albert L. Hurtado, “Clouded Legacy: California Indians and the Gold Rush,” in *Riches for All: The California Gold Rush and the World*, ed. Kenneth N. Owens (Lincoln: University of Nebraska Press, 2002), 90-117.

<sup>5</sup> Alan Lester, “Indigenous engagements with Humanitarian Governance,” in *Indigenous Networks: Mobility, Connections, and Exchange*, ed. Jane Carey and Jane Lydon (New York: Routledge, 2014), 51.

cultures directly shaped by the natural environment and landscapes of their territory.<sup>6</sup> As the Historian David A. Chang has argued, many sites in nineteenth century California represent “nodes” in a complex network of indigenous migration and diaspora.<sup>7</sup> Like California Indians, indigenous emigrants often faced violence and discrimination in this emerging settler colonial state. Straddling an often blurry line between the categories of “indigenous” and “settler,” however, they occupied a particular space in an emerging settler colonial society that has received scant attention from historians. Some of these indigenous settlers and emigrants were absorbed to varying degrees within California Indian communities, and actively maintained close relations with both California’s tribal and settler peoples alike. The highly varying ways in which these mobile indigenous people resisted and navigated the violent fabric of the Gold Rush era serve to complicate most existing narratives of the indigenous history of nineteenth century California.

The first of such indigenous emigrants reached California’s gold fields in the latter half of 1849. Most of these early arrivals came from North American tribal communities outside of California, with Cherokees, Yaquis, and Wyandots the most numerous. These women and men were at once Native and foreign—indigenous emigrants traveling through, working on, occupying, and sometimes settling on the lands of other indigenous peoples. As free emigrants, they had some tools at their disposal that would have been unavailable to California Indians. Nonetheless, as Native peoples in a

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<sup>6</sup> J. Frank Dobie, *Apache Gold and Yaqui Silver* (Boston: Little, Brown, and Company, 1943), 155, 263; Rawls, *Indians of California: The Changing Image* (Norman: University of Oklahoma Press, 1984), 28-34.

<sup>7</sup> David A. Chang, “Borderlands in a World at Sea: Concow Indians, Native Hawaiians, and South Chinese in Indigenous, Global, and National Spaces,” *Journal of American History* 98, no. 2 (2011): 384.

settler colonial society, these groups faced much of the same discrimination, distrust, and violent threats as California Indians.

Mexicans were among the first overland emigrants to reach California's gold fields, with Yaqui people, indigenous to the northern state of Sonora, among them in significant numbers. Without providing a specific numerical estimate, the governor of Sonora issued a report to his state's congress which stated that "many Yaquis" were among the thousands of Sonorans that traversed deserts and traveled north to California's gold regions between 1849 and 1850.<sup>8</sup> Some of these Yaquis, as some historians have suggested, could have been laborers or "peons" that worked as miners for non-Native Mexican emigrants.<sup>9</sup> While some were likely in the company of non-Natives, Yaqui oral tradition reveals that some Yaqui people organized their own overland parties to California, and mined independently there for varying periods of time. Vicente Tava, for example, learned from his family that a group of fifteen Yaqui men traveled overland to the California gold fields in 1850.<sup>10</sup> Vicente's uncle, José Luis Tava, traveled with this group consisting entirely of Yaqui men from Tórim, an indigenous community of Sonora.<sup>11</sup> At this time, Tórim was the home of more than 1,100 Yaqui people, and only three non-Native families.<sup>12</sup> José Francisco Velasco noted this disparity in 1850,

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<sup>8</sup> Evelyn Hu-DeHart, *Yaqui Resistance and Survival: The Struggle for Land and Autonomy, 1821-1910* (Madison: University of Wisconsin Press, 1984), 66.

<sup>9</sup> Susan Lee Johnson, *Roaring Camp: The Social World of the California Gold Rush* (New York: W. W. Norton, 2000), 61.

<sup>10</sup> Rosalio Moisés, Jane Holden Kelley, and William Curry Holden, *A Yaqui Life: The Personal Chronicle of a Yaqui Indian* (Lincoln: University of Nebraska Press, 1991), 8-9.

<sup>11</sup> Ibid.

claiming that Yaquis in Sonora “allow no white people to live in their pueblos, except those that gratified their vices and passions.”<sup>13</sup> Coming from a local context in which indigenous people retained some level of independence and autonomy from non-Native people, many other groups of Yaquis, like Tava’s, sought their own fortunes in California, where they were among the first to prospect the “southern mines” of the Sierra Nevada, at sites like the one in Calaveras County known to Anglos as “Yakee Camp.”<sup>14</sup> Yaquis were aided in these endeavors by their long tradition of gold and silver mining in Sonora dating back as early as the eighteenth century.<sup>15</sup> While some labored under Spanish colonists, many Yaqui *gambusinos* had mined independently in the Sierra Madres, especially in sites “abandoned” by colonists in the early decades of the nineteenth century.<sup>16</sup> When gold was discovered in California, then, Yaqui people made

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<sup>12</sup> Hu-DeHart, *Yaqui Resistance and Survival*, 67.

<sup>13</sup> “En sus pueblos no consienten vecinos blancos, si no es alguno que alhaga sus vicios y pasiones.” José Francisco Velasco, *Noticias Estadísticas del Estado de Sonora, Acompañadas de Ligeras Refelciones, deducidas de algunas documentos y conocimientos practicos adquiridos en muchos años, con el fin de darlas al público, y de que los sabios estadistas puedan hacer uso de las que les parezcan oportunas* (Mexico: Ignacio Cumplido, 1850), 78.

<sup>14</sup> Erwin G. Gudde, *California Place Names: The Origin and Etymology of Current Geographical Names* (Berkeley: University of California Press, 1969), 369; Moisés, Kelley, and Holden, *A Yaqui Life*, 8; Johnson, *Roaring Camp*, 35-36.

<sup>15</sup> Raphael Brewster Folsom, *The Yaquis and the Empire: Violence, Spanish Imperial Power, and Native Resilience in Colonial Mexico* (New Haven: Yale University Press, 2014), 191-193, 203; Moisés, Kelley, and Holden, *A Yaqui Life*, 4.

<sup>16</sup> “Los que se llamaban gambucinos, que son los que por sí solos sin hacienda ni fomento personalmente trabajan en las minas abandonadas,” 187; “Duró dicha bonanza... cerca de ocho años, y aunque despues disimunyó, no por eso dejaba de producir en el año bastante oro, sacado por los yaquis gambucinos,” 196: Velasco, *Noticias Estadísticas del Estado Sonora*; Folsom, *The Yaquis and the Empire*, 192-193. For an analysis of the various labor arrangements of Mexican emigrant parties to Gold Rush California, including “gambusinos,” see Stacey L. Smith, *Freedom’s Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University of North Carolina Press, 2013), 25-26.

the northward journey armed with knowledge and experiences of mining that would make valuable assets in the Sierra Nevada.

Upon their arrival in California's mines, Yaqui people faced much of the hardship and discrimination that faced other Hispanic emigrants as well as California Indians. On both sides of the nascent U.S.-Mexico border, Yaqui people were characterized under the colonial gaze as untrustworthy, "accustomed to vice, indolence, and revolt," representing "the most wretched people of Sonora."<sup>17</sup> Spanish and Mexican colonial authorities were also concerned that Yaquis appeared to so earnestly maintain their indigenous language while resisting any widespread adoption of Spanish.<sup>18</sup> Many were in fact bilingual, and spoke Spanish especially in their dealings with non-Native "outsiders," or *yoris*, but throughout the nineteenth century many spoke primarily the Yaqui language.<sup>19</sup> Despite this linguistic and cultural diversity, white settlers in California drew few distinctions between them and other Hispanic emigrants, making Yaquis primary targets of the first Foreign Miner's Tax of 1850, aimed primarily at French and Spanish speakers (later taxes would be directed more specifically towards Chinese and trans-Pacific immigrants.)<sup>20</sup> The implementation of this tax of twenty dollars per month compelled

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<sup>17</sup> "...puede decirse que los yaquis son los seres mas infelices de Sonora," 80; "...acostumbrados [Yaquis] á los vicios, á la molicie y á las sublevaciones," 80: Velasco, *Noticias Estadísticas del Estado de Sonora*.

<sup>18</sup> Folsom, *The Yaquis and the Empire*, 1-2, 203.

<sup>19</sup> Ibid.

<sup>20</sup> Richard H. Peterson, *Manifest Destiny in the Mines: A Cultural Interpretation of Anti-Mexican Nativism in California, 1848-1853* (San Francisco: R & E Research Associates, 1975), 48-49; Morefield, *The Mexican Adaptation in American California*, 7-8; Sucheng Chan, "A People of Exceptional Character," in *Rooted in Barbarous Soil: People, Culture, and Community in Gold Rush California*, ed. Kevin Starr and Richard J. Orsi (Berkeley: University of California Press, 2000), 63; Edward Dallam Melillo, *Strangers on*



many Hispanic emigrants not just to abandon mining, but to leave the Gold Country altogether.<sup>21</sup> By the fall of 1850, Joseph Warren Wood watched from the banks of the San Joaquin River as countless steamers left Stockton, “with a plenty of Mexicans on board... bound for home—great numbers of them are returning.”<sup>22</sup>

Written accounts of Anglo-Americans present serious challenges to uncovering the Yaqui histories of the California Gold Rush. Just as they often failed to distinguish between Yaquis and Mexicans in any meaningful way, Anglo settlers were just as likely to misidentify California Indians, often fluent or conversant as they were in the Spanish language, as “Mexican” Indians. It is unclear, for example, whether Joseph Warren Wood met a family of Yaquis when he wrote of a group of “young Mexican Indians”—two women, one nursing her baby, and two men—gambling at a Monte table in Stockton.<sup>23</sup> This may have been a Yokuts family indigenous to the region. All that can be certain in this account is that Wood met a group of women and men he perceived to be “Indians,” who spoke Spanish, which Wood assumed must have made them “Mexican.” Nonetheless, this kind of ethnic and cultural blurring often coupled with the racial anxieties of Anglo settlers like John Hovey, who wrote from the Mokelumne River diggings that living among such significant numbers of “Mexicans, Indians, and

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*Familiar Soil: Rediscovering the Chile-California Connection* (New Haven: Yale University Press, 2015), 76-77; Johnson, *Roaring Camp*, 31-32, 125.

<sup>21</sup> Peterson, *Manifest Destiny in the Mines*, 49; Smith, *Freedom's Frontier*, 93.

<sup>22</sup> Joseph Warren Wood, Diary no. 2, October 6, 1850, Huntington Library.

<sup>23</sup> Joseph Warren Wood, Diary no. 1, November 13, 1849, Huntington Library.

Spaniards” was “enough to make a man have the blues.”<sup>24</sup> Hovey was particularly distressed to find both Mexican and Miwok people mining for gold so successfully while he was forced to sit idly in his tent, bedridden with sickness, unable to work for the wealth he believed to be exclusively entitled him as an American citizen.<sup>25</sup>

Yaquis, variously understood by Anglos as “Indians,” “Mexicans,” or “Mexican Indians,” faced the general anti-Hispanic and anti-indigenous hostility that stemmed from these very anxieties. In July of 1850, reports surfaced in Sonora that “a group of Yaque Indians and Mexicans were discovered burning a tent” around Green Flat Diggings, about eight miles away.<sup>26</sup> According to William Perkins, “it was found that inside the burning tent were two human bodies amongst the flames and ashes, and partly consumed.”<sup>27</sup> A group of Anglo-Americans “in hot haste to have the Yaquis’ blood” immediately captured the men, described by the *Sonora Herald* as “three Mexican Indians and a Mexican,” and forcibly brought them to Sonora. A crowd of settlers immediately demanded to “string up” and “hang the prisoners,” and swore that “ ‘Judge Lynch’ was to attend to their instant punishment” upon their inevitable conviction, as “the captured men were doubtless the murderers.”<sup>28</sup> Before the justice of the peace could even empanel a

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<sup>24</sup> Journal of John Hovey, September 13, 1849, Huntington Library.

<sup>25</sup> Ibid., August 29, 1849; April 26, 1850

<sup>26</sup> William Perkins, *Three Years in California: William Perkins’ Journal of Life at Sonora, 1849-1852*, ed. Dale L. Morgan and James R. Scobie (Berkeley: University of California Press, 1964), 169.

<sup>27</sup> Ibid.

<sup>28</sup> Benjamin Butler Harris, *The Gila Trail: The Texas Argonauts and the California Gold Rush*, ed. Richard H. Dillon (Norman: University of Oklahoma Press, 1960), 136; *Sonora Herald*, July 13, 1850; Perkins, *Three Years in California*, 169-170.

jury or actually hear the case, “several hundred” of the gathered Anglo settlers formed their own extra-legal “Lynch Court,” appointing their own judge and jury, and had just begun to tie a rope around the neck of the first prisoner when three local judges arrived at the mob and intervened, “saving the lives of the prisoners, who were then again seized by the officers, and taken to the prison.”<sup>29</sup> The judges’ actions, however, were met with an immediate “yell of disappointment” from the Anglo settlers that hoped for immediate violence. Among this crowd was William Perkins, who admitted he “could not help joining in” on the “excitement.” Perkins was equally frustrated at the judges’ attempts to impose legal order, and complained in his journal that “the prisoners were safely housed in jail to await their legal condemnation; which means that in a week or a month, they will escape from jail and recommence their crimes.”<sup>30</sup>

After the prisoners were taken into custody, a local Anglo “miners’ organization” headed by Benjamin Butler Harris “ordered out one hundred armed men,” to “protect the Yaquis if innocent, to help hang them if guilty.” When the trial began, the court room was “packed densely with men armed with rifles, a hundred like-armed being outside, unable to get entrance,” threatening to “hang the jury” if it failed to convict.<sup>31</sup> After visiting the scene at Green Flat Diggings, the Tuolumne County Coroner found maggots in the skulls of the deceased men, and declared that “death had occurred upwards of eight days prior to the time at which they had been discovered.”<sup>32</sup> Exonerated by this

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<sup>29</sup> *Sonora Herald*, July 13, 1850; Perkins, *Three Years in California*, 170.

<sup>30</sup> Perkins, *Three Years in California*, 170.

<sup>31</sup> Harris, *Gila Trail*, 137.

evidence, the four men were acquitted by the jury, after only narrowly escaping murder at the hands of the Anglo population. These chaotic events, in which a band of individual settlers acted on impulse—without state sanction—to violently capture and attempt to kill a group of “Indian” and “Mexican” people found in the vicinity of a crime, represent a microcosm of the general patterns of settler violence faced continually by indigenous and Hispanic peoples in the Gold Rush era and beyond.<sup>33</sup> Anglo-American settlers like Thomas S. Martin were fully cognizant of this horrifically violent atmosphere, but did little to actively oppose or speak out against such atrocities. Instead, upon hearing that white Americans were “driving all Mexicans out of the country,” Martin took specific advantage of settler hostility in order to make a personal profit.<sup>34</sup> He offered to lead a party of Hispanic miners deeper into the mountains, where white settlers “could not find them,” if they agreed to give him half of the gold they mined there.<sup>35</sup>

Some Yaquis persisted despite these often life-threatening obstacles and enjoyed some success at gold mining, including a twelve-year-old Cajemé, a prominent Yaqui leader later in life, who came with his father to California in 1850.<sup>36</sup> Those that stayed in California faced mounting threats from an increasingly violent settler population. The young Cajemé’s party was once forced to “defend their gold,” from a group of white

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<sup>32</sup> *Sonora Herald*, July 13, 1850; *Stockton Times*, July 20, 1850; *Daily Alta California*, July 24, 1850.

<sup>33</sup> Perkins described the accused men as “Yaque Indians and Mexicans,” the *Sonora Herald* as “Mexican Indians and a Mexican,” Harris as “Yaquis” only, and the *Stockton Times* as “Mexicans.”

<sup>34</sup> Thomas S. Martin, “Narrative of John C. Fremont’s Expedition to California in 1845-6 and Subsequent Events Down to 1853, including Fremont’s Exploring Expedition of 1848,” p. 54, Bancroft Library.

<sup>35</sup> *Ibid.*

<sup>36</sup> Moisés, Kelley, and Holden, *A Yaqui Life*, 8.

Americans that respected “no god more than gold,” and “no law more than force.”<sup>37</sup>

Violence was narrowly avoided when the Mexican and American parties agreed to drop their weapons, but this incident was partly what led Cajemé and his father to return to Sonora with the modest amount of gold dust they had acquired in California.<sup>38</sup> In the later 1850s, after years of settler violence and discriminatory taxation had compelled many companies like Cajemé’s to flee, some Yaquis chose to remain. In this latter part of the Gold Rush decade, Anglo American miners and settlers were continually bemused and aggravated by their presence, noting the “foreign appearance” of some mining towns, especially those in the southern regions, many of which persisted as “places of refuge” for indigenous and foreign miners alike.<sup>39</sup> As late as 1857, an Anglo tourist complained that she “wasn’t much taken” with the town of Hornitos, as “most of the inhabitants are Spaniards and Indians.”<sup>40</sup> In 1856, a foreign license collector in Calaveras County, Ben Thorn, entered “Yaqui Gulch” near Sonora, to accost a Yaqui man that supposedly owed him two licenses under the provisions of the Foreign Miner’s Tax. When the Yaqui man offered resistance, Thorn brutally beat him on the head with his gun, and confiscated all

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<sup>37</sup> “Nuestro héroe... se acuerda de una vez en que la codicia de los americanos, obligó a un grupo de mexicanos a defender su oro... como sucedía muy a menudo en aquella agrupación de aventureros que no tenían más Dios que el oro ni más ley que la fuerza.” Ramon Corral, *Obras Historicas: Reseña Histórica del Estado de Sonora, 1856-1877, Biografía de José María Leyva Cajemé, Las Razas Indígenas de Sonora* (Hermosillo: Biblioteca Sonorense de Geografía e Historia, 1959), 150.

<sup>38</sup> “Al lado de su padre empuñó el joven Leyva un fusil, hasta que un transacción entre mexicanos y americanos hizo deponer las armas,” 150; “Después de mucho tiempo de penalidades y trabajos... Francisco Leyva y su hijo emprendieron la vuelta a su hogar, como otros muchachos, con el desaliento en el alma y con unas cuantas migajas de oro en el bolsillo,” 150: Corral, *Obras Historicas*.

<sup>39</sup> Hutchings, Diary, July 8, 1855; Johnson, *Roaring Camp*, 217.

<sup>40</sup> Harriet J. Kirtland, Journal of a Trip Through the Southern Mines, May 23, 1857, California State Library.

of his gold dust, worth more than five dollars.<sup>41</sup> Yaqui *gambusinos* like this man were determined to forge out their livelihoods in California, and actively resisted the oppression and violence of settler society, long after the supposed decline of both indigenous and Hispanic mining traditions in the state. Like most gold rush emigrants, however, many Yaquis saw their time in California as a temporary venture, and decided to return to Sonora after relatively brief sojourns in the gold fields. The return journey could be harrowing, as evidenced by the small party of José Luis Tava that found itself lost in the desert just south of the United States border, on the brink of starvation.<sup>42</sup>

As Yaqui emigrants mined the placers and negotiated their status within California's settler colonial framework, other Native Americans, namely Cherokees and Wyandots, began the much longer journey across the Great Plains, Rocky Mountains, and Great Basin to reach the Gold Country. When news of the gold discovery reached "Indian Territory" in present-day Oklahoma and Kansas, Cherokee and Wyandot people organized their own overland parties to journey across the continent.<sup>43</sup> Due to the particular perceptions that Euro-Americans held about their societies, Cherokee and Wyandot people in some ways straddled the spheres of the Native and non-Native. In stark contrast to the indigenous cultures of the Great Plains, Great Basin, and California,

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<sup>41</sup> Ronald H. Limbaugh and Willard P. Fuller, Jr., *Calaveras Gold: The Impact of Mining on a Mother Lode County* (Reno: University of Nevada Press, 2004), 117.

<sup>42</sup> Moisés, Kelley, and Holden, *A Yaqui Life*, 9.

<sup>43</sup> *Cherokee Advocate*, January 15, 1849; George J. Remsburg, "Wyandot Indians in the Gold Rush," *Pony Express Courier* 5 (1939): 6; Clifford E. Trafzer and Joel R. Hyer, *Exterminate Them! Written Accounts of the Murder, Rape, and Enslavement of Native Americans during the California Gold Rush* (East Lansing: Michigan State University Press, 1999), 17.

which were often dismissed as “savage” and primitive, Euro-Americans deemed the Cherokee Nation one of the “Five Civilized Tribes,” due to its active adoption of certain aspects of western culture, including a written language, a national newspaper, European-style dress, a constitution modeled after that of the United States, and African American slavery.<sup>44</sup> Euro-Americans held Wyandot people in a similar regard, believing their “superior intelligence,” western-style cabins, and “long association with the French at Detroit” stood as clear evidence of their “advanced” status relative to other Native peoples of the American Midwest and Great Lakes regions.<sup>45</sup> In relation to the Miwok population of the Sonora region, A. Hersey Dexter believed that the Cherokee emigrants that lived alongside them, “being nearly civilized and from a civilized state, were much superior men in every respect to the California Indians... not only in their appearance, dress and manners, but also in the use of weapons, particularly the rifle.”<sup>46</sup>

Dexter’s particular attention to the “appearance” of Native people reveals racialized notions of “civilization” that additionally shaped white settlers’ perceptions and attitudes regarding different indigenous peoples. In their writings, non-Native

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<sup>44</sup> Patricia Cleland Tracey, “Cherokee Gold in Georgia and California,” *Journal of the West* 39, no. 1 (2000): 51; Jack E. and Patricia K.A. Fletcher, eds., *Cherokee Trail Diaries, Volume I: 1849, A New Route to the California Gold Fields & Volume II: 1850, Another New Route to the California Gold Fields* (Caldwell: Caxton Printers, 1999), 7; Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, vol. 4 (2006): 396; Patrick N. Minges, *Slavery in the Cherokee Nation: The Keetoowah Society and the Defining of a People, 1855-1867* (New York: Routledge, 2003), 35; Fay A. Yarbrough, *Race and the Cherokee Nation: Sovereignty in the Nineteenth Century* (Philadelphia: University of Pennsylvania Press, 2008), 15. The other nations typically included in the “Five Civilized Tribes” were the Muscogee Creek, Choctaw, Chickasaw, and Seminole, which had all been forcibly removed to Indian Territory under the Jackson and Van Buren administrations.

<sup>45</sup> Consul Willshire Butterfield, *An Historical Account of the Expedition Against Sandusky Under Col. William Crawford in 1728* (Cincinnati: R. Clarke & Co., 1873), 164.

<sup>46</sup> A. Hersey Dexter, *Early Days in California* (Denver: Tribune-Republican Press, 1886), 131.

prospectors placed particular emphasis on the mixed white-Indian racial heritage of many Cherokee, Wyandot, and other eastern Indian emigrant parties they encountered. As much as any cultural, linguistic, economic, or political factors, these racial considerations shaped white perceptions of what constituted “civilized” and “savage” indigenous culture. Highly revealing of these Euro-American attitudes was Joseph Goldsborough Bruff, one of the most meticulous observers of the overland journeys of 1849 and the California Gold Rush. Although his extensive journals detail interactions and encounters with Native people throughout the American West, Bruff referred almost exclusively to Cherokees and Wyandots by tribal name; nearly all others he relegated to the category of “Indian.”<sup>47</sup>

Cherokees and Wyandots had already endured long histories of violence, dispossession, and gold rush by the time they started west along the overland trails. In 1838, just a decade before the initial discovery of gold at *Kolo-ma*, Cherokee people were forcibly removed from their lands in Georgia and Tennessee along the Trail of Tears, to “Indian Territory” in the American Midwest. Four years later, the United States Army forced most Wyandots from their homes in Ohio, to the northern sections of Indian Territory.<sup>48</sup> There they carved out a new space for themselves, constantly contested by the tribes indigenous to the region, and the ever-growing westward expansion of white settlement. For Cherokee people, the California Gold Rush offered what must have

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<sup>47</sup> Georgia Willis Read and Ruth Gaines, eds., *Gold Rush: The Journals, Drawings, and Other Papers of J. Goldsborough Bruff, Captain, Washington City and California Mining Association, April 2, 1849—July 20, 1851* (New York: Columbia University Press, 1949), esp. 120, 149, 155-156, 216, 227.

<sup>48</sup> Read and Gaines, *Gold Rush*, 667; Tate, *The Great Medicine Road, Part 2*, 20; Trafzer and Hyer, *Exterminate Them!*, 3.



seemed a fortuitous opportunity to claim what had been denied them in recent decades. It was the Georgia Gold Rush of 1829 that greatly exacerbated the calls for the permanent removal of the Cherokee Nation west of the Mississippi.<sup>49</sup> After gold was discovered around the Cherokee settlement of Dahlonega, droves of non-Native people invaded and occupied Cherokee land.<sup>50</sup> President Andrew Jackson, meanwhile, ordered the withdrawal of federal troops from the region, allowing the settler invasion that dispossessed Cherokee people of their lands, crops, and homes, to continue unabated.<sup>51</sup> During this gold rush, Cherokee people mined for gold on their own lands, and developed some of the techniques they would bring to California two decades later.<sup>52</sup> These first Cherokee miners, however, faced the constant aggression and intimidation of white settlers that sought to deny them the rights to their gold and indeed their own lands.<sup>53</sup> Two decades later, after these experiences of violence, dispossession, and removal, the California Gold Rush offered Cherokee people an opportunity to seek new lives, fortunes, and experiences in a foreign land.<sup>54</sup> The news of gold discovery was similarly enticing to many Wyandot people in their newly adopted homes in present-day Kansas.<sup>55</sup>

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<sup>49</sup> Wolfe, "Settler Colonialism and the Elimination of the Native," 395.

<sup>50</sup> Tracey, "Cherokee Gold in Georgia and California," 51.

<sup>51</sup> Ibid.

<sup>52</sup> Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 15.

<sup>53</sup> Tracey, "Cherokee Gold in Georgia and California," 49-50.

<sup>54</sup> Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 15.

<sup>55</sup> William E. Connelley, ed., *The Provisional Government of Nebraska Territory and the Journals of William Walker, Provisional Governor of Nebraska Territory* (Lincoln: Nebraska State Historical Society, 1899), 288-289.

On February 3, 1849, a group of Cherokee citizens declared their intentions to “avail ourselves of the inducements held out for bettering our condition by emigrating,” and congregated in the Tahlequah Courthouse to discuss plans for a possible overland expedition to California.<sup>56</sup> The tribal newspaper *Cherokee Advocate* supported these plans and asked its readers, “Shall we Cherokee not take advantage of the times and be found trying to get to this glorious country? It is free to take up their beds and walk.”<sup>57</sup> Believing they would find strength in greater numbers, the first Cherokee emigrant party advertised itself to white settlers in nearby Arkansas and Missouri, extending an invitation to join them in the arduous westward journey.<sup>58</sup> Cherokees suggested that white emigrants would be safest in their company, as they could cross the Great Plains “with perfect safety from the molestation of the Indians on the prairies, as they are on the most friendly terms with the Cherokees.”<sup>59</sup> For these same reasons, the small non-Native group of Washington Chick eagerly joined a Wyandot overland party departing from Missouri.<sup>60</sup> Cherokees and Wyandots effectively represented themselves to their white neighbors as a trustworthy and “civilized” people that could nonetheless negotiate, trade, and communicate effectively with other Native peoples that whites considered dangerous.

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<sup>56</sup> Ralph P. Bieber, ed., *Southern Trails to California in 1849* (Glendale: Arthur H. Clark Company, 1937), 327.

<sup>57</sup> Bieber, *Southern Trails to California in 1849*, 328; *Cherokee Advocate*, February 19, 1849.

<sup>58</sup> Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 20-21; Bieber, *Southern Trails to California in 1849*, 325; *Cherokee Advocate*, February 12, 1849.

<sup>59</sup> Bieber, *Southern Trails to California in 1849*, 329; *Cherokee Advocate*, January 15, February 19, 1849; Read and Gaines, *Gold Rush*, 641-643.

<sup>60</sup> Michael L. Tate, *Indians and Emigrants: Encounters on the Overland Trails* (Norman: University of Oklahoma Press, 2006), 94.

Under Captain Lewis Evans, the first Cherokee party, including non-Native emigrants, traversed the “Cherokee Trail” from Indian Territory to the Santa Fe Trail, before joining the standard Platte River roads further north.<sup>61</sup> Soon thereafter, so many other companies followed that by April of 1849 the *Cherokee Advocate* reported that a large number of Cherokees, including the newspaper’s own editor, were steadily “dropping off” for California.<sup>62</sup>

Around the same time that Evans’s party left Indian Territory, members of the Wyandot Nation held meetings to organize their own overland party to California, the “Wyandotte Mining Company,” a group of twelve that began its westward journey on May 31, 1849.<sup>63</sup> As with most overland parties, Native or non-Native, Cherokee and Wyandot emigrants experienced more serious threats from cholera than hostilities of the Plains Tribes.<sup>64</sup> Nine Cherokees in Evans’s group died of Cholera, compelling some of the survivors to break from the company and join a non-Native wagon train for the rest of the journey.<sup>65</sup> While Cherokees and Wyandots had relatively few hostile encounters with the Native peoples of the Plains, their boasts of “friendly” relations with their “red

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<sup>61</sup> Bieber, *Southern Trails to California in 1849*, 329; *Cherokee Advocate*, January 15, February 19, 1849; Read and Gaines, *Gold Rush*, 641-643.

<sup>62</sup> Bieber, *Southern Trails to California in 1849*, 332-333.

<sup>63</sup> Connelley, *Journals of William Walker*, 288-290; William Patrick O’Brien, *Merchants of Independence: International Trade on the Santa Fe Trail, 1827-1860* (Kirkville: Truman State University Press, 2014), 134; Read and Gaines, *Gold Rush*, 667.

<sup>64</sup> *Cherokee Advocate*, August 20, November 12, 1849, January 21, July 16, 1850; *Vinita Leader*, July 28, August 4, 1898; Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 47, 62, 97; Tate, *Indians and Emigrants*, 132- 133.

<sup>65</sup> *Cherokee Advocate*, August 20, 1849, January 21, 1850; Bieber, *Southern Trails to California in 1849*, 346.

brethren” were largely exaggerated.<sup>66</sup> Cherokee companies certainly expressed many of the same fears of Indian attacks seen in non-Native overland groups, and the *Cherokee Advocate* specifically warned its readers that certain overland routes would pose “perilous” danger from such attacks.<sup>67</sup> Meanwhile, Lakotas, Cheyennes, Shoshones, Utes, Comanches, and the many others that lived along the routes of the overland trails saw their societies and economies drastically altered by the explosive westward emigration that followed California’s gold discovery.<sup>68</sup>

Tensions over these developments reached a boiling point as the Wyandot Mining Company made its way west from Fort Laramie in the summer of 1849, still recovering from their own recent outbreak of cholera.<sup>69</sup> At this stage of their journey, the Wyandots had abandoned most of their food supplies to lighten their loads and move more quickly, relying primarily on bison hunting to keep the party fed, thereby depleting important food sources of the local Plains tribes. Not long after the Wyandots entered this region, a party of Lakotas stole a number of their horses. According to Wyandot Chief William Walker, four of the Wyandot men tracked the Lakotas to a nearby encampment of some three hundred, where they “announced their national name Wyandot, took possession of their animals and marched off.”<sup>70</sup> Walker claimed that only because the Lakotas were so

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<sup>66</sup> *Cherokee Advocate*, February 12, 1849.

<sup>67</sup> *Cherokee Advocate*, February 19, 1849; Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 44-45.

<sup>68</sup> Tate, *Indians and Emigrants*, 124.

<sup>69</sup> Robert Emmett Smith, Jr., “The Wyandot Indians, 1843-1876” (Ph.D. Diss., Oklahoma State University, 1973), 95.

<sup>70</sup> *Ibid.*, 96.

impressed with the Wyandots' "audacity" did they allow the mining company to take back their horses with no resistance.<sup>71</sup> As Walker clearly appreciated, this kind of treatment was probably not typical.

