

**CALIFORNIA INDIANS  
DURING THE SPANISH, MEXICAN,  
RUSSIAN, AND U.S. INVASIONS**

by Rick Foster

**A PROGRAM FOR CALIFORNIA TEACHERS  
TO ACCOMPANY THE PLAY**

***FRIENDLY FIRE:***

***A FORTY-NINER'S LIFE WITH THE MIWOK***

**PRESENTED BY**

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## A PROGRAM FOR CALIFORNIA TEACHERS TO ACCOMPANY THE PLAY *FRIENDLY FIRE: A FORTY-NINER'S LIFE WITH THE MIWOK*

### PRE-CONTACT POPULATION

When the Hispanic missionaries arrived in 1769 there were, according to now-accepted estimates, about 310,000 people living in California. If we assume that the population had been stable for two centuries then, at the time the first European settlements took root on the East Coast in the late 1500s, California was more heavily populated than any other large area in what is now the United States. As we all know, our state is fruitful.

### ABORIGINAL DIVERSITY

This rich place was extremely diverse in its cultures and languages. There were no large political organizations. No huge tribes that could meet every year. With a very few exceptions at the geographical extremes of the state, the people were settled in villages and organized into tribelets whose populations numbered in the hundreds, each comprising one or more villages. There were well-established geographical boundaries, so each tribelet was really a sovereign nation state.

As my play was at pains to point out, the people had a rich culture. Though settled in their small states, they had complex contact with surrounding villages via their festivities and marriage ties. They conducted trade across the Sierra Nevadas and from the Coast to the mountains. They were hunter-gatherers but not merely foragers. They did many things to manage their territory. I know the most about the Sierra Miwoks who used controlled burns to maximize the productivity of their favorite acorn producing trees, micro-managed woodland to introduce meadows and other small grasslands, and worked to optimize

conditions for edible plants called wild potatoes and wild onions and for their primary construction materials. The extent of this activity has only recently come to light and is well covered in the book: *Before the Wilderness* which is on your bibliography. I am sure that parallel ecology-specific techniques were employed in other regions of the state

### ABORIGINAL FAMILY

One constant was the central importance of the family. Family relations were very complex and were international affairs. It was usually required for people to marry outside of their village and for the couple to have no common ancestors for at least three, and for some tribes five, generations. Thus while there was no pyramidal political structure, there was an all embracing web composed of tens of thousands of inter-tribelet family connections. These connections existed both among the ruling classes and among the ordinary people. This system gave everyone a stake in maintaining good relations with neighboring groups.

This is not to say that everyone was peaceful and loving to everyone else. They were after all human beings. There were conflicts, skirmishes, and mutual mistrust. But the people had evolved a complex system of conflict resolution that reduced war to a minimum and never required the formation of a warrior class. We have no way of knowing how long this system had been in place, but it was fully developed before the first Spanish priests showed up in 1769.

The aboriginal "family values" were of inestimable importance for sustaining the culture and insuring survival of the group during difficult times. You probably have an image in your minds of the horrors of, say, English lower class society during the Industrial Revolution. Dickens described people like these in novels like *Hard Times*. People were taken off their farms and put in disease-riddled tenements in the cities. Deprived of their village family structures, stripped of support groups during times of deprivation, prey to alcoholism, subject to the whims of employers and the rise and fall of the marketplace, they sank into unimaginable misery—and all this happened within a racially uniform population where all the people had a common culture and religion. Imagine then, how much greater the alienation would be for people who had no cultural, religious, or linguistic affinity with the ruling classes that controlled

their fates. This is what will happen when the aboriginal Californians have their family structures shattered.

#### HISPANIC COLONIZATION VERSUS ANGLO

The Hispanic manner of colonization was, as you know, very different from that practiced by English-speaking expansionists. To simplify, the basic difference was this: When the Hispanics went north from the heart of Mexico they had a three-pronged attack. The military would subdue the local power structure. Working hand in glove with the army, ambitious churchmen would establish an all-embracing commercial-religious structure and impose their religion, culture, and technology on the conquered people. Then enterprising lay people would establish large agricultural or (in some cases mining) establishments, primarily employing the indigenous people to do the dirty work. The native people were always a resource to be exploited. Over time there would be interbreeding between colonists and colonized resulting in a mestizo or mixed class which would eventually have access to the middle class. In fact the theory was that after Christianity was fully established, the mission lands would be given to the Indians to farm as good Christian subjects of the Spanish Crown or as Mexican citizens. However, the theory never led to practice and the lands were taken over by enterprising members of the conquering class.

