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Official Correspondence...in Relation to Recent Indian Difficulties in the Northern Part of the State

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LOST AND FOUND

This installment of Lost and Found features a telling and evocative exchange of correspondence concerning the so-called "Indian problem" that was increasingly engaging the attention of a wide range of Californians as the Gold Rush was drawing to a close. It was originally printed in 1852 as a short report to the State Senate under the title "Official correspondence between the Governor of California, the U.S. Indian agents for California, and the Commander of the U. States troops now in California, in relation to recent Indian difficulties in the northern part of the state" (Sacramento City: E. Casserly), and was then reprinted in 1860 as a portion of a rare, larger volume entitled Majority and Minority Reports of the Special Joint Committee on the Mendocino War (Sacramento: Charles T. Botts). It was finally micropublished in 1975 in the series "Western Americana: Frontier History of the Trans-Mississippi West, 1550-1900" (New Haven: Research Publications). Bigler's April 8 letter to Hitchcock was reprinted in both Heizer and Almqvist's The Other Californians and in Heizer's The Destruction of the California Indians (which also included the initiating April 6 missive from the state legislators). Reading the entire exchange of letters between some of the main protagonists of the day inevitably reminds one that "plus ça change, plus c'est la même chose." Glenn Farris kindly arranged for us to obtain a copy of the 1852 publication for presentation here.

* * *

Sacramento City, Cal.
April 6, 1852

To his Excellency, John Bigler,
Governor of California:

The undersigned, Senators and Representatives from the Counties of Trinity, Klamath, Shasta and Siskiyou, most respectfully represent to your Excellency, that the constant and continued depredations committed by the various tribes of Indians on the lives and property of our citizens, demands more prompt, efficient and constant resistance, than the citizens of this district are longer able to make, as a short review of the past history of this section of our State and the present alarming situation of our citizens will demonstrate.

Since the winter of 1849-50 the Pitt River Indians have been constantly hostile, and their incessant depredations and murders have been only occasionally checked by expeditions of the whites made into their country. All the other tribes, to wit: the Cottonwood, Trinity, Klamath and Shasta Indians have, in turn, been hostile since the first settlement by the whites, but it has only been within the last few months that there appears to have been a general combination among them of hostility to the whites.

From our own personal knowledge, and from information obtained from reliable sources, we feel satisfied that the following statements of losses, both in life and property, that have occurred in our section of the State, from Indian depredations, are considerably below the reality:

SHASTA COUNTY

Number of whites murdered..... 40
Amount of property destroyed and stolen \$100,000

TRINITY COUNTY

Number of whites murdered..... 20
Amount of property destroyed and stolen \$50,000

KLAMATH COUNTY

Number of whites murdered..... 50
Amount of property destroyed and stolen \$50,000

SISKIYOU COUNTY

Number of whites murdered..... 20
Amount of property destroyed and stolen \$40,000

These enormous losses have all been sustained by the people of a small portion of this State within a very few months.

The evil is increasing every day, as a more intimate knowledge of the whites makes the Indians more bold and reckless in their attacks. Already they enter our towns and villages at night, and steal, or set fire to property; the habitations of the industrious miners, while they are at their labors, are entered with impunity and robbed of their contents; the pack animals on which the miners must depend for their provisions, are either killed

on the spot where found, or driven away to be roasted and eaten by the depredators. The people are compelled to travel from one portion of the country to another in companies well armed, to repel attacks.

It has been charged that the hostility of the Indians was superinduced by acts of injustice committed by the whites; as a general thing, we can state from our own knowledge this has not been the case, and have no hesitation in saying that it emanates from the known character of the Indians, a mischievous disposition and desire for plunder. In but few instances have the first offences been committed by the whites.

This state of affairs cannot continue much longer. If that protection which every State should extend to her citizens is not soon granted to our people, they must either unite and exterminate the Indians in their neighborhood or withdraw from it altogether.