Many other Indian emigrants recorded similar instances of losing their horses and oxen to "thieving Indians" along the overland trails, almost always failing to recover their stock.<sup>72</sup> Cherokee emigrant John L. Adair, for example, spent three days with his mixed-race overland party attempting to track a band of Shoshones raiders into the mountains after losing a number of horses and oxen, to no avail.<sup>73</sup> In July of 1850, meanwhile, the party of John Lowery Brown, another Cherokee migrant, lost some 30 horses and mules to Indian raiders along the North Platte River. Men in Brown's party formed a company to track the stolen stock, but were unable to overtake "the Rogues," and recovered only one horse.<sup>74</sup> The next month however, when a party of white emigrants "had lost their horses the night before stolen by Indians," Brown and five other men from his company "volunteered to go with the whites in pursuit of the Indians." The armed emigrants reached an "Indian encampment" of some one hundred people, and drove off five of the stolen horses. While the Cherokee and white emigrants "escaped unhurt," Brown wrote, "the Indians fired at us several times & shot at us with arrows as we made off with the

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<sup>71</sup> Ibid.

<sup>72</sup> *Cherokee Advocate*, July 16, 1850; *Vinita Leader*, August 4, 1898.

<sup>73</sup> *Vinita Leader*, August 4, 1898.

<sup>74</sup> Muriel H. Wright, "The Journal of John Lowery Brown, of the Cherokee Nation en Route to California in 1850," in *Chronicles of Oklahoma* 12, no. 2 (1934): 193.

horses.”<sup>75</sup> As these raids on indigenous overland companies suggest, Wyandot and Cherokee emigrants played a role, however limited, in the severe economic and social disruptions that overland migration brought upon local Native societies along the overland trails. Native peoples of the Plains and Great Basin generally received Cherokees or Wyandots no more enthusiastically than they did the Euro-Americans traveling over their lands and depleting their resources. Still, Cherokees, Wyandots, and non-Native people relied heavily on trade and cooperation with the Native people they encountered, and violence or overt hostility was ultimately uncommon.<sup>76</sup> The *Cherokee Advocate* recognized as much, publishing a report in from the Secretary of the Interior in 1850 reminding its readers that the “wild tribes of Indians” on the Plains “have suffered our people to pass through their country with little interruption, though they traveled in great numbers, and consumed, on their route, much grass and game.”<sup>77</sup>

J. Goldsborough Bruff made numerous references to his encounters with Cherokee and Wyandot people along the overland trails in 1849. Bruff met mixed parties of non-Native and Cherokee emigrants, with whom he often dined, hunted, and socialized.<sup>78</sup> Belonging to eastern tribes that whites considered civilized and sophisticated, Cherokees and Wyandots were usually able to interact with white settlers

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<sup>75</sup> Ibid., 205-206.

<sup>76</sup> Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 36, 283. For the broad impacts of trail migrations on Native peoples, see Tate, *Indians and Emigrants*; and Dale L. Morgan, *Shoshonean Peoples and the Overland Trails: Frontiers of the Utah Superintendency of Indian Affairs, 1849-1869* (Logan: Utah State University Press, 2007).

<sup>77</sup> *Cherokee Advocate*, January 21, 1850.

<sup>78</sup> See Bruff’s entries for September 23-24 and November 1-2, 1849, in Read and Gaines, *Gold Rush*, 155-156, 227.

like Bruff without the fears of genocidal violence that plagued most California Indian communities in the 1850s. Additionally, many of these eastern Indian emigrants came from a position of relative economic security. Some, like Dr. Jeter Thompson, and a number of other Cherokees, even brought African American slaves to California, offering them freedom in exchange for a specific period of labor in the gold fields.<sup>79</sup> The *Cherokee Advocate* warned its readers in 1850 that California's newly adopted constitution forbade slavery, and that "those intending to take slaves there would do well to leave them where they are or, otherwise forfeit all right, title, and interest to them," but Thompson and other slaveholders were undeterred, confident that state authorities would not "interfere" with their "arrangements."<sup>80</sup>

Indeed, the state constitution's nominal provisions barring slavery proved "exceedingly malleable and open to contestation," as detailed by historian Stacey L. Smith.<sup>81</sup> The ill-defined legal status of slavery in California, along with Thompson's assurances that he and other slave owners in the goldfields faced no opposition to their labor arrangements beyond the occasional "tampering" from "men who like more to meddle in other people's business," sent a message that Cherokees were unlikely to face legal or social challenges should they choose to bring slaves on their westward journeys,

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<sup>79</sup> *Cherokee Advocate*, February 4, 1850; Dorothy Cole to Ruth Gaines, April 6, 1936, Georgia Willis Read Papers, Huntington Library; Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 401; Theda Perdue, *Slavery and the Evolution of Cherokee Society, 1540-1866* (Knoxville: University of Tennessee Press, 1979), 81; Will Bagley, *With Golden Visions Brought Before Them: Trails to the Mining West, 1849-1852* (Norman: University of Oklahoma Press, 2012), 188-189.

<sup>80</sup> *Cherokee Advocate*, February 4, March 11, 1850.

<sup>81</sup> Smith, *Freedom's Frontier*, 46. See also Rudolph M. Lapp, *Blacks in Gold Rush California* (New Haven: Yale University Press, 1977), 31.

even after California's admission as a free state.<sup>82</sup> Before moving to California, Thompson made a specific arrangement with his slaves, allowing them to keep their own earnings at the mines every Saturday, promising them their freedom after one year of labor.<sup>83</sup> News of the state's anti-slavery constitution had recently prompted many Cherokee slaves to flee Indian Territory for California to seek refuge and freedom, leading Thompson to make such an arrangement to discourage his slaves from attempting escape to a land where this institution was of only dubious legality.<sup>84</sup> Such strategies allowed Cherokee slave owners to preserve and transplant an indigenous translation of Black slavery—informed by Cherokee conceptions of race and identity that had transformed under European and American colonization—to the west coast.<sup>85</sup>

The state legislature's passage of a fugitive slave law in 1852, however, severely limited the available avenues Cherokee slaves had to seek their freedom in the gold country, and all but eliminated hopes that promises like Thompson's would actually be upheld. The terms of this law declared that any enslaved people brought within California's borders before statehood in 1850 would remain legally enslaved, provided that their masters returned them to the slave states.<sup>86</sup> This stipulation would have applied

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<sup>82</sup> *Cherokee Advocate*, February 4, 1850.

<sup>83</sup> *Ibid.*; Smith, *Freedom's Frontier*, 57-58. These kinds of agreements were common among non-Native as well as Cherokee slave owners in California, most often referred to as "Sunday claims." See Smith, *Freedom's Frontier*, 52-53.

<sup>84</sup> Theda Perdue, *Slavery and the Evolution of Cherokee Society, 1540-1866* (Knoxville: University of Tennessee Press, 1979), 80-81.

<sup>85</sup> Yarbrough, *Race and the Cherokee Nation*, 9-11, 24; Perdue, *Slavery and the Evolution of Cherokee Society*, xiii-xiv.

<sup>86</sup> Smith, *Freedom's Frontier*, 46.



to the Cherokee slaves of Jeter Thompson, who arrived in 1849, before California's admission to the Union as a free state.<sup>87</sup> Under the terms of this law, any such Cherokee slaves in California that made attempts to escape were subject to arrest by state authorities, and could still be returned, in bondage, to Indian Territory.<sup>88</sup> In addition to these legal obstacles that threatened the opportunities to attain freedom, Cherokee slaves faced serious dangers of violence from segments of the settler population. Many white settlers in California held strong "free-soil" ideologies, believing that slaveholders, and indeed the slaves by whose labor they profited, directly threatened their own economic opportunities in the diggings.<sup>89</sup>

Such attitudes, which fused elements of both "free-soil and anti-black arguments," were often channeled into violence, which "tampering" settlers like those Thompson complained of directed against slaves themselves as much as slave owners.<sup>90</sup> The histories of these Cherokee slaves serve to drastically broaden and complicate most understandings of indigenous experiences in the Gold Rush, as well as the nature of slavery in California and the West, which often focus on strict settler-indigenous and black-white dichotomies, respectively. Jeter Thompson and other Cherokee slave owners reveal something of the economic status enjoyed by some "civilized" Indian emigrants relative to other indigenous gold seekers like Yaquis, that arrived in California with far

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<sup>87</sup> *Cherokee Advocate*, February 4, 1850.

<sup>88</sup> Smith, *Freedom's Frontier*, 46.

<sup>89</sup> *Ibid.*, 55; Johnson, *Roaring Camp*, 188-189.

<sup>90</sup> *Cherokee Advocate*, February 4, 1850; Smith, *Freedom's Frontier*, 55.

less economic security. Despite these relative advantages, and their general status as “civilized” under the settler gaze, the first Wyandot emigrant party’s encounter with J. Goldsborough Bruff reveals just how thin the line between “savage” and “civilized” could be in the Euro-American view.

As Bruff’s party descended into the Sacramento Valley on the Lassen Trail, a party of Wyandots, probably the Wyandot Mining Company, camped above them late in the night of October 23, 1849.<sup>91</sup> Bruff observed them closely enough to make a clear estimate of their racial background, describing a party of “several half-breed,” and two “full-blooded Wyandots,” traveling with a Frenchman and his family.<sup>92</sup> The Wyandot party left early the next morning, and when Bruff awoke to find that two cows and oxen “had disappeared,” another settler immediately suggested, “the Indians stole them.”<sup>93</sup> The shift in language from “Wyandot” to “Indian” carried grave significance, given the horrendous violence unleashed against people placed in the latter category. This episode effectively reveals that something as simple as a stock theft could put Wyandot people in the same danger of violence that other indigenous people faced every day in California’s emerging settler colonial society. In many ways Wyandot lives hung in a delicate balance, as their reputation among whites as a peaceful, reasonable, and civilized eastern tribe could disintegrate at any moment. Ultimately, they were still vulnerable to the

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<sup>91</sup> See Bruff’s entry for October 23, 1849, in Read and Gaines, *Gold Rush*, 210.

<sup>92</sup> Ibid; See also Remsburg, “Wyandot Indians in the Gold Rush,” 11.

<sup>93</sup> See Bruff’s entry for October 24, 1849, in Read and Gaines, *Gold Rush*, 210.

fundamental distrust, fear, and prejudice that settlers held towards Native people generally.

The Cherokee parties that followed Evans's scattered around many different corners of California, mining rather successfully in Nevada and Butte Counties, but also settling as far south as Calaveras and Tuolumne Counties, working sites like "Cherokee Flat," and "Cherokee Bar."<sup>94</sup> Cherokee miners were, however, as itinerant as non-Native prospectors, moving wherever their fortunes might best be sought.<sup>95</sup> Lovely Rogers, for instance, mined the Tuolumne River in 1849 alongside two other Cherokees and two white men from Georgia. Despite Rogers's claim that "I have never seen such a place to make money in my life," his Cherokee partner George Grymes left his party, deciding to try his luck in the Shasta-Trinity diggings in California's far northwest.<sup>96</sup> Abelard Guthrie, meanwhile, organized a second Wyandot company that arrived in the Sacramento Valley in 1850, a year after Bruff had encountered the first.<sup>97</sup> Wyandot people mined very rich diggings along the Feather River, an area that soon saw an influx of over two hundred prospectors, likely placing significant stresses on the Wyandot people there, but especially on the Maidu indigenous to the region.<sup>98</sup> The Cherokees that wrote of their experiences in California provided particularly illuminating sources that

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<sup>94</sup> Read and Gaines, *Gold Rush*, 641-643; Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 400; Johnson, *Roaring Camp*, 36.

<sup>95</sup> Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 403.

<sup>96</sup> Bieber, *Southern Trails to California*, 348-349; *Cherokee Advocate*, January 7, 1850.

<sup>97</sup> Connelley, *Journals of William Walker*, 111-112, 308.

<sup>98</sup> Harry Laurenz Wells, *History of Butte County, California* (San Francisco: H.L. Wells, 1882), 266; Remsburg, "Wyandot Indians in the Gold Rush," 11; Read and Gaines, *Gold Rush*, 667.

help indicate what sorts of lives Indian emigrants could carve out for themselves in this settler colonial landscape. In some ways, the letters of Cherokee miners reveal many of the same longings, hopes, and disappointments so familiar in Euro-American gold rush correspondence.

John Watie arrived with a party of six Cherokees in Sonora, where they mined alongside Euro-American men. They believed gold to be plentiful, but like so many others, they struggled to make a living in the diggings.<sup>99</sup> Many Cherokees in California sought other sources of income to supplement their unpromising results in the mines. Barbara Longknife, for instance, wrote that since her husband had found little success mining, she could support her family by washing clothes for local miners, which she found “pays better than anything else” she could do.<sup>100</sup> John Rollin Ridge complained that he had “worked harder than any slave I ever owned... all to no purpose.”<sup>101</sup> Ridge, finding little success in mining or trading, took up work as a clerk in Yuba County before becoming the editor of several California newspapers, including the *Sacramento Bee* and the *San Francisco Herald*.<sup>102</sup> Although Ridge became a permanent settler in California,

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<sup>99</sup> E. Raymond Evans, “Following the Rainbow: The Cherokees in the California Gold Fields,” *Journal of Cherokee Studies* 2, no. 1 (1977): 171; John A. Watie to Stand Watie, November 10, 1850, John Watie Letters, Huntington Library (photocopied from originals belonging to Phillips Historical Collection, University of Oklahoma); see also Edward Everett Dale and Gaston Litton, eds., *Cherokee Cavaliers: Forty Years of Cherokee History as Told in the Correspondence of the Ridge-Watie-Boudinot Family* (Norman: University of Oklahoma Press, 1969), 73-75.

<sup>100</sup> Barbara Longknife to Stand Watie, June 8, 1854, Watie Letters, Huntington Library; Dale and Litton, *Cherokee Cavaliers*, 78; Evans, “Following the Rainbow,” 171.

<sup>101</sup> John Rollin Ridge to Stand Watie, September 23, 1853, John Rollin Ridge Letters to Family, Huntington Library (photocopied from originals belonging to Phillips Historical Collection, University of Oklahoma); Dale and Litton, *Cherokee Cavaliers*, 76.

<sup>102</sup> Dale and Litton, *Cherokee Cavaliers*, 86.

most famous for his 1854 historical novel *The Life and Adventures of Joaquin Murieta: The Celebrated California Bandit*, his foremost desire was to found and edit a national newspaper devoted entirely to Native American affairs, which he believed would serve as one of the most powerful tools for “defending Indian rights, and making their oppressors tremble,” offering a source for “preserving the memories of the distinguished men of the race, illustrating their characters and keeping green and fresh many of the most important events of Indian history which should not be allowed to perish.”<sup>103</sup> While these plans never materialized, they reveal in Ridge a belief that Cherokee people had a responsibility to serve as representatives and advocates for Native peoples throughout the United States, leading them in a continual “advance of civilization” and “social revolution” that would ensure the endurance of Native societies.<sup>104</sup> Even those Cherokees that became permanent settlers in California, like Ridge, clearly affirmed their identity as Cherokees and as Native Americans.

While some Cherokees remained in California for the rest of their lives, this very sense of identity fostered in most Cherokee emigrants a longing to return home as soon as they had made enough money for the return journey.<sup>105</sup> So discouraged was Johnathon Mulkey that he wrote to Principal Chief John Ross, asking him tell the editor of the *Cherokee Advocate* “to use his influence... to keep the people satisfied at home,” and

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<sup>103</sup> John Rollin Ridge to Stand Watie, October 9, [ca. 1854], Ridge Letters, Huntington Library; Dale and Litton, *Cherokee Cavaliers*, 82-83.

<sup>104</sup> *Cherokee Advocate*, January 21, 1850.

<sup>105</sup> John Rollin Ridge to Stand Watie, October 9, [ca. 1854], Ridge Letters, Huntington Library; Charles Watie to Stand Watie, August 18, 1856, Watie Letters, Huntington Library; Dale and Litton, *Cherokee Cavaliers*, 81-82, 90; Evans, “Following the Rainbow,” 175.

prevent any more Cherokees from venturing to California.<sup>106</sup> By the mid-1850s, most of California's Cherokee emigrants had returned to the Cherokee Nation.<sup>107</sup> Juliet Bell remained in California in 1855, and though she made efforts to speak the Cherokee language every day with George Downing, another Cherokee in her party, she found this practice painfully difficult to maintain so far away from home.<sup>108</sup> Many Cherokees like Bell wished to return to the Cherokee Nation, where they could control their own lives, speak their own language, and be among their own people. Perhaps Bell's husband best captured the longings of California's remaining Cherokee emigrants when he wrote that the Cherokee Nation was "the best place for any and all of the Cherokees. The laws, the customs, the pleasures, and every convenience for easy and pleasant living is as uniform in the Nation as anywhere."<sup>109</sup>

As members of "civilized," English-speaking eastern tribes, Cherokees and Wyandots were able to negotiate their position within California's settler colonial structures in ways that Yaquis and California Indians could not. They were mostly free of the Foreign Miner's Taxes that affected Yaquis, and were viewed by settlers as far more "civilized" than California Indians. This generally allowed them to trade and work with non-Native people without the looming threat of genocide. Many Cherokees and other indigenous emigrants in California also maintained friendly relations with

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<sup>106</sup> *Cherokee Advocate*, July 16, 1850.

<sup>107</sup> Dale and Litton, *Cherokee Cavaliers*, 56.

<sup>108</sup> D. Jarrett Bell to James M. Bell, October 16, 1855, in Dale and Litton, *Cherokee Cavaliers*, 89.

<sup>109</sup> Evans, "Following the Rainbow," 175.

California Indian communities, sometimes working, living, and intermarrying with them, leading to the formation of hybrid, multicultural, multilingual indigenous societies.<sup>110</sup> These blended societies highlight the complex fabric of indigenous experiences in nineteenth century California, challenging and complicating standard notions of settler-indigenous binaries.

In 1850, a Choctaw man from the family of Chief David Folsom arrived in Mariposa County.<sup>111</sup> As a member of another of the “Five Civilized Tribes,” settlers viewed him as “a man of good education and intelligence,” holding him in a similar regard to the more numerous Cherokee emigrants.<sup>112</sup> He maintained friendly relations with white settlers in the region, and could have worked alongside them with the same relative ease as Cherokee gold seekers. This Choctaw emigrant, however, lived among a California Indian community, most likely Yokuts, rather than with Euro-American settlers.<sup>113</sup> He remained among these Yokuts for at least 25 years, revealing the great depth of his ties to the community, which may have been strengthened through intermarriage. Nonetheless, arrangements such as this were not uncommon in nineteenth century California. For California Indian communities like the Yokuts that brought in this Choctaw man, forging ties with indigenous emigrants, especially those deemed “civilized” by white settlers, could aid them in navigating the stresses and changes that

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<sup>110</sup> Dexter, *Early Days in California*, 131.

<sup>111</sup> H. S. G. Dixon to H. H. Bancroft, May 1, 1875, Bancroft Library.

<sup>112</sup> Ibid.

<sup>113</sup> Ibid.

came with white settlement. The relative sense of trust that white settlers held towards this Choctaw man could allow him to act as a kind of representative to the broader settler community, providing a degree of safety to his Yokuts people. At the same time, white settlers in the San Joaquin Valley recognized him as an important link to the Yokuts. Trusting him as they did for the cultural reasons outlined above, white settlers would have turned to him in their relations with Yokuts people, believing he understood “their history, habits, etc., better than anyone living.”<sup>114</sup> Given his background and reputation among settlers, this man likely spoke, with varying degrees of fluency, English, Choctaw, and at least one Yokuts language, positioning him to serve as an ideal intermediary between Yokuts and Euro-American people. Rather than a society in which settler and indigenous spheres exist in distinct opposition and separation, the story of this indigenous emigrant—at once Choctaw and Yokuts, settler and indigenous—illustrates a fluidity that between these realms, and the ways that Native people could navigate between, and live simultaneously within them.

In the Gold Rush era and beyond, other mixed indigenous societies formed in California, sometimes enduring for generations and sometimes eroding after relatively brief periods. David A Chang’s pioneering research, for example, has revealed the extent to which Kanaka Maoli people, some of whom had worked under John Sutter as early as the 1830s, were “tied both to a network of Kanaka Maoli settlements in California and to a number of American Indian people,” especially Konkow and Maidu communities.<sup>115</sup> In

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<sup>114</sup> Ibid.



the southern Sierra Nevada regions, other groups of indigenous emigrants established similar networks with local indigenous peoples as well as with non-Native settler communities. In the early stages of the Gold Rush, for example, a group of Cherokees arrived in the southern Sierra foothills, where they soon worked and lived alongside the indigenous Miwok community about ten miles outside Sonora.<sup>116</sup>

Through intermarriage, a number of Cherokees from this party forged kinship ties with the Miwok community while also maintaining friendly relations with non-Native settlers of Sonora.<sup>117</sup> By 1852, however, steep increases in white settlement had put serious strains on indigenous resources in the region, compelling these Miwoks to raid a white mining camp for “bedding and blankets,” among other items.<sup>118</sup> The incensed settlers, following a familiar pattern, sought punitive violence. Noting the deep ties between these two indigenous communities, however, settlers viewed the Cherokees as representatives of the Miwoks, and therefore responsible for their actions. The white settlers specifically demanded that the Cherokees lead them in pursuit of the Miwoks into the foothills. After they began this chase and made camp for the night, the Cherokees decided not to pursue the Miwoks any further, and to return to their own camp the next day. During the soft rains of the following morning, a shower of Miwok arrows fell upon

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<sup>115</sup> David A. Chang, *The World and All the Things Upon it: Native Hawaiian Geographies of Exploration* (Minneapolis: University of Minnesota Press, 2016), 166. See also David A. Chang, “Borderlands in a World at Sea: Concow Indians, Native Hawaiians, and South Chinese in Indigenous, Global, and National Spaces,” *Journal of American History* 98, no. 2 (2011): 384-403.

<sup>116</sup> Dexter, *Early Days in California*, 130-131.

<sup>117</sup> *Ibid.*, 131.

<sup>118</sup> *Ibid.*, 132.

the camp. The Cherokees and their white followers reached for their rifles, but were unable to locate the Miwoks, and retreated.<sup>119</sup> While only one Cherokee man was injured in this brief encounter, it contributed to a general atmosphere of violence against California Indian people. While the Cherokee party ultimately elected to end their pursuit, the party of Native and non-Native men they led into the hills sent a message of aggression. Miwok people continued to actively resist settler violence and intimidation, whether it came from Euro-American or Cherokee settlers. The Cherokee reluctance to pursue the Miwoks, however, illustrates that California's settler society placed particular pressures on Cherokees—as “civilized” representatives of Native Americans—to police the communities of their “wild” and “savage” California Indian neighbors. Failure to do so could lead to a white perception that Cherokees, “true to their nature,” had inevitably reverted back to their uncivilized ways, and could no longer be trusted.<sup>120</sup> This incident represents another clear example of just how precarious the designation of “civilized tribe” could be in California's emerging settler society. By refusing to uphold the settler colonial status quo as envisioned by Anglo-American emigrants, Cherokees would have put their lives in danger.

These Cherokee and Choctaw emigrants may have been adopted into Yokuts and Miwok society along traditional moiety lines that had allowed for intertribal marriages and kinship alliances for countless generations, long before the first arrival of non-Native invaders to California. For many tribes of the trans-Sierra regions, the moiety system had

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<sup>119</sup> Ibid., 133.

<sup>120</sup> Ibid., 131.

allowed for the adoption of outsiders or foreigners into the tribe through intermarriage. Sierra Miwok tribes, for example, frequently adopted members of Yokuts, Ohlone, and other neighboring nations, who would be associated with the moiety opposite their spouse's.<sup>121</sup> During and after the settler invasions of the Gold Rush era, the moiety system had retained enough importance that some tribes actively translated this practice to allow for the adoption of these new emigrants upon their lands. In the late nineteenth or early twentieth century, when an African American man married a Miwok woman named *Ukunulumaiye*, of the land moiety, he was given the Miwok name *Yottoko*, of the water moiety.<sup>122</sup> It is unclear whether this same practice was applied by the Miwok and Yokuts tribes that intermarried with Cherokee and Choctaw emigrants, or non-Native men like James Savage and the Murphy brothers. Its continuing importance for some tribes, however, offers an important example of the ways California's tribal communities vigorously maintained their traditions, and translated and adapted them to contend with the dramatically changing realities that came in the wake of white settlement.

Cherokees, Choctaws, and Wyandots arrived in California with a very tangible memory of recent forced removal from their ancestral lands, and their own experiences with settler colonial violence. In contrast to the Miwoks, Yokuts, and other California Indian people that endured the violence of the California Gold Rush, however, Cherokees and Wyandots were free to leave California and return to their forcibly adopted homes in

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<sup>121</sup> Edward Winslow Gifford, "Miwok Moieties," *University of California Publications in American Archaeology and Ethnology* 12, no. 4 (1916): 148, 152.

<sup>122</sup> *Ibid.*, 148.

Indian Territory whenever they so chose. Before many of them had decided to make that return journey, another group of indigenous emigrants had reached San Francisco Bay after an ocean voyage of several thousand miles, arriving with their own legacies of violence, dispossession, and settler colonialism.

On July 20, 1849, *Elizabeth Archer* set sail from Sydney Harbor and began its nearly three-month voyage across the Pacific Ocean to San Francisco Bay.<sup>123</sup> The news of California's gold discovery had reached Australia and New Zealand in December of 1848.<sup>124</sup> While often overshadowed by European, Latin American, and Chinese immigration, the Australasian participation in the California Gold Rush was significant. Numerous overseas voyages followed that of *Elizabeth Archer's* to bring as many as eleven thousand settlers from Australia and New Zealand to California in the Gold Rush era.<sup>125</sup> While the majority of those emigrants came from Australia, estimates suggest at least five hundred sailed from New Zealand.<sup>126</sup> This emigration would never enjoy a prominent place in California's Gold Rush literature. Almost entirely absent, however, are the stories of those that traveled in the deepest levels of *Elizabeth Archer's* steerage.<sup>127</sup>

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<sup>123</sup> Jay Monaghan, *Australians and the Gold Rush: California and Down Under, 1849-1854* (Berkeley: University of California Press, 1966), 65, 70.

<sup>124</sup> Charles Bateson, *Gold Fleet for California: Forty-Niners from Australia and New Zealand* (Sydney: Ure Smith, 1963), 23; Malcom J. Rohrbough, "'We Will Make Our Fortunes—No Doubt of It': The Worldwide Rush to California," in *Riches For All: The California Gold Rush and the World*, ed. Kenneth N. Owens (Lincoln: University of Nebraska Press, 2002), 59.

<sup>125</sup> Sherman L. Ricards and George M. Blackburn, "The Sydney Ducks: A Demographic Analysis," *Pacific Historical Review* 42, no. 1 (1973): 20; Bateson, *Gold Fleet for California*, 142.

<sup>126</sup> Bateson, *Gold Fleet for California*, 142.

Among them were two Aboriginal Australian men known to whites as “Jacky Small” and “Davy.”<sup>128</sup> They were laborers of Thomas Archer, a Scottish-born Australian that operated some of the first sheep stations in their native lands around the Darling Downs in present-day in Queensland.<sup>129</sup> Under the increasing encroachments of white settlement, these men worked for Archer to supplement their own sources of subsistence. Aboriginal labor was “of extreme importance” to white pastoralists at this time, when settlers still only scarcely populated Australia’s frontiers.<sup>130</sup> Archer in particular relied deeply on Aboriginal knowledge and labor in the establishment of his “Durundur Station,” enlisting members of tribes in the immediate vicinity as well as “those from a distance,” whom he paid in clothing, food, and tobacco, but never wages.<sup>131</sup> Archer’s vast pastoral operations would have brought him into contact with a highly diverse group of peoples of many cultural and linguistic backgrounds, including Gubbi Gubbi, Waka Waka, Badtjala, Gureng Gureng, Wuli-wuli, Barunggam, Bigambul, Kamilaroi, Ngarabal, Bundjalung, and Yuggera.<sup>132</sup>

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<sup>127</sup> Monaghan, *Australians and the Gold Rush*, 65.

<sup>128</sup> Thomas Archer, *Recollections of a Rambling Life* (Brisbane: Boolarong Publications, 1988), 163.

<sup>129</sup> Angela Woollacott, *Settler Society in the Australian Colonies: Self Government and Imperial Culture* (New York: Oxford University Press, 2015), 93; Monaghan, *Australians and the Gold Rush*, 56.

<sup>130</sup> David Goodman, *Gold Seeking: Victoria and California in the 1850s* (Stanford: Stanford University Press, 1994), 20.

<sup>131</sup> Archer, *Recollections of a Rambling Life*, 70; Woollacott, *Settler Society in the Australian Colonies*, 93-94.

<sup>132</sup> Woollacott, *Settler Society in the Australian Colonies*, 93; David R. Horton, *The AIATSIS Map of Indigenous Australia* (Acton: Aboriginal Studies Press, 1996).

When Archer heard the news of the Gold discovery in California and decided to make the long sea voyage to San Francisco, Jacky and Davy accompanied him.<sup>133</sup> As the three men made their way south to Brisbane, they were joined by Archer's friend, Ned Hawkins, and two of his Aboriginal laborers, one known to whites as "Sandy."<sup>134</sup> The party made numerous stops at stock stations throughout Queensland and New South Wales, where the whites were welcomed indoors and the Aboriginal men were expected to sleep outside.<sup>135</sup> When the party finally reached Sydney, Jacky, Davy, Sandy, and other Aboriginal men boarded the segregated steerage of the *Elizabeth Archer* along with Ned Hawkins's two Chinese "servants."<sup>136</sup> These indigenous men likely suffered from the limited food rations and abysmal living conditions that plagued the typical steerage passenger in mid-nineteenth century Pacific crossings.<sup>137</sup>

The white settlers and Aboriginal people that set sail from Sydney Harbor in 1849 left behind a settler colonial fabric remarkably similar to the one they would find on the other side of the Pacific. In broad terms, the settler colonial project on the whole favored the "elimination" of indigenous people over the exploitation of their labor.<sup>138</sup> Aboriginal

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<sup>133</sup> Archer, *Recollections of a Rambling Life*, 163.

<sup>134</sup> Ibid.

<sup>135</sup> Monaghan, *Australians and the Gold Rush*, 57.

<sup>136</sup> Ibid., 60.

<sup>137</sup> William Curtis, "Journal of events transpiring on board the barque 'Uruguay' on a passage from Sydney, N.S. Wales to San Francisco, California," June 6, 1864, Curtis Family Papers, ca. 1858-1943, Bancroft Library (hereafter cited as Curtis Family Papers).

<sup>138</sup> Patrick Wolfe: *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Anthropological Event* (London: Cassell, 1999), 29.

people as much as California Indians faced extreme aggression, prejudice, and violence at the hands of Australia's white settlers.<sup>139</sup> In California, white settlers in the Gold Rush era often deliberately poisoned meats, flour, or sugar, and left it out to kill Native American stock raiders.<sup>140</sup> In one particular instance in the late 1850s, H. L. Hall and a group of settlers massacred 10 Yuki men and women after they were found butchering stolen meat. Before leaving the site, Hall and his men poisoned the meat with strychnine, hoping to kill any of the surviving Yukis in the vicinity.<sup>141</sup>

Australian settlers, meanwhile, employed similar strategies of violence against Aboriginal people. As Simpson Davison spread his land and stock holdings throughout a vast territory west of the Great Dividing Range, Aboriginal people resisted his encroachments, raiding his stock and sometimes killing herdsmen.<sup>142</sup> Stock raiding became one of the only reliable sources of subsistence for Aboriginal people, as the expansion of "pastoral settlement" decimated their traditional resources.<sup>143</sup> In a reaction that would have been familiar in California, Davison and local white settlers banded together to hunt down Aboriginal people in the vicinity, and in one case deliberately left

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<sup>139</sup> Henry Reynolds, *Frontier: Aborigines, Settlers, and Land* (St Leonards: Allen & Unwin, 1996), esp. 3-57; Henry Reynolds, *This Whispering in Our Hearts* (St Leonards: Allen & Unwin, 1998), esp. 47-69; Benjamin Madley, "Patterns of Frontier Genocide: The Aboriginal Tasmanians, the Yuki of California, and the Herero of Namibia," *Journal of Genocide Research* 6, no. 2 (2004): 167-192.