The English-speaking colonists came across the Atlantic intending to do their own dirty work—or else to import indentured white labor from their own population centers. And later they would import slave labor from Africa. Though there were isolated missionaries who went out to convert the native peoples to Christianity it was never a matter of state policy, and never received the huge capitalization that went into Christianizing the Spanish colonies. The native peoples, who had been practicing their cultures for thousands of years on the land, were seen by the U.S. as a nuisance, something to be removed as economically as possible. One Indian group would be pitted against another, but never were the people seen as a sustainable resource to be exploited indefinitely. Just as the bison were slaughtered by the millions to make room for cattle on land that is not permanently able to support heavy cattle grazing, so were the Native Americans cleared off land that, in less than a century, would see its topsoil dangerously compromised.

California was the place where these two conflicting styles of colonization met one another. We'll get to that, but first let us look at what happened to the Native Californians between 1769, when the mission at San Diego was established, and 1848 when California became the property of the United States.

#### IMPACT OF HISPANIC COLONIZATION

The Spanish missionaries brought Christianity and agriculture to California. They also brought measles, small pox, diphtheria, and syphilis—diseases to which the people had no immunity and which extracted a terrible toll, even beyond the limited coastal areas which the Spanish were able to control. Within the territories controlled by the Spanish and—after the Mexican Revolution—by the Mexicans there were other factors that contributed to the population decline. Chief of these was the destruction of the family as it had been known by Native California.

The priests forbade polygyny, which had been central to cementing the relations between tribes—each chief marrying a princess from several surrounding groups. In order to enforce chastity, the missionaries kept the sexes apart and made the unmarried men and women sleep in separate locked dormitories. This confinement of groups of people of course made diseases spread much faster and drastically depopulated the areas under mission control. This in turn led to sending the military out beyond areas of control to forcibly conscript more converts—and so forth.

It also severed the bonds connecting nearby groups and compromised both the traditional conflict resolution practices and the mutual aid arrangements that went hand in glove with the marriage bonds.

By 1821, when Mexico won freedom from Spain, disease and the practices of the missionaries had reduced the population from 310,000 to an estimated 200,000. And this of course was without even building a single adobe house in by far the largest part of the state.

Economically things changed under Mexican rule. The vast mission lands were eventually secularized. This presented huge opportunities to ranchers who established a somewhat less destructive system of control in areas where the missions had not entirely erased the old structures. They were less concerned

with the Indians' souls than with their productivity. So they allowed the people to remain in their native communities on their ranches and taught the men to be cowboys—something that they were very good at.

#### THE RUSSIAN IMPACT

During the later part of the Spanish and the early part of the Mexican periods, there was another European player: the Russians. Beginning at the end of the 1700s they raided for furs as far south as Bodega Bay. In 1812 they established a permanent colony at Fort Ross. This was in territory which we today identify with the Pomo Indians. Just like the rest of California, the people now called the Pomo were divided into small tribelets and not organized in a way to resist the Russians. The official story seems to be that the Russians were less brutal than the Spanish. Today's Pomo do not see it that way. Here is from one of their web-sites:

(<http://indy4.fdl.cc.mn.us/~isk/art/basket/pomohist.html>)

The Russian method was to attack a village and kidnap all the women and children. The women were used as whores and domestics, children and older women made to work fields. They were hostages for the men's forced labor: bringing in furs, meat and fish food supplies. All worked the hides. Women and children were tortured and killed to enforce compliance.

Declining fur stocks led to the abandonment of the Fort which was sold to John A. Sutter in 1841.

#### THE INDIANS BEGIN TO RETALIATE

Meanwhile population declines among the coastal Indians had resulted in the Spanish raiding inland more and more. The neophytes that were conscripted in these incursions were in a different position from their predecessors. If they didn't like Mission life they could run away to areas they knew well and where they had allies. When they returned they brought with them what they had learned about horses and cattle. They were equipped to raid herds from the coast and drive them into the valley.