To avoid a result so calamitous, but which is likely to become a matter of necessity, we call on you as the Executive of the State, to demand from the commander of the United States forces in California for troops sufficient to afford that protection and to punish the depredators; or if that cannot be done, then to order out the Militia for that purpose.

Eighty or one hundred men, in addition to those proposed to be located at Cow Creek, properly distributed in bands of ten to twenty along Trinity and Klamath rivers, and always in readiness for service, would probably be sufficient; for the Indians now generally act in small parties. Although there has not often been much difficulty in repelling them, yet it has been almost impossible to follow them to their haunts to chastise them. Instances have occurred where miners have attempted this, and returned only to find their habitations despoiled of every thing valuable.

For these reasons, we now ask of you protection for the people of that portion of the State that has never yet received anything at the hands of the Government. Confidently expecting your speedy attention to the same,

We remain, very respectfully,
Your obedient servants,

J.W. DENVER,
Senator, Klamath and Trinity Counties,

R.T. SPRAGUE,
Senator from Shasta,

THOMAS H. COATES, Klamath County.
SAMUEL FLEMING, Shasta County
E.D. PEARCE, Shasta County
GEO. O. McMULLIN, Trinity County

* * *

Executive Department,
Sacramento City, April 8, 1852

To Brevet Brig. General E. A. Hitchcock,
Commanding Pacific Division U.S. Army.

Sir:—I have the honor to submit for your examination a letter addressed to me, today, by the Senators and Representatives from the Counties of Trinity, Klamath, Shasta and Siskiyou.

You will learn, from a perusal of this communication, that there has been a resumption of hostilities in the north, and that our fellow citizens residing in the northern Counties are suffering the horrors of a predatory war. You are also presented with an aggregate statement of the number of citizens ruthlessly murdered in those Counties by savages, within "a very few months" past. Annexed to this melancholy narrative is an aggregated statement of the value of property destroyed by Indians during the same period. The history of these troubles, as recounted in this dispatch and in other papers before me, shows that the acts of these savages are sometimes signalized by a ferocity worthy of the cannibals of the South Sea. They seem to cherish an inveterate hatred toward the white race; and this is a principle of their nature which cannot be obliterated by time nor vicissitude. Perhaps, however, its intensity may be diminished by concession. Another infirmity of the Indian character of which we have incontestable evidence, is that their respect for treaty stipulations ceases at moment when the inciting causes—self-interest or apprehensions of punishment—are removed. The character and conduct of these Indians presents an additional illustration of the accuracy of observations repeatedly made, that whites and Indians cannot live in close proximity in peace; and it seems to confirm the opinion expressed in the inclosed dispatch, that an ultimate evacuation of the northern Counties by the whites or the Indians will be unavoidable.

In contingencies like these, a simple but imperative duty is imposed upon the Executive—to place the

State in the hands of the General Government, and to demand that aid and protection which the guaranties of the Federal Constitution assure us we are entitled to receive. If the General Government is, then, neglectful of the demand which we make upon it—if it is unmindful of the duty which it owes to us, we have one other alternative—to fight our own battles—to maintain our independence as a sovereign but isolated State, and to protect ourselves from intestine troubles, as well as from the incursions of merciless and savage enemies. Although we have found it necessary to embrace this alternative hitherto we have not forgotten our allegiance to the General Government; nor have I forgotten that devoted citizens, who respect their private and political obligations, possess the most sacred and binding claims upon the fostering protection of Government. The interests of a Government and a people are mutually dependent, and there is a line of reciprocal duty upon which a continuance of their mutual relations and interests depends. The citizen cannot absolve himself from his allegiance so long as he claims the protection of the Government, nor can the Government disregard the interests of the citizen in whatever quarter of the globe they may lie.