<sup>140</sup> Lindsay, *Murder State*, 320.

<sup>141</sup> *Ibid.*, 199.

<sup>142</sup> Monaghan, *Australians and the Gold Rush*, 62.

<sup>143</sup> Wolfe, *Settler Colonialism*, 27; Henry Reynolds, *The Other Side of the Frontier: Aboriginal Resistance to the European Invasion of Australia* (Ringwood: Penguin Books, 1982), 66, 117-118.

out biscuits poisoned with arsenic for their indigenous targets.<sup>144</sup> This incident represents part of a larger pattern of poisonings in Australia's colonial history that drew stark parallels to California.<sup>145</sup> While Davison's extreme violence is not necessarily representative of all frontier settlers in colonial Australia, the sparse population of Euro-Americans in these regions meant that the actions of a few could contribute to an overall atmosphere of violence or genocide.<sup>146</sup> As Friedrich Gerstäcker noted while journeying alone down the Murray River in 1851, "a well-armed white man has always a great advantage over even a mob of them [Aboriginal people]."<sup>147</sup>

Even Thomas Archer, who prided himself on employing a "system of kindness" with his Aboriginal neighbors, helped to perpetuate cycles of colonial violence.<sup>148</sup> Just as white settlers in Tuolumne County expected their Cherokee neighbors to keep Miwok people in check with Euro-American understandings of "civilization," Archer maintained a paternalistic position of authority over his Aboriginal laborers, or "his own tribe," and expected them to assist him in "preventing strange blacks from committing aggressions."<sup>149</sup> "Kindness," as a concept defined and understood on Archer's terms, depended on the willingness of his Aboriginal laborers to aggressively "repress" any

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<sup>144</sup> Monaghan, *Australians and the Gold Rush*, 62.

<sup>145</sup> Wolfe, *Settler Colonialism*, 28.

<sup>146</sup> Reynolds, *The Other Side of the Frontier*, 127.

<sup>147</sup> Gerstäcker, *Narrative of a Journey Round the World*, 445.

<sup>148</sup> Woollacott, *Settler Society in the Australian Colonies*, 92

<sup>149</sup> *Ibid.*, 93.



Aboriginal “depredations” committed on his landholdings.<sup>150</sup> This colonial employment of inter-indigenous violence was institutionalized in the Native Police, a mounted force of Aboriginal men led by white officers to quell the resistance of “wild” tribes in Australia’s colonial frontiers.<sup>151</sup> Archer, Davison and his roommate Edward Hargraves, and the countless other white and Aboriginal passengers of *Elizabeth Archer*, arrived in San Francisco to find an emerging settler society that bore an uncanny resemblance to that of their homeland.

In contrast to the Cherokees, Wyandots, and independent groups of Yaqui *gambusinos* that made their way overland to the gold fields, Aboriginal Australians had fewer tools to negotiate their position within California’s settler colonial framework. In Australia, a settler culture designated Aboriginal people as the “lowest grade of humanity,” drawing a striking parallel to the image of the Native American “Digger” of the Great Basin and California.<sup>152</sup> White settlers that traveled on both sides of the Pacific often made specific comparisons between the indigenous peoples of California and Australia. Constance Gordon Cumming, for example, wrote of the Ahwahneechee people she met in Yosemite Valley: “a dirtier and more degraded-looking race than these wretched Digger Indians I have rarely seen—nowhere, in fact, except in Australia, whose

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<sup>150</sup> Ibid., 92-93.

<sup>151</sup> Reynolds, *The Other Side of the Frontier*, 105; Woollocatt, *Settler Society in the Australian Colonies* 157-160.

<sup>152</sup> Charles D. Ferguson, *The Experiences of a Forty-niner during Thirty-four Years’ Residence in California and Australia*, ed. Frederick T. Wallace (Cleveland: The Williams Publishing Company, 1888), 432; Gerstäcker, *Narrative of a Journey Round the World*, 395-396, 408-410, 428-431, 473; Reynolds, *Frontier*, 111, 117-18; Rawls, *Indians of California*, 49-51.

Aboriginal blacks are, I think entitled to the lowest grade.”<sup>153</sup> Aboriginal Australians like Jacky and Davy who took up work for white pastoralists thus had to contend with these virulent settler attitudes. While they were not legally held as slaves, these Aboriginal laborers worked for white masters, in a position that can only be characterized as unfree. Most white landowners in this period paid Aboriginal workers as Archer did Jacky and Davy, in food or clothing rations, rather than money wages.<sup>154</sup>

Nonetheless, some Aboriginal people saw the chance to travel to California as a remarkable opportunity to better their situations, even though they would enjoy less than total autonomy there. Bowen Bungaree, a Kuringgai leader from the Pittwater region, along with five other Aboriginal men, decided to join Richard Hill on his voyage to California.<sup>155</sup> Hill specifically sought Bowen and these five men for their expertise in boating, which he believed would help him make a profit by ferrying miners from San Francisco to the gold regions along the Sacramento and San Joaquin Rivers.<sup>156</sup> In California, Bowen Bungaree, Jacky Small, Davy, Sandy, and other Aboriginal Argonauts forged out their livelihoods by trading, mining, guiding boats, and hunting.

When these parties arrived in San Francisco in October of 1849, Hargraves and Davison immediately left for the “Southern Mines,” purchasing salmon from Miwok

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<sup>153</sup> C. F. Gordon Cumming, *Granite Crags* (Edinburgh and London: William Blackwood and Sons, 1884), 133.

<sup>154</sup> Goodman, *Gold Seeking*, 20.

<sup>155</sup> Jan Roberts, ed., *Maybanke Anderson's Story of Pittwater, 1770 to 1920* (Avalon Beach: Ruskin Rowe Press, 1996), 52; *Sydney Morning Herald*, January 16, 1849; Keith Vincent Smith, *Mari Nawi: Aboriginal Odysseys* (Dural, New South Wales: Rosenberg Publishing, 2010), 140-141.

<sup>156</sup> Roberts, *Maybanke Anderson's Story of Pittwater*, 52.

people along the way.<sup>157</sup> Meanwhile, Ned Hawkins and the four Aboriginal men set up a store in San Francisco while Archer worked as a deputy sheriff.<sup>158</sup> After making some modest profits, the group decided to meet Hargraves and Davison in the mines. The party traveled by schooner, and during a severe storm capsized in Suisun Bay.<sup>159</sup> During the chaos of the shipwreck, Archer was separated from Hawkins and the four Aboriginal men, and could find no trace of them as he swam to shore.<sup>160</sup> Unbeknownst to Archer, Jacky and Davy survived the wreck, though Sandy and the other Aboriginal man in their party most likely succumbed to hypothermia and drowned.<sup>161</sup> After Archer gave up his search for them and made his way to Benicia, Jacky and Davy signaled the attention of a boat making its way to Sacramento, which coincidentally carried a party of Australians. Archer suggested that these men were uniquely enabled to “understand what the poor boys had to tell them.”<sup>162</sup> They may have spoken in a dialect that fused elements of English and Aboriginal languages.<sup>163</sup> These dialects formed a common mode of communication between Aboriginal and settler peoples in colonial Australia, one that would not have been widely understood in California. After Jacky and Davy related their

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<sup>157</sup> Monaghan, *Australians and the Gold Rush*, 83.

<sup>158</sup> Archer, *Recollections of a Rambling Life*, 187; Monaghan, *Australians and the Gold Rush*, 84.

<sup>159</sup> Archer, *Recollections of a Rambling Life*, 193-195.

<sup>160</sup> *Ibid.*, 197.

<sup>161</sup> *Ibid.*, 207.

<sup>162</sup> *Ibid.*

<sup>163</sup> Reynolds, *The Other Side of the Frontier*, 40-41.

story, the Australian boat men brought them to San Francisco, where they learned Archer had survived the wreck and gone ahead to the southern mines.<sup>164</sup>

When Jacky and Davy finally made their way back to their party near Sonora, they mined in a diverse community that already included Cherokees, Euro-Americans, Mexicans, Chileans, Yaquis, and California Indians.<sup>165</sup> The Australian party had little success, with their efforts stalled by the harsh winter of 1849-1850.<sup>166</sup> Archer made numerous prospecting trips with Jacky or Davy deeper into the gorges of the Stanislaus River's tributaries, but rarely found gold.<sup>167</sup> When Archer's party entered a Miwok encampment, they expected they would finally learn the locations of the best gold diggings, but when the Miwoks informed them they knew of no gold discoveries in the vicinity, Archer returned with his party to their main camp.<sup>168</sup> Discouraged by their continual failures at gold mining, Archer, Jacky, and Davy increasingly turned to hunting wild game in the Sierra foothills as a source of income, further depleting the food sources of the Miwok.<sup>169</sup> Some months later, Miwok knowledge provided Archer some of the riches he so desperately sought. When a group Miwok people arrived in the town of Peoria armed with vast amounts of gold to trade, Archer and other white prospectors

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<sup>164</sup> Archer, *Recollections of a Rambling Life*, 207.

<sup>165</sup> Melillo, *Strangers on Familiar Soil*, 72; Johnson, *Roaring Camp*, 124, 165, 320; Dale and Litton, *Cherokee Cavaliers*, 73-75.

<sup>166</sup> Archer, *Recollections of a Rambling Life*, 209.

<sup>167</sup> *Ibid.*, 210.

<sup>168</sup> *Ibid.*, 214.

<sup>169</sup> Monaghan, *Australians and the Gold Rush*, 88-89, 134.

swarmed upon the Miwoks diggings in “Scorpion Gulch,” where Archer would enjoy his only real success in gold mining.<sup>170</sup>

Archer and his party was largely unaffected by the violent enforcement of the Foreign Miner’s Tax leveled primarily against Mexican, Chilean, French, and Yaqui miners, allowing them to mine alongside Euro-American settlers with relative safety.<sup>171</sup> Archer observed that “no white man would be called upon to pay the tax, if he declared his intention of becoming an American citizen.”<sup>172</sup> Having the means to do so, he chose to pay the tax, as a “true blue” Briton, and he recorded few incidents of harassment from white Americans.<sup>173</sup> Public opinion in California, however, soon shifted drastically against Australians, as Euro-Americans dismissed them as violent robbers, “convicts,” and a “flood of scoundrels,” that “polluted the mines” with their very presence.<sup>174</sup> Certainly Euro-American settlers would have resented the Aboriginal miners and laborers that worked for white Australians, in much the same way they spurned Hispanic landowners and their California Indian laborers.<sup>175</sup> In 1850, a report on “foreign miners”

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<sup>170</sup> Archer, *Recollections of a Rambling Life*, 223-225.

<sup>171</sup> Peterson, *Manifest Destiny in the Mines*, 48-49; Morefield, *The Mexican Adaptation in American California*, 7-8; Johnson, *Roaring Camp*, 31-32, 125; Monaghan, *Australians and the Gold Rush*, 90.

<sup>172</sup> Archer, *Recollections of a Rambling Life*, 227.

<sup>173</sup> Ibid.

<sup>174</sup> Diary of Leonard Withington Noyes, pp. 57-58, Calaveras County Museum and Historical Society, San Andreas, CA (transcript of original ms. held at Essex Institute, Salem, MA); Timothy C. Osborn, letter to the *Vineyard Gazette*, June 14, 1851, Timothy Coffin Osborn Journal and Letters, 1850-1855, Bancroft Library; *Daily Alta California*, April 5, 1850; E. Daniel Potts and Annette Potts, *Young America and Australian Gold: Americans and the Gold Rush of the 1850s* (St. Lucia: University of Queensland Press, 1974), 3-4; Ricards and Blackburn, “The Sydney Ducks,” 22; Gerstäcker, *Narrative of a Journey Round the World*, 226, 497; Johnson, *Roaring Camp*, 128; Melillo, *Strangers on Familiar Soil*, 86-88.

from the state legislature's Committee on Finance warned that foreign immigration to the state brought "the worst populations" not only from Latin America, but also from "New South Wales and the southern Islands," who took vast quantities of gold "to the injury of the American people."<sup>176</sup> The report was primarily concerned with the labor of supposed "convicts of Botany Bay," who dug "on account of foreign employers," thereby enriching Australian capitalists at the detriment of individual white American miners.<sup>177</sup>

These same fears, however, would have extended to Jacky and Davy, whose unfree labor arrangements put them within what Stacey L. Smith has termed the "liminal space between slavery and wage labor" that so often brought scorn and violence from free-soil settlers.<sup>178</sup> While they were not legally enslaved, their lack of cash wages meant their status would have been understood as little different from the "imagined" category of "peons," representing a direct threat to the economic interests of Euro-Americans, akin to African American slavery.<sup>179</sup> Jacky, Davy, and many of the other Aboriginal Australians working in California arrived in the Sierra foothills to find a prevailing atmosphere of settler hostility to "unfree labor," which intersected with anti-Black and

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<sup>175</sup> Rawls, *Indians of California*, 129; Chan, "A People of Exceptional Character," 59-60; Sandos, "Because He is a Liar and a Thief," 90; Smith, *Freedom's Frontier*, 85.

<sup>176</sup> *Daily Alta California*, April 5, 1850.

<sup>177</sup> Ibid. In reality, convict transportation to New South Wales ceased in 1840, though it continued in Tasmania until 1853. See Clare Anderson, "Transnational Histories of Penal Transportation: Punishment, Labour, and Governance in the British Imperial World, 1788-1939," *Australian Historical Studies* 47, no. 3 (2016): 382; and Robert Hughes, *The Fatal Shore: The Epic of Australia's Founding* (New York: Alfred A. Knopf), 160-161.

<sup>178</sup> Smith, *Freedom's Frontier*, 81.

<sup>179</sup> Ibid., 80-82.

anti-foreign sentiments.<sup>180</sup> Close examination of these Aboriginal men's understandings of their experiences in California, however, offer some insight into the strategies they employed to resist these currents of settler colonialism that targeted them, and the particular ways they shaped their own histories in such a perilous landscape.

As much as any Yaquis, Cherokees, and Wyandots in California, Aboriginal Australians yearned for their homelands. Bowen Bungaree, for his part, did not enjoy his time in northern California, feeling miserable in its cold wind and rain.<sup>181</sup> More importantly, his five Kuringgai companions all died before they could return to the Pittwater.<sup>182</sup> Recalling these heavy memories, Bowen summarized his experience of California as a place “no good for me,” and “no good” for Aboriginal people.<sup>183</sup> Thomas Archer, meanwhile, seemed amused and even perplexed that Davy sang “corroborees” in his Native language.<sup>184</sup> Just as Juliet Bell lamented that she knew barely a soul that could understand her Cherokee language, the Aboriginal Australians that traversed the Sierra Nevada Mountains relied on language to maintain their sense of identity in what would have been a most unwelcoming place. While their status was certainly anything other than total freedom under their white “masters,” language was one source of identity and empowerment these Aboriginal men could draw on in this settler colonial landscape. If

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<sup>180</sup> Ibid., 86.

<sup>181</sup> Roberts, *Maybanke Anderson's Story of Pittwater*, 52.

<sup>182</sup> Ibid.

<sup>183</sup> Ibid.

<sup>184</sup> Archer, *Recollections of a Rambling Life*, 229.

the continued use of indigenous language was one subtle way to maintain and assert agency in this settler colonial world, Aboriginal people just as often employed more direct action.

Ever since he first settled in Durundur, Archer attempted to forcibly “shield” his Aboriginal laborers from elements of Anglo culture, especially alcohol, which he believed would bring about their “decay.”<sup>185</sup> Archer typically reacted violently whenever his Aboriginal workers appeared to adopt or be otherwise affected by such western practices, once destroying in a fit of rage every bottle of liquor in his stores after an Aboriginal man appeared to have died from alcohol poisoning.<sup>186</sup> Archer thus found it highly “distressing” to find that Jacky and Davy had adopted “some of the manners and customs of civilized life” after the party settled in Peoria, along the Stanislaus River.<sup>187</sup> When Archer sought work there with a damming company, Jacky and Davy made a modest income working independently, as “hewers of wood and drawers of water” in Archer’s dismissive and patronizing words.<sup>188</sup> This financial self-sufficiency, and discovery that California was a “free country,” Archer believed, led the Aboriginal men to “free themselves of the slavery of obedience to me.”<sup>189</sup>

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<sup>185</sup> Manning Clark, *A History of Australia, Vol. III* (Carlton South: Melbourne University Press, 1973), 254.

<sup>186</sup> Ibid.

<sup>187</sup> Archer, *Recollections of a Rambling Life*, 228; Erwin G. Gudde, *California Gold Camps* (Berkeley: University of California Press, 1975), 262.

<sup>188</sup> Archer, *Recollections of a Rabbling Life*, 228.

<sup>189</sup> Ibid.



In an incident that Archer believed indicated such a dangerous perception of autonomy, Jacky was once left in charge of a store, and threatened its owner with a revolver upon his return. When a group of prospectors from nearby tents surrounded him, he “threatened to shoot anyone that approached.”<sup>190</sup> Archer explained and understood this incident as the typical behavior of a drunk Native person. Beneath the surface of this narrative, however, Jacky’s actions indicate an overt assertion of agency, an act of resistance against his white overseer. Archer reacted to this defiance by grabbing Jacky by the neck, and tying him by the wrist to a pole of their tent, where he left him for the remainder of the night.<sup>191</sup> Not long after this violent altercation, when Archer decided to move on from Peoria, Jacky and Davy refused to accompany him.<sup>192</sup> Independently successful in Peoria, the two men asserted their autonomy and flatly rejected their status as unfree laborers. This refusal constituted a clear message of resistance against Archer’s violent treatment of Jacky. The two Aboriginal men remained in Peoria as free and independent workers, and Archer left, never to see or write of them again. The experiences and actions of Jacky and Davy effectively capture some of the ways Aboriginal people, in both Australia and California, actively contested their position within a settler colonial framework, despite the distrust, coercion, scorn, and violence that white settlers offered them.

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<sup>190</sup> Ibid.

<sup>191</sup> Ibid., 228-229.

<sup>192</sup> Ibid., 230.

Jacky Small, Davy, Sandy, Bowen Bungaree, and the other Aboriginal men that traveled with them, were likely not the only indigenous people of Australia to participate in California's Gold Rush.<sup>193</sup> It is extremely difficult to estimate how many more Aboriginal people might have made this journey, but their near absence in the historiography points to the likely reality that indigenous people from many other parts of the globe ventured to California, whether freely or against their volition. Of the estimated five hundred, and probably more, emigrants surmised to have come from New Zealand, Māori people, however few, were certainly among them. Like California Indians, Māori people knew of the presence of gold in their own lands long before the arrival of Europeans in Aotearoa.<sup>194</sup> Māori men like Jack Tewa, or "Maori Jack," as Anglos called him, made some of the first discoveries of the Otago Gold Rush, and often led parties of white miners to the gold-bearing regions they had known so long.<sup>195</sup> More than a decade before their own country would experience these gold rushes, a number of Māori people sailed across the Pacific to join the thousands that prospected in the Sierra Nevada Mountains.

In 1849, for example, a group of French settlers at Akaroa, on the South Island, contracted Captain John Howell to sail them to Tahiti on his schooner, *Amazon*. Howell

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<sup>193</sup> *Sydney Morning Herald*, January 16, 1849; Smith, *Mari Nawi*, 140-141; Monaghan, *Australians and the Gold Rush*, 22.

<sup>194</sup> Phillip Hart, "Maori and Mining in New Zealand and Beyond," University of Waikato Historical Research Unit, Te Aroha Mining District Working Papers no. 17 (2016), 1-3; Vincent Pyke, *History of the Early Gold Discoveries in Otago* (Dunedin: Otago Daily Times and Witness Newspapers Company, 1887), 2.

<sup>195</sup> Pyke, *History of the Early Gold Discoveries in Otago*, 82, 2-4.

hired a Māori crew for this journey, but when the party landed in Tahiti, news of the Gold discoveries in California had reached the South Pacific, and the Māori sailors convinced Howell that they should sail for San Francisco. Upon reaching the diggings, these Māori Argonauts “reported in disgust that the whiteman’s gold occurred in similar fashion in their homeland.”<sup>196</sup> This anecdote presents a striking parallel to the California Indian histories of the early Gold Rush era, revealing both the depth of Māori knowledge of gold in their own homelands, as well as the fact that the mineral “possessed no value for them” whatsoever “until its virtues in the pakeha world became apparent.”<sup>197</sup> Already fully aware of gold’s existence in Aotearoa, some Māori people may have sailed for California precisely because they believed the gold there must have possessed some inherent value superior to that they already knew.

These anecdotes, along with the differing historical context of colonial New Zealand, suggest that Māori sailors may have arrived in California with a greater degree of autonomy relative to the Aboriginal people that traveled as employees and laborers to white masters, in the depths of steerage.<sup>198</sup> At first glance the historical record, at least in California, seems to leave no trace of these Māori Argonauts. It does offer, however, important clues that become particularly illuminating once Euro-American

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<sup>196</sup> J. H. M. Salmon, *The History of Gold Mining in New Zealand* (Wellington: R. E. Owen, Government Printer, 1963), 45-46.

<sup>197</sup> *Ibid.*, 16.

<sup>198</sup> James Belich, *The Victorian Interpretation of Racial Violence: The Maori, the British, and the New Zealand Wars* (Montreal: McGill-Queen’s University Press, 1989), 17-25; James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Anglo-World, 1783-1939* (Oxford: Oxford University Press, 2009), 553; Keith Sinclair, *A History of New Zealand* (London: Allen Lane, 1980), 68-69; K. S. Inglis, *The Australian Colonists: An Exploration of Social History, 1788-1870* (Melbourne: Melbourne University Press, 1974), 167.

misperceptions of race and nationality are taken into account. One historian has suggested that Māori people were counted as “Kanakas” in California’s Gold Rush records.<sup>199</sup> Euro-Americans certainly did exhibit a tendency to misidentify Pacific Islanders in their writings. J. Goldsborough Bruff, for instance, wrote of meeting a “Mulatto” in John Sutter’s employ.<sup>200</sup> This man was most likely one of the Native Hawaiian laborers that had been working for Sutter in California since the 1830s.<sup>201</sup> It may well be that John Silvergour, a 23-year-old man listed as a “Mulatto” from New Zealand in the Federal Census of 1850 for Mariposa County, was in fact Māori, or of mixed Anglo and Māori descent.<sup>202</sup>

Indigenous people of South America may well have been among the thousands of trans-Pacific emigrants that sailed to San Francisco from Chile and Peru.<sup>203</sup> George Evans recorded in his journal observing a camp of “Chili Indians” in the Mariposa diggings in late 1849.<sup>204</sup> Anglo miners were just as likely to misunderstand or blur the distinctions between indigenous and non-Native or multiracial South Americans as they

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<sup>199</sup> A. P. F. Brown, “The Otago Goldfields, 1861-1863: Administration and Public Life” (Master’s Thesis, University of Canterbury, 1973), 37; Hart, “Maori and Mining in New Zealand and Beyond,” 3.

<sup>200</sup> Read and Gaines, *Gold Rush*, 463.

<sup>201</sup> John Sutter to John Marsh, January 22, 1840, John Marsh Collection, 1823-1850, California State Library; Chang, *The World and All the Things Upon It*, 164; Chan, “A People of Exceptional Character,” 51; Hurtado, *Indian Survival on the California Frontier*, 48-50.

<sup>202</sup> Population Schedule of the United States Census for 1850, Mariposa County California (transcription of original microfilm for the Merced County Genealogical Society), p. 26, California State Library.

<sup>203</sup> Chan, “A People of Exceptional Character,” 52; Melillo, *Strangers on Familiar Soil*, 31; Monaghan, *Chile, Peru, and the California Gold Rush* (Berkeley: University of California Press, 1973), 173.

<sup>204</sup> Evans, *Mexican Gold Trail*, 223.

were with Yaquis and “Mexicans.” While Evans thus may have encountered a group of mestizo Chileans, of mixed Spanish and indigenous heritage, further historical evidence does support the presence of indigenous Chileans in California’s gold fields. Some may have traveled as *peones*, or “peons” of wealthy Chilean landowners.<sup>205</sup> Four Native men, for example, sailed from Valparaíso aboard the *Minerva* with Carlos Rosillón, for whom they would work and possibly mine for gold in California.<sup>206</sup> Theodore T. Johnson encountered a similar group, a “large party of Peruvians and Chilians, with their Indian *peones* or slaves,” in the region of “Weber’s Creek.”<sup>207</sup>

Like the Californios and white Australians that benefitted from indigenous labor, multiracial Latin American groups like these would have drawn particular scorn from Anglo miners that held strong free-labor ideologies and characterized “peons” as little different than slaves, threatening the economic opportunities of white Americans.<sup>208</sup> John Hovey, for example, specifically described Chilean peons working the Calaveras River as slaves because, in his estimation, they appeared to “obtain little else from their masters than their food or clothing,” a disconcerting contrast—and direct threat—to independent, democratic, and industrious American miners who, Hovey believed, held the only legitimate rights to work in the goldfields.<sup>209</sup> If some parties of indigenous

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<sup>205</sup> Monaghan, *Chile, Peru, and the California Gold Rush*, 241; Johnson, *Roaring Camp*, 64-65, 193.

<sup>206</sup> Monaghan, *Chile, Peru, and the California Gold Rush*, 58.

<sup>207</sup> Theodore T. Johnson, *California and Oregon: Or, Sights in the Gold Region and Scenes by the Way* (Philadelphia: Lippincott, 1857), 179.

<sup>208</sup> Smith, *Freedom’s Frontier*, 81, 85; Johnson, *Roaring Camp*, 193.

<sup>209</sup> Hovey, *Journal*, June 4, 1850.

Chileans did in fact navigate California's Gold Rush society independently, unconstrained by hierarchical labor relations—as those George Evans described may well have—they would have faced the often violent enforcement of the Foreign Miner's Tax and much of the same discrimination that faced indigenous Yaquis and Hispanic emigrants generally.

The multifaceted indigenous histories of the California Gold Rush point to broader trends in a global network of colonialism and migration. While rarely discussed as such, the California Gold Rush was a site of indigenous diaspora and confluence. Varying historical contexts of forced removal, dispossession, and settler colonialism brought Cherokees, Choctaws, Yaquis, Aboriginal Australians, and Māoris to Miwok and Yokuts lands. Soon a complex network of indigenous exchanges emerged in which California Indians traded their gold with the Cherokee emigrants that hunted their game, and accepted a Choctaw man into their society.<sup>210</sup> These complex dynamics between Native peoples complicate the standard narratives of Indian-white relations in settler colonial California. Each of these peoples contested their positions in the emerging settler colonial society, resisting acts of violence, coercion, and discrimination. Various racial, economic, cultural, and linguistic factors meant that eastern Indian emigrants like Cherokees, Choctaws, and Wyandots, had certain strategies for dealing with settler society that were not available to Yaquis and Aboriginal Australians. Such eastern Native American prospectors like Jeter Thompson and John Rollin Ridge were more

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<sup>210</sup> Fletcher and Fletcher, *Cherokee Trail Diaries, Volume I & II*, 401; Dixon to Bancroft, May 1, 1875.

likely to be fluent and literate in the English language, and arrived in California with a degree of economic independence not enjoyed by most other Native emigrants. The particular attention settlers like Dexter and Bruff paid to the racial backgrounds of Indian emigrants also suggests that many white settlers perceived members of “civilized” eastern tribes to be racially and culturally closer to “white” than most other Native peoples. While these factors, to an extent, afforded eastern Indian emigrants some protections against the white settler population, familiar cycles of violence revolving around alleged stock thefts revealed the settler trust in “civilized” Native people to be highly precarious. While the particular attitudes settlers held regarding each of these factors placed some limits on the responses available to indigenous groups in California, Native people actively resisted and shaped their own histories in this space of catastrophic violence. The California Gold rush itself, however, represents only one part of a larger story of global patterns of settler colonialism and indigenous exchanges.

In 1853, news of the gold discoveries in Victoria had already convinced Edward Roberts to abandon San Francisco for Australia, which he had come to believe was “the best country for settlers.”<sup>211</sup> Other Americans echoed these sentiments, seeing Australia as “the country for people to do well in.”<sup>212</sup> Those miners that did decide to leave California, such as John H. Jones, would have found much familiar in the Victoria goldfields, where, “everythings [sic] is as dear as in California when it first broke.”<sup>213</sup>

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<sup>211</sup> E. C. Roberts to Edward John Roberts, April 15, 1853, E. C. Roberts Gold Rush Letters, 1852-1853, California State Library.

<sup>212</sup> Anna Maria Curtis to William Curtis, June 1, 1859, Curtis Family Papers.

The very same forces that led to the explosive settlement of California soon spread to other parts of the American west, and to Australia, New Zealand, British Columbia, and many other corners of the globe, where indigenous populations faced further violence and dispossession.<sup>214</sup> As these new gold rushes sprang up throughout the Pacific Basin, John B. Haas observed, “the further they were located and the more difficult to get to, the more enticing they appeared to the always easily excited miners.”<sup>215</sup> Many of the same men, like Friedrich Gërstacker and Charles Ferguson, participated in or observed multiple mid-century gold rushes around the Pacific.<sup>216</sup> As this chapter has demonstrated, however, networks of global migration and cultural exchange were not limited to colonizers or white settlers. Despite the long-running stereotypes that characterize “indigenous societies as exclusively local,” a complex network of indigenous diaspora and confluence brought indigenous people from all around the world to California, Cherokee prospectors to Colorado and Nevada, along with Māoris and at least one Massachusetts Indian to Australia throughout the mid-nineteenth century.<sup>217</sup>

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<sup>213</sup> John H. Jones to Daniel L. Jones, December 25, 1852, Australian Gold Rush Letters, 1852-1856, California State Library.

<sup>214</sup> Jeremy Mouat, “After California: Later Gold Rushes of the Pacific Basin,” in Owens, *Riches For All*, 264-282; Belich, *Replenishing the Earth*, 307; Sinclair, *A History of New Zealand*, 106-107; Woollacott, *Settler Society in the Australian Colonies*, 195.

<sup>215</sup> John B. Haas, “John B. Haas, Pioneer: An Autobiography,” March 1939, p. 8, Bancroft Library (originally published in several volumes of *Pony Express Courier*).

<sup>216</sup> Charles D. Ferguson participated in the gold rushes of California, Australia, and New Zealand, while Gërstacker toured Victoria and South Australia just after his sojourn in California, and John B. Haas went from the California to the Fraser River Gold Rush. See Ferguson, *Experiences of a Forty-Niner*; Gërstacker, *Narrative of a Journey Round the World*; Friedrich Gërstacker, *Australia: A German Traveller in the Age of Gold*, ed. Peter Monteath (Mile End, South Australia: Wakefield Press, 2016); Haas, “Autobiography.”