This activity provoked military reprisals by the Hispanics. In 1819 there were three separate invasions of the Central Valley by small bands of Spanish troops

augmented by neophyte soldiers. In the southern San Joaquin Valley, the Yokuts people fled their villages and generally kept out of sight of the Spanish. But the Muquelemne Miwoks on the Calaveras River met one of these bands in a pitched battle and there were Spanish casualties.

In 1824 there was a serious revolt among neophytes who were fed up with what we would call "police brutality" inflicted by sadistic soldiers. This ended without widespread killing, but resulted in the repatriation of nearly two hundred valley Indians who had learned enough to begin applying the organizational and technical skills they had absorbed from the Hispanics.

This was the beginning of a real armed resistance in the San Joaquin Valley. One of these resistors—a Yokuts man with the Christian name Estanislao—became, I think, the only Native Californian to give his name to a county—our Stanislaus County. It is very interesting to speculate what might have happened if the Indians and Mexicans had been left alone to work out how the state would develop. The Indians were, at all times, vastly superior in terms of raw numbers. If they had continued to master the technology and organizational skills of the colonists who knows what would have happened? However continental politics were moving at too great a speed to allow this experiment to be completed. Mexico City cared very little for its northernmost outpost, but both the U.S. and Britain were casting covetous eyes on the Pacific Coast.

#### THE US AND THE BRITISH ENTER THE PICTURE

So life was about to become very complex for the Central Valley Indians. While they were learning to ride the horses that reproduced explosively after being driven into the valley, and while they were becoming proficient in the kinds of warfare needed to repel the Hispanics, the first U.S. trappers arrived with a force under Jedediah Smith.

It was 1826. Smith had discovered a southern route to California. He came up the Central Valley where the Yokuts people, who had fled the Spanish, welcomed him warmly. These Americans had, at first, one aim only: to get rich by trapping beaver. They wanted good relations with the Indians but would shoot first if they thought the Indians needed a lesson in white superiority. At the same time they needed to maintain

friendly relations with the Mexican authorities, and so they aided the Indians or the Mexicans, depending on how the wind blew at the moment.

News of Smith's journey sowed the seeds of interest in California back in the States where there were already many ambitious pioneers. His presence also alarmed the British in Oregon, the disputed territory that was still occupied by a British post at Fort Vancouver. So the Hudson's Bay Company trappers began aggressively trapping the Sacramento river.

The trappers were always caught in a double bind. They worked and lived among the Indians of the Central Valley, who were increasingly relying on horses and cattle as a source of meat—animals that were originally stolen from the ranchos to the west. The trappers could not operate in the face of any concerted hostility from the Indians. But the trappers stayed in California at the pleasure of the Mexicans who pressured them to help in the recovery of stolen animals and the punishment of the thieves.

The Indians were equally caught in a double bind. On the one hand the trappers were willing to trade things they needed or desired—like metal implements to help them adapt to their changing circumstances or alcohol to which they were susceptible. On the other hand they sensed that the trappers were only the beginning of white encroachment. This double bind for the natives would grow ever more intense during the 1840s.

The trappers brought with them a form of malaria which rapidly infected the mosquitos of the rich wetlands of the Sacramento Valley. An estimated twenty-thousand Indians died of this disease and an unknown number were left partly disabled. Many of the survivors stopped going to the wetlands which had been an important source of food and thus the Indians' ability to survive by traditional means was further weakened.

#### THE ARRIVAL OF SUTTER

Hard on the heels of the malaria epidemic, John A. Sutter obtained permission from the Mexican authorities to establish his settlement in the interior. You probably know the outlines of Sutter's career, how he started his New Helvetia near the confluence of the Sacramento and American Rivers. How he used Indian labor to start what he hoped would be a small

empire.

Sutter was in the same double bind that had confronted the trappers. Only more so. He needed the active and continuous support of a large number of Indians. Yet he had to appear to be upholding the Mexican law and attacking the horse and cattle raiders.

Likewise the choice facing the nearby Indian groups became starker. On the one hand Sutter's introduction of farming offered them a chance at subsistence in a rapidly changing ecology. They were offered the chance to learn the skills that people needed to survive in an agricultural world. And some of them got to learn the military skills of the invaders. On the other hand, many of the Indian leaders foresaw that this white encroachment was only the beginning and would lead to nothing good. They were of course right.