But, sir, it is my duty, however unpleasant it may be, to express my conviction, that adequate protection has not been extended by the Government at Washington to American citizens residing in California. I refer particularly to the fact, that the number of regular troops detailed for service in California, and on the borders of Oregon, have not been proportionate to the demands of the service. The mountain Indians, whose activity, sagacity and courage has never been surpassed by Indians on the Continent of America, are untamed and unconquered. Collisions between them and American citizens have been frequent, and the number of victims sacrificed to this neglect is being augmented every day. The strong and decisive interposition of Government is now asked. If this reasonable petition is not granted, I am apprehensive that results will ensue which every true friend of the Government must deplore.

I deem it my duty to assure you that unless prompt protection is afforded to the citizens of this State by the General Government, I shall feel bound to resort to the only means left me to defend the frontiers and to conquer a lasting peace. A resort to these means will

increase the debt of the State, and add to the burden of taxation imposed upon our citizens. To dispense with such a necessity, I indulge the earnest hope that you, as the military representative of the General Government in California, will exercise your authority to arrest hostilities, and to secure to us the blessings of a permanent peace.

In conclusion, permit me to suggest that if you have not at your immediate disposal a sufficient number of troops to detail for this service, and if you are authorized to state that the General Government will assume and pay expenses incident to a call of volunteers into the service, I will promptly issue a call for them whenever you may indicate a desire to have it done.

I have the honor to be,

Sir, your obedient servant,
[signed] JOHN BIGLER

* * *

Head Quarters, Pacific Division,
Benecia, Cal., April 10, 1852

To His Excellency John Bigler,
Governor of California, Sacramento City

Sir:—I have the honor to acknowledge the receipt of your Excellency's communication, of the 8th of April, 1852, with a copy therein enclosed, of a memorial to your Excellency, over the signatures of the Senators and Representatives of the Counties of Trinity, Klamath, Shasta and Siskiyou, representing the necessity of the service of troops in those counties for the protection of the citizens against Indians; making a lamentable exhibit of the murders and destruction of property committed by them in that section of the country, and calling upon me, as the Commander of the United States' troops, to furnish the required protection.

As this is the first communication I have had the honor to receive from your Excellency, upon the subject of defence against Indians; and as I have received, since my arrival in California last July, but one communication from your predecessor upon a similar subject, I beg leave to ask your attention to a few general points, in order that the position of the troops I have the honor to command, may not be misunderstood.

Upon my arrival in the country, I had several interviews with your predecessor in office, Governor McDougal, and did not learn from him, or from any other source, that there was a special necessity for troops in any one portion of the State more than another. In other words, I did not understand that a hostile attitude was exhibited by any of the Indian tribes.

In the month of June last, Major Kearney, with a small body of dragoons, on the march from Vancouver to this place, found it necessary to chastise the Rogue River Indians—a service handsomely rendered—attended, unfortunately, with the loss of a valuable officer, Captain Stuart, who was killed in conflict with those Indians. Subsequent to that, no indications of hostility on the part of the savages were made known to me, until in the month of October, when I saw the published account of the killing of eight white men upon the Coquille river. To this point I immediately sent a force, by which the Indians on that river were chastised—some killed, the remainder dispersed, and all their supplies of fish, &c., destroyed. It afterwards appeared that the published report upon which that expedition was founded, was inaccurate; and it has been stated that the white men represented to have been killed, escaped into the interior of Oregon. I regret to add, I have understood that their conflict with the Indians resulted entirely from their own imprudence, if not misconduct.

In the State of California, no Indian difficulties were heard of after July last, until the month of December last, when I received the first and only communication with which I was honored by your Excellency's predecessor, upon the subject of Indian hostilities. Governor McDougal then informed me, coincident with some published accounts, of an outbreak in the southern part of the State. There was reason to believe at that time, that a general combination of the tribes had been formed, threatening an extensive war. I received the communication referred to, when at Sonoma, and I hastened to San Francisco, where I made immediate arrangements to send a force to San Diego, which force was composed of all the available troops at Benicia and at Monterey; with these troops, in addition to those already at San Diego, Major Heintzelman marched promptly against the hostile Indians, whom he found prepared for defence; fought them, beat them, and securing the immediate authors of the war, effectually punished them, and restored perfect peace to that part of the country.