California Indians were well aware of these global patterns, as the Miwok man Anglos called “Captain Jack” expected the Fraser River Gold Rush in Canada to lead to an exodus of white settlers from his lands.<sup>218</sup> Even some white settlers held similar assumptions, such as Robert Bolyan, who believed California Indians would regain “the full possession” of their lands once miners had dug up all the gold that could be found.<sup>219</sup> The magnetic pull of other Pacific gold rushes, however, failed to quell the forces of violent settlement in California, as suggested by the international exploits of the Heald Family. Thomas Heald, one of many Americans in the Victorian goldfields, prepared in 1854 to set sail for Peru after his unsuccessful sojourn in Australia. Heald planned this journey with full confidence that from this relative proximity, he could easily move on to California if there were “nothing good to be found” in Peru.<sup>220</sup> Many ships that left Australia for Peru specifically capitalized on these attitudes, and offered potential trans-

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<sup>217</sup> Lester, “Indigenous Engagements with Humanitarian Governance,” 51; Goodman, *Gold Seeking*, 14-20; Hart, “Maori and Mining in New Zealand and Beyond,” 3, 59-61; Fletcher and Fletcher, *Cherokee Trail Diaries, Vols. I & II*, 402-403; Wright, “Journal of John Lowery Brown,” 190; Hebard, Grace Raymond, *The Pathbreakers from River to Ocean: The Story of the Great West from the time of Coronado to the Present* (Glendale: Arthur H. Clark Company, 1940), 204; John Milton Earle, *Report to the Governor and Council, Concerning the Indians of the Commonwealth, under the Act of April 6, 1859*, Massachusetts Senate Document 96 (Boston: William White, 1861), lxix; Nancy Shoemaker, *Native American Whalemen and the World: Indigenous Encounters and the Contingency of Race* (Chapel Hill: University of North Carolina Press, 2015), 130.

<sup>218</sup> *Amador Weekly Ledger*, January 26, 1858; Johnson, *Roaring Camp*, 311; Mouat, “After California,” 277-280.

<sup>219</sup> R. J. Bolyan to Wife, May 18, 1852, R. J. Bolyan Gold Rush Letters, 1850-1853, California State Library.

<sup>220</sup> Thomas Heald to Alden Heald, March 22, 1854, Thomas Heald to Mother, April 11, 1854, Heald Family Papers.

Pacific prospectors the “safeguard” of California against possible disappointment in South America.<sup>221</sup>

Meanwhile, so many miners had abandoned California for Australia that Daniel Heald actually believed California to be the best place for young gold seekers to make their fortunes, due to the apparent decline in competition.<sup>222</sup> An ironic pattern emerged in which the perception of a settler exodus from California only encouraged further immigration to its shores. Most importantly, California’s economy diversified in the 1850s beyond gold mining to embrace more permanent settler industries, as new immigrants and former gold seekers turned increasingly to commercial ventures, coal mining, and especially to ranching and farming.<sup>223</sup> The California Gold Rush acted as the initial catalyst for an explosive increase in settlement that never reversed after 1848. While many early emigrants only made temporary ventures to California, hundreds of thousands settled permanently in and after the Gold Rush decade, continually subjecting indigenous nations to violence, dispossession, and resource destruction. Despite the sanguine predictions of Captain Jack and Robert Bolyan, California’s settler invasion represented a “structure” rather than an “event,” one that would remain in place long after

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<sup>221</sup> Potts and Potts, *Young America and Australian Gold*, 212.

<sup>222</sup> Daniel Heald to Mother, June 27, 1853, Heald Family Papers; See also Timothy C. Osborn, Letter to the *Vineyard Gazette*, December 16, 1853, Osborn Journal and Letters.

<sup>223</sup> Lawrence James Jelinek, “ ‘Property of Every Kind’: Ranching and Farming During the Gold-Rush Era,” in *A Golden State: Mining and Economic Development in Gold Rush California*, ed. James J. Rawls and Richard J. Orsi (Berkeley: University of California Press, 1999): 233; “Reminiscences of Galen Clark, Guardian of Yosemite Valley,” p. 3, Bancroft Library; Thomas Griffin to Alice Houghton Griffin, September 21, 1862, Thomas Griffin and Alice Houghton Griffin Correspondence, ca. 1862-1863, Bancroft Library; Sandos, “Because He is a Liar and a Thief,” 103-105; Anderson, *Ethnic Cleansing and the Indian*, 216.

the era of gold fever.<sup>224</sup> Indigenous people continued and continue to resist and endure, displaying resilience in the face of this settler colonial structure. As new global patterns of migration and cultural exchange were underway, Miwok, Yokuts, and Paiute communities would face new threats to their societies from the structures of state.

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<sup>224</sup> Wolfe, *Settler Colonialism*, 2.

## Chapter 5

### The Mariposa War and the Invasion of Ahwahnee, 1850-1851

In 1987, the local newspaper *Mariposa Gazette* interviewed Della Hern, an Ahwahneechee elder and basket weaver, about the history of her people in the Yosemite region. When asked about her people's experiences of the Gold Rush era, Hern responded that "1851 was a massacre."<sup>1</sup> Hern's knowledge of the events of that traumatic year had passed down to her from her relatives, and especially from her great-grandfather, sometimes called "Captain Sam." In 1851 Sam lived in one of the many villages of Ahwahnee, and he told of the day that his people's valley was invaded by a group of armed white settlers. When news of the approaching settlers reached Sam's village, the people frantically prepared to evacuate, but Sam was forced to leave behind his two young daughters, as he knew he could not carry them away quickly enough to escape the approaching gunmen. His elderly parents were also too feeble to leave, and had to remain behind. Before leaving with the rest of the village, Sam quickly hid his daughters between the ledges of two large rocks, and commanded them not to move, or to speak a word, until he returned. Della Hern's grandmother sat frozen between those rocks with her sister, and while she could not see, she heard as the gunmen entered her village and burned every home to the ground, along with all of her tribe's acorn granaries and other provisions. When the settlers finally left the charred ruins of the village, Sam

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<sup>1</sup> *Mariposa Gazette & Miner*, August 20, 1987.

returned and found his daughters unharmed between the rocks where he left them. His parents, however, he found “dead, hanging from a tree.”<sup>2</sup>

The traumatic events described in Della Hern’s oral history coincide to one of the events of what would come to be called the “Mariposa War,” one of the largest state-sanctioned militia campaigns to target Native peoples in California. Between 1850 and 1851, more than two hundred settler volunteers joined the “Mariposa Battalion” in this campaign of removal, and wrought havoc and violence upon communities of Yokuts, Miwok and Paiute people of the southern Sierra foothills. Today, legacies of genocide, indigenous removal, and colonialism play little to no role in the popular understandings and perceptions of the history Yosemite National Park and the southern Sierra regions. For much of her life, Hern worked in the Indian Center at the National Park founded on her ancestral lands, and encountered first-hand the way public settler narratives served to silence, marginalize, or erase this history as she, her grandmother, and other Awhahneechee people knew and continue to know it.

Hern recalled the numerous written accounts she read that did not reflect her family’s knowledge and direct experience, and her career with the National Park Service was once threatened when she publicly described the actions of the Mariposa Battalion as a “massacre.” When her supervisor informed her that this was not the proper term to describe the conflict, Hern replied, “for you, no, but for me, yes.” Hern had learned from her grandmother, who survived the invasion in 1851, hidden among the rocks, that

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<sup>2</sup> Ibid.

“people are always writing things. But if you never read about the Mariposa Battalion from an Indian, it isn’t really Indian history.”<sup>3</sup>

In popular memory, the Mariposa War has most often been associated with the “discovery” of Yosemite Valley by members of the battalion, supposedly marking the opening chapter of the national park’s history. These narratives ignore and marginalize the indigenous histories of Ahwahnee that stretch back centuries before the first arrival of non-Native invaders, and serve to perpetuate the notion that Native history in the region began only with the arrival of white settlers in the Gold Rush. Many academic treatments of the war, meanwhile, have considered it as a minor event in the broader scope of Indian policy in the state, and in the context of the genocidal fervor that raged all throughout California in this period. The Mariposa War certainly represented an important facet of both of these larger developments. These discussions, however, are concerned primarily with the actions, motivations, and attitudes of white settlers. Told through the lens of Native actions and agency, the Mariposa Campaign most fundamentally represents a disproportionate settler reaction to a growing intertribal resistance movement that aimed to fight the violence and encroachments that had devastated Native communities over the previous two years and beyond.

As the first non-Native prospectors invaded and occupied Yokuts, Paiute, and Miwok territories of the southern Sierra in and after 1848, settlers voiced acute anxieties about the possibilities of indigenous resistance and “uprisings.” In 1850 Robert Eccleston wrote in his diary that “the Indians have been committing depredations,

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<sup>3</sup> Ibid.

stealing animals & even murdering the whites” in the southern mining districts and that “no cause can be assigned for their strange conduct.”<sup>4</sup> Around the same time, Daniel B. Woods warned that Native people along the Merced River “have acquired a growing mistrust of the emigrant miners,” and that soon “the time will come when they will seek revenge.”<sup>5</sup> Settlers often deliberately stoked such fears in order to justify violent campaigns aimed indigenous peoples generally. In this southern trans-Sierra region, growing animosity towards mounting settler violence eventually coalesced into an intertribal movement of Yokuts, Miwok, and Paiute peoples which moved to fight those forces through armed resistance.

After the Ahwahneechee attack on his Merced River trading post, James Savage continued to exploit the mining labor of indigenous peoples, and maintained a “prosperous business,” extracting “enormous profits” trading with Yokuts miners at his new Fresno River post, and with Southern Sierra Miwoks on the Agua Fria.<sup>6</sup> On his return trip from San Francisco, Savage arrived in Mariposa County concerned to find numerous tribal communities vigorously asserting their autonomy over white settlers. In Quartzburg, for example, Savage was horrified to find Indians “exact[ing] tribute from the immigrants passing through their territory,” continuing a long tradition in which tribal peoples attempted to control or direct the flow of non-Native emigration on their own

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<sup>4</sup> C. Gregory Crampton, ed., *The Mariposa Indian War, 1850-1851: Diaries of Robert Eccleston* (Salt Lake City: University of Utah Press, 1957), 15-16.

<sup>5</sup> Daniel B. Woods, *Sixteen Months at the Gold Diggings* (New York: Harper & Brothers, 1851), 83.

<sup>6</sup> Lafayette Houghton Bunnell, *The Discovery of the Yosemite and the Indian War of 1851 which Led to that Event* (Chicago: Fleming H. Revell, ca. 1885), 15; Robert Fletcher Manlove, *The Ethnohistory of the Chowchilla Yokuts* (Fresno: Craven Street Books, 2012), 36.

terms.<sup>7</sup> Savage's laborers and wives, meanwhile, warned him that Ahwhaneechees were threatening another attack, "urging other tribes to join them." All this led Savage to send warnings to the "leading men in the settlements that hostilities were threatened, and advised preparations against a surprise."<sup>8</sup> Amid all these reports Savage learned that a large gathering of Yokuts and Miwok people had amassed outside his Fresno River post. Savage arrived there to find several of the chiefs he had maintained close relationships with through the previous years, through kinship ties and social alliances. Among those gathered were the prominent Chiefs Bautista of the Potoyante Miwok, Panwatchee of the Nukchu Miwok, and Tomquit and Frederico of the Pitkachi Yokuts.<sup>9</sup>

Fearing the gathered peoples intended to form "a union among themselves," Savage told the assembled peoples that he knew "some of the Indians do not wish to be friends with the white men, and that they are trying to unite the different tribes for the purpose of war." Savage told them that "it is better for the Indians and white men to be friends," before issuing a violent warning: "If the Indians make war on the white men, every tribe will be exterminated; not one will be left. I have just been where the white men are more numerous than the wasps and ants; and if war is made and the Americans are aroused to anger, every Indian engaged in the war will be killed before the whites will

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<sup>7</sup> Bunnell, *Discovery of the Yosemite*, 16; Erwin G. Gudde, *California Gold Camps: A Geographical and Historical Dictionary of Camps, Towns, and Localities Where Gold Was Found and Mined; Wayside Stations and Trading Centers* (Berkeley: University of California Press, 1975), 278-279.

<sup>8</sup> Bunnell, *Discovery of the Yosemite*, 16; Annie R. Mitchell, *Jim Savage and the Tulareño Indians* (Los Angeles: Westernlore Press, 1957), 40.

<sup>9</sup> Bunnell, *Discovery of the Yosemite*, 17-18; George Harwood Phillips, *Indians and Indian Agents: The Origins of the Reservation System in California, 1849-1852* (Norman: University of Oklahoma Press, 1997), 43; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 37.



be satisfied.”<sup>10</sup> Savage then asked the Chowchilla Yokuts chief José Juárez to speak, as he believed his old ally would validate everything he had said, and impress on the gathered people and leaders that “the white men are more powerful than the Indians.”<sup>11</sup>

Still reeling from the “belligerent treatment” Savage showed him in San Francisco, Juárez instead advised the assembled people that while white settlers were now very numerous, “they will not help the gold diggers if the Indians make war against them.” Drawing on his experiences in San Francisco, Juárez claimed that white settlers were highly divided, “of many tribes,” and that they just as often violently beat each other, as Savage had done to him. Further articulating indigenous sovereignty over their lands and lives, Juárez advocated joining with the Ahwahneeches to make “war upon the whites.” Pointing to the numerical majority that some tribal communities still held over settlers in these regions of the Southern Mines, while vigorously asserting indigenous sovereignty, Juárez “assured his listeners that, as all the territory belonged to the Indians, if the tribes would unite,” and that the entire population of white settlers “could be easily driven from their country.”<sup>12</sup> Juárez warned the assembled tribes that if they allowed the white settlers to remain on their lands any longer, “their numbers will be too great to make war upon, and the Indians would finally be destroyed.”<sup>13</sup> Highly concerned with the passion and persuasiveness of Juárez’s oratory, Savage responded that white settlers

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<sup>10</sup> Bunnell, *Discovery of the Yosemite*, 18.

<sup>11</sup> *Ibid.*, 19; Mitchell, *Jim Savage and the Tulareño Indians*, 40.

<sup>12</sup> Bunnell, *Discovery of the Yosemite*, 19; See also Hurtado, *Indian Survival on the California Frontier* (New Haven: Yale University Press, 1988), 116.

<sup>13</sup> Bunnell, *Discovery of the Yosemite*, 19-20.

were in fact “all brothers, all of one tribe,” and that they would move decisively and violently until “every tribe will be destroyed that joins in a war against them.”<sup>14</sup> José Juarez then told the audience that all those that had worked for and alongside Savage in the previous years, including himself, had been deceived, that Savage was “not a friend to the Indians. He is not our brother. He will help the gold-diggers to drive the Indians from their country.”<sup>15</sup>

After Savage and Juarez concluded their arguments, José Rey, the principal chief of the Chowchilla Yokuts, entered the circle to address the gathered people.<sup>16</sup> Rey agreed with the other Chowchilla chief, and stated that his people were prepared to wage a war “against the white gold-diggers.” Rey echoed Juarez’s call for a multi-tribal alliance, urging that “if all the tribes will go together, the white men will run from us, and leave their property behind them. The tribes who join in with my people will be the first to secure the property of the gold-diggers.”<sup>17</sup> James Savage related the story of this meeting to Lafayette Bunnell, who recorded it through the lens of Euro-American assumptions and attitudes, which held that “a common desire for plunder would be the strongest inducement to unite against the whites.”<sup>18</sup> In reality, this meeting on the Fresno River represents primarily the growing discontent among several indigenous tribes with the

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<sup>14</sup> Ibid., 20.

<sup>15</sup> Ibid., 21.

<sup>16</sup> Robert Fletcher Manlove has argued that José Rey was the Eagle Moiety chief of the Chowchilla, and José Juarez the Coyote Moiety chief. Manlove, *Ethnohistory of the Chowchilla Yokuts*, 37n.139.

<sup>17</sup> Bunnell, *Discovery of the Yosemite*, 21.

<sup>18</sup> Ibid., 21, 22.

incursions and violent actions of white settlers on their lands. For his part, Bunnell understood something of this reality, writing that he and the other white settlers of the Southern Mines “had sufficient general intelligence and knowledge of their [Indians’] character to know that we were looked upon as trespassers on their territory, but were unwilling to abandon our search for gold, or submit to their frequent demands for an ever-increasing tribute.”<sup>19</sup> That same winter the *Stockton Times* succinctly identified the grievances that led the tribal representatives to the gathering, recognizing that “the complaint on the part of the Indians” in the region “is that the white men have driven the game from their accustomed haunts; that the rivers which aforesaid so abundantly supplied them with fish, cease to afford them food; and that the Americans kill their young men.”<sup>20</sup>

While many members of these tribes were congregated on the Fresno, Adam Johnston, the Indian Agent for the San Joaquin Valley and its surrounds, arrived at Savage’s post with the aim of conducting interviews with tribal “chiefs, braves, and men of authority,” especially with the many Chukchansi and Chowchilla Yokuts. Johnston’s interview with the man he called the “chief” of the Chowchilla, probably José Rey, generally supports the picture of Savage’s meeting as recorded by Bunnell. According to Johnston, during their meeting the chief told him, “this is our country; why do the Americans come here? They are good and brave, but they come upon the land of my

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<sup>19</sup> Ibid., 270-271.

<sup>20</sup> *Stockton Times*, January 1, 1851.

people. What do they intend to do? I want to know, and must know, *right now*.”<sup>21</sup>

Articulating the threats that now faced his tribe with the recent though rapid influx of settlers and goldseekers on his land, the chief explained that “heretofore my people did not permit any stranger to pass over our country or stop in it, except Mr. Savage—he made us many presents... if you will make us presents, too, you may remain in our country *awhile*.”<sup>22</sup> Several other Yokuts chiefs met with Johnston, and told him that so long as they received the “presents” he had promised them, they would ensure that their people “should not steal or commit any depredations on the Americans,” before adding that “they could not control others.”<sup>23</sup>

As with Bunnell’s recollections, Johnston’s report of these meetings was clearly colored by his stereotypical view of Native people as greedy and duplicitous. These descriptions of Native demands for “tribute” or “presents,” however, point to a legitimate tradition in the indigenous history of these regions and beyond, in which tribal communities actively and vigorously defended their sovereignty and territorial rights against growing waves of invaders. The chiefs’ interviews with Johnston also underscored the political and social autonomy of each individual tribe in the region, each of which would adopt its own unique response to the settler invasion and the violence that followed in its wake. Those tribes that decided on a policy of peaceful negotiation with Johnston and state officials had no right or ability to control those tribes that were

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<sup>21</sup> Adam Johnston to L. Lea, March 7, 1851, in United States, 33<sup>rd</sup> Congress, Special Session, *Senate Executive Document 4* (Washington, D.C., 1853), 65. Emphasis original.

<sup>22</sup> Ibid. Emphasis original.

<sup>23</sup> Ibid.

moved to take up armed resistance. Over the course of the Mariposa War, government officials and settlers continually failed to recognize this reality, and would apply European understandings of political authority to indigenous tribes, expecting many communities that were in fact entirely independent to respond to the authority of some designated chief or leader.

After these meetings Savage departed and returned to his trading post on the Agua Fria.<sup>24</sup> Johnston followed closely behind, concerned with continuing “disaffection” he observed among the tribes between the Fresno and Mariposa Rivers, and hoping to hold further meetings with tribal leaders, this time largely Sierra Miwoks, “with the purpose of reconciling any difficulty that might exist between the Indians and the whites in that vicinity.”<sup>25</sup> After holding these conversations with several tribal chiefs and leaders, Johnston concluded that, much like the Yokuts, they posed “no immediate danger” to the settler community. Savage was extremely alarmed, however, with the “sudden disappearance” of his “domestic Indians” on December 17, 1850. Hoping to “overhaul his Indians before others could join them and defeat any contemplated depredation,” Savage gathered a group of sixteen white settlers to pursue the Native laborers that had “forsaken” him for their own villages. The armed settlers tracked them for about thirty miles before they came upon a village.

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<sup>24</sup> Bunnell, *Discovery of the Yosemite*, 22-23; Mitchell, *Jim Savage and the Tulareño Indians*, 41.

<sup>25</sup> Adam Johnston to Peter H. Burnett, January 2, 1851, Office of the Adjutant General, Indian War Papers, California State Archives, Sacramento, California (hereafter cited as Indian war Papers).

In an echo of Della Hern's oral history, the tribe quickly evacuated the village, forced to leave behind "two small boys asleep, and the remains of an aged female, who had died, no doubt, from fatigue." Savage then ascended a hill top, and came within view of Potoyante Chief Bautista and his people, on another nearby ridge. Ever since Savage had begun his trading operations in the Southern Mines, Bautista had been one of his primary allies and partners. Now, Bautista shouted over to the settlers that he "would not now permit" Savage to approach. He also revealed that in Savage's absence, his Fresno River trading post had been attacked and destroyed in a raid.<sup>26</sup> Fluent as he was in Southern Sierra Miwok, Savage spoke with Bautista at a distance, and told the Miwoks that "it would be better for them to go back to their villages—that with very little daily labor, they could procure sufficient gold to purchase them clothing and food."<sup>27</sup> Bautista refused to re-commit his people to the exploitative labor system by which Savage had so long profited. Maintaining some respect for Savage and their former relationship, Bautista instead offered Savage the opportunity to join his people's cause. Bautista promised Savage that he would personally "protect him and his property" if he joined his cause, and would "not interfere" with his affairs if he maintained neutrality. Bautista warned, however, that if Savage joined with other white settlers against the Miwoks, he

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<sup>26</sup> Ibid; See also *Stockton Times*, January 22, 1851.

<sup>27</sup> Johnston to Burnett, January 2, 1851, Indian War Papers. See also Crampton, *Diaries of Robert Eccleston*, 20; Phillips, *Indians and Indian Agents*, 44-45; Manlove, *Ethnohistory of the Chowchilla Yokuts*, 38.

would be killed.<sup>28</sup> Finding “all of his efforts to induce [the Miwoks] to return” had failed, Savage and the armed settlers retreated back to the Agua Fria.<sup>29</sup>

On December 20, Johnston left for Savage’s Fresno post with a party of 35 settlers, and “dispatched couriers to Agua Frio, Mariposa, and several other mining regions,” urging other settlers to meet there to “pursue the Indians into the mountains.” After his arrival at the post, Johnston claimed to find “a horrid scene of savage cruelty.” Johnston’s conspicuous descriptions of the scene, however, belied the reality that many tribal communities faced as white settlement decimated their traditional economies and access to food sources. According to Johnston, “the store was stripped of blankets, clothing, flour, and everything of value,” along with all of the livestock kept there. Finally, Johnston found the bodies of three men riddled with arrows. Johnston sent a detailed report of these events to California Governor Peter H. Burnett, “at the earnest solicitation of the people of that region to ask such aid from the State Government that will enable them to protect their persons and property.”<sup>30</sup>

Johnston’s report and appeal to the governor reveal that the foundations of the Mariposa War lay primarily in settler anxieties over a growing intertribal movement of resistance. Johnston warned the governor that the settlers he had amassed on the Fresno were not sufficient “to pursue the Indians further into the mountains,” while the Indian people of the region “are quite numerous and have been uniting the tribes with them for

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<sup>28</sup> *Stockton Times*, January 1, 1851.

<sup>29</sup> Johnston to Burnett, January 2, 1851, Indian War Papers; Crampton, *Diaries of Robert Eccleston*, 20.

<sup>30</sup> Johnston to Burnett, January 2, 1851, Indian War Papers; Johnston to L. Lea, March 7, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 65-66. See also Bunnell, *Discovery of the Yosemite*, 23.

some time.”<sup>31</sup> For Johnston, the events leading up to the attack on the Savage’s Fresno post “established beyond doubt that a general hostility existed. I had obtained information that the Indians declared open war upon the whites, and every day’s report confirmed the fact.”<sup>32</sup>

In the aftermath of the raid on Savage’s Fresno post, an incensed settler population carried out several disproportionately violent campaigns of reprisal against local tribal communities. Most importantly, however, these settlers petitioned the state government for the formation of militias that could continue the violent work they had already begun on their own. After Johnston and Savage left the Fresno, news of Indian robberies and raids on white settler camps along the San Joaquin began to circulate throughout the region.<sup>33</sup> Mariposa County Sherrieff James Burney warned the new governor, John McDougal, that some mining camps had been entirely abandoned in the wake of these raids, and that “nearly all the mules and horses in this part of the state have been stolen, both from the mines and the ranches.”<sup>34</sup> These threats to property were primarily what drove Burney to petition the governor for “assistance” in quelling these acts of indigenous resistance. Burney specifically justified his request by claiming that

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<sup>31</sup> Johnston to Burnett, January 2, 1851, Indian War Papers.

<sup>32</sup> Johnston to Lea, March 7, 1851, in 33 Cong. Spec. Sess., *Senate Exec. Doc. 4*, 65. Emphasis original.

<sup>33</sup> James Burney to Governor McDougal, January 13, 1851, Indian War Papers; Bunnell, *Discovery of the Yosemite*, 23.

<sup>34</sup> James Burney to Governor McDougal, January 13, 1851, Indian War Papers.



“the people have done all they can do to suppress these things,” and provided a detailed account of a violent campaign he had already carried out against the local tribes.<sup>35</sup>

After the raid on the Fresno, Sherriff Burney “endeavored to raise a volunteer company to drive the Indians back,” and on January 6, 1851, Burney gathered 74 armed men, who immediately elected him “Captain” of this extra-legal band of vigilantes.<sup>36</sup> The following day, Burney’s men tracked a “large trail of horses that had been stolen by the Indians.” In the middle of the night, Burney sent Savage forward, who located a Native village nearby when he heard the sounds of voices singing, probably in an intertribal spiritual ceremony attended by “about a hundred and fifty” Chowchilla and “several” Chukchansi Yokuts.<sup>37</sup> Just after dawn, Burney “ordered a charge on the village.” Burney estimated that his men killed “from 40 or 50,” but could “not tell exactly how many,” because many were shot as they attempted to escape into the surrounding chaparral. A number of warriors in the village actively fought back against this onslaught, with both bows and rifles, but only wounded six of Burney’s men, two of whom were killed.<sup>38</sup>

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<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.; T.G. Palmer to My Dear Father, January 16, 1851, in Lafayette Houghton Bunnell, *The Discovery of the Yosemite and the Indian War of 1851 which Led to that Event* (Los Angeles: G. W. Gerlicher, 1911), 31; Madley, *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873* (New Haven: Yale University Press, 2016) 188; Crampton, *Diaries of Robert Eccleston*, 16.

<sup>38</sup> Palmer to Father, January 16, 1851, in Bunnell, *Discovery of the Yosemite* (1911), 32-33; James Burney to Governor McDougal, January 13, 1851, Indian War Papers.

After all of the survivors fled, Burney's men burned one hundred homes and all of the village's provisions, which included "several tons" of horse and mule meat, and took the handful of live horses and mules left behind.<sup>39</sup> In deliberately destroying the food stores of this village, Burney's men continued an insidious tradition of settler violence practiced since the earliest stages of the Gold Rush, one that drove tribal communities to rely on stock raiding to survive.<sup>40</sup> Burney ended his report with a plea that the governor authorize him "to keep the company together" to continue these violent campaigns, and warned that if he was not supplied by the state with arms, provisions, and pay, "my company must be disbanded."<sup>41</sup>

Only two days after his first attack on the Yokuts village, Burney left for Agua Fria to gather more reinforcements and made plans to "attack another village," leaving 36 men behind at the base of the mountain.<sup>42</sup> After Burney's departure, these men followed a group of Indians to the North Fork of the San Joaquin River, until they came upon a large encampment of several hundred Indians. According to Bunnell, this encampment included members of the Chowchilla, Chukchansi, and Kaweah Yokuts, Nukchu, Potoyante, and Pohoneechee Miwoks, and Ahwaneechees, all of whom had decided to actively resist white encroachments, and forged a loose coalition under the leadership of

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<sup>39</sup> Ibid.

<sup>40</sup> Madley, *An American Genocide*, 188.

<sup>41</sup> James Burney to Governor McDougal, January 13, 1851, Indian War Papers.

<sup>42</sup> Burney to McDougal, January 13, 1851, Indian War Papers; Crampton, *Diaries of Robert Eccleston*, 18; Bunnell, *Discovery of the Yosemite*, 26.

the Chowchilla Chief José Rey.<sup>43</sup> A few days after Burney's men located this encampment, James Savage arrived with a further force of 100 men, and the armed settlers planned their attack. Revealing the insidious and calculated nature with which settlers carried out such attacks, Savage's men, according to Lafayette Bunnell's recollections, decided that "every effort should be made to set fire to the village" before launching their assault.<sup>44</sup> Just before dawn on about January 18, the settlers rushed into the camp carrying "brands from the camp fires," and torched every dwelling they could find, while "at the same time madly attacked the now alarmed camp."<sup>45</sup> José Rey was "among the first that was shot down," and while his panic-stricken people carried him to safety, 23 of his Yokuts, Miwok, and Ahwahneechee followers were killed. Of the attackers, meanwhile, "but one was really wounded" and "none were killed."<sup>46</sup> Frustrated that the remaining survivors managed to escape under the cover of smoke from the incinerated homes, Savage and his men returned to Agua Fria.<sup>47</sup>

While settlers' accounts of massacres such as this are unsurprisingly couched in the language of conquest, they also include important—if fleeting—glimpses of the indigenous understandings of these events. While mining in the Mariposa region, Robert Eccleston recorded in his diary news regarding Indian "depredations" that arrived with

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<sup>43</sup> Ibid.

<sup>44</sup> Bunnell, *Discovery of the Yosemite*, 27.

<sup>45</sup> Ibid., 26-27.

<sup>46</sup> Ibid., 28.

<sup>47</sup> Crampton, *Diaries of Robert Eccleston*, 18-19, 23; Bunnell, *Discovery of the Yosemite*, 27.

the return of Burney and Savage's campaigns. Eccleston noted that when Savage and Burney attacked the Chowchilla and Chukchansi encampment, "the Indians repeatedly called for Savage & when they found where he was that was the spot to which the fire was thickest."<sup>48</sup> Lafayette Bunnell, recalling the subsequent attack on the intertribal encampment near the San Joaquin, meanwhile, wrote that Savage "kept himself in reserve, knowing that he would be an especial mark."<sup>49</sup> In a contemporary description of the same attack, the *Stockton Journal* reported that "the great desire" of the assembled tribes was "to kill Savage. During the fight, they repeatedly called out his name; and if he had not been so disguised that they did not know him, they probably would have singled him out as a victim of revenge."<sup>50</sup> All of these accounts suggest something of the immense sense of betrayal and anger that several of these tribes must have felt towards Savage, especially those that had forged alliances and kinship ties with him over the preceding years. From the perspective of many Miwok and Yokuts people, the same man that they made rich in gold dust, that they accepted into their tribes, and trusted as an ally, now targeted them as violently and indiscriminately as any other white settler.

In other regions of the southern Sierra, several other Miwok and Yokuts tribes, even those not explicitly allied with José Rey's cause, actively resisted settler encroachments and violence upon their peoples. Over the winter of 1850-1851, influxes of white settlers and prospectors began to reach further and further into indigenous

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<sup>48</sup> Crampton, *Diaries of Robert Eccleston*, 17.

<sup>49</sup> Bunnell, *Discovery of the Yosemite*, 26.

<sup>50</sup> *Stockton Journal*, January 29, 1851.

territories that had until that point been largely removed from colonial settlement. In the southern extremities of California's mining regions, a group of five Euro-American prospectors had been mining various sites along the San Joaquin River, in Valley Yokuts territory. One day while resting around "Four Creeks," a group of Yokuts "came down from their village and demanded tribute for crossing their territory." The settlers, however, ignored the Yokuts and "regarded the demand of the 'Indian tax-gatherers' but as a trivial affair." Enforcing their territorial sovereignty over their own lands, the Yokuts then assembled a group of warriors and killed four of the five settlers, while the other escaped with a wounded arm, bringing news of "murders and depredations" that soon circulated throughout the mining camps and settlements of Mariposa County.<sup>51</sup> After hearing these reports, Sheriff Burney turned his attention south in late January and early February, and led his vigilantes into the Four Creeks region, where they "had several small skirmishes" with the Yokuts, and "took some animals."<sup>52</sup>

In the first week of January 1851, meanwhile, prospectors were pressing deeper into areas of Sierra Miwok territory, amid reports of "new gold regions beyond the Stanislaus." After some of these prospectors claimed that Miwok people stole "all their mules and provisions," and attacked another party of a French miner, "a small company was immediately raised" around the settlement of Columbia. After marching 25 miles, these 65 armed settlers found and fired upon a Miwok village, killing twenty. After the

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<sup>51</sup> Bunnell, *Discovery of the Yosemite*, 23-25; *Daily Alta California*, January 26, 1851; Wallace W. Elliot, Publisher, *History of Fresno County* (San Francisco: Wallace W. Elliot & Co., 1882), 173.