In 1841 the Bidwell-Bartleson party reached Sutter's fort and thus began the overland migration of U.S. citizens. Sutter eagerly helped these Americans establish ranches north of New Helvetia, intending for them to become a part of his empire. He loaned the immigrants what they needed to get started, including—most importantly—Indian laborers. This marked something new for Anglo pioneers. For the first time they were arriving in an area where the labor supply was primarily Indian. For a time at least it looked like this could lead to a permanent change in the U.S. style of colonization.

#### THE IDEA OF INDIAN LABOR USED TO ADVERTISE CALIFORNIA

Indeed there was what we would call a "public relations effort" to convince the United States that California Indians were a great, cheap source of labor. One early settler who planned to cash in on the new immigrants was Dr. John Marsh whose ranch near Mt Diablo was the first settlement reached by the Bidwell-Bartleson Party in 1841. Marsh frequently wrote letters to newspapers in the States, especially in the south where he let it be known that although slavery was officially illegal in Mexico, the California Indians provided a work force that had all the advantages and few of the disadvantages of African slaves. He affirmed that the Indians were "only grown up children" and that if they were "caught young" they could be taught everything needed to run a farm, that if you set up your farm near an Indian village you

would soon have “a whole tribe of willing serfs” who would submit to beatings “with more humility than negroes.” He didn’t mention the persistent raiding of the Mexican ranchos or the concerted military resistance of the Central Valley tribes.

We should be under no illusion about the terms of the contract between the whites and the Indians. Sutter advised the new immigrants on how to prosper: Punish the Indians who threaten your profit, but save as many as possible for labor. You must keep them “strictly under fear” he said in his Germanic English.

#### THE SITUATION GROWS MORE UNSTABLE

Key Indian communities, like the Muquelemne Miwok, were divided as to what to do. Sutter had quickly established and trained a small army of soldiers drawn from Indian groups that were friendly to him—or at least thought that he provided some help against the Mexicans to the west. This militia was more than adequate to defend Sutter’s heartland, but not yet powerful enough to occupy the entire Central Valley or eliminate horse raiding. Some of the Muquelemne Miwok joined Sutter while some continued to raid.

One story will illustrate how precarious things were for everyone: In 1845 Mexico City appointed a new governor, Manuel Micheltoarena who showed up with a group of ex-convict soldiers. Sutter befriended him and got him to extend his land grant and give him a Captain’s commission. But Micheltoarena and his ruffians soon alienated the majority of the Californios who revolted. Sutter marched to Los Angeles with his Indian army to aid his “friend” Micheltoarena. About the time he got there the new governor gave up the fight and sailed back to Mexico. Sutter and his army were arrested by Jose Castro. The Swiss empire-builder quickly promised to be loyal to the new government. He was too valuable to the Mexican authorities for them to remove him and create a power vacuum in the Sacramento Valley. So Sutter was released along with his men.

When he returned to New Helvetia he found that much of his labor force had used his absence to flee and try to resume their old way of life. He had to spend the summer of ’45 rounding up and punishing his vagrant workers, bringing them back to his rule of fear.

Meanwhile Jose Castro regretted his decision to free

Sutter. Or at least wanted Sutter’s wings clipped a little, so he incited a Muquelemne Miwok named Raphero to rebel against him. This Raphero was the son of the most powerful of the Muquelemne Miwoks, a chief named Maximo who had been Sutter’s ally. Sutter caught Raphero, beheaded him and displayed the head at Sutter’s Fort. But Raphero had a brother named Rufino and a brother-in-law who were in Sutter’s army. The brother-in-law remained loyal to Sutter whereupon Rufino killed him and returned to his people. Sutter then caught and executed Rufino which made the powerful Maximo his bitter enemy. All this shows how tenuous Sutter’s power over the Indians was. And it shows how utterly dangerous the world had become for the Central Valley Indians, caught between the Mexicans, Sutter, and their traditional bonds.

To sum up:

On the eve of the Mexican American War, the Central Valley Indians were divided between those who wanted to drive out the whites and those who wanted to cooperate. But every year more ranches were being founded by newly arrived U.S. citizens.