But the Yumas, on the upper Colorado, who had entered into the combination, were too remote to be reached at that time, and Major Heintzelman is at this moment prosecuting the war against them.

Your Excellency may rest assured, that whatever can be accomplished by energy and spirit, will be affected by that gallant officer against those Indians.

Excepting the cases stated above, I was not aware of there having been a special need of troops in any particular section of California, until a few days since, in a personal interview with Mr. Wyman, and from a letter from the Representative, the Hon. Mr. McMullin, I was led to believe that a Military Post was required in the Counties to which your Excellency refers, and so expressed myself verbally to the one and by letter to the other, intending at the earliest opportunity, if my means would permit, to establish a Military Post at some suitable point within those Counties.

A few days after coming to that determination I received a letter from Col. R. McKee, the Indian Agent, covering a copy of a detailed statement to your Excellency, by which I learned with extreme regret that the people of those Counties had gone out in bodies and inflicted terrible vengeance upon the Indians, for real or supposed murders and aggressions; Col. McKee evidently inclining to the opinion that there was no sufficient ground for such a proceeding; on which point I beg your Excellency to observe I express no opinion.

Previously to my hearing of the necessity of troops in the Counties to which your Excellency refers, and in the absence of actual hostility on the part of the Indians in any section of California, excepting the Yumas, just referred to, I had set on foot measures of a general nature for the better security of the frontiers. To show your Excellency my earnest wish to make the best disposition in my power of the force under my command, I beg to inform you that I have taken steps to establish a Post at the "Cajon Pass," another at Cow Creek, above Reading's, and have directed preparatory examinations to be made with a view to a post on the Oregon trail, somewhere east of Port Orford, designing to cause the entire frontier to be traversed by a mounted force, in the hope that these measures, taken together, will effectually secure peace. While making this statement, I am perfectly aware that isolated cases of murder and theft have occurred from time to time, in different parts of the State;

but I have attributed these to peculiar circumstances not indicative of hostility between the whites and Indians, or subject to the control of the troops.

Your Excellency knows that the state of affairs in California is unlike any thing that has ever previously existed in any part of the United States. Instead of a gradual settler movement from the coast to the interior, pushing the Indian, as it were, before an advancing civilization, every part of the country has been suddenly penetrated and explored; and, in many cases, occupied at points more or less distant from each other; leaving the Indians often in intervals between the whites, and in immediate proximity to them. This had inevitably been attended with much sacrifice of life and loss of property, and has engendered a feeling, sustained by views of interest which makes it difficult to see how collisions could have been avoided in the first instance, and leaves little hope of providing against them altogether, hereafter, until the white population shall, by some means or other, have come into full possession of the country.

During the process of occupying the country, it must unavoidably occur that much bitterness will temporarily be excited, which no wisdom or power can entirely prevent.

I entirely agree with your Excellency, that the two races cannot live in harmony together, and that their near neighborhood to each other must continue to be productive of evil.

I trust your Excellency, and the considerate portion of the population of California, will not infer, from the existence of such *evils* so naturally growing out of the *condition* of the country, any want of disposition on the part of the General Government to render every protection possible under the circumstances.

I can assure your Excellency, that the troops now here manifest the very best disposition in this respect; moving from point to point, as their services seem needed, with the utmost cheerfulness and alacrity; and I am happy to say, they have in no instance failed to perform, to the fullest extent, all the duties required of them.

That the number of troops, both in California and Oregon, is fewer than the nature of the service requires, I have duly represented to the War Department; and, not long since, a body of five hundred men reached here, which I suppose to be but a part of those designed to be sent upon my application.