<sup>52</sup> Crampton, *Diaries of Robert Eccleston*, 19, 23. See also *Stockton Journal*, February 15, 1851.

survivors had all fled, the invading settlers found some Euro-American clothing left behind, along with the French miner's "prospecting pan," illustrating the continuing importance a mixed economy involving gold mining for many Miwok tribes facing the traumas of colonial violence and settlement.<sup>53</sup> Further to the north, meanwhile, Euro-American prospectors feared the "whole district at the headwaters of the Stanislaus, Moquelumne, and Calaveras" was under the threat of "a sudden irruption of the hostile Indians." After a number of white prospectors lost their livestock to Miwok raiders, "200 old Mexican campaigners," and "about an equal number from the neighborhood of Moquelumne Hill" joined with "100 of the Garde Mobile," who "at once assembled and immediately detached parties in pursuit and work a terrible vengeance upon the Indian tribes."<sup>54</sup> In explaining the rationale behind forming such an immense armed force to target Miwok people, one Moquelumne Hill prospector claimed that these tribes "possess upwards of 700 mules, horses, and cattle; and that they have frequently defied the white man to re-take them."<sup>55</sup>

The settler population of Mariposa County grew increasingly agitated at each of these assertions of tribal sovereignty, including demands for "tribute" to work or move through Native lands, violent resistance to white settlement and incursions, and the continuation of raids on white mining camps for stock and other food sources, clothing, blankets, and gold mining implements. Settlers increasingly voiced fears over general

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<sup>53</sup> *Stockton Times*, February 12, 1851.

<sup>54</sup> *Stockton Times*, January 8, 1851.

<sup>55</sup> *Stockton Times*, January 25, 1851.

indigenous resistance, and specifically the perception that several tribes were actively “concentrating” to carry out “extensive operations” against white settlers.<sup>56</sup> The *Stockton Times* warned that “it now appears that with few exceptions the whole of the Indian tribes from the Cosumnes to the King’s River,” a massive stretch of land comprising the territories of several Nisenan, Northern, Central, and Southern Sierra Miwok, Valley and Foothill Yokuts peoples, “are in a state of insurrection.”<sup>57</sup> Citing these fears and rumors, Richard H. Daly, an attorney, and J. M. Bondurant, a judge—both of Mariposa County—petitioned the governor on January 13, echoing many of Burney’s warnings and voicing support for his call for further armed retaliation. “The Indians,” they admonished the governor, “are in arms and threaten to continue their hostilities.” While noting that “property is unsafe and life insecure,” the petition most illuminatingly warned that should this movement of tribal resistance be allowed to continue, “this portion of our beloved state will soon become depopulated.”<sup>58</sup> An intertribal coalition thus represented the most urgent threat to the settler project itself, with its aim of replacing the indigenous populations with a mostly white, Anglo, and protestant settler society.

Local and state newspaper coverage of the violence in Mariposa County actively stoked these fears. The *Daily Alta California* warned that without “immediate action,” the southern mining districts would soon be, “if not depopulated, at least most ruinously

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<sup>56</sup> Bunnell, *Discovery of the Yosemite*, 25.

<sup>57</sup> *Stockton Times*, January 25, 1851.

<sup>58</sup> J. M. Bondurant, County Judge, Richard H. Daly, County Attorney, David Easton, and “Seventy others” to P. H. Burnett, January 13, 1851, Indian War Papers.

checked in their progress.”<sup>59</sup> The paper went on to acknowledge that most fundamentally, “the settlement of the whites in the plains and vallies has necessarily driven the game from the grounds whence the Indians. Of course they attribute their threatened starvation to the presence of the whites.” Violent force was, according to the paper, all the more necessary to ensure the progress of white settlement, because “hunger and desperation are not likely to make them very tractable.”<sup>60</sup> The *Stockton Journal* concurred, “some action on the part of the executive of the state is absolutely necessary to protect our Southern mining district from being depopulated.”<sup>61</sup> With newspapers circulating sensationalist claims that a pan-tribal movement sought to “exterminate the whites,” Bondurant and Daly’s petition called for just this executive action, asking the governor to raise a “temporary army to suppress riots and prevent depredations.”<sup>62</sup> Sheriff Burney, the petitioners suggested, would be a natural choice for a commander of such an army, as “he has the confidence of our citizens” and “is exceedingly popular.”<sup>63</sup> Amid the growing anxieties over the prospect of organized and concerted Native resistance, more than seventy other white settlers of Mariposa County signed Daly and Bondurant’s petition.

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<sup>59</sup> *Daily Alta California*, January 21, 1851.

<sup>60</sup> *Ibid.*

<sup>61</sup> *Stockton Journal*, January 18, 1851.

<sup>62</sup> *Daily Alta California*, January 21, 1851; Bondurant, Daly, and Easton to Burnett, January 13, 1851, Indian War Papers.

<sup>63</sup> Bondurant, Daly, and Easton to Burnett, January 13, 1851, Indian War Papers.



Before he could receive this petition, or Burney's report, Governor John McDougal responded officially to the mounting settler outcry over the supposedly impending "general uprising" of tribes.<sup>64</sup> Writing to Sheriff Burney, McDougal noted that he had received numerous reports of Indian "depredations," and "many murders" throughout Mariposa County and the Southern Mines. Perhaps most tellingly, McDougal added that the reports and petitions spoke of several tribes in the region "now assembling with avowed hostile intentions." Acting in his capacity as Commander in Chief of the California State Militia, McDougal ordered Sheriff Burney to assemble "one hundred able bodied militia of your county armed and equipped," whose express objective would be to "punish the Indians engaged in the disturbances which have occurred." Such an armed force would be made up of volunteers, but McDougal assured Burney that either the state or federal government would provide pay for these men at a later date.<sup>65</sup>

Burney had little trouble finding willing recruits for such a force. By the time the order reached Agua Fria, according to Lafayette Bunnell, so many armed men had already taken up arms of their own initiative—under Burney and Savage—that this "impromptu organization formed the nucleus of the volunteer force" ordered by the governor.<sup>66</sup> After receiving Bondurant and Daly's petition, along with a further flood of highly provocative reports, McDougal sent a second order authorizing the raising of a further hundred militiamen.<sup>67</sup> James Savage traveled as far as "Cassady's Bar," on the

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<sup>64</sup> Bunnell, *Discovery of the Yosemite*, 29.

<sup>65</sup> John McDougal to James Burney, Sheriff of Mariposa County, January 13, 1851, Indian War Papers.

<sup>66</sup> Bunnell, *Discovery of the Yosemite*, 29; Crampton, *Diaries of Robert Eccleston*, 34.

San Joaquin to gather recruits, and once fully mustered in the so-called “Mariposa Battalion” comprised some 204 men.<sup>68</sup>

Soon after issuing these orders, McDougal wrote to the state legislature, complaining that these hundreds of volunteers could not be expected to “abandon their avocation and engage in the service of the state without compensation, or, at least, without some assurance that the actual expenses incurred by them will be refunded.”<sup>69</sup> Failing to provide funds to the settlers of Mariposa County, the governor argued, would spell disaster for the settler project in California, as quelling this Indian resistance required citizens to abandon their mining operations and businesses.<sup>70</sup> Most importantly, continued Indian resistance all but ensured that “that portion of the country occupied by the Indians must be evacuated by the miners.” By March of 1851, McDougal claimed that “a large number” of settlers had already fled the Mariposa region for “those portions of the state most secure from depredations by the Indians, and that many have been compelled to suspend their avocations.”<sup>71</sup> McDougal assured the legislators, however, that any state allocations made in support of the Mariposa Battalion need only be temporary, as it was the responsibility of the federal government, “under the provisions

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<sup>67</sup> John McDougal to Col. Neely Johnson, January 25, 1851, in California, *Journal of the Senate*, 2<sup>nd</sup> Session (San Jose, 1851), Appendix Q, 672; *Daily Alta California*, January 14, 22, 1851.

<sup>68</sup> Bunnell, *Discovery of the Yosemite*, 29; Crampton, *Diaries of Robert Eccleston*, 26, 34; Elliot, *History of Fresno County*, 177-178; Paul E. Vandor, *History of Fresno County California with Biographical Sketches* (Los Angeles: Historic Record Company, 1919), 72; Erwin G. Gudde, *California Gold Camps* (Berkeley: University of California Press, 1975), 63.

<sup>69</sup> John McDougal to the Legislature of California, January 20, 1851, Indian War Papers.

<sup>70</sup> Ibid.

<sup>71</sup> John McDougal to the Senate and Assembly of California, March 15, 1851, Indian War Papers.

of the Constitution, to protect each state against foreign invasion and domestic violence.”<sup>72</sup> In due time, McDougal reiterated, the authorities in Washington would, “no doubt, ultimately provide for their payment,” but that until then, “the State owes it to them to see that they are compensated.”<sup>73</sup>

After mustering into the battalion, Lafayette Bunnell noted that “the volunteers provided their own horses and equipments,” while “the camp supplies and baggage trains were furnished by the state.”<sup>74</sup> By February of 1851, the state legislature had in fact provided for the financial support of the Mariposa Battalion, deciding to fully endorse McDougal’s calls for a vigorous armed response to perceived indigenous resistance in the Southern Mines. The legislature borrowed \$500,000 to fund the present and future operations of the Mariposa Battalion, along with two other militias raised to target indigenous communities in El Dorado County and the Gila River Country.<sup>75</sup>

In Agua Fria, the more than two hundred armed settlers gathered to elect their own officers. The assembled militiamen chose James Savage to serve as the Battalion’s commander or “Major,” elected, according to Robert Eccleston, “without an opposing candidate or a dissenting voice.”<sup>76</sup> John Boling, John Kuykendall, and William Dill,

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<sup>72</sup> John McDougal to D. Broderick, President of the California Senate, January 18, 1851, Indian War Papers.

<sup>73</sup> John McDougal to California Senate, January 18, 1851, Indian War Papers; John McDougal to the Legislature of California, January 20, 1851, Indian War Papers.

<sup>74</sup> Bunnell, *Discovery of the Yosemite*, 29.

<sup>75</sup> Madley, *An American Genocide*, 190; See also Brendan Lindsay, *Murder State: California’s Native American Genocide, 1846-1873* (Lincoln: University of Nebraska Press, 2012), 240-243.

<sup>76</sup> Crampton, *Diaries of Robert Eccleston*, 26.

meanwhile, were elected to lead each of the battalion's three companies as "Captains."<sup>77</sup> Charged with "keeping in subjugation the Indian tribes on the east side of the San Joaquin and Tulare Valleys," Savage and the militia immediately prepared for an assault against the local tribes, and sent a number of "scouting parties" to force a "general retreat of the Indians to the mountains." A frustrated Lafayette Bunnell, however, noted that "when about to start on a more extended expedition" against several tribes of the southern Sierra, "Major Savage received an order from the Governor to suspend hostile operations until he should receive further instructions." "We learned about the same time through the newspapers, as well as from the Governor's messenger," Bunnell remembered, "that the United States Commissioners had arrived in San Francisco."<sup>78</sup> Thirsting for violent action, the militiamen begrudgingly halted, to remain "stationed" at their encampment outside Agua Fria, as if taunted by the sight of local Indians "often seen provokingly near."<sup>79</sup>

This order came as a result of the federal government's appointment of three commissioners, Oliver M. Wozencraft, Reddick McKee, and George Barbour, charged with the nebulous orders to "hold treaties with various Indian tribes in the State of California."<sup>80</sup> None of the three commissioners had any prior experience in Indian

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<sup>77</sup> Ibid., 25-26; Bunnell, *Discovery of the Yosemite*, 30.

<sup>78</sup> Bunnell, *Discovery of the Yosemite*, 31.

<sup>79</sup> Crampton, *Diaries of Robert Eccleston*, 26; Bunnell, *Discovery of the Yosemite*, 31.

<sup>80</sup> A. S. Loughery to Reddick McKee, Geo. W. Barbour, and O. M. Wozencraft, October 15, 1850, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 8. See also Harry Kelsey, "The California Indian Treaty Myth," *Southern California Quarterly* 55, no. 3 (1973): 230; Robert F. Heizer, "The Eighteen Unratified Treaties of 1851-1852 Between the California Indians and the United States Government," (Publications of the

Affairs generally, nor any specific knowledge of California Indian history, culture, or conceptions of land ownership.<sup>81</sup> Before departing on this mission, the three men were informed by the Commissioner of Indian Affairs that the federal government could provide them with “little or no information respecting the Indians of California.” Upon their arrival in California, they were to meet with Adam Johnston, the Indian Agent for the San Joaquin Valley and its vicinity, who had been ordered to give “all the information in his possession” regarding local Miwok, Yokuts, and Paiute peoples, and to support the commission with “all the aid in his power.”<sup>82</sup> The government’s knowledge of indigenous histories, cultures, economies, and social conditions was so scant that in addition to their charge of negotiating treaties of “peace and friendship,” the commission was specifically admonished to “obtain all the information it can with reference to tribes of Indians within the boundaries of California, their manners, habits, customs, their disposition towards the whites and each other, and the extent of civilization.”<sup>83</sup>

Shortly after arriving in San Francisco, Barbour, McKee, and Wozencraft met with Governor McDougal in San Jose, and learned of the recent outbreaks of militia violence in Mariposa County and throughout the southern mining regions.<sup>84</sup> Adam

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University of California Archaeological Research Facility, 1972), 1; O. M. Wozencraft, “Indian Affairs,” p. 1, Bancroft Library; .

<sup>81</sup> Heizer, “The Eighteen Unratified Treaties,” 4.

<sup>82</sup> Loughery to McKee, Barbour, and Wozencraft, October 15, 1850, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 8-9.

<sup>83</sup> Kelsey, “The California Indian Treaty Myth,” 230; Loughery to McKee, Barbour, and Wozencraft, October 15, 1850, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 9.

<sup>84</sup> R. McKee to Luke Lea, January 13, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 53.

Johnston reported that the Indians were “wild and ignorant,” though “the least warlike or savage of any Indians on the face of the globe.” The commissioners also learned that many white miners and traders like James Savage chose to settle near Native villages specifically to exploit Native labor.<sup>85</sup> Overall, the commissioners were alarmed at the “very belligerent” actions the governor and legislature had already taken by raising a battalion of over 200 armed settlers.<sup>86</sup>

The commissioners were cognizant that the violent actions of settlers, with the backing of the state, were largely responsible for the impending crisis in the Gold Country, with McKee noting that most of California’s tribes “evinced a peaceable disposition,” while white settlers themselves had “generally been the aggressors in every quarrel of outbreak that has occurred” throughout California.”<sup>87</sup> “It will not be denied,” the commissioners argued in a public address, “that the Indians have been the aggressors” in “some of the difficulties” reported to them. Still, “they were the original owners and occupants of those beautiful valleys and mountain ranges.” With the advent of the Gold Rush, however, “the Indian has been by many considered and treated as an intruder, as a common enemy of the whites, and in many instances shot down with as little compunction as a deer or an antelope.”<sup>88</sup> McKee clearly identified the fundamental

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<sup>85</sup> Adam Johnston to Orlando Brown, July 6, 1850, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 39; See also Ruth Caroline Dyer, “The Indians’ Land Title in California: A Case in Federal Equity, 1851-1942,” (Master’s Thesis, University of California, Berkeley, 1944), 8.

<sup>86</sup> McKee to Lea, January 13, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 55; Crampton, *Diaries of Robert Eccleston*, 36.

<sup>87</sup> R. McKee to Luke Lea, December 6, 1850, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 53; *Daily Alta California*, January 14, 1851.

motivations behind indigenous resistance to white settlement, and, in turn, the violent settler responses that would follow: “the Indians claim the country as their native soil... and the whites want to explore it for gold, and, if they find the metal there, will insist upon retaining its possession.”<sup>89</sup>

After their meetings with state and federal officials, the commissioners set off for the Gold Country with the aim of negotiating peace before further violence could unfold. Distrustful of the state authorities’ violent impulses, they refused the assistance of J. Neely Johnson, McDougal’s staff officer that had been ordered to support the commission with militia forces.<sup>90</sup> General Persifor F. Smith, commander of the U.S. Army’s Pacific Division, by contrast, offered the commissioners an army escort which, he claimed, “would not approach the Indians in a hostile manner, but first exhaust all peaceable means to effect the object of their mission. To approach them with a powerful force of troops would only defeat their purpose.” The commissioners met with Smith in Benicia, and found his approach more conducive to the commission’s stated intentions.<sup>91</sup> The commissioners made their way towards Mariposa from San Jose under a United States Army escort of 101 soldiers and ten officers under the command of Captain E. D. Keyes. McKee was satisfied with this arrangement precisely because he believed Keyes,

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<sup>88</sup> Reddick McKee, Geo. W. Barbour, and O. M. Wozencraft, “To the People of California, residing in the vicinity of the Indian troubles,” in *Daily Alta California*, January 14, 1851.

<sup>89</sup> McKee to Lea, December 6, 1850, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 52.

<sup>90</sup> Reddick McKee to Luke Lee, February 11, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 55; John McDougal to Messrs. McKee, Barbour, and Wozencraft, U.S. Indian Commissioners, January 25, 1851, in California, *Journal of the Senate*, 2 Sess., Appendix R, 676.

<sup>91</sup> *Daily Alta California*, January 24, 1851.

unlike the state militia officers, would be willing to cooperate with Native people, and to employ the “olive branch rather than the sword.”<sup>92</sup>

Tensions between the federal commissioners and state officials notwithstanding, Governor McDougal was sufficiently satisfied with their meeting that he ordered the Mariposa Battalion to halt all operations until the commissioners could “proceed to the scene of the Indian disturbances” and negotiate with the tribes.<sup>93</sup> Under McDougal’s orders, however, as soon as the commissioners concluded negotiations, the Mariposa Battalion would be authorized to carry out a “vigorous prosecution” of war against any and all Indians “still found to be obstinate and intractable.”<sup>94</sup> McDougal also gave Colonel Johnson the broad authority to raise as many additional militia troops as he deemed necessary, at his sole discretion.<sup>95</sup> When Johnson met with the commissioners, he promised them that “he would hold his command in abeyance until we had made an effort to treat with the Indians,” but that “if we were unsuccessful, he would then make war upon them, which must of necessity be one of extermination to many of the tribes.”<sup>96</sup> Those tribes that sought to continue a movement of active resistance against white settlement would be the direct target of state-sponsored militia violence, as McDougal

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<sup>92</sup> McKee to Lea, February 11, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 55.

<sup>93</sup> John McDougal to California Senate, January 18, 1851, Indian War Papers.

<sup>94</sup> McDougal to Johnson, January 25, 1851, in California, *Journal of the Senate*, 2 Sess., Appendix Q, 673-674.

<sup>95</sup> *Ibid.*, 674.

<sup>96</sup> G. W. Barbour, Reddick McKee, and O. M. Wozencraft to Luke Lea, February 17, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 58-59.



now wielded the Mariposa Battalion as a tool of violent enforcement for the treaty negotiation process.

On February 15, Johnson reached the battalion's camp, and conveyed his orders to the volunteers, explaining that they would now be under the authority of the treaty commissioners, but that once negotiations were concluded they would be "assigned to the duty of subduing such Indian tribes as could not otherwise be induced to make treaties with them, and at once cease hostilities and depredations."<sup>97</sup> Many of the settler volunteers within the battalion voiced their unwillingness to await the results of any treaty negotiations. Lafayette Bunnell remembered that many of the recruits were "not fully impressed" with Johnson's speech, and would be satisfied only when they could unleash violence against the Indians, as retribution for their "depredations" and "atrocities."<sup>98</sup> Frustrated that he might have to wait some "15 or 20 days" before taking up arms, Robert Eccleston noted in his journal that "it is Major Savage's opinion that no treaty can be made with Indians or if made it will not be respected."<sup>99</sup>

This statement belies either an astounding ignorance or willful misstatement on Savage's part, since several Miwok and Yokuts tribes of the southern Sierra had actively pursued treaty negotiations almost immediately after goldseekers first invaded their lands. As has been previously discussed, many tribes were willing, through these treaties, to grant white settlers some degree of access to their lands, in exchange for

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<sup>97</sup> Bunnell, *Discovery of the Yosemite*, 35; Crampton, *Diaries of Robert Eccleston*, 27.

<sup>98</sup> Bunnell, *Discovery of the Yosemite*, 35.

<sup>99</sup> Crampton, *Diaries of Robert Eccleston*, 26-27.

payment and for a guaranteed right for tribal people to access their traditional hunting grounds free and unmolested. Historical evidence suggests that in most of these cases, however, white settlers themselves either refused to these agreements in the first place, or reneged on them shortly after their implementation.<sup>100</sup>

On February 11, Barbour and Wozencraft made camp at Dent's Ferry, on the Stanislaus River, and began negotiations with a group of some "three or four hundred Indians." After sending messengers into the surrounding country to invite more chiefs and tribal members to their camp for talks, the commissioners reported that these Indians, probably mostly Valley Yokuts, were "very pleased" with their proposal, and agreed to sign on to a final treaty in later months. The commissioners then moved south and held meetings with members of several tribes near the Tuolumne River, many of whom similarly voiced an interest in agreeing to a treaty. Wozencraft and Barbour's preliminary meetings with these tribal communities are extremely important for the ways they underscore much of the inter-tribal tensions and disagreements that arose in response to white settlement in the Gold Rush era. The Awalache Miwok Chief Cypriano, who had an extensive history of stock raiding throughout the San Joaquin Valley in previous years, agreed to meet with "hostile" chiefs of the tribes further into the Sierra foothills, along the headwaters of the Mariposa, Merced, and Tuolumne Rivers, in an attempt to convince them to negotiate with the commissioners.<sup>101</sup> These chiefs had led their tribes

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<sup>100</sup> Galen Clark, *Indians of the Yosemite Valley and Vicinity: Their History, Customs, and Traditions* (Yosemite Valley, CA: Galen Clark, 1904), 7; George W. B. Evans, *Mexican Gold Trail: The Journal of a Forty-Niner* (Los Angeles: Anderson & Ritchie, 1945), 219-220; Bunnell, *Discovery of the Yosemite*, 16, 270-271.

in active resistance to white settlement, and the commissioners were doubtful that Cypriano would be able to convince them to come in for negotiations, “owing to the hostility that has existed for time immemorial” between the tribes of the mountains and the valley.<sup>102</sup>

Some of these tensions can be explained by the decades of colonial disruption and destruction that ravaged the indigenous societies of the southern Sierra since the end of the eighteenth century. Some tribal communities in the San Joaquin Valley had by this time a longer and more direct experience with white settlement, experience which may have informed their decision to pursue a policy of peaceful negotiation so as to avoid further settler violence. Others, especially those in the higher Sierra, had suffered under the colonial legacies of disease and economic disruption for decades, but were in a position of relative numerical strength, and chose to take up active resistance to the more recent settler incursions on their lands. Finally, the legacies of colonization, especially population decline, led directly to severe social disruptions that brought about a dramatic realignment in some tribes’ spheres of influence and territorial reach, adding another source for inter-tribal tension.

The commissioners slowly made their way south, meeting with other tribes and specifically warning them that “if they persisted in their hostility to the whites,” they would face “destruction, and even the entire annihilation of their whole tribe” at the

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<sup>101</sup> Barbour, McKee, and Wozencraft to Lea, February 17, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 58; Phillips, *Indians and Indian Agents*, 69.

<sup>102</sup> Barbour, McKee and Wozencraft to Lea, February 17, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 58.

hands of the Mariposa Battalion.<sup>103</sup> James Savage, who had met with the commissioners and acted as an interpreter for some of their preliminary meetings, departed with about “half a dozen” tribal messengers, who brought chiefs of the upper foothills news that the commissioners had set a date of March 9 to meet along the Mariposa River, where the final terms of a treaty would be agreed.<sup>104</sup> The commissioners hoped that representatives of some of the “hostile” tribes, especially the Ahwahneechees, would come to this meeting. At the same time, they were cognizant that the powerful and numerous Chowchillas, along with the Pohoneechees, Pitkachis, and Chukchansis, were unlikely to appear for negotiations.<sup>105</sup> Any chiefs or representatives wishing to negotiate, however, would be required to traverse the highly militarized landscape of the lower foothills, now teeming with more than 300 armed men of both the Mariposa Battalion and Captain Keyes’s U.S. Army regulars.

On the evening of March 8, the commissioners set up camp at “Fremont’s old camp,” near the same place that Southern Sierra Miwok leaders had negotiated the treaty with white settlers in 1849. The next day, only one tribe, the Coconoon Yokuts, arrived at Camp Fremont, but their chief promised that a few other tribes were determined to negotiate, and would be arriving in a few days. In the following days, representatives of two more tribes arrived at Camp Fremont, including the Potoyante Miwok Chief Bautista,

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<sup>103</sup> G. W. Barbour and O. M. Wozencraft to Luke Lea, March 5, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 60.

<sup>104</sup> *Ibid.*, 61; Crampton, *Diaries of Robert Eccleston*, 28, 26.

<sup>105</sup> Barbour and Wozencraft to Lea, March 5, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 61.

who the commissioners noted was “hostile.”<sup>106</sup> Although Bautista had joined José Rey and the intertribal resistance movement against Savage and other violent settlers, he now told the commissioners that the Potoyante were open to negotiating. Bautista specifically warned, however, that several other Sierra tribes would refuse to negotiate and “are not afraid of the whites.”<sup>107</sup>

José Rey had in fact survived Savage’s earlier attack, Bautista informed them, but was so severely wounded that the Chowchillas would now be all the more motivated in their resistance to white settlers. Nor would the Ahwahneechees be likely to negotiate. “Other tribes,” Bautista claimed, “dare not make war on them,” for the valley of Ahwahnee was not only a natural fortification, but a place imbued with spiritual power, and one that harbored powerful shamans.<sup>108</sup> Some members of the Mariposa Battalion were unwilling to believe Bautista’s “promise of friendship,” but a number of important factors may have influenced his change of decision. The apparent incapacitation of José Rey, who Bautista believed would “probably die,” may have lessened the viability of an intertribal resistance movement in Bautista’s view.<sup>109</sup> More probably, and as the records of the subsequent negotiations suggest, Bautista understood the arrival of the U.S. Treaty Commission as presenting a new opportunity for him to protect the wellbeing of his people, through shrewd and intelligent negotiation rather than through armed resistance.

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<sup>106</sup> G. W. Barbour and Reddick McKee to Luke Lea, March 25, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 69; Crampton, *Diaries of Robert Eccleston*, 32; Bunnell, *Discovery of the Yosemite*, 32.

<sup>107</sup> Crampton, *Diaries of Robert Eccleston*, 32.

<sup>108</sup> Bunnell, *Discovery of the Yosemite*, 33.

<sup>109</sup> *Ibid.*

With the present Potoyantes, Siyantes, and Coconoos the only tribal representatives expected at Camp Fremont, the commissioners opened negotiations with the leaders and members of these three tribes on March 15. The commissioners and other representatives of the United States government were clear about their own intentions in ensuring above all else the interests of white settlers in the region. The commissioners designated an area of land between the Tuolumne and Merced Rivers for a reservation, and explained that they granted the tribal signatories “all the land they asked for” primarily because it was found not to be “of any real value to the government, or to the whites in the neighborhood.”<sup>110</sup> After the commissioners completed all eighteen treaties they negotiated with tribes all around the state the following year, Edward F. Beale, the Superintendent of Indian Affairs for California, described the lands allotted for the tribes in the southern part of the state, including those allocated in the Treaty of Camp Fremont, “undoubtedly composed of the most barren and sterile lands to be found in California.” There were, Beale argued, no lands anywhere in the state “less objectionable or valuable than those already selected,” and any change in territories assigned would be “of advantage to the Indians.”<sup>111</sup>

Ensuring white settlers maintained exclusive access to the state’s gold reserves was perhaps the government’s greatest motivation in dispossessing the Sierra tribes of their ancestral territories. The treaty commissioners believed there was “much vacant territory” that could be assigned to Indian tribes that would not seriously interfere with

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<sup>110</sup> Reddick McKee to Luke Lea, March 24, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 67.

<sup>111</sup> Edward F. Beale to Luke Lea, May 11, 1852, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 328.

settlers' mining interest, but given that "gold is to be found in *every part* and *portion* of the state, but a short time will elapse before the whole country will be covered with miners, farmers, &c., and there will be no place where the Indians can be placed without prejudice to both the white man and red man, and expense to the government."<sup>112</sup> For these reasons, the commissioners argued "prompt and speedy action" needed to be taken to make sure reservations could be placed in the least valuable territories.<sup>113</sup> Beale would later echo this line of argument, pointing out that "some of these reservations" delineated in the treaties "contain gold enough to add a few thousands even to the many millions taken monthly from the soil," and that refusing to ratify the treaties over such negligible resources would ultimately "bring discredit upon the government."<sup>114</sup>

Despite these stated and egregious intentions, the indigenous representatives at Camp Fremont did not passively or blindly accept the government's demands, and proved to be highly adept negotiators. Wozencraft described Baustista as "a very shrewd man for an Indian" who always "wanted to see for himself" before making any decisions, for he "did not believe all he heard."<sup>115</sup> McKee was so surprised by the "courage, shrewdness, and enterprise" of Miwok and Yokuts people negotiating at Camp Fremont that he considered them "greatly underrated, both as to physical and mental powers."<sup>116</sup>

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<sup>112</sup> Barbour and Wozencraft to Lea, March 5, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 63. Emphasis original.

<sup>113</sup> Ibid.

<sup>114</sup> Beale to Lea, May 11, 1852, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 328.

<sup>115</sup> Wozencraft, "Indian Affairs," 2-3.

<sup>116</sup> McKee to Lea, March 24, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 67

After hearing the commissioners' initial terms, the tribal representatives retired from the camp to deliberate amongst themselves. They returned to the commissioners to assert that they would agree to the terms of the proposal, except for their removal from their ancestral lands in the Sierra into the San Joaquin Valley. The commissioners responded that they would negotiate "upon no other condition," claiming that they could not be trusted to cease their raids on farms, ranches, and mining camps should they remain in the mountains. A delegation from these tribes agreed to travel with Wozencraft to examine, in person, the lands proposed for their reservation, on the Merced River.<sup>117</sup> Cypriano and leaders of two other tribes sent messengers to meet the commissioners there, explaining that they would still like to negotiate, despite their earlier absence at the talks. Wozencraft and Barbour noted ominously that these tribes made such overtures specifically to avoid the "punishment" that "was ready to be inflicted upon them by the 'State's troops,' who were encamped near us, and were only awaiting the result of our meeting."<sup>118</sup> Wozencraft left for the Tuolumne to meet with these tribes, and returned to Camp Fremont with their representatives, where the six Miwok and Yokuts tribes concluded their negotiations.

Bautista, Cypriano and the other Native signatories did not passively cease negotiations nor agree to this removal until they received a number of specific concessions from the government. Under the final terms of the Treaty of Camp Fremont, the signatories agreed to relinquish their ownership of all lands outside those designated

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<sup>117</sup> Barbour and McKee to Lea, March 25, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 69-70.

<sup>118</sup> *Ibid.*, 70.



in the Merced Reservation, and to cease all “hostility” towards the government and settlers of the United States.<sup>119</sup> The federal government agreed to supply the tribes with one hundred head of cattle, and one hundred barrels of flour each year, along with allocations of clothing, farming implements, and other tools, to be provided after the ratification of the treaty.<sup>120</sup> While forced to remove from their ancestral lands, the tribal signatories specifically ensured that rights to their traditional hunting and gathering territories were officially recognized by the terms of the treaty. Under Article 3 of the treaty, if the undersigned tribes agreed not to take up permanent occupancy in that territory, they would retain “free access” to all of the lands between the Merced and Tuolumne Rivers that extended beyond the reservation boundaries into the Sierra Nevada Mountains, for the purposes of “hunting and collecting fruits, nuts, &c.”<sup>121</sup> With the constant, conspicuous presence of the Mariposa Battalion threatening violence, tribal leaders like Cypriano and Bautista tenaciously negotiated in order to provide protections for their people’s subsistence and wellbeing, an issue that had also been at the heart of the Miwok-settler negotiations at “Fremont’s Diggings” two years previously.