The coastal Indians south of San Francisco had seen their cultures largely destroyed.

The Pomo had outlasted the Russians and were beginning to deal with the Mexican incursions north of San Francisco.

North of the Pomo, and in the Sierras the people were still living a life close to what it had been before contact with white culture.

#### THE U.S. DECIDES TO TAKE CALIFORNIA AND ENLISTS INDIANS AGAINST MEXICO

As you surely know, John C. Fremont happened to be in California when the war with Mexico was declared and he organized the Bear Flag revolutionaries and commandeered Sutter’s Fort and its military capabilities for the conflict against the Californios.

In hindsight we know that the Californios were deeply divided on the question of remaining part of Mexico. We know that Fremont could most likely have conquered California without help from the Indians. However, that was not so clear in June of 1846 and like any commanding officer, Fremont preferred to have overwhelming superiority. So in the summer of ’46 he signed up as many Indians as possible. Given the deep-seated resentments against the Mexicans, this

was easy. However, he made promises to pay the Indian volunteers that he must have known he would not be able to honor. The Indian cavalry and infantry indeed proved very useful on his march south, providing the advance guard, stealing supplies from the Mexican ranches, and protecting the force from any surprise attack. After the war these men were all bitterly disappointed in having been cheated of their promised pay. Many of them took up lives as cattle and horse thieves and so increased animosity between the Indians and the new settlers who would take advantage of the U.S. victory.

As a sidebar it's worth noting that there was a large group of Walla-Walla Indians in Sacramento when the war broke out. These were the people that Marcus Whitman and his wife had come to convert in the northwest. They were in Sacramento to pursue justice against a white man who had killed a son of their Chief Pio-pio-mox-mox. They too volunteered on the U.S. side. They too were cheated, not only of their pay but of any legal action taken against the white murderer. They returned north in a rage of distrust of white people, raiding ranches and California Indian villages as they went. This experience contributed to the total breakdown of their relations with white people and the killing of the Whitmans the next year.

Immediately after U.S. conquest there were no great changes. Technically, all the Indians should have become U.S. Citizens. Under Mexican law they had all been Mexican Citizens and the treaties provided that all Mexican Citizens remaining in the newly acquired areas would become Americans. But it didn't work out that way.

## GOLD

Then, in 1848, as we all know, gold was discovered and all bets were off.

At the start of the Gold Rush there were still an estimated 150,000 Indians in California. That is down 50,000 since the Mexicans succeeded the Spanish in 1821 and down 160,000 since the Spanish first showed up with their religion, their weaponry, and their microbes. Eighty years had seen the population cut in half. The next decade would see that 150,000 cut by eighty percent. That is, by 1860 the U.S. occupation had cut the native population to 30,000. Four out of five were dead.

What the Mexicans and Sutter had been unable to do—

decisively subdue the Central Valley Indians—was quickly accomplished by the unimaginable tide of white invaders that came in 1849 and thereafter.

However, at the start of the Gold Rush, it was Indian Labor that made the first fortunes. Benjamin Kelsey, to take one example, forced a company of Indians from around Sonoma to go up to the dry diggings in 1848. He came back with a saddle bag so heavy with gold that his wife could not move it. When the Sierra Indians discovered that they could trade for items they valued they worked the rivers to remove the metal they had always known was there. As told in the play you just saw, up until the middle of 1849 the Indians extracted a large share of the gold that whites could get off them on extremely favorable terms, or which could simply be taken by force.

*Friendly Fire*, was meant to give a flavor of what the Gold Rush was like for the people who'd had the least contact with Hispanic culture. The burning of the villages after the theft of six mules actually happened above Sonora in the winter of 1850. Only there were actually three villages burnt instead of the two in the play.

From 1849 there was no possibility of an effective Indian resistance to white domination. There would be a few heroic, desperate actions, like the Modoc war twenty-some years later, but those would be last ditch efforts of people whose backs were against the wall. In the case of the Modocs it was precipitated when they were forced to share a reservation with a group that had long been hostile to them. For all California Indians, after the Gold Rush the only question was how to eke out the barest subsistence survival in a world where their traditional social and family bonds had been destroyed.