If there has seemed any reluctance or delay in sending troops to this Military Division, the reason is to be found not in a want of disposition on the part of the Government to do full justice to the claims of California, but because it is well known to be almost impossible, owing to the peculiar temptations to desertion, to hold troops embodied and efficient for service, any where on this coast. I will, however, lose no time in communicating to the War Department the views and wishes of your Excellency, and in the meanwhile will make the best use of the force under my command for the protection of the country.

In regard to the Militia of the State, I have supposed that your Excellency is aware of my entire want of power to give any sanction to their being employed, and that I can only recognize such a force when called into service by the President of the United States.

I have the honor to be, sir,
Yours respectfully,
Your ob't serv't,
E.A. HITCHCOCK,
Col. 2d Infantry, B.B. Gen'l. Commanding

* * *

Executive Department,
Sacramento City, April 12, 1852

To Brevet Brig. Gen. E.A. Hitchcock,
Commanding Pacific Division, U.S. Army

Sir:—Your communication of the 10th inst., reached me this morning. In reply, I take pleasure in expressing my approbation of the measures already projected by you for the public defence and the establishment of peace. I am gratified to learn, that to promote objects so desirable, you “have duly represented to the War Department, that the number of troops, both in California and Oregon, is fewer than the nature of the service requires,” and that until your application for an increase of the number of troops is granted, “you will make the best use of the force under your command for the protection of the country.”

The deficiency in the numerical force of the troops attached to this division of the army, has been unfortunately too apparent hitherto. This deficiency continues

to be a subject of complaint among our citizens; and to repair the injuries resulting from it hitherto, expeditions of volunteers were organized to operate against the Indians. These expensive expeditions were mustered into service under the orders of my predecessor; not, however, without first consulting with the officer then in command of the U.S Troops, and ascertaining that the complement of men assigned for the service, was too small to enable him to comply with the requisitions then made. To provide for the subsistence and payment of the volunteers thus called into the field, a debt was entailed upon the people of this State—a debt which should not be augmented, but which should be promptly liquidated by the Superintending Government.

Impressed with the importance of these views, and acting upon the information conveyed to me by the gentlemen representing the northern Counties in the Legislature, I communicated my wishes to you.

I do not deem it my duty to state here the reasons upon which I have founded a conviction that the military debt of this State was justified by the most stern necessities. That conviction may, however, be fortified by facts.

By an expression to you of what I am persuaded is the public judgment, that the welfare if this State has not been a subject of paramount or reasonable solicitude to the Government at Washington. I have not intended to exhibit a want of confidence in the meritorious character of the regular troops stationed here; and I feel that I shall give a correct expression of the public sentiment, when I assure you that there is no lack of public confidence in the officers and men attached to your Division. I believe those officers and men have generally acquitted themselves with honor to the service.

I am familiar with the powers and duties delegated, in ordinary cases, to the officers of the army engaged in a service remote from the Seat of Government. I am also aware that without the direction of the President of the United States, you could not recognize the Militia of the State when called into service. But I had indulged the hope that an established fact, conceded by you, that it is “almost impossible, owing to the peculiar temptations to desertion, to hold troops embodied and efficient for service any where on this coast,” had induced the President to give you such plenary powers as the exigencies of the service assigned to you might require.

Hence, in my letter of the 8th inst., I indicated to you my readiness to place a limited number of volunteers under your command, whenever you might make such a requisition, with the sanction of the President. The Act of Congress of 1795, empowers the President to call forth the Militia of a State in such numbers as he may deem proper, “whenever the United States shall be invaded or be in imminent danger of invasion from any foreign nation or Indian tribe.”

I shall feel much obliged to you if you will communicate to me, as fully as is consistent with your duties, the precise nature of the steps which you design to adopt to terminate the present difficulties in the northern Counties.