As these negotiations took place, Savage and the members of the Mariposa Battalion grew more and more anxious to commence a violent campaign. One of the

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<sup>119</sup> Articles 1-3, “Treaty made and concluded at Camp Fremont, State of California, March 19, 1851, between Redick McKee and others, Commissioners on the part of the United States, and the Chiefs, Captains, and Head Men of the Si-yan-te, etc., etc., Tribes of Indians” (cited hereafter as Treaty of Camp Fremont). See Heizer, “The Eighteen Unratified Treaties,” 65-71; and Documents Relating to the Negotiation of Ratified and Unratified Treaties with various Indian Tribes, 1801-1869 (T494, Roll 8: Unratified Treaties, 1821-1865), Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, D.C.

<sup>120</sup> Articles 4-5, Treaty of Camp Fremont.

<sup>121</sup> Article 3, Treaty of Camp Fremont.

principle sources of this anxiety was the ongoing and active resistance of the Chowchilla Yokuts and several other tribes that refused to appear at the Camp Fremont negotiations. When Bautista arrived to meet with the commissioners, Bunnell complained that “no peace messengers came in from the mountain Indians, who continued to annoy the settlers with their depredations, thieving from the miner’s camps, and stealing horses and mules from the ranches.”<sup>122</sup> The commissioners claimed that “the greater proportion of hostilities, murders, and robberies” occurring over the course of those weeks were carried out by the Chowchillas, who were “almost in the daily habit” of attacking mining camps and settlements. Although the commission sent messengers inviting the tribe to the upcoming treaty negotiations, the Chowchillas continued their resistance, in one instance sending a “war party” to attack an encampment of eight settlers just outside the treaty camp. The Chowchilla warriors killed one and wounded four of these settlers, and raided the party’s horses and mules.<sup>123</sup> On February 20, after some members of the battalion claimed they were “fired upon by some Indians in the chaparral,” 90 of the volunteers chased after them in armed pursuit, to no avail.<sup>124</sup> On March 2, Robert Eccleston noted that rumors began circulating around his company’s camp, “not of the very reliable kind,” that Indians, probably Dumna or Chukchansi Yokuts, had murdered 2 or 3 white settlers near Fine Gold Gulch.<sup>125</sup>

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<sup>122</sup> Bunnell, *Discovery of the Yosemite*, 34.

<sup>123</sup> Barbour and Wozencraft to Lea, March 5, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 61.

<sup>124</sup> Crampton, *Diaries of Robert Eccleston*, 27-28.

<sup>125</sup> Ibid., 29; J. D. Savage to E. D. Gibbes, March 8, 1851, in *Stockton Times*, March 25, 1851; *Daily Alta California*, March 11, 20, 1851.

James Savage cited such acts of indigenous resistance in his vociferous calls for immediate armed retaliation. On March 9, after only the Coconoons appeared for negotiations at Camp Fremont, Savage wrote to Governor McDougal requesting authorization to commence an armed campaign. Savage dismissed the ongoing treaty negotiations, arguing that “a large majority of the most hostile and dangerous Indians” would remain in the mountains and “keep up a predatory warfare” with white settlers. Savage cited the recent attacks and raids on settler camps, claiming that eight had been killed and four wounded, “all lives which might have been saved, had it not been for the fact that my command was restrained from acting, lest we might thwart the mission of the Indian Commissioners.”<sup>126</sup>

Savage was openly critical of the treaty-making process from the outset, and actively worked to curtail its efforts. Ahwahneechee messengers, for example, had approached Wozencraft and “expressed a willingness to treat.” As the high snowfall that winter prevented any significant portion of the tribe from traveling through the high mountain passes down into the plains below, they invited Wozencraft himself to come to Ahwahnee for negotiations. Wozencraft promised he would visit, but soon after this meeting Savage, who had been serving as his interpreter, advised him not to go. According to Wozencraft, Savage told him that the Ahwahneechees “would not want anything better than to get me up there,” to the isolated valley of Ahwahnee, “and if they did, they would not let me come back again.”<sup>127</sup> Adam Johnston lent official credence to

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<sup>126</sup> N. B. Lewis, by order of James Savage, to Gov. John McDougal, March 9, 1851, in *Daily Alta California*, March 20, 1851.

Savage's complaints when he reported that even if they agreed to sign treaties, "the Indians are notoriously treacherous and thievish," and would "doubtless continue their depredations." Rather presciently, however, Johnston went on to admit that white settlers were no more likely to respect any treaties, as many "openly declare they will shoot down any and all Indians they meet with, whether a treaty be made or not."<sup>128</sup>

Robert Eccleston eagerly noted in his journal that Savage had been given full authorization to mobilize against any and all tribes that failed to appear at Camp Fremont within eight days. After this expiration, he went on, the battalion would "scour the mountains" to find any remaining resistors, and then "drive them down & burn up all their homesteads, &c., & take possession of their property should they have any, thus we will break up their old haunts & they will be more likely to stay in the plains."<sup>129</sup>

Savage's response to his authorization was swift. Before the commissioners had even left Camp Fremont, they received word that Company A of the Mariposa Battalion, under John Kuykendall, attacked a "large body of Indians on the waters of the San Joaquin river," and after "killing some of them," successfully compelled them to meet the commissioners at the Fresno River, where they were planning their next round of negotiations.<sup>130</sup> Shortly after this onslaught, Savage sent Kyukendall's Company A south

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<sup>127</sup> Wozencraft, "Indian Affairs," 1-2.

<sup>128</sup> Johnston to Lea, March 7, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 66.

<sup>129</sup> Crampton, *Diaries of Robert Eccleston*, 29.

<sup>130</sup> Barbour and McKee to Lea, March 25, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 71; J. D. Savage to E. D. Gibbes, March 8, 1851, in *Stockton Times*, March 25, 1851; James D. Savage, General Orders, no. 10, to Capt. John I. Kuykendall, March 18, 1851, in Elliot, *History of Fresno County*, 179.

to the Kings and Kaweah drainages, while he himself laid plans for “more extensive operations” in the High Sierra.<sup>131</sup>

Departing Camp Fremont on March 19, Savage led his men into the foothills to locate and “subdue” the Ahwahneechees and Nukchu Miwok, who had failed to meet with the commissioners.<sup>132</sup> Savage sought first to target a Nukchu village situated on the South Fork of the Merced River, which he believed would “surrender at once rather than endanger their women and children, who would be unable to escape through the snow.”<sup>133</sup> Savage and the battalion were guided there by an Indian man known to Anglos as “Bob,” whom Bunnell described as Savage’s “attaché.”<sup>134</sup> Some of Bob’s involvement as a guide for the Mariposa Battalion may have been compelled under threat. Judge John G. Marvin, the battalion’s quartermaster, described Bob as a young Chowchilla man, and noted that his wife was a Nukchu woman currently living in the village Savage targeted. “Upon our approach” to the village, Marvin recalled, Bob was told that if any Nukchus “attempted to run” from the battalion, “the whole of them would be killed.”<sup>135</sup> Bob entered the village with Savage and communicated this threat, and with the village “entrapped” by 60 to 70 armed settlers in “skirmish line,” the Nukchus, as Savage expected, “surrendered without any disposition to fight.”<sup>136</sup>

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<sup>131</sup> Bunnell, *Discovery of the Yosemite*, 36-37.

<sup>132</sup> “M.” [John G. Marvin], “The Indian Expedition,” April 22, 1851, in *Daily Alta California*, April 23, 1851.

<sup>133</sup> Bunnell, *Discovery of the Yosemite*, 38.

<sup>134</sup> Bunnell, *Discovery of the Yosemite*, 38-39; Crampton, *Diaries of Robert Eccleston*, 32, 45.

<sup>135</sup> Marvin, “The Indian Expedition.”

The Nukchu chief, Panwatchee, recognized Savage, and communicated his peoples' willingness to treat with the commissioners. Many Nukchu miners had worked under and traded with Savage, who had forged kinship ties with the tribe by marrying Eekeno, one of Panwatchee's daughters.<sup>137</sup> Panwatchee also informed Savage that a number of Pohoneechee families were encamped nearby, who would likely be willing to negotiate, but reiterated that the Ahwahneechees were unlikely to be able to reach Savage's camp if snows remained as high as they were.<sup>138</sup>

Panwatchee and Savage sent tribal messengers to the nearby Pohoneechees, and into Ahwahnee, threatening that if any continued to resist, Savage would "make war upon them until he destroyed them all."<sup>139</sup> In the following days about one hundred Pohoneechees came to Savage's camp, but as Panwatchee expected, no messages or representatives arrived from Ahwahnee.<sup>140</sup> After receiving several more threatening messages, however, Chief Tenaya finally decided he would travel to Savage's camp himself.<sup>141</sup> In their meeting, Savage told Tenaya "there would be no more war" if the Ahwahneechees submitted to the terms of a treaty, and agree to remove themselves to a

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<sup>136</sup> Bunnell, *Discovery of the Yosemite*, 42; Marvin, "The Indian Expedition"; Crampton, *Diaries of Robert Eccleston*, 47, 55.

<sup>137</sup> Bunnell, *Discovery of the Yosemite*, 43; Mitchell, *Jim Savage and the Tulareño Indians*, 34.

<sup>138</sup> Bunnell, *Discovery of the Yosemite*, 45; Crampton, *Diaries of Robert Eccleston*, 47.

<sup>139</sup> Bunnell, *Discovery of the Yosemite*, 44-45; Marvin, "The Indian Expedition."

<sup>140</sup> Crampton, *Diaries of Robert Eccleston*, 47-48; Bunnell, *Discovery of the Yosemite*, 45.

<sup>141</sup> Bunnell recollected Tenaya arriving alone, while Marvin's report, published only about a month after the events in question, stated that he brought along two of his sons. Bunnell, *Discovery of the Yosemite*, 45; Marvin, "The Indian Expedition."

reservation. Tenaya remained “very suspicious” of Savage, and questioned his intent of forcefully removing tribes to the San Joaquin Valley. The Ahwahneechees, Tenaya answered, “want nothing” from white settlers nor their government, and fully intended to remain in Ahwahnee, “where the ashes of our father have been given to the winds.”<sup>142</sup> Tenaya added that the Ahwahneechees would agree to cease attacks on white settlements, but that they would never agree to live on a reservation among the valley tribes, some of whom were their traditional enemies. When Savage continued to threaten to destroy his “whole tribe,” Tenaya remained firm in his convictions but said that if allowed to return to Ahwahnee, he would bring more members of his tribe in for discussions.<sup>143</sup> Even in these times of immense trauma, Tenaya continued the long-held indigenous tradition of consensus-based decision-making.

When Tenaya returned from Ahwahnee, he again noted that deep snow pack prevented any significant portion of his tribe from traveling quickly. Savage was then determined to march into Ahwahnee himself, and forcibly remove the tribe to the treaty camp.<sup>144</sup> On March 25, Robert Eccleston wrote in his diary, “the tribe we are to fight are the Yoosemita’s,” and that after all the “friend[ly] disposed” surrendered themselves to the Battalion, “it is supposed that from 3 to 500 warriors will remain.”<sup>145</sup> According to Eccleston, on that same day, Chief Panwatchee offered to send fifty of his own warriors

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<sup>142</sup> Bunnell, *Discovery of the Yosemite*, 45-46.

<sup>143</sup> Ibid., 46-47.

<sup>144</sup> Ibid., 47.

<sup>145</sup> Crampton, *Diaries of Robert Eccleston*, 47.

with Savage on his expedition to Ahwahnee.<sup>146</sup> This must be understood within the context of the Mariposa Battalion's violent threats and actions over the previous months, which exacerbated intertribal conflict and tensions. Bunnell believed that the "defeat of José Rey," and the "desertion of the tribes" that chose to negotiate with the commissioners—essentially at gunpoint—meant that the tribes still in resistance no longer enjoyed any "unity of action."<sup>147</sup> For Panwatchee, continuing his relationship with Savage, which had provided some degree of protection and stability in previous years, must have seemed a viable strategy to provide for the safety of his people.

Even though Panwatchee fully complied with Savage's demands, agreed to meet with the commissioners, fired no shots against his men, and even offered his own warriors, Savage left 48 armed men to guard the encamped Nukchus and Pohoneechees, as "hostages."<sup>148</sup> With Tenaya forced to act as their guide, Savage then set off with 57 mounted militiamen to invade Ahwhanee, "whether they met Indians on the way or not."<sup>149</sup> About half way to the valley, the battalion was overtaken by a group of about 72 Ahwahneechee people making their way to the meeting point on the South Fork. Tenaya told Savage that this group represented the only people of his tribe willing to remove to the plains, and that all the others had already left Ahwahnee to live among their relatives in other regions. Many members of his tribe, he explained, had originally come from the

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<sup>146</sup> Ibid., 47-48.

<sup>147</sup> Bunnell, *Discovery of the Yosemite*, 36.

<sup>148</sup> Crampton, *Diaries of Robert Eccleston*, 48; Bunnell, *Discovery of the Yosemite*, 49.

<sup>149</sup> Crampton, *Diaries of Robert Eccleston*, 48; Bunnell, *Discovery of the Yosemite*, 50.



Kucadikadi Paiute community at Mono Lake, and from a number of Yokuts and Miwok tribes to the west.<sup>150</sup> As Panwatchee had claimed that the Ahwahneechees numbered more than 200, Savage accused Tenaya of lying, and determined to scour the valley for any remaining Ahwahneechees that could be forcibly removed to the Fresno.<sup>151</sup>

On March 27, 1851, the mounted forces of the Mariposa Battalion descended into Ahwahnee, and made camp just below Bridal Veil Fall. While this was not the first time non-Native people had invaded the territories of the Ahwahneechee, this was by far the most overt in its violent threats. According to Lafayette Bunnell, Tenaya agreed to negotiate with the treaty commissioners precisely to prevent any further invasions of Ahwahnee. Tenaya believed that at these negotiations, he could persuade the commissioners to agree to a treaty that would specifically allow him and his people to remain in their lands, and “save his valley from intrusion,” as he had been charged by the elder shaman decades before.<sup>152</sup> As Savage prepared to scour the valley floor, Bob suggested that the waters of the Merced were too deep to cross safely, and that the Battalion should find a shallower ford up river. Savage immediately accused the young guide of lying in order to protect the Ahwahneechees, whom he now believed were hiding somewhere “in the vicinity.”<sup>153</sup> Savage’s men split into several smaller companies and searched all corners of Ahwahnee, with some reaching as far as Nevada Fall, Mirror

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<sup>150</sup> Bunnell, *Discovery of the Yosemite*, 51-52.

<sup>151</sup> Bunnell, *Discovery of the Yosemite*, 52; Marvin, “The Indian Expedition.”

<sup>152</sup> Bunnell, *Discovery of the Yosemite*, 70, 72.

<sup>153</sup> Bunnell, *Discovery of the Yosemite*, 72-73; Crampton, *Diaries of Robert Eccleston*, 58.

Lake, and the Little Yosemite Valley. The Battalion searched several Ahwahneechee villages, on both sides of the Merced, all of which appeared to be entirely abandoned except for a number of the tribe's dogs.

While searching one of these villages, Lafayette Bunnell found a lone elderly Ahwahneechee woman, too old to escape the village with her people, who gave "no expression of alarm" at Bunnell's rifle. Savage came to interrogate the woman, and when asked where the rest of her tribe were hiding, she simply responded, "go look."<sup>154</sup> When Savage asked her age, the elder remained defiantly silent.<sup>155</sup> While the battalion found no further sign of Ahwahneechee people anywhere in the valley, each of the villages they searched appeared to have been occupied recently, and still held "abundant" stores of acorns, pine nuts, and grass seed in their *chuk-a* granaries, along with dried *kucavi* larvae imported from the Mono Lake Paiute.<sup>156</sup> Savage decided that he had neither the time nor supplies necessary to hunt down and capture the fleeing Ahwahneechees, and instead ordered his men to "destroy their huts and stores, with a view of starving them out," thereby forcing them to accept reservation life. The battalion "at once commenced," and

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<sup>154</sup> Crampton, *Diaries of Robert Eccleston*, 49; Bunnell, *Discovery of the Yosemite*, 76, Marvin, "The Indian Expedition."

<sup>155</sup> Bunnell, *Discovery of the Yosemite*, 76.

<sup>156</sup> Bunnell, *Discovery of the Yosemite*, 78; Clark, *Indians of the Yosemite Valley*, 40, 46; Catherine S. Fowler and Sven Liljeblad, "Northern Paiute," in *Handbook of North American Indians, Volume 11: Great Basin*, ed. Warren L. D'Azevedo and William C. Sturtevant (Washington: Smithsonian Institution, 1986), 437; Emma Lou Davis, "An Ethnography of the Kuzedika Paiute of Mono Lake, Mono County," *University of Utah Anthropological Papers* 75 (1965): 33; Kathleen L. Hull, *Pestilence and Persistence: Yosemite Indian Demography and Culture in Colonial California* (Berkeley: University of California Press, 2009), 108; Richard Levy, "Eastern Miwok," in *Handbook of North American Indians, Volume 8: California*, ed. Robert F. Heizer and William S. Sturtevant (Washington, D.C.: Smithsonian Institution, 1978), 409.

burned to the ground every home, and all food provisions, in every village they found on both sides of *Wah-kal'-mut'tah*.<sup>157</sup>

At the battalion's camp by the Nukchu village, Robert Eccleston wrote disappointedly upon Savage's return that the militia had evidently "found the rancheris deserted," and were "unable to pursue the Indians," but that they had burned some 5,000 bushels of acorns along with "any quantity of old baskets."<sup>158</sup> In later decades, as the Yosemite Grant and National Park came to occupy a foremost place in the American popular imagination, the Mariposa Battalion's invasion of Ahwahnee would be represented almost exclusively as the "discovery of the Yosemite." As Eccleston's remarks suggest, those that would be called "discoverers" were concerned exclusively with their violent campaign against the Ahwahneechees, taking little to no note or of the natural landscape. In his reminiscences, Bunnell claimed he was one of the only members of the Battalion to exhibit any interest in the natural wonders of Ahwahnee. When he attempted to extol its virtues to his commander, Savage simply looked on "over the charred mass of burning acorns" in the smoking valley before him, and said that the prospect of "smoking out" the Ahwahneechees "is more agreeable to me" than "all the scenery in creation."<sup>159</sup> One other member of the battalion later claimed that he would have paid more attention to the landscape around him had he known it would become so famous.<sup>160</sup> As Bunnell himself admitted, "we were not a party of tourists, seeking

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<sup>157</sup> Bunnell, *Discovery of the Yosemite*, 78; Marvin, "The Indian Expedition."

<sup>158</sup> Crampton, *Diaries of Robert Eccleston*, 49.

<sup>159</sup> Bunnell, *Discovery of the Yosemite*, 85, 87.

recreation, nor philosophers investigating the operations of nature. Our business there was to find Indians who were endeavoring to escape from our *charitable* intentions toward them.”<sup>161</sup> The later formation of the park, and its romantic association in the popular imagination, was predicated upon this violent war of removal waged against the Ahwaneechee and other tribal communities.

The Mariposa Battalion then marched to the camp of the U.S. Army regulars on the Fresno River, to deliver their Nukchu, Pohoneechee, and Ahwahneechee captives over to the treaty commissioners.<sup>162</sup> Among these prisoners was a young Totuya, Tenaya’s granddaughter, who remembered being marched under armed guard to the commissioners’ camp, and that “there were many Indians in and around that camp who were not our friends.”<sup>163</sup> During the night of April 1, however, every one of these prisoners, save for one boy, escaped the camp and fled “to the mountains.”<sup>164</sup> When questioned about this sudden disappearance, Chief Bautista, who was still committed to aiding the commissioners in their further negotiations, claimed that Chowchilla messengers had visited the captives and convinced them to flee the camp. Bautista then offered to help bring back the fugitives by assuring them of the “good will” of the commissioners.

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<sup>160</sup> Florence F. Kelly, *Flowing Stream: The Story of Fifty-Six Years in American Newspaper Life* (New York: E. D. Dutton & Co., 1939), 273.

<sup>161</sup> Bunnell, *Discovery of the Yosemite*, 84. Emphasis original.

<sup>162</sup> Marvin, “The Indian Expedition”; Bunnell, *Discovery of the Yosemite*, 92-96.

<sup>163</sup> Carl Parcher Russell, Interview with Maria Lebrado, February 1928, Yosemite Research Library, Yosemite National Park.

<sup>164</sup> Bunnell, *Discovery of the Yosemite*, 97-101; See also *Daily Alta California*, April 4, 1851.

The commissioners specifically instructed Bautista to threaten these tribes that “no further efforts for peace would be made” once this round of negotiations concluded, and that “the whites were angry, and would no longer take their word for peace, but would punish them and destroy their supplies,” as they had already done to the Ahwahneechees.<sup>165</sup> On April 5, Bautista returned to the commissioners’ camp with about 100 Nukchus, but with none of the Ahwahneechees, who had retreated back to their home.<sup>166</sup> The commissioners were now fully convinced that the Chowchilla Yokuts were the “controlling tribe” over several indigenous nations, using “threats and persuasions” to lead them in an intertribal resistance movement, and to prevent them from treating with the commissioners.<sup>167</sup> Rumors percolated throughout the ranks of the battalion’s ranks that the Chowchillas possessed “\$800 worth of arms besides what they have taken from the unfortunate victims they have killed.”<sup>168</sup> Because of the Chowchillas’ continuing resistance, the commissioners complained, only one chief, Panwatchee, was now prepared to negotiate the next planned treaty.<sup>169</sup> The commissioners thus decided that nothing effective could be done “until this powerful tribe are taken care of,” and ordered

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<sup>165</sup> Ibid., 101-102.

<sup>166</sup> John McKee, Journal of the United States Indian Commissioners for California, April 5, 1851, in 33 Cong., Spec. Sess., *Senate Exec. Doc. 4*, 88 (cited hereafter as Journal of the Commissioners); Bunnell, *Discovery of the Yosemite*, 102.

<sup>167</sup> McKee, Journal of the Commissioners, April 5, April 6, 1851; Bunnell, *Discovery of the Yosemite*, 103.

<sup>168</sup> Crampton, *Diaries of Robert Eccleston*, 63.

<sup>169</sup> McKee, Journal of the Commissioners, April 5, 1851.

Savage to “march to the mountains as early as possible” and lead a “vigorous campaign against the Chowchillas” to force them into submission.<sup>170</sup>

On April 13, more than 100 members of the Mariposa Battalion rode for Chowchilla territory following a number of indigenous guides.<sup>171</sup> About a week later, after crossing the San Joaquin, a messenger appeared from the commissioners requesting that Savage ride back to their camp to assist in negotiations with a large band of Kaweahs that had just arrived.<sup>172</sup> Even though the battalion, as in Ahwahnee, had no direct encounters with any tribal communities during their march over the San Joaquin, Savage informed the commissioners that the Chowchillas were in fact displaying “a disposition to continue hostiles,” and that he had left Captain John Boling in command of the battalion, which would continue its campaign into the foothills.<sup>173</sup> Boling’s scouts, meanwhile, discovered a village of some one hundred situated on the top of a steep hill, on the opposite side of the San Joaquin. Boling ordered the settlers to prepare for an attack, but by the time they all managed to cross the river, and reach the top of the hillside, Boling “felt disappointed” to find that “no Indians were to be found.” After discovering the tribes’ substantial acorn stores, the battalion set fire to all of the village’s

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<sup>170</sup> McKee, Journal of the Commissioners, April 5, April 7, 1851; Bunnell, *Discovery of the Yosemite*, 105; James D. Savage, General Orders, no. 14, to Quartermaster John G. Marvin, April 11, 1851, in Elliot, *History of Fresno County*, 179; James D. Savage, General Orders, no. 15, to Capt. John J. Kuykendall, April 11, 1851, in Elliot, *History of Fresno County*, 179; *Daily Alta California*, April 4, May 10, 1851; Marvin, “The Indian Expedition.”

<sup>171</sup> Crampton, *Diaries of Robert Eccleston*, 63-64; Bunnell, *Discovery of the Yosemite*, 105.

<sup>172</sup> Bunnell, 112; Crampton, *Diaries of Robert Eccleston*, 67.

<sup>173</sup> McKee, Journal of the Commissioners, April 21, 1851.

homes and granaries.<sup>174</sup> With the Chowchillas continually fleeing at the advance of the battalion, Boling concluded that it would be impossible to “subdue” the tribe “unless we destroy their supplies of all kinds,” and the battalion continued its pursuit through the foothills, “everything having been set on fire that would burn.”<sup>175</sup>

When one band of Boling’s scouts discovered an inhabited Yokuts village, they “chased the Indians so close they were forced to leave all they had and run for life.”<sup>176</sup> Over the course of this whole “campaign” Robert Eccleston noted burning “a good many” Chowchilla villages, along with an estimated one thousand bushels of acorns.<sup>177</sup> Satisfied that these actions would compel the recalcitrant tribes to negotiate, Boling ordered the battalion to return to the treaty commissioners, now assembled at “Camp Barbour” along the San Joaquin River.<sup>178</sup> Before they had left Yokuts territory, however, Boling reported that a large group of Chowchillas had congregated on the opposite side of the river, but because they were not “within rifle shot,” Boling sent Bunnell forward to talk with them. On Bunnell’s approach, however, the Chowchillas fired a shower of arrows across the river upon the Mariposa battalion, and the mounted settlers immediately opened fire, killing two and wounding two of the Chowchillas.<sup>179</sup>

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<sup>174</sup> John Bowling, Capt. Co. B, to James D. Savage, April 29, 1851, *Daily Alta California*, June 11, 1851; Bunnell, *Discovery of the Yosemite*, 114-116; Crampton, *Diaries of Robert Eccleston*, 68-69.

<sup>175</sup> Bunnell, *Discovery of the Yosemite*, 121, 119.

<sup>176</sup> Bowling to Savage, April 29, 1851.

<sup>177</sup> Crampton, *Diaries of Robert Eccleston*, 67-68.

<sup>178</sup> Bunnell, *Discovery of the Yosemite*, 122; Crampton, *Diaries of Robert Eccleston*, 71-72.

<sup>179</sup> Bowling to Savage, April 29, 1851; Crampton, *Diaries of Robert Eccleston*, 70-71.

By April 23, several tribal messengers had visited the treaty commissioners requesting that any agreement be postponed until their representatives could reach Camp Barbour. The commissioners agreed, satisfied that they now had “a fair prospect of arranging a treaty with many Indians.”<sup>180</sup> More than five hundred tribal representatives were now present at the camp, with “many coming in daily.”<sup>181</sup> Boling’s campaign proved so destructive that a delegation of Chowchillas, now driven to the brink of starvation, appeared at Camp Barbour prepared to negotiate.<sup>182</sup> Perhaps an even more influential factor in this decision was the recent death of the Chowchilla Chief, José Rey. During the campaign against the Chowchillas, Robert Eccleston wrote on April 26 of ascending to the hilltop village on the San Joaquin, which was “soon in flames.” In the ruins of the village, the settlers found “the bones of an Indian burnt, the scull & some other bones remaining.”<sup>183</sup> Lafayette Bunnell asked “Sandino,” a “Mission Indian” serving as an interpreter for the battalion, about these same remains. Sandino confirmed them as José Rey’s and said that many people of several different tribes had come great distances to mourn the “great chief.” Boling’s assault upon the hilltop village had violently disrupted and dispersed a large intertribal mourning ceremony.<sup>184</sup>

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<sup>180</sup> McKee, *Journal of the Commissioners*, April 23, 1851.

<sup>181</sup> McKee, *Journal of the Commissioners*, April 25, 1851.

<sup>182</sup> Bunnell, *Discovery of the Yosemite*, 135-136.

<sup>183</sup> Crampton, *Diaries of Robert Eccleston*, 69.

<sup>184</sup> Bunnell, *Discovery of the Yosemite*, 117-118.



At Camp Barbour, Reddick McKee addressed the tribal representatives, detailing the commission's proposal for a treaty. McKee reiterated that the government demanded they remove to a reservation in the valley, to "prevent the necessity for you stealing cattle and other property for a subsistence, as you do while you make the mountains your home," and proposed a tract of land between the Fresno and San Joaquin Rivers, stretching to base of the Sierra foothills.<sup>185</sup> As with the earlier Treaty of Camp Fremont, the commissioners detailed particular allocations of beef, flour, stock, clothing, and tools, to be provided in the terms of the treaty, and insisted that "what we promise we will perform."<sup>186</sup> The tribal representatives deliberated amongst themselves, and on the evening of April 28, met at the commissioners' tent to confirm that they would accept the terms they had agreed upon, and the following day members of sixteen Miwok and Yokuts tribes, including the Chukchansi, Chowchilla, Pitkachi, Dumna, Pohoneechee, and Nukchu signed the Treaty of Camp Barbour.<sup>187</sup> As a result of their active and shrewd negotiations, the tribal signatories ensured their rights to hunt and gather in some of their traditional lands in the Sierra Foothills were protected and guaranteed in Article 4.<sup>188</sup> As was the case in the Camp Fremont treaty, this stipulation prohibited tribal members from

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<sup>185</sup> McKee, Journal of the Commissioners, April 26, 1851.

<sup>186</sup> McKee, Journal of the Commissioners, April 28, 26, 1851.

<sup>187</sup> McKee, Journal of the Commissioners, April 28, 1851; "Treaty made and concluded at Camp Barbour, on the San Joaquin River, State of California, April 29, 1851, between Redick McKee and others, Commissioners on the part of the United States, and the Chiefs, Captains, and Head Men of the How-ech-ees, &c., &c., Tribes of Indians" (cited hereafter as Treaty of Camp Barbour). See Heizer, "The Eighteen Unratified Treaties," 77-81; and Documents Relating to the Negotiation of Ratified and Unratified Treaties with various Indian Tribes, 1801-1869 (T494, Roll 8: Unratified Treaties, 1821-1865), Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, D.C.

<sup>188</sup> Article 4, Treaty of Camp Barbour.

permanently occupying their ancestral territories, but provided an extremely important protection for their tribal economies and modes of subsistence, especially after the devastating ravages inflicted by the Mariposa Battalion.

The final terms of the Treaty of Camp Barbour reveal in the commissioners either a staggering ignorance or disregard for indigenous understandings of landownership<sup>189</sup> and, especially, to their political philosophies and traditions of leadership and decision-making. The introduction to the treaty, for example, dictated that members of the Heuchi, Chowchilla, Chukchansi, Pohoneechee, and Nukchu all acknowledge Naiyakqua, a Heuchi, as “their principle chief.”<sup>190</sup> Long traditions of intertribal networks and relationships notwithstanding, these six “tribes” in fact spoke three highly differing languages, and each had absolutely no political authority over the affairs of the others. Even individual tribes often had more than one chief and, more importantly, these chiefs did not command the kind of absolute political authority that the commissioners assumed. In many California Indian tribes, including the Sierra Miwok, Foothill Yokuts, and Valley Yokuts signatories of this treaty, chiefs were expected to lead their people in important communal activities, especially in managing large spiritual ceremonies and hunting and gathering expeditions. To a greater extent than in Euro-American cultures, however, these chiefs often led through deliberation and consensus-driven decisions.<sup>191</sup>

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<sup>189</sup> Heizer, “The Eighteen Unratified Treaties,” 4.

<sup>190</sup> Treaty of Camp Barbour.

<sup>191</sup> Robert F. G. Spier, “Foothill Yokuts,” in *Handbook of North American Indians*, Vol. 8, 482; Gayton, “Yokuts-Mono Chiefs and Shamans,” *University of California Publications in American Archaeology and Ethnology* 24, no. 8 (1930): 378; Fowler and Liljeblad, “Northern Paiute,” 450.