## AGRICULTURE AND RANCHING IN THE U.S. PERIOD

As we have seen, there were needs for Indian labor in the early phases of California agriculture. This remained an option for some Indians after the Gold Rush. Indeed, well into this century Indians formed a large part of the migrant farm workers. This story forms the background for the remarkable book *Weaving the Dream* by Greg Sarris about the Pomo weaver and healer Mabel McKay.

But while some Indian people maintained a livelihood it was always a struggle. A paradigmatic story is that of the Pomo people around Clear Lake. The Kelsey family and a man named Charlie Stone had applied for a huge land grant, had forced the Indians to build

them a grand adobe house, and were running immense herds of cattle on a spread centered on today's Kelseyville. There were two villages on the property which the Kelseys and Stone claimed. These people—probably numbering more than two hundred—were not allowed to eat any of the cattle and of course the cattle drastically disrupted their abilities to hunt and gather. Only one of the Kelsey brothers, Andy, was in residence at Clear Lake. He and Stone made the Indians build a high fence around each of their villages and punished anyone out after dark. They expected to have access to all the young women of the villages. Several village members were whipped to death or shot for transgressing against their self-defined laws.

There were about a dozen Indian riders who lived outside the fences and were paid at least enough to support their families. The payment was mostly in the form of wheat. The vast majority of the village Indians were threatened with starvation. Many old people died of hunger in the winter of 1849-1850. The two Indian head riders, men named Shuk and Xasis, couldn't stand it any more and decided to steal some cattle to feed the people. They tried it on a rainy night and the job was botched. Kelsey's best horse was lost in the attempt. Facing summary execution, Shuk and Xasis then organized an ambush in which they killed Stone and Andy Kelsey (the rest of the Kelsey family was not in residence at Clear Lake). For a few weeks the Indians lived well off the cattle and the supplies stored in the adobe house. But in May of 1850 a company of dragoons rode up to Clear Lake. They gave the Indians no chance to have a day in court or explain themselves in any way, even though the people sent out elders to negotiate. The company opened fire and massacred more than sixty Indians, mostly women and children. As a final irony, the land claim was finally disallowed, and so the Kelseys and Stone had no right to the property in the first place.

Through the 1850s many of the Indian workers were displaced as more experienced labor became available. White men who had lost everything in the Gold Rush would sometimes work for whatever was available. Chinese who came with highly developed agricultural and stone-working skills became a factor. And there was mechanization.

For example there was Pierson B. Reading, who had established the most prosperous ranch in the northern Sacramento Valley. In the 1850s he employed scores of Indians for three months to bring in his wheat. By 1864 he had a steam engine, a threshing machine, two heading machines, two wagons and twenty-two horses. With this capital equipment he was able to bring in his entire harvest in one week with a crew of only twenty-

two men. The Indians, for whom that seasonal labor had been crucial for maintaining subsistence, were simply made redundant on land that could no longer support their traditional food gathering practices.

In 1844, when Reading first came to the Sacramento Valley, he went trapping with the local Indians, looking for beaver and otter on the Trinity River. A young Indian, just coming into manhood, would have been born into a nearly untouched traditional way of life. This man, let's say he's nineteen in 1844, would have been able to use his traditional skills and technology to trap for the Hudson's Bay Company and trade for the new goods that would elevate his status with his people. Twenty years later, at the age of thirty-nine, he would find all his traditional land occupied by whites, all his traditional skills useless, and even the new agricultural skills he had learned made redundant.

#### THE STORIES OF THE TREATIES

Now, let's return to the matter of the U.S. acquisition of California.

The Treaty of Guadalupe Hidalgo, Feb. 2, 1848, guaranteed United States citizenship to Mexican citizens in California and recognition of their land titles. Indigenous Californians were citizens under Mexican and Spanish Law.

This would be entirely overlooked by congress in the years to come. But it was not entirely unnoticed at the time. John Fremont, now a U.S. Senator, made a report to the President on Sept 16, 1850—that's just a week after California became a State. Here are some excerpts: "...statements I have given you, Mr. President ...show that ...Spanish law clearly and absolutely secured to Indians fixed rights of property in the lands that they occupy...and that some particular provision will be necessary to divest them of these rights." "Our occupation is in conflict with theirs...to render this occupation legal and equitable...I have introduced this bill (to enact negotiations)...which recommends...the favorable consideration of the Senate...by its obvious necessity...because it is right in itself...because it is politic...and because it is conformable to the established custom of this Government."