I have the honor to be, very respectfully,
 Sir, your obedient servant,
 [signed] JOHN BIGLER

* * *

Head Quarters, Pacific Division,
Benicia, April 16, 1852

To His Excellency John Bigler,
Governor of California, Sacramento City

Sir:—I have the honor to acknowledge the receipt of your Excellency’s communication of the 12th instant. It affords me unfeigned pleasure to render thanks, in behalf of the troops I have the honor to command, for the favorable opinion you express of their conduct, and to assure your Excellency the army has no other desire than to merit the good opinion of the country whose flag waves over it.

I shall order to this place immediately, one of the two companies now at Fort Miller, on the San Joaquin, with the view to establish a post on the Klamath or its vicinity, so soon as proper arrangements can be made.

I have the honor to be,
 Sir, very respectfully,
 Your obedient servant,
 E.A. Hitchcock,
 Col. 2d Regiment, B. Brig. General Commanding

* * *

Disbursing Agency, Indian Department, in California,
San Francisco, April 5, 1852

To His Excellency John Bigler,
Governor of California, Sacramento City

Sir:—I have the honor to inform you, by the arrival of a vessel from Humboldt Bay and of Gregory's Express per Shasta Butte City, I have received letters from Capt. Walter McDonald of the former, and Mr. John McKee, Special Indian Agent for Shasta and Scott Valleys, announcing the existence of alarming difficulties between the whites and Indians on Eel River and on the Klamath. It appears that sometime in February, two men living on the north side of Eel River, some 15 or 20 miles from Humboldt, in a retired out of the way place, were murdered and their house robbed. As the river was unusually high and canoes scarce, the fact did not become known to the settlers on the east side of the river for several weeks. It was then concluded, as a matter of course, that the Indians had killed them; and meetings were immediately held at the towns on the Bay, and parties organized to hunt up and punish the guilty; but, no sooner were these brave warriors clothed with authority to represent and defend the country, than they commenced an indiscriminate attack upon the poor defenseless and wholly unsuspecting Indian settlements on and about the Bay, near Eureka and the mouth of Elk River, killing several; then proceeding out to Eel River, renewed the work of death, and finally succeeded in destroying the lives of 15 or 20 naked and defenseless natives, without finding even one of those generally suspected as being most likely to be concerned in the murder. A week or two later, some three or four other Indians who *were suspected* of being concerned in the murder (*if committed by Indians at all*), were overtaken on Eel River and summarily shot down. A gentleman from the Bay informs me that these rash, cruel, blood-thirsty proceedings, were wholly disapproved by many of the best men in the country; but they could not arrest them, and were indeed almost afraid to let their disapprobation be known.

From the temporary Agent at Shasta Butte City, I learn by letters dated 21st ult., that some time in February, an Indian boy of 18 or 19 years, whom I recollect seeing at a place on the Klamath, named "Happy Camp," was deliberately shot as he was leaving that camp, wading

the creek which puts in there, by a man from Missouri, called Capt. G.R. Tompkins. The body of the Indian floated out into the river, and was carried off. This boy, it seems, was connected with the Indian Rancheria at the ferry, or upper crossing, some distance above. A white man who was at Happy Camp when the boy was killed, having returned to his work near the ferry, was charged by the Indians as being cognizant of, or concerned in the murder; and finding the Indians exasperated, became alarmed about his own safety, returned to Happy Camp, collected a party there and at the other diggings on the river, then returned to the ferry, surrounded the village, *shot every man* and a number of *women*, and burnt their houses. Then proceeding up the river some two miles to a place called Indian Flat, surrounded another little village, and with the same results, except that in this case, one man escaped to tell the Agent and the whites in Scott's Valley, the story of their wrongs.