James Savage, who probably had a greater understanding of these complexities, exploited the commissioners' ignorance and worked to deliberately apply western conceptions of political organization to these tribal nations in such a way that would allow the government greater control over their affairs. A skeptical Wozencraft, for example, had enquired why the entire Chowchilla delegation at Camp Barbour consisted only of one "chief," Poholeel, and seventeen "braves." Poholeel responded that he represented the "tribe *proper*," but that many of the followers of his brother José Rey remained in the mountains and refused to acknowledge his authority. Poholeel explained that he held no influence over those members of his tribe that remained adamant in their resistance. For these reasons, Wozencraft was wary of recognizing Poholeel as the "principle chief" of the entire Chowchilla tribe. Savage, however, advised the commissioners that upon José Rey's death, "Po-ho-leel would be the chief," and that "he had full power to act in behalf of his tribe."<sup>192</sup>

The treaty's final terms also implicitly rest on the Mariposa Battalion as a violent tool of enforcement. Article 4 specifically dictated that the "*mona or wild portion* of the tribes herein provided for, which are still out in the mountains," would, "when they come in," be fully incorporated into the Fresno Reservation, even though none of those tribal members would have the opportunity to negotiate any of the terms of in the already-established treaty dictating their removal. Most importantly, the treaty specifically compelled all the tribal signatories to "pledge themselves to use their influence and best exertions to bring in and settle the said *monas*," referring to members of the Chowchilla

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<sup>192</sup> McKee, Journal of the Commissioners, April 26, 1851. Emphasis original.

Yokuts, “at the earliest possible date.”<sup>193</sup> Finally, when the Ahwahneechees were inevitably forced to surrender and accept reservation life, they would be placed under the authority of the Heuchi Yokuts Chief Naiyakqua.<sup>194</sup> As Tenaya had predicted, the removal of his people to the plains would now require not only living among a number of foreign and traditional enemies, but submitting to those tribes’ control, with no opportunity to negotiate for the welfare of his people.

With negotiations concluded, Savage laid plans for a second campaign against the Ahwahneechees, ordering Boling to “surprise them and whip them well,” and to “make use of any means in your power to induce them to come down.”<sup>195</sup> John G. Marvin wrote to the editors of the *Daily Alta California* to extol the actions of Savage’s battalion, promising that its continuing campaigns would ensure “the Indian difficulties will be satisfactorily settled from the Calaveras to the Tulare Lake, opening to miners some of the best mining and agricultural districts in the State.”<sup>196</sup> In early May, Boling led his men back into Ahwahnee, following a Pohoneechee guide over a well-established intertribal trade route.<sup>197</sup> As they descended into the valley, “no Indians were seen,” but the settlers soon discovered that the Ahwahneechees had managed to save some of their

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<sup>193</sup> Article 4, Treaty of Camp Barbour, emphasis original; McKee, Journal of the Commissioners, April 16, 1851.

<sup>194</sup> Article 4, Treaty of Camp Barbour.

<sup>195</sup> James D. Savage, General Orders, no. 16, to John Boling, May 4, 1851, in Elliot, *History of Fresno County*, 179-180; Bunnell, *Discovery of the Yosemite*, 136; Crampton, *Diaries of Robert Eccleston*, 81.

<sup>196</sup> Marvin, “The Indian Expedition.”

<sup>197</sup> Bunnell, *Discovery of the Yosemite*, 143.

acorns from the fires of the last invasion, though “in a damaged condition.”<sup>198</sup> Boling then sent “spies” in every direction, who sighted of a group of Ahwahneechees on the opposite side of the Merced, but the militia was unable to capture the young men, who fled before it could make the crossing. Boling’s “Indian scouts,” however, managed to “hunt out the Indian warriors,” some of whom were recognized as sons of Tenaya.<sup>199</sup> Boling told the young men that their people would not be harmed if they agreed to remove to the Fresno, but also threatened them, claiming that any hopes for an effective intertribal resistance movement had already been quelled, as “all the Indians” except their father’s and the Chowchillas had submitted to the treaty commission. The young men expressed that if they were allowed to go back to Tenaya and bring him to the battalion, that the chief would be willing to speak with them. Boling allowed two of these men to leave and bring back Tenaya, and kept the others under armed guard as his “captives” at his base camp established on the south side of the Merced, just below the waters of *Cho’lok*.<sup>200</sup>

When one of these captives managed to escape, the others became “alarmed” at the battalion’s belligerent response, as they shot and chased after him to no avail. Shortly after this, the other two young men attempted to escape, and when the militiamen “took after them and finding they could not catch them, fired and killed them both.”<sup>201</sup>

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<sup>198</sup> Ibid., 143-145.

<sup>199</sup> John Bowling to Major Savage, May 15, 1851, in *Daily Alta California*, June 12, 1851; Bunnell, *Discovery of the Yosemite*, 145-147.

<sup>200</sup> Bowling to Savage, May 15, 1851; Bunnell, *Discovery of the Yosemite*, 150-151.

<sup>201</sup> Bowling to Savage, May 15, 1851.

According to Bunnell, two of the guards had deliberately let the captives loose in a depraved kind of game, in which “an opportunity had been given them to attempt to escape in order to fire upon them, expecting to kill them both.” Bunnell remembered that the man who pulled the trigger explicitly believed “killing Indians or Mexicans was a duty.”<sup>202</sup> In the aftermath of these murders, Boling concluded that the fact Tenaya had not yet appeared with his other sons fully indicated that he “had no intention of coming in.”<sup>203</sup> Boling then sent out the battalion’s “Indian scouts” to locate and capture the chief. Many of these scouts were compelled with violent threats, both implicit and explicit. Sandino, for his part, was convinced that one particular member of the battalion “should kill him” if he failed to capture Tenaya.<sup>204</sup>

Boling eventually located a village at the “head of a little valley,” and found it had been “but a few minutes” since its inhabitants evacuated. Boling’s men located and pursued some of the fleeing Ahwahneeches up the steep rock canyon, and when they found they could no longer keep up, opened fire, forcing them into retreat and allowing the capture of Tenaya. Boling reported that he and his men killed one and “wounded several others” in this attack. Boling wrote to Savage that he planned to now “use” the captured Tenaya “to the best advantage in pursuing his people,” and specifically requested that Savage send 10 or 12 of Panwatchee’s “best men,” whom he was confident would help “catch the women and children and thereby force the men to come in.”<sup>205</sup>

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<sup>202</sup> Bunnell, *Discovery of the Yosemite*, 165-166.

<sup>203</sup> Bowling to Savage, May 15, 1851.

<sup>204</sup> Bunnell, *Discovery of the Yosemite*, 168.

Boling reported that capturing the remaining Ahwahneechees was of utmost importance, because if they were allowed to remain in their ancestral homelands, they would continue to “offer a place of refuge for other ill disposed Indians, who might do mischief and retreat to the mountains.” Most importantly, their continuing presence in Ahwahnee, Boling warned, would inspire the tribes already settled on reservations to flee and join them. On May 20, a train of supplies, along with 12 Nukchu warriors, arrived at Boling’s camp.<sup>206</sup> Savage reported to Boling that these men, led by Panwatchee’s brother, could be trusted, as they were old enemies of Tenaya’s.<sup>207</sup> The Nukchu and Pohoneechee scouts suggested that the Ahwahneechees were most likely attempting to flee the valley to Kucadikadi territory, east over the Sierra Crest.<sup>208</sup> Forcing Tenaya to follow, tied with a rope around the waist, the scouts identified smoke coming from a village situated along the shores of the lake *Py-we-ack*.<sup>209</sup> Boling sent the Nukchu and Pohoneechee scouts forward first, who surrounded the village while the militiamen stormed to its center. When two Ahwahneechees reached for their bows, Boling announced “if they did not surrender they would be instantly killed.” The “terror-stricken” Ahwahneechees, in Bunnell’s words, immediately surrendered.<sup>210</sup>

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<sup>205</sup> Bowling to Savage, May 15, 1851.

<sup>206</sup> John Bowling, Capt. Comp’y B., to Col. G. W. Barbour, May 29, 1851, in *Daily Alta California*, June 14, 1851.

<sup>207</sup> Bunnell, *Discovery of the Yosemite*, 223.

<sup>208</sup> Bowling to Barbour, May 29, 1851; Bunnell, *Discovery of the Yosemite*, 223, 228.

<sup>209</sup> “Tenaya Lake.”

<sup>210</sup> Bowling to Barbour, May 29, 1851; Bunnell, *Discovery of the Yosemite*, 229.

The young chief of this village explained that his people had hoped to wait for the winter snows to subside before making their way to their Kucadikadi neighbors, but since the battalion was clearly prepared to pursue them all the way to Mono Lake, they concluded there was nowhere “the Americans could not find us.”<sup>211</sup> Boling reported the capture of this village, and the 35 Ahwahneechees encamped there, as the final triumph of settler forces over indigenous resistance, as Ahwahnee represented “their last resort or place where they considered themselves perfectly secure from the intrusion of the white man.” As the Mariposa Battalion marched these prisoners to the Fresno, Boling reported that “of the Yosemite, few, if any, are now left in the mountains.”<sup>212</sup> Before departing, Bunnell told Tenaya that he decided to name the lake on which this village was situated “Tenaya Lake,” because “it was upon the shores of the lake that we had found his people, who would never return to it to live,” to which Tenaya replied only that “it already had a name.”<sup>213</sup>

On their forced march to the Fresno, Totuya remembered being led to the shores of a lake, which led many of her tribe to suspect that the battalion intended to drown them: “many questions were asked by the white men. We could not answer all the questions. One soldier took a small Indian boy and held him over the lake water by the heels, pretending to drown him. The parents were supposed to answer the questions asked by the white men in order that the boy would be saved.”<sup>214</sup> This violent capture,

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<sup>211</sup> Bunnell, *Discovery of the Yosemite*, 231.

<sup>212</sup> Bowling to Barbour, May 29, 1851.

<sup>213</sup> Bunnell, *Discovery of the Yosemite*, 236-237.



however, did not spell the end of Ahwahneechee history, nor of indigenous occupation of these ancestral lands. Upon his initial capture, and forced to look upon the bodies of his brutally murdered sons, Tenaya told Captain John Boling:

You may kill me, sir, Captain, but you shall not live in peace. I will follow in your footsteps, I will not leave my home, but be with the spirits among the rocks, the water-falls, in the rivers and in the winds; wheresoever you go I will be with you. You will not see me, but you will fear the spirit of the old chief, and grow cold. The great spirits have spoken! I am done.<sup>215</sup>

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<sup>214</sup> Russell, Interview with Maria Lebrado.

<sup>215</sup> Bunnell, *Discovery of the Yosemite*, 173.

## Conclusion

On April 27, 1852, Stephen F. Grover and seven other Euro-American prospectors departed Course Gold Gulch and traveled along a series of Indian trails that brought them into the hills just below Yosemite Valley. Five days later the party descended into Ahwahnee and began prospecting for gold in the waters of the Merced. These men had “no fear of Indians, as they had been peaceable, and no outbreaks having occurred, the whites traveled fearlessly wherever they wished to go.” Grover wrote that it was to his “astonishment and horror” to see one of the members of his party running back to camp “amid firing screams and confusion,” with arrows lodged in his back. Two of the party had already been “killed with an ax in the hands of a Savage.” The remaining members of the party attempted to escape over the same route that first led them into the valley, but found their way easily “cut off” by a party of Ahwahneechees, who knew and maintained this trail as the primary link between their territory and that of the Pohoneechees and Nukchus to the south. Every direction they turned, the settlers were met with more Indians, as the valley itself “seemed alive with them.” As showers of arrows fell upon them, Grover and his men ran, hid, fired back, and eventually managed to flee the valley all the way back to Coarse Gold.<sup>1</sup>

In the aftermath of the Mariposa Campaign, and especially as the Yosemite Valley grew in fame, a popular historical narrative emerged in which the indigenous

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<sup>1</sup> Stephen F. Grover, “Grover’s Narrative: A Reminiscence,” in *One Hundred Years in Yosemite: The Romantic Story of Human Affairs in the Central Sierra Nevada*, by Carl Parcher Russell (Stanford: Stanford University Press, 1931), 52-58; See also Lafayette Houghton Bunnell, *The Discovery of the Yosemite and the Indian War of 1851 which Led to that Event* (Chicago: Fleming H. Revell, ca. 1885), 273-274.

history of Ahwahnee ceased abruptly in 1851, with the final forced removal of Tenaya's people.<sup>2</sup> In this telling, this date also marked the symbolic end to any meaningful indigenous resistance to settlement in the Sierra regions. Such a simplistic narrative of declension is most immediately undermined by the attack on Grover's mining party. By the end of 1851, in fact, Tenaya and his people unceremoniously left the Fresno Reservation and re-established themselves in their ancestral lands.<sup>3</sup> Tenaya and his people were extremely unhappy with their treatment on the reservation, especially as they were forced to live alongside many of their tribal enemies, and under the "authority" of the Heuchi Yokuts.<sup>4</sup> Tenaya himself had been granted leave only to return the remains of his sons to their home, but he ultimately did not return to the Fresno, and the rest of his people escaped and joined him in Ahwahnee only shortly thereafter.<sup>5</sup> Totuya, Tenaya's granddaughter, remembered staying on the reservation for only twelve days. "After that," she ventured "farther and farther" east of the reservation's boundaries while gathering acorns, until she and others with her decided to trek all the way back to the valley of her birth.<sup>6</sup>

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<sup>2</sup> Such attitudes are continually advanced by Bunnell in *Discovery of the Yosemite*, esp. 19, 44-45, 72, 231, 237, 291. See also John Bowling, Capt. Co. B, to G. W. Barbour, May 29, 1851, in *Daily Alta California*, June 14, 1851; and Galen Clark, *Indians of the Yosemite Valley and Vicinity: Their History, Customs, and Traditions* (Yosemite Valley, CA: Galen Clark, 1904), ix, 1, 12.

<sup>3</sup> Bunnell, *Discovery of the Yosemite*, 273; Russell, *One Hundred Years in Yosemite*, 51-52; Clark, *Indians of the Yosemite Valley*, 16; George Harwood Phillips, *Indians and Indian Agents: The Origins of the Reservation System in California, 1849-1852* (Norman: University of Oklahoma Press 1997), 141.

<sup>4</sup> Bunnell, *Discovery of the Yosemite*, 272-273.

<sup>5</sup> Ibid.; Russell, *One Hundred Years in Yosemite*, 51-52.

<sup>6</sup> Carl Parcher Russell, Interview with Maria Lebrado, February 1928, Yosemite Research Library, Yosemite National Park.

Nor did 1851 mark the end of settlers' concerted and violent attacks on the Ahwahneechees or other tribal communities of the southern Sierra foothills. The ever-expanding presence of white settlers, further and further into Ahwahneechee territory, set in motion a vicious cycle of violence in 1852. By 1851, Euro-American gold seekers penetrated as far as the South Fork of the Merced River, in Pohoneechee territory, and the following year, some of the first white prospectors to mine in Yosemite Valley killed an Ahwahneechee boy.<sup>7</sup> According to Totuya, it was in direct retaliation for this murder that the tribe fired upon Grover's party.<sup>8</sup> Almost immediately after Grover and his partners returned to Coarse Gold, the local settlers there immediately sought "vengeance on the treacherous Savages." According to Grover, when he noticed an Ahwahneechee "spy" that had followed in his retreat, three settlers stalked him, and "the haughty Red Man was made to bite the dust before many minutes had past."<sup>9</sup> The settler outcry that erupted in the aftermath of these attacks was as vehement as that which first led to the Mariposa War, as general hysteria over an imagined "general outbreak" of Indian hostility circulated throughout the settlements.<sup>10</sup>

On June 15, 1852, after receiving reports of these events, Lieutenant Treadwell Moore, of the United States Second Infantry and a signatory of the Treaty of Camp Fremont, marched to Ahwahnee with thirty-three members of his command to undertake

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<sup>7</sup> C. Gregory Crampton, *The Mariposa Indian War, 1850-1851: Diaries of Robert Eccleston* (Salt Lake City: University of Utah Press, 1957), 47; Russell, Interview with Maria Lebrado.

<sup>8</sup> Russell, Interview with Maria Lebrado.

<sup>9</sup> Grover, "Grover's Narrative," 57.

<sup>10</sup> Bunnell, *Discovery of the Yosemite*, 274-275.

a third campaign of removal against the Ahwahneechee.<sup>11</sup> When the regulars arrived at the valley floor, they identified and attacked a village, taking six men and fifteen women and children as captives.<sup>12</sup> When Moore interrogated the men and accused them of the murder, they responded that white settlers “had no right” to enter their lands “without their consent.”<sup>13</sup> When Moore chastised them that “they had sold their lands to the Government, that it belonged to the white men now,” the Ahwahneechees responded that “Tenaya had never consented to the sale of their valley,” and that “other chiefs... had no right to sell their territory.” This insubordination, Moore decided, was proof enough of their guilt, and at his order they were placed in a line and shot by the infantrymen. In his attempts to track and capture the Tenaya and the rest of the tribe, Moore crossed the Sierra Crest into Kucadikadi territory. “Finding no trace whatever” of the tribe anywhere in the eastern Sierra foothills, the regulars abandoned their pursuit and returned to the San Joaquin Valley.<sup>14</sup>

In the aftermath of these murders, Tenaya led his people out of Ahwahnee to seek refuge among their Kucadicadi neighbors and relatives at Mono Lake until the federal forces withdrew.<sup>15</sup> The Kucadicadi specifically provided the Ahwahneechees a portion of their territory to be used as their *tiwiba*, and were evidently happy to have Tenaya

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<sup>11</sup> Phillips, *Indians and Indian Agents*, 142; Bunnell, *Discovery of the Yosemite*, 274-275; Russell, *One Hundred Years in Yosemite*, 58.

<sup>12</sup> Phillips, *Indians and Indian Agents*, 143

<sup>13</sup> Bunnell, *Discovery of the Yosemite*, 275.

<sup>14</sup> Bunnell, *Discovery of the Yosemite*, 276; Phillips, *Indians and Indian Agents*, 143; Russell, *One Hundred Years in Yosemite*, 58.

<sup>15</sup> Russell, Interview with Maria Lebrado; Bunnell, *Discovery of the Yosemite*, 292.

among them, as they were “proud of his successes and boasted of his descent from their tribe.”<sup>16</sup> The Ahwahneechee community remained in the eastern foothills for about a year, and returned to Yosemite Valley some time after the snows had subsided in the summer of 1853. Shortly after the community re-established itself and had settled in new villages on the valley floor, tensions with the Kucadikadi boiled into violent conflict. According to Totuya, a group of five Ahwahneechees, including Tenaya, and “some of the Piutes” were killed during a gambling quarrel at Mono Lake.<sup>17</sup> Shortly after Tenaya’s death, a group of Ahwahneechees and a Tuolumne Miwok came into a mining settlement seeking “food and protection from their enemies,” and related another version of these events to Lafayette Bunnell, illustrating some of the fundamental tensions that likely motivated this conflict. After the Ahwahneechees had left Mono Basin, these men said, the Kucadikadi had undertaken a successful raid on a number of Euro-American ranching settlements. When a group of Ahwahneechees managed to steal these horses from their old allies, the Kucadikadi descended into Ahwahnee, located Tenaya’s new village, and killed the chief and a number of his braves.<sup>18</sup> Intertribal conflicts such as this were fueled principally by the strains and pressures of colonial settlement, as stock raiding continued to provide a critical food source for many tribes driven to the brink of starvation.

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<sup>16</sup> Bunnell, *Discovery of the Yosemite*, 292-293; Catherine S. Fowler and Sven Liljeblad, “Northern Paiute,” in *Handbook of North American Indians, Volume 11: Great Basin*, ed. Warren L. D’Azevedo and Willaim C. Sturtevant (Washington: Smithsonian Institution, 1986), 436.

<sup>17</sup> Russell, Interview with Maria Lebrado.

<sup>18</sup> Bunnell, *Discovery of the Yosemite*, 291-294.

In 1852, the United States Senate rejected all eighteen treaties negotiated between California Indian tribes and the three federal commissioners. Settler opponents charged that the proposed treaties were far too generous in the lands given to the tribes, despite the constant assertions to the contrary by Indian agents and commissioners.<sup>19</sup> Much academic attention has considered the subsequent history of Indian policy and the formations of a more lasting reservation system in California.<sup>20</sup> The continuing presence of the Ahwahneechee community in Yosemite Valley, however, points to another equally important strand of history, in which a number of Sierra tribes continued to forge out their livelihoods in their ancestral lands, resist violent settlement, and mine for gold, largely or entirely outside the orbit and grasp of the nascent reservation system.

An Ahwahneechee community remained in the valley of Yosemite long after the foundation of the Yosemite Grant and through much of the history of Yosemite National Park, until 1969, when the National Park Service finally razed the Indian Village and evicted its remaining residents.<sup>21</sup> As the Ahwahneechees had reminded Lt. Moore, Tenaya in fact never signed the Treaty of Camp Barbour, nor any other explicit agreement with the United States, and his people had never consented to their removal.

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<sup>19</sup> For more in-depth discussions over the debates and subsequent rejection of the treaties, see Brendan Lindsay, *Murder State: California's Native American Genocide, 1846-1873* (Lincoln: University of Nebraska Press, 2012); Benjamin Madley, *The United States and the California Indian Catastrophe, 1846-1873* (New Haven: Yale University Press, 2016); Harry Kelsey, "The California Indian Treaty Myth," *Southern California Quarterly* 55, no. 3 (1973): 225-238; and Phillips, *Indians and Indian Agents*.

<sup>20</sup> See George Harwood Phillips, "*Bringing Them Under Subjugation*": *California's Tejon Reservation and Beyond, 1852-1864* (Lincoln: University of Nebraska Press, 2004).

<sup>21</sup> Rebecca Solnit, *Savage Dreams: A Journey into the Landscape Wars of the American West* (Berkeley: University of California Press, 2014), 288; See also Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks* (New York: Oxford University Press, 1999).

Galen Clark claimed that the “old tribal chiefs” and “head men” of the Ahwahneechees had specifically promised the commissioners that they would “forever keep the peace, and never again make war against the white people,” if the government would “release” them from the reservation. By the turn of the century, Clark noted that the contemporary tribal community still “hold sacred” that promise.<sup>22</sup> Any such agreement would have depended in no small part on the fact that Tenaya’s people were never party to any of the official agreements brokered by the United States Treaty Commissioners.

Despite these particular circumstances, the Ahwahneechees were by no means the only tribe that continued to live outside the reservation framework for much of the nineteenth century. During the Mariposa War, for instance, while John Boling led the second armed invasion of Ahwahnee, James Savage marched into the High Sierra with another contingent of the militia, into the territories of the Western Mono. Savage’s men had almost no direct contact with Native people on this campaign, again deliberately burning the acorn stores found in abandoned villages. On his descent out of the foothills, however, Savage met a small group of Monos that refused to hold conversations with him, indicating only that they were “going east.” Savage “despaired” at his inability to capture any Indians on this campaign, but was satisfied that the Battalion’s efforts had compelled “nearly all the Monos” to retreat to the east.<sup>23</sup> Some of these tribal communities of the High Sierra had not been explicitly mentioned by the treaty

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<sup>22</sup> Clark, *Indians of the Yosemite Valley*, 30, 16.

<sup>23</sup> R. E. Russell to M. B. Lewis, May 17, 1851, in *Daily Alta California*, June 12, 1851; See also Crampton, *Diaries of Robert Eccleston*, 81-94.



commissioners, who in all likelihood were not even aware of them. For tribes such as these, not explicitly included in the operations of the treaty commission, the Mariposa Battalion was satisfied to simply force them out of the Gold Country.

After the death of Tenaya, a group of Ahwahneeches for a time left their ancestral lands and lived among the Tuolumne Miwok, another tribe that had maintained close relations with Tenaya for decades.<sup>24</sup> This blended community, largely outside the framework of the reservation system, continued to rely on raiding mining camps and stores as a source of food.<sup>25</sup> In the autumn of 1853, a handful of the members of this tribe raided Lafayette Bunnell's store on the North Fork of the Merced, taking one mule, and killing the two men left in its charge. The settlers of Mariposa County reported the murders to the new Sherriff, John Boling, and to County Judge Bondurant, one of the petitioners that had originally called for the Mariposa Campaign two years previously. Boling was enthusiastic to commence another campaign as soon as he could gather a "sufficient force," but was unable to act since the Tuolumne tribe lay outside Mariposa County's jurisdiction.<sup>26</sup> The following year, however, Boling "summoned to his aid a number of the old members of his company" to ride against "strange Indians" that had caused a "wild alarm" among the miners on the South Fork of the Merced. Violence was

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<sup>24</sup> Bunnell, *Discovery of the Yosemite*, 297.

<sup>25</sup> The Tuolumne Miwok were signatories to the Treaty of Dent & Vantine's Crossing of May 28, 1851, which had by this time been reneged on by the U.S. Senate. A reservation, the Tuolumne Rancheria, was thereafter established only in 1910. For the unratified treaty, see Robert F. Heizer, Robert F. Heizer, "The Eighteen Unratified Treaties of 1851-1852 Between the California Indians and the United States Government," (Publications of the University of California Archaeological Research Facility, 1972), 41-44.

<sup>26</sup> Bunnell, *Discovery of the Yosemite*, 295-298.

avoided only once the mounted militiamen arrived to find only a band of Kucadikadi visiting the western foothills in search of acorns.<sup>27</sup> Such a seasonal migration for food supplies had become all the more necessary in recent months, as Treadwell Moore published a report of his punitive expedition in which he detailed gold-bearing regions in the eastern Sierra, which almost immediately led non-Native prospectors into Paiute territories.<sup>28</sup>

Years after the conclusion of the Mariposa War, the continuing indigenous presence in the mines, whether for the purposes of hunting and gathering, gold mining, or stock raiding, fueled settler outcries over the possibility of “another general outbreak” of indigenous resistance.<sup>29</sup> In 1852, the Belgian Miner Jean-Nicolas Perlot wrote that along the diggings of the Chowchilla River, “the Indians announced their presence to the white men by stealing at one stroke eighteen mules belonging to different miners.”<sup>30</sup> Twenty-two white prospectors then “untied and set off” to “recapture the mules from them or at the very least to run them out of the country.” The prospectors failed to track or capture their targets, however, and after three subsequent Indian raids on mining camps, a number of white miners congregated in Mariposa and demanded the Sheriff “outlaw” Indians from the region.<sup>31</sup> According to Perlot, “nobody made any opposition” to these

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<sup>27</sup> Ibid., 299-300.

<sup>28</sup> Bunnell, *Discovery of the Yosemite*, 277-278; Russell, *One Hundred Years in Yosemite*, 59.

<sup>29</sup> Bunnell, *Discovery of the Yosemite*, 298.

<sup>30</sup> Jean-Nicolas Perlot, *Gold Seeker: Adventures of a Belgian Argonaut during the Gold Rush Years*, trans. Helen Harding Bretnor, ed. Howard R. Lamar (New Haven: Yale University Press, 1985), 129.

<sup>31</sup> Ibid., 129-132.

demands, and after ten days, the sheriff issued a “decree” stating “whereas the Indian has openly made war on the miners and against all kinds of property... I pronounce the Indian outlawed.” Any white settler, the decree went on, was “permitted to kill the Indians he encounters anywhere in the county of Mariposa, on the sole condition of burying them and letting the sheriff know where and how many of them he has killed.”<sup>32</sup>

The pervasive threats of settler violence, however, failed to eradicate the indigenous presence in the southern Sierra, and to stamp out Indian resistance. A frustrated Robert Bolyan noted in 1852 that “nothing but the hostility of the Indians” had prevented Euro-American miners from prospecting along the Fresno River.<sup>33</sup> The following year, settlers again assembled in Mariposa “for the purpose of taking steps to chastise the Indians, who have, as of late, made repeated depredations on the property of our citizens.” The *San Joaquin Republican* complained that Indian raids on mining settlements were “almost a daily occurrence” in Mariposa, and charged that “these depredations are committed by the Yo-Semites tribe of Indians, who have always heretofore refused to *treat* with the Indian Agents. They have a large Rancheria, at the headwaters of the Mercede River. They are a wily tribe, and somewhat noted for bravery and daring.”<sup>34</sup>

Commonly-held assumptions have long suggested that Indian mining in California effectively disappeared, along with any concerted indigenous resistance,

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<sup>32</sup> Ibid., 132. John Boling replaced James Burney as Sheriff on April 6, 1852, but Perlot’s account is unclear as to which man issued this “decree.”

<sup>33</sup> R. J. Bolyan to Wife, May 18, 1852, R. J. Bolyan Gold Rush Letters, California State Library.

<sup>34</sup> *San Joaquin Republican*, July 23, 1853. Emphasis original.

between 1849 and 1851.<sup>35</sup> In reality, many Miwok and Yokuts people continued to employ gold mining to a significant extent, as part of a mixed economy including traditional hunting and gathering practices and occasional stock raids. Some of these miners sold their gold to non-Native traders under agreements similar to those made with Savage and the Murphys before the Mariposa War. After the war, in late 1851, George Belt received a contract to trade with Native people, under the terms of the Treaty of Camp Fremont, and set up a store on “Belt’s Ferry,” in close proximity to several Miwok and Yokuts tribes. These indigenous miners were so successful that they had dug “several thousand” dollars’ worth of gold, and in a short time “the shelves were ‘cleaned out’ at the store,” worrying the traders that the Miwoks and Yokuts would start to take their gold dust to “rival trading posts in the vicinity.” Resigned to this reality, the Belt’s Ferry traders sold the Native miners a “small herd of cattle” at reduced price to avert this “calamity,” and to continue this profitable arrangement.<sup>36</sup>

In these latter stages of the Gold Rush, many Miwok and Yokuts tribes continued to mine independently. In February of 1852, for example, John Doble entered a store in Alabama Gulch to find a “large crowd” of Northern Sierra Miwoks of “all sexes and sizes,” armed with “plenty of the dust” to purchase “large quantities of beef & Cognac.”<sup>37</sup> Indian mining operations in this region were evidently so extensive that around this same

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<sup>35</sup> James J. Rawls, “Gold Diggers: Indian Miners in the California Gold Rush,” *California Historical Quarterly* 55, no. 1 (1976): 29; Susan Lee Johnson, *Roaring Camp: The Social World of the California Gold Rush* (New York: W. W. Norton, 2000), 239.

<sup>36</sup> Carvel Collins, ed., *Sam Ward in the Gold Rush* (Stanford: Stanford University Press, 1949), 44-45.

<sup>37</sup> Charles L. Camp, ed., *John Doble’s Journal and Letters from the Mines: Mokelumne Hill, Jackson, Volcano, and San Francisco, 1851-1856* (Denver: The Old West Publishing Company, 1962), 45-46.

time, Scottish prospector J. D. Borthwick believed that the Miwok miners working around Mokelumne Hill “seemed to be a slightly superior race to those farther north,” as they “apparently had more money, and consequently must have had more energy to dig for it.”<sup>38</sup> In 1853, a group of Tuolumne Miwoks and Ahwahneechees acquired some mining implements from Bunnell’s store. One portion of them began prospecting along the North Fork of the Merced, while the others gathered acorns in the surrounding foothills. After one of this party died from injuries sustained in a mining accident, however, they abandoned the enterprise and left for the Hetch Hetchy Valley.<sup>39</sup>

Those tribal communities that continued to engage in gold mining in this later period fiercely protected their knowledge, preventing further influxes of violent settlers from descending upon their diggings. In 1854, Jean-Nicolas Perlot frequently saw groups of Indian women pass by his camp en route to Coulterville and other local mining settlements. Noticing that these travelers almost always made their return trips “loaded with flour,” Perlot concluded the tribe must have been working a substantial mining operation somewhere nearby to pay for these goods. Perlot had extensive conversations with “Juan,” a son of the tribe’s chief that spoke Spanish. According to Perlot, this chief had “expressly forbidden him ever to reveal to the palefaces where their camp was.”<sup>40</sup> Only After Perlot gradually established Juan’s trust was he allowed to bring a group of French and German miners to this tribe’s diggings, “an auriferous region where no [non-

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<sup>38</sup> J. D. Borthwick, *3 Years in California* (Oakland: Biobooks, 1948), 235-236.