But the Senate was not inclined to recognize that the Indians had any rights, including the right to negotiate treaties with the U.S.

However, things were in a muddle between the congress and the executive branch and so three commissioners were dispatched to California with



instructions to negotiate treaties. In California there was considerable support for this idea because it was costing the state a lot of money supporting militias that were punishing Indians accused of stealing stock.

So in early 1851 the three appointed commissioners began negotiating with various Indian groups. As Indian treaties go, these were not bad. Perhaps they did set aside enough land for the people to become self sufficient. One of the negotiators, O. M. Wozencraft, reasoned that if the Indians could retreat to their "mountain fastnesses" in the Sierra, they would be militarily unassailable and so very dangerous. Therefore he wanted them kept on large tracts in the Central Valley so that the miners in the foothills would be between them and their fortresses. Between March of 1851 and January 1852, the three commissioners negotiated eighteen treaties. They took these treaties back to Washington to be ratified.

Meanwhile sentiment in California had turned against the treaties. John Bidwell, the founder of Chico, had been using Indians on his ranch and had helped make the contacts between the commissioners and the Native people in the Sacramento valley. By 1852 he changed his tune. He was afraid that the land given the Indians would make them self-sufficient and so no longer willing to work his land at so cheap a rate. He wrote to Senator James McCorkle urging rejection of the treaties. He said that without their own lands the Indians would be sure to "cling around and shelter themselves under the protection of him who treats them best." This is truly a preposterous idea that no one who knew anything about frontier reality could entertain as a way to end the exploitation and extermination of Indians. Bidwell was neither a stupid man nor a vicious one, and I think his position merely illustrates the irrationality that the Indian question provoked in the so-called civilized minds.

So the Senate discussed the treaties and refused to ratify them.

Opponents to negotiated treaties in the U.S. Senate "...saw a policy...deeply affecting the present and future prosperity of the State." "...they (treaty commissioners) have undertaken to assign to the Indian Tribes, a considerable portion of the richest of our mineral lands." "...gentlemen have undertaken to assign a considerable portion of the latter to the Indian tribes, wholly incapable, by habit or taste, of appreciating its value." (we must ask here why indigenous Californians fought and struggled) "...they will...supply, to a great extent, what is so much needed, the labor, without which it will be long before California can feed herself." "To take

any...country...west of the Sierra Nevada...for the home of the wild and generally hostile Indians...we claim an undoubted right...to remove all Indian tribes beyond (sic)...limits of the State..."

Not only did the Senate fail to ratify the treaties, they were put under an injunction of secrecy which was not broached for more than fifty years, when they were discovered in 1905. At that late date they were held to be of no validity. So basically the California Indians were non-people. They were not members of any group that had any sovereign rights, and they were not recognized as U.S. citizens. They were legally aliens in the country that they had occupied for thousands of years. The white people could make whatever laws they wanted and the Indians could do nothing about it.

#### SURVIVAL

It's beyond the scope of this talk to cover the later part of the 1800s in detail, but in the 1890 census the Indian population was recorded as 15,238—so a hundred and twenty years had seen the numbers cut by 95%.

Nevertheless the destruction was not complete. More than sixty years after the Gold Rush the man called Ishi came out of the mountains. The world was dazzled with the incredible spiritual generosity and humanity of a man who had lost every member of his people and every human being who spoke his language.

There remain today thousands of people who identify with California Indian groups and who keep some portion of the old ways alive. There is a Heritage Commission in Sacramento, there is a California Indian Museum and Cultural Center which is currently struggling to find a permanent home. There are many cultural and festive events. You can find out about these by subscribing to *News from Native California* and by reading some of the books published by Heyday Press in Berkeley. Their contact information is on your bibliography.