In all, between thirty and forty were killed in cold blood; the women and children left, fled into Scott's Valley—were loudly mourning the loss of their friends, and mainly dependent on the Agent and the liberality of the whites for provisions to keep themselves alive. Such, in substance, is the report sent me as obtained by the Agent from the man who returned to Happy Camp and raised the party. If instead of doing so, he had gone up into the Valley and applied to the Agent, he with his interpreter could have explained the matter to the Indians satisfactorily, and saved this wanton sacrifice of human life, which, if it does not endanger the peace of that frontier for months, has at all events brought lasting disgrace upon the American name. The Agent writes further, that the parties attempt to justify their disregard of the solemn treaty arrangements made with those Indians in November last, among other things, by the opposition which they understood the Legislature was making to the treaties; that if the treaties were to be disavowed by the authorities, they might just as well take the matter into their own hands at once, and rid the country of the whole race! This is a very sad state of things, and I am fearful will cause much trouble in that quarter when known, as it will be throughout the Indian country. It will throw obstacles in the way of our proposed arrangements with the Salmon and Trinity River Indians which I cannot at present see how I can overcome. The Indians do not understand our distinctions; they look

upon a treaty as a *bargain* between *all the Indians* on the one side, and *all the whites* on the other. And previous to this brutal outrage on our part, every account from that quarter of the State went to show that the Indians were quiet, and disposed to act peaceably and in good faith.

And I beg to submit to your Excellency, whether as the chief Executive officer of the State, some measures cannot be taken to vindicate the laws of the country as well as of humanity; and, if possible, bring some of those desperadoes to punishment?

Without pretending to advise as to what may be proper, I have thought that possibly much good might result from your issuing a proclamation, in handbill form, for the frontier settlements, calling upon all who have the true interests of California at heart, to frown upon such attempts to imbrue the frontier in blood, by exciting in the Indian the spirit of revenge and retaliation—so consonant to his education and habits—urging the great importance of preserving good faith with the tribes, and when treaties have been made, and *intimating* that those who act differently, will be held amenable to the laws. In addition, I would respectfully suggest, that orders be sent to the District State Attorneys to investigate the cases referred to in this communication, and if the facts have been truly reported, have the guilty indicted and tried for murder.

I am aware that such proceedings will involve considerable expense of time and money; but some example must be made, and I have no doubt whatever, but the Department of Indian Affairs will authorize me to refund whatever sum may be necessary for the conviction of the guilty.

In this connection, I will add that I design, at an early day, of calling the particular attention of Br. General E.A. Hitchcock, Commander of the Pacific Division, to the importance of establishing at least one or two small military posts on the frontier, for the mutual protection of both whites and Indians.

Commending this important subject to your Excellency's early attention,

I have the honor to remain,

Very respectfully,

Your obedient servant,

Redick McKee,

United State Indian Agent for Northern California

* * *

Executive Department

Sacramento City, April 9, 1852

To the Hon. Redick McKee

Indian Agent, &c.

Sir:—Your letter dated “San Francisco, April 5, 1852,” communicating the intelligence that serious collisions have occurred between white citizens and Indians, in the Counties of Klamath, Trinity, and Shasta, was received yesterday.

I assure you, sir, that I deplore the unsettled condition of affairs in the north; but the settlement of new countries, and the progress of civilization have always been attended with perils. The career of civilization, under the auspices of the American people, has heretofore been interrupted by no dangers, and daunted by no perils. Its progress has been an ovation, steady, august and resistless.

Governments are instituted for the protection as well as for the control of the governed; and this government, while it is under my administration, shall not fail to perform its duties. I am admonished by the intelligence communicated, of the necessity of taking steps to protect the people of California; and I concur with you in the opinion, that prompt action is indispensable. I have, therefore, determined to exercise the prerogative reposed in me by the Constitution, to solicit, and, if necessary, to enforce a peace. I have also made a demand upon the military Commander of the United States forces in California, for troops, and requested him to unite with me in an effort to terminate these unfortunate difficulties. I trust you, too, will unite with me in an appeal to the military authorities of the United States, stationed in California, to take the initiative in this business, and, by placing troops in the northern counties, with orders to act, relieve this State from the necessity of assuming a new military debt. A desire to preserve the credit of the State, and to place her integrity beyond the reach [of] suspicion, will not permit me to sanction any act to increase the public liabilities, unless necessity shall dictate it.