<sup>39</sup> Bunnell, *Discovery of the Yosemite*, 292.

<sup>40</sup> Perlot, *Gold Seeker*, 181-182.

Native] miner had yet appeared.” Most importantly, Perlot gained access to these diggings only after he promised to help bring flour directly to the mining site, so that the tribe’s women would no longer have to make the 56-mile trek to Coulterville.<sup>41</sup>

In the later nineteenth century and after the close of the Gold Rush decade, the mining industry grew more commercialized, and dominated by large-scale quartz mining operations.<sup>42</sup> Native miners increasingly worked within this system as wage-laborers. In 1868, for example, a correspondent of the *Sacramento Union* visited two quartz mills on the Tuolumne River run by the “Fall & Temple” company. The correspondent was horrified to find “only two white men” in their employ, while laborers of “the inferior races” did “about all the work” at the mines. The company profited nearly exclusively from the “cheap labor” of “Indian Bucks and squaws and Chinamen,” who were “made to sort the ore and break it, etc., for milling.”<sup>43</sup> Work in these industrialized mining operations could be exceedingly dangerous. Two Native miners, Fred Daut and “Tom,” for example, were severely injured by a “premature blast” while working in the mines near Clark’s sawmill in 1867. Both men suffered severe burns, while Daut “had the flesh torn from his hand.”<sup>44</sup> While Native miners were thus increasingly incorporated into this wage-labor market working at such large operations, others still continued with independent placer mining. After the establishment of the mine at Hite’s Cove in 1862,

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<sup>41</sup> Ibid., 183.

<sup>42</sup> Johnson, *Roaring Camp*, 188, 258-259.

<sup>43</sup> *Mariposa Gazette*, December 25, 1868.

<sup>44</sup> *Mariposa Gazette*, August 3, 1867.

Totuya and her half-sister Lucy Hite panned for gold along the South Fork of the Merced. While the sisters had always known of this auriferous region in their ancestral territories, they came of age after the Gold Rush proper, and had little direct experience with the mining methods employed by members of their parents' generation. For this reason, the sisters "were taught to do it" by observing other prospectors working in surrounding regions.<sup>45</sup> Totuya remembered frequently trading their gold dust with white traders just as extortionate as those of previous decades, as they "robbed us of our findings."<sup>46</sup>

Throughout this period the pervasive threats of settler violence continued to place immense pressures on longstanding intertribal relationships. In November of 1852, John Doble noted that the local Northern Sierra Miwok tribes around the town of Volcano were "rather irritated" with more distant tribes that passed through their territories foraging for acorns and other resources. The "large companies" of these migrating people, Doble said, had "been stealing considerable lately," and "several have been wounded while thieving & some have been killed."<sup>47</sup> Meanwhile, Galen Clark had observed the ways the Ahwahneeches saw "their original tribal relations were ruthlessly broken up" in the wake of the Mariposa War.<sup>48</sup> At various points and for varying periods after the invasions of their lands, different families of Ahwahneeches sought refuge and

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<sup>45</sup> Russell, Interview with Maria Lebrado; "Mariposa's Lucy Hite," Hite Family File, Mariposa Museum and History Center; Erwin G. Gudde, *California Gold Camps: A Geographical and Historical Dictionary of Camps, Towns, and Localities Where Gold Was Found and Mined; Wayside Stations and Trading Centers* (Berkeley: University of California Press, 1975), 157.

<sup>46</sup> Russell, Interview with Maria Lebrado.

<sup>47</sup> Camp, *John Doble's Journal*, 129.

<sup>48</sup> Clark, *Indians of the Yosemite Valley*, 1.

lived with relatives and allies among the Kucadikadi Paiute, the Tuolumne Miwok, the Awalache Miwok under Cypriano, and probably several other tribes, while some remained in Ahwahnee.<sup>49</sup>

Some members of this diaspora may have mined alongside Jean-Nicolas Perlot in 1854. Between the South Fork of the Merced and Yosemite Valley, Perlot visited a cluster of three villages about ten miles outside Ahwahnee, housing about 250 individuals. Perlot continually referred to this tribe as the “Yau-Sé-miti,” but their chief, “José,” told him of a treaty in possession of his son, “Scipiano,” suggesting his people were not associated with Tenaya, who had never negotiated or signed any treaty with representatives of the United States government. Perlot noted upon viewing the copy of this treaty, however, that its terms were agreed between members of the tribe and James D. Savage.<sup>50</sup> While Savage was intimately involved in both the enforcement and negotiation of the U.S. Commissioners’ treaties, he himself was not a signatory to any of them. As smaller-scale treaties between certain tribes and individual groups of settlers were not uncommon in the Gold Rush era, it is possible that José’s tribe had negotiated their own treaty with Savage, prior to the arrival of the commissioners. Nonetheless, the nature of the post-war diaspora suggests that several Ahwahneechee individuals or families may have come to live among José’s tribe.<sup>51</sup> Since the role of chief typically

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<sup>49</sup> Bunnell, *Discovery of the Yosemite*, 291-299; John Bowling, Capt. Comp’y B., to Col. G. W. Barbour, May 29, 1851, in *Daily Alta California*, June 14, 1851.

<sup>50</sup> Perlot, *Gold Seeker*, 180, 190, 223-224.

<sup>51</sup> Kathleen L. Hull, *Pestilence and Persistence: Yosemite Indian Demography and Culture in Colonial California*, 60.



passed in a patrilineal line, the death of Tenaya and his sons would have required another family to assume the leadership of the tribe. As one scholar has posited, it is possible that José, and his son Scipiano after him, may have assumed this role.<sup>52</sup>

About a year after the conflict between the Ahwahneeches and Kucadikadi broke out, another series of events would see the deterioration of yet another important intertribal relationship. In September of 1854, Juan approached Perlot and reported that the Tuolumne Miwok “have come to take our salmon and have killed two of our brothers; they are numerous and strong.”<sup>53</sup> Perlot circulated a petition among the other white settlers of the region, which stated that “the Indians of the Toualumné have come to attack the Yau-Sé-miti, our friends,” asking if they would join to help “repel the aggressors.” 45 white prospectors signed this petition, and followed Juan to lay an ambush against the Tuolumnes. According to Perlot, as soon as the Tuolumnes saw that Juan had enlisted white settlers to his cause, they “promptly scuttled away; it would have been easier for us to catch a running deer than one of these Indians.” Perlot and his men fired upon the retreating Tuolumnes, “rather to frighten them rather than to hit them,” after which Juan and his warriors “ran down the hill at full speed and pursued their enemies as far as the flat bottom. The war was ended for us, for we hadn’t the strength to follow those lads.”<sup>54</sup>

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<sup>52</sup> Ibid., 95.

<sup>53</sup> Perlot, *Gold Seeker*, 220.

<sup>54</sup> Ibid., 221-223.

In the face of settler violence, the ravages of European disease, and the decimation of tribal economies and natural resources, the tribes of the southern Sierra continued resist, adapt, and survive, throughout the rest of the nineteenth century and into the present day. While popular narratives emerged in the nineteenth century describing the “extinction” of a once-proud tribe, Ahwahneechee, Miwok, Yokuts, and Paiute people continued to work and live both within Yosemite Valley and throughout the surrounding foothill country. Early settlers and tourists to the Yosemite region relied extensively on indigenous guides, and on the intertribal trails they maintained over these territories since time immemorial.<sup>55</sup> Indigenous labor was integral to the growth of the park at Yosemite, as Native men worked as hunters, fishers, wranglers, wagon drivers, and manual laborers, while women worked as laundresses and as domestic workers in the hotels that soon sprang up in the valley.<sup>56</sup> As late as 1891 some were still placer mining to supplement their income.<sup>57</sup>

A testament to indigenous resilience in the southern Sierra is demonstrated most clearly in a petition submitted by “the Yosemite Indians” to the President and Congress of the United States in the late nineteenth century, some time between 1888-1891. In this petition, the signatories, identifying themselves as “Yosemite Indians” and “Mono-

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<sup>55</sup> Harriet J. Kirtland, “Journal of a Trip Through the Southern Mines,” May 28, 1857, California State Library; “Wandering in Yosemite Valley,” August 23, 1867, in *Mariposa Gazette*, September 14, 1867; Clark, *Indians of the Yosemite Valley*, 95, xiii; Russell, *One Hundred Years in Yosemite*, 61.

<sup>56</sup> Clark, *Indians of the Yosemite Valley*, 71; D. H. Hubbard and Coyt Hackett, Interview with Eddie Webb, August 16, 1961, Interviews Relating to Yosemite National Park, ca. 1948-1976, Bancroft Library; Douglas Hubbard, Interview with William Sell, Jr., Interviews Relating to Yosemite; Hull, *Pestilence and Persistence*, 74.

<sup>57</sup> A. E. Wood, *Annual Report of the Acting Superintendent of Yosemite National Park to the Secretary of the Interior, 1891*, 7; *Mariposa Gazette*, August 3, 1867.

Yosemites” charged that “as Indians and survivors... we were unfairly and unjustly deprived of our possessions,” facing the “overbearing tyranny and oppression of the white gold hunters, who had and who were continually usurping our territory.” The petition goes on to state that after surviving the “wantonly unjust and outrageous” actions of the Mariposa Battalion, the remaining members of these tribes have “earned a scanty livelihood by hunting, fishing, etc.,” while white tourists come “in wagons to look at the great rocks in the valley.” Finally, after criticizing the State of California’s protection of the valley as little more than “a hay farm and cattle ranch,” the signatories stated,

as we have been wronged and robbed this valley in the first place by the whites, and has been turned by them into a place for their own benefit, and has been withheld from us for 37 years and we have received not one iota of remuneration for our natural rights and interests therein... we pray you... give to us for our just claims upon this Yosemite Valley, and our surrounding claims so violently and wrongfully wrested from us without either cause or provocation... one million dollars; for which consideration we will forever bargain and convey all our natural right and title to Yosemite Valley and our surrounding claims.<sup>58</sup>

In 1891, in his annual report to the Secretary of the Interior, the Acting Superintendent of the nascent Yosemite National Park, Captain A. E. Wood, acknowledged the presence of a tribal community living within the boundaries of the park, who “inhabited the Yosemite Valley and neighboring country longer than their traditions go back.” Wood also noted their recent petition, but advised against granting

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<sup>58</sup> Edward Castillo, “Petition to Congress on Behalf of the Yosemite Indians.” *Journal of California Anthropology* 5, no. 2 (1978): 271-277.

their demands. “Like all of their kind,” Wood warned, the Native people in Yosemite “with but few exceptions, will get drunk whenever they can get the liquor.” In highly paternalistic and demeaning terms, Wood noted that even though the tribe was subsisting off of low-wage, seasonal work, “if left to themselves I can not see how this money would make them happier or improve their condition. A few designing whites would have the most of it in a short time, and it would beget homicide and crime among the Indians themselves.”<sup>59</sup> After more than two centuries of colonial violence dispossession, indigenous communities in the present day, in the Sierra and beyond, continue to resist, revitalize and endure.

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<sup>59</sup> Wood, *Annual Report of the Acting Superintendent*, 7-8.

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## Appendix A

Treaty made and concluded at Camp Fremont, State of California, March 19, 1851, between Redick McKee and others, Commissioners on the part of the United States, and the Chiefs, Captains, and Head Men of the Si-yan-te, etc., etc., Tribes of Indians

A treaty made and concluded on the nineteenth day of March, in the year eighteen hundred and fifty-one, at Camp Fremont, near the little Mariposa river, in the State of California, between Redick McKee, George W. Barbour, and Oliver M. Wozencraft, commissioners appointed by the President of the United States to treat with the various tribes of Indians in the State of California, of the one part, and the chiefs, captains, and head men of the Si-yan-te, Pó-to-yun-te, Co-co-noon, Apang-as-se, Aplache, and A-wal-a-che tribes of Indians, of the other part.

ARTICLE 1. The said tribes of Indians severally acknowledge themselves to be under the jurisdiction, control and authority of the government of the United States, and as such, that they severally agree and pledge themselves to refrain in future from the commission of any act of hostility or aggression towards the government of the United States, or any of the citizens thereof, and to live on terms of peace and friendship, not only with the citizens of the United State, but with all Indian tribes.

ART. 2. The said tribes hereby severally relinquish, and forever quit claim to the government of the United States, all the right, title, claim, or interest, of whatsoever character, that they, or either of them may have had, or now hold, in and to any lands in the limits of the State of California, or the United States.

ART. 3. It is agreed between the contracting parties, that the district of land lying between the Mercede and Tuolumne rivers, to wit: commencing at a point on the Mercede river, opposite the mouth of a small stream emptying into said river, on the south side of said river, about one mile above what was formerly known as Ford's ferry, now known as Stone and Company's ferry; running thence a direct line to the Tuolumne river, striking or intersecting said river at the mouth of a gulch emptying into said river at a bend about two miles above Spark's old ferry, being at or near the foot of the first fall or rapids of said river, above said Spark's ferry; thence down the middle of said stream to a point one-half of one mile above Harr's ferry; thence a straight line across, so as to intersect the Mercede river at a point about one-quarter of one mile above the present residence of Dr. Lewis, on said stream; thence up the middle of said Mercede river to place of beginning; the said district, supposed to contain about four full townships of land, is hereby and shall be forever set apart and held for the occupancy of said tribes of Indians; and it is further stipulated, that said tribes shall have free access to all the country between the Mercede and Tuolumne rivers, extending above said described district to the Sierra Nevada mountains, for the purpose of hunting and collecting fruits, nuts, &c.; but in no event shall they remove their women and children from the lands hereby set apart for their occupancy. The government of the United States reserving the right to establish a military post, and to erect the necessary buildings for an agent or other officers, within the limits of said land.

ART. 4. In further consideration of the aforesaid premises, and for the purpose of aiding in the subsistence of said tribes of Indians during the years eighteen hundred and

fifty-one and two, it is agreed by the party of the first part to supply said tribes jointly with one hundred head of good beef steers, and one hundred sacks or barrels of flour, each year.

ART. 5. It is further agreed, that as soon after the ratification of the treaty by the President and Senate of the United States as may be practicable and convenient, the said tribes shall be furnished jointly and free of charge by the government of the United States, the following articles of property, to be divided among said Indian tribes, according to their respective numbers, to wit: ten brood mares and one jack or stallion, twenty-five cows and one bull, five large and five small ploughs, ten sets of gear or harness complete, one hundred axes, one hundred hatchets, one hundred hoes, ten mattocks or picks, all necessary seeds for sowing and planting for one year, eight hundred pounds of iron, two hundred pounds of steel, two hundred pairs of two and a half point blankets, two flannel shirts and two pairs of coarse pants for each man and boy, one linsey gown for each woman and girl, two thousand yards of brown sheeting, two thousand yards of calico, twenty-five dollars worth of thread, needles, buttons, scissors, &c.

ART 6. The United States agree further to furnish a man skilled in the art of farming, to live among and instruct said tribes, and such others as may be placed under his supervision, in the business of farming, one blacksmith, one man skilled in working in wood, (wagon maker or rough carpenter,) one superintendent, and such assistant school teachers as may be necessary, all to live among and work for, and teach said tribes and such other tribes as they may be required to work for and teach; said farmer, blacksmith,

worker in wood and teachers to be supplied to said tribes as aforesaid, for the period of five years, and as long thereafter as the President of the United States shall deem advisable: a school-house and other necessary buildings for the accommodation of the persons named in this article to be erected at the cost of the government of the United States.

ART. 7. It is further agreed between the parties, that for any violence done by individuals to the person or property of any citizen of the United States, by an Indian or Indians, of either of said tribes, or if done by a citizen or citizens of the United States, to the person or property of any of said tribes, or any of the members thereof, no personal retaliation shall be attempted, but the party aggrieved shall apply to the civil authorities of the country for a proper redress of their aggrievances; each party pledging themselves to bring, if possible, all guilty offenders to justice, by delivering them up to the officers of the law when in their power.

ART. 8. These articles of agreement to be binding on the contracting parties when ratified and confirmed by the President and Senate of the United States of America.

In testimony whereof, the said parties have hereunto signed their names and affixed their seals upon the day and date above written.

REDICK McKEE. [SEAL.]

G. W. BARBOUR. [SEAL.]

O. M. WOZENCRAFT. [SEAL.]

For and in behalf of the Si-yan-te tribe.

TRAI-PAX-E, chief, his x mark.	[SEAL.]
HABITO, his x mark.	[SEAL.]
CO-TOS, his x mark.	[SEAL.]
E-LI-UM, his x mark.	[SEAL.]
AN-GOT, his x mark.	[SEAL.]
HO-MO-LUCK, his x mark.	[SEAL.]
PE-TE-LA, his x mark.	[SEAL.]
MA-LA-TIA, his x mark.	[SEAL.]
A-WAS-SA, his x mark.	[SEAL.]

For and in behalf of the Po-to-yun-te.

BAU-TIS-TA, chief, his x mark.	[SEAL.]
IA-WACK-NO, his x mark.	[SEAL.]
LE-KEN-A, his x mark.	[SEAL.]
US-SA, his x mark.	[SEAL.]
FELIZ, his x mark.	[SEAL.]
MAN-TU-PA, his x mark.	[SEAL.]
WA-LIL, his x mark.	[SEAL.]
HE-WO-WEE, his x mark.	[SEAL.]
CHUCUS, his x mark.	[SEAL.]

For and in behalf of the Co-co-noon.

NEN-O-LO, chief, his x mark. [SEAL.]

MAN-LIN-O, his x mark. [SEAL.]

JO-SE, his x mark. [SEAL.]

WAS-SAL-IS-CO, his x mark. [SEAL.]

JOSE VEN-TU-RA, his x mark. [SEAL.]

For and in behalf of the A-wal-a-che.

CY-PRI-ANO, chief, his x mark. [SEAL.]

WOO-MA-ACK, his x mark. [SEAL.]

AT-CA-NA, his x mark. [SEAL.]

AC-TON, his x mark. [SEAL.]

IO-TO-CO-NO, his x mark. [SEAL.]

HA-MA-CHA, his x mark. [SEAL.]

For and in behalf of the A-pang-as-se, or Appang-assa, tribe.

NU-MAS-E-CA-NO, chief, his x mark. [SEAL.]

CO-NO-TO, his x mark. [SEAL.]

PON-SIL-LO, his x mark. [SEAL.]

LO-PE-AC, his x mark. [SEAL.]

For and in behalf of the Aplache tribe.

HAW-HAW, chief, his x mark. [SEAL.]

OU-TU-PI-TU, his x mark. [SEAL.]

IN-TE-A-TA, his x mark. [SEAL.]

TAS-SE-O, his x mark. [SEAL.]

OU-MA, his x mark. [SEAL.]

WA-PA-TA, his x mark. [SEAL.]

Signed, sealed and delivered, after being fully explained, in presence of—

John McKee, Secretary.

Adam Johnson, Agent.

H. S. Burton, Interpreter.

E. D. Keyes, Captain third artillery, commanding escort.

I. H. Lendrum, First lieutenant 3d artillery.

J. Hamilton, Lieutenant 3d artillery.

T. Moore, Lieutenant 2d infantry.

H G. J. Gibson, Second lieutenant 3d artillery.

N. H. McLean, Second Lieutenant 2d infantry.

John E. Durivage.

Thos. J. Roach.

## Appendix B

Treaty Made and concluded ad Camp Barbour, on the San Joaquin River, State of California, April 29, 1851, between Reddick McKee and others, Commissioners on the part of the United States, and the Chiefs, Captains, and Head Men of the How-ech-ees, &c., &c., Tribes of Indians

A treaty of peace and friendship made and concluded at Camp Barbour, on the San Joaquin river, California, between Redick McKee, George W. Barbour, and O. M. Wozencraft, commissioners thereto specially appointed, on the part of the United States, and the undersigned chiefs, captains and head men of the tribes or bands of Indians now in council at this camp, known as the How-ech-ees, Chook-cha-nees, Chow-chil-lies, Po-ho-nee-chees and Nook-choos, which five tribes or bands acknowledge Nai-yak-qua as their principal chief: also the Pit-cat-chees, Cas-sons, Toom-nas, Tallin-chees and Pos-kesas; which five tribes or bands acknowledge Tom-quit as their principal chief; also the Wa-cha-ets, Itachees, Cho-e-nem-nees, Cho-ki-men-as, We-mal-ches and No-to-no-tos, which six tribes or bands acknowledge Pas-qual as their principal chief.

ARTICLE 1. The said tribes or bands acknowledge themselves jointly and severally under the exclusive jurisdiction, authority and protection of the United States; and hereby bind themselves to refrain hereafter from the commission of all acts of hostility or aggression towards the government or citizens thereof, and to live on terms of peace and friendship among themselves, and with all other Indian tribes which are now or may hereafter come under the protection of the United States.

ART. 2. Lest the peace and friendship hereby established between the United States and the said tribes should be interrupted by the misconduct of individuals, it is



expressly agreed that, for injuries on either side, no private revenge or retaliation shall take place or be attempted; but instead thereof, complaints shall be made by the party aggrieved to the other through the Indian agent of the United States in their district, whose duty it shall be to investigate, and, if practicable, adjust the difficulty; or, in case of acts of violence being committed upon the person or property of a citizen of the United States by an Indian or Indians belonging to or harbored by either of said tribes or bands, the party or parties charged with the commission of the crime shall be promptly delivered up to the civil authorities of the State of California for trial; and in case the crime has been committed by a citizen or citizens of the United State upon the person or property of an Indian or Indians of either of said tribes, the agent shall take all proper measures to bring the offender or offenders to trial in the same way.

ART. 3. The said tribes or bands hereby jointly and severally relinquish, and forever quit claim to the United States, all the right, title, claim or interest of any kind they or either of them have or ever had to lands or soil in California.

ART 4. To promote the settlement and improvement of said tribes or bands, it is hereby stipulated and agreed that the following district of country in the State of California, shall be, and is hereby, set apart forever for the sole use and occupancy of the aforesaid tribes of Indians, to wit: —Beginning at a point in the middle of the Chonchille river, near an old Indian rancheria, called Ta-ha-leel, and immediately at the junction of the two first main forks of said river, in the foothills; running thence a straight line in a southwesterly direction, to the top of the point of the Table mountain, on the San Joaquin river, being the first high hill or mountain above and adjoining the valley in which the

camp known as camp Barbour is established, on the south side of the San Joaquin river, continuing thence on the top of said mountain a straight line in the same southwesterly direction to the eastern base of what is known as the lone or lost mountain, on the south side of King's river; continuing thence a line in the same direction to the middle of the Cowier river, generally known as the first of the Four creeks; thence down the middle of said stream to a point fifteen miles in a straight line from where the first line strikes it, thence back to the middle of the Chonchille river to a point fifteen miles distant, on a straight line from the starting point, as aforesaid, on said river; the said line from the Cowier river, or first of the Four creeks, to be so run as to cross King's, San Joaquin, and Frezno rivers at the distance of fifteen miles in a straight line from where the first line herein mentioned crosses each one of said rivers, and from where the last mentioned line strikes the Chonchille river, up the middle of said stream to the beginning: To have and to hold the said district of country for the sole use and occupancy of said Indian tribes forever; Provided, that there is reserved to the government of the United States the right of way over any portion of said territory, and the right to establish and maintain any military post or posts, public buildings, school houses, houses for agents, teachers, and such others as they may deem necessary for their use, or the protection of the Indians; And provided further, That said tribes of Indians, or any portion of them, shall at all times have the privilege of the country east of the aforesaid district, and between the waters of the Chonchille and Cowier rivers (or first of the Four creeks) to the foot of the Sierra Nevada mountains, to hunt and to gather fruits, acorns, &c.; but in no event are they or any of them to remove or settle their families beyond the limits of the first described

district or boundary of land without the permission of the government of the United States through their duly authorized agent; and also that the said tribes shall never sell or dispose of their right or claim to any part thereof, except to the United States; nor shall they ever lease to, or permit white men to settle, work, or trade upon any part thereof, without the written permission of the Indian agent for the district. And it is also expressly understood that the mona or wild portion of the tribes herein provided for, which are still out in the mountains, shall, when they come in, be incorporated with their respective bands, and receive a fair and equal interest in the land and provisions hereinafter stipulated to be furnished for the whole reservation; and the tribes above named pledge themselves to use their influence and best exertions to bring in and settle the said monas at the earliest possible day; and when the Yo-semi-te tribe come in they shall in like manner be associated with the tribes or bands under the authority or control of Nai-yak-qu.

ART. 5. To aid the said tribes or bands in their subsistence, while removing to and making their settlement upon the said reservation, the United States, in addition to the numerous and valuable presents made to them at this council, will furnish them free of charge, with five hundred head of beef cattle, (to average in weight five hundred pounds) and two hundred and sixty sacks of flour, (one hundred pounds each) during each of the years 1851 and 1852, to be divided among them by the agent, according to their respective numbers.

ART. 6. As early as convenient after the ratification of this treaty by the President and Senate, in consideration of the premises, and with a sincere desire to

encourage said tribes in acquiring the arts and habits of civilized life, the United States will also furnish them with the following articles, to be divided among them by the agent, according to their respective numbers and wants, during each of the two years succeeding the said ratification, viz:

Two pairs strong pantaloons and two red flannel shirts for each man and boy, one linsey gown for each woman and girl; three thousand yards calico, and three thousand yards brown sheetings, thirty pounds Scotch thread, six dozen pairs scissors, assorted, one gross thimbles and five thousand needles, assorted, one two and a half point Mackinaw blanket for each man and woman over fifteen years of age; three thousand pounds iron, and five hundred pounds still. And in like manner, in the first year, for the permanent use of the said tribes, and as their joint property, viz:

Seventy-five brood mares and three stallions, one hundred and fifty milch cows and three bulls, twelve yoke of work cattle, with yokes, chains, &c., twelve work mules or horses, thirty ploughs, (ten large and twenty small) thirty set harness for plough horses or mules; seeds of all proper kinds, for planting and sowing; one hundred chopping axes, one hundred hatchets, thirty mattocks or picks, three hundred garden or corn hoes, one hundred spades, fifteen grindstones, three United State flags, (one for each principal chief).

The stock enumerated above, and the product thereof, shall be marked or branded with such letters as will at all times designate the same to be the property of the said tribes, and no part or portion thereof shall be killed, exchanged, sold, or otherwise parted with, without the consent and direction of the agent.

ART. 7. The United States will also employ and settle among said tribes, at or near their towns or settlements, one practical farmer, who shall act as superintendent or director of agricultural operations, to reside at some central point, and to have two assistants, also men of practical knowledge and industrious habits; one carpenter or worker in wood, to direct and aid in the construction of houses, repairing plows, &c.; one blacksmith, to reside at some central point; three principal school teachers, and as many assistant teachers as the President may deem proper, to instruct said tribes in reading, writing, &c., and in the domestic arts of sewing, housekeeping, &c., upon the manual-labor system: all the above-named workmen and teachers to be maintained and paid by the United States, for the period of five years, and as long thereafter as the President shall deem advisable. The United States will also erect suitable school houses, shops, and dwellings for the accommodation of the schools, teachers and mechanics above specified, and for the protection of the public property.

These articles to be binding on the contracting parties, when ratified and confirmed by the President and Senate of the United State.

In testimony whereof, the parties have hereunto signed their names and affixed their seals, this twenty-ninth day of April, in the year of our Lord one thousand eight hundred and fifty-one.

REDICK McKEE. [SEAL.]

G. W. BARBOUR. [SEAL.]

O. M. WOZENCRAFT. [SEAL.]

For and in behalf of the How-ech-ees.

NAI-YAK-QUA, his x mark. [SEAL.]

NO-CHEEL, his x mark. [SEAL.]

CHAL-WAK-CHEE, his x mark. [SEAL.]

PAR-SA, his x mark. [SEAL.]

PO-YAI, his x mark. [SEAL.]

For and in behalf of the Chook-chanees.

CO-TUM-SI, his x mark. [SEAL.]

TI-MOH, his x mark. [SEAL.]

SA-WA-LAI, his x mark. [SEAL.]

A-CHAT-A-NA, his x mark. [SEAL.]

MI-E-WAL, his x mark. [SEAL.]

For and in behalf of the Chow-chil-lies.

PO-HO-LEEL, his x mark. [SEAL.]

E-KEENO, his x mark. [SEAL.]

KAY-O-YA, his x mark. [SEAL.]

A-PEM-SHEE, his x mark. [SEAL.]

CHO-NO-HAL-MA, his x mark. [SEAL.]

For and in behalf of the Po-ho-nee-chees.

PO-TOL, his x mark. [SEAL.]

CHEE-KO, his x mark. [SEAL.]

MOOCH-CATE-E, his x mark. [SEAL.]

HO-HAS-SEE, his x mark. [SEAL.]

COW-WAL, his x mark. [SEAL.]

For and in behalf of the Nook-choos.

PAN-WACH-EE, his x mark. [SEAL.]

KET-TA, his x mark. [SEAL.]

MUL-LU-CE, his x mark. [SEAL.]

TAW-WICH, his x mark. [SEAL.]

WAL-LIN, his x mark. [SEAL.]

For and in behalf of the Pit-ca-chees.

TOM-QUIT, chief, his x mark. [SEAL.]

YA-KO-WAL, his x mark. [SEAL.]

TOO-TRO-MI, his x mark. [SEAL.]

CHO-LUL, his x mark. [SEAL.]

NE-SA-PLO, his x mark. [SEAL.]

For and in behalf of the Cas-sons.

DOMINGO-PEREZ, his x mark. [SEAL.]

TOM-MAS, his x mark. [SEAL.]

JOSE-ANTONIO, his x mark. [SEAL.]

For and in behalf of the Toom-nas.

HAT-CHU-LOO, his x mark. [SEAL.]

TAP-PA, his x mark. [SEAL.]

PO-SHA, his x mark. [SEAL.]

For and in behalf of the Tallinchees

CHO-KETE, his x mark. [SEAL.]

PAL-LO-KOOSH, his x mark. [SEAL.]

HOW-IL-ME-NA, his x mark. [SEAL.]

SO-KUCH, his x mark. [SEAL.]

For and in behalf of the Pos-ke-sas.

KO-SHISH, his x mark. [SEAL.]

KO-ITCH, his x mark. [SEAL.]

COP-PI, his x mark. [SEAL.]

WO-WAL, his x mark. [SEAL.]



For and in behalf of the Wacha-ets.

PAS-QUAL, chief, his x mark. [SEAL.]

WA-KEEN, his x mark. [SEAL.]

JOSE ANTONIO, his x mark. [SEAL.]

For and in behalf of the Itachees.

WA-TOO, his x mark. [SEAL.]

A-POR-TRIA, his x mark. [SEAL.]

TO-NAI-CHEE, his x mark. [SEAL.]

For and in behalf of the Cho-e-nem-nees.

WAU-TOE-KI, his x mark. [SEAL.]

HO-LET-TEE, his x mark. [SEAL.]

TA-WEEN, his x mark. [SEAL.]

For and in behalf of the Cho-ki-men-as.

KO-HEEL, his x mark. [SEAL.]

TRA-TRA-IT-SE, his x mark. [SEAL.]

WHO-TON, his x mark. [SEAL.]

For and in behalf of the No-to-no-tos.

PAS-QUAL, his x mark. [SEAL.]

For and in behalf of the We-mal-ches.

PAS-QUAL, his x mark. [SEAL.]

Signed, sealed and delivered, after being fully explained, in presence of—

John McKee, Secretary.

John Hamilton, Interpreter.

Adam Johnston, Agent.

E. D. Keyes, Captain third artillery, commanding escort.

W. S. King, Assistant surgeon, U. S. Army.

I. M. Lendrum, First lieutenant 3d artillery.

H. G. J. Gibson, Second Lieutenant 3d artillery.

N. H. McLean, Second Lieutenant 2d infantry.

I. F. A. Marr.