#### A WORD OF CAUTION

Finally a word of caution. Indians have always played a strangely ambivalent role in the white psyche. We have killed them off but we have romanticized them. We have played "cowboys and Indians" and often enough we have identified with the "Red Man" in these fantasies. It is very easy for white people—those who

identify themselves as supporting Indian rights—very easy to assume that we own the images of our fantasies. Such white people may show up at an Indian event and think they participate but without paying the dues that real participation would entail. I think you can see how the Indians would easily feel ripped off by this sort of behavior. Therefore, white people who deal with Indian material either artistically, or culturally, or religiously, must be extremely sensitive and self-questioning if they are to avoid painful and confusing confrontations. It is simply built into our culture to assume that we have rights over Indian material and imagery. To get beyond these assumptions takes work. For all of these presumed rights are now under question. We can't simply dig up Indian bones any more. What else do we no longer have the right to do? What dues do we have to pay to expand our rights? It's an ongoing struggle to decide. I think it is a crucially important struggle, but we mustn't minimize its difficulty. I want to leave you with a poem by Wendy Rose, a poet of mixed Hopi and Miwok ancestry. Here it is:

You finish your poem  
and go back

**FOR THE WHITE POETS  
WHO WOULD BE INDIAN**

just once  
just long enough  
to snap up the words  
fish-hooked from  
our tongues.  
You think of us now  
when you kneel  
on the earth,  
turn holy  
in a temporary tourism  
of our souls.

With words  
you paint your faces,  
chew your doeskin,  
touch breast to tree  
as if sharing a mother  
were all it takes,  
could bring instant and primal  
knowledge.  
You think of us only  
when your voices  
want for roots,  
when you have sat back  
on your heels and  
become  
primitive.

## **Select Bibliography For: CALIFORNIA INDIANS DURING THE SPANISH, MEXICAN, RUSSIAN, AND U.S. INVASIONS; A PROGRAM FOR CALIFORNIA TEACHERS TO ACCOMPANY THE PLAY *FRIENDLY FIRE: A FORTY-NINER'S LIFE WITH THE MIWOK***

Blackburn, Thomas C., and Anderson, Kat, editors. *Before the Wilderness: Environmental Management by Native Californians*. Menlo Park, Ballena Press, 1993.

A wide compilation of the breakthrough scholarship detailing how carefully and completely the California Indians managed their ecosystem.

Hinton, Leanne. *Flutes of Fire: Essays on California Indian Languages*. Berkeley: Heyday Books, 1994.

An indispensable and delightful introduction to the topic, covering much more than "just" the languages.

Hurtado, Albert L. *Indian Survival on the California Frontier*. New Haven: Yale University Press, 1988.

An excellent account of the entire period from the arrival of the Spanish to the completion of the railroad. Both scholarly and readable.

Mayfield, Thomas Jefferson. *Indian Summer: Traditional Life among the Choinumne Indians of California's San Joaquin Valley*. Forward by Malcolm Margolin. Introduction by Frank F. Latta. Berkeley: Heyday Books, 1993.

This astonishing book is made of the recollections of Mayfield, recorded by Frank Latta in 1928. Mayfield had come to California at age six with his parents in 1850. After the death of his mother, his father allowed him to live with the Choinumne in Fresno County during the last years of their intact way of life. Later, he was sent to school and beaten for admitting he had lived with Indians. He decided to keep quiet and had told no one of his experiences until, in his eighties, he was approached by Latta. The book provides an unparalleled account of the life of a San Joaquin Valley people. Heyday has also published a children's version of the story.

Perlot, Jean-Nicolas. *Gold Seeker: Adventures of a Belgian Argonaut during the Gold Rush Years*. Edited by Howard R. Lamar. Translated by Helen Harding Brentnor. New Haven: Yale University Press, 1985

This contains perhaps the most sensitive description of Sierra Miwok life recorded by an eye witness. Perlot was remarkably free of the prejudices that blinded most white authors of the day and he actually bothered to learn Miwok and discuss philosophical issues with the Indians he befriended.

Sarris, Greg, editor. *The Sound of Rattles and Clappers: A Collection of New California Indian Writing*. Tucson: The University of Arizona Press, 1994

An introduction to what the survivors are writing and thinking now.

**Note:** All people interested in California Indians should get a current catalog from Heyday Books, Box 9145, Berkeley, CA 94709, the prime publisher on the subject, and should consider subscribing to their periodical: *News from Native California*.