In detailing to me the troubles which have recently occurred with the Indians in the Counties of Trinity and Klamath, in the form communicated to you by Agents and others, I deem it proper to apprise you of the fact, that you place yourself at issue with the respectable

gentlemen representing these Counties in the Senate and Assembly of this State; and, in ascribing the guilt of these proceedings to our own citizens, your declarations are not corroborated by statements which they have submitted to me. You assume that our citizens have perpetrated these crimes, and profess to entertain no doubt but “the Indian Department will authorize you to refund whatever sum may be necessary to secure the conviction of the guilty.” Should you solicit an appropriation of money to be applied to that object, I trust you will add a separate appeal to the President, to direct that such additions be made to the troops detailed for duty in California, as the exigencies of the service imperatively demand.

I have remarked that there are discrepancies between your statement of the facts connected with this outbreak, and the statements laid before me by the members of the Legislature representing the northern Counties in which hostilities have occurred. They represent that the Indians are daily guilty of committing outrages upon unoffending citizens—that the number of white men murdered by Indians in the Counties of Klamath, Trinity, Shasta, and Siskiyou, within a few months past, is one hundred and thirty; and that the aggregate value of property destroyed by them during the same period is \$240,000. You, in turn, detail a series of atrocious outrages committed by the whites against the “naked and defenseless Indians;” and you assert that “this wanton sacrifice of human life has, at all events, brought lasting disgrace upon the American name.” You, however, preface these details, in your communication, with an admission that before the whites proceeded to take any aggressive steps, two of their number had been murdered by the Indians. You also add a remark that citizens resident in Klamath, Trinity and Shasta “attempt to justify their disregard of certain treaty arrangements,” made by yourself with the Indians, “among other things, by the opposition which they have understood the Legislature has been making to the confirmation of the treaties,” by the Senate of the United States.

These reflections imply an imputation upon the character of American citizens, and I assent neither to its justice or its propriety. As a private intercessor between American citizens and their savage enemies, consanguinity, and the sentiments which it inspires, would incline me to favor the cause of my countrymen; and as a public Magistrate, chosen by American citizens, I cannot

yield my approbation to any imputations upon their intelligence or patriotism. Nor can I forbear to express the opinion that an investigation of the circumstances, such as I design to make, will fully acquit the American citizens residing in the northern Counties, of the charge of “murdering naked and defenseless Indians in cold blood.”

Whatever may be the result of such an investigation, I renew to you the assurances which I have already given, that I will omit no effort to punish offenders against the laws, and to secure to the citizens of the State the blessings of peace and good government.

I have the honor to be,
Sir, your ob't. servant,
[signed] John Bigler

* * *

Dispensing Agency, Indian Department in California,
San Francisco, April 7, 1852

To Br. General E.A. Hitchcock,
Commander Pacific Division, Benecia

Sir:—I beg to enclose for your perusal, a copy of a letter addressed to me on the 5th inst., to his Excellency the Governor of this State, in relation to the recent brutal outrages committed by white men upon the generally harmless and inoffensive Indians, on Humboldt Bay and Eel River, and also on the Klamath.

Such occurrences are sickening to the mind, as well as disgraceful to our State and national character; yet in view of the lawless character of crowds upon that frontier, they will probably continue to occur, until the strong arm of the Government is interposed. In view of the exposed condition of that frontier, and the alarm which these occurrences will have occasioned, I would again respectfully invite your attention to the propriety of sending immediately a small body of troops to each of the Indian reservations near the junction of the Trinity and Klamath, and in Scott's Valley. From these points as centers, the whole region could be traversed, controlled, and protected; and great good would undoubtedly result to both whites and Indians. Fifty or sixty men, well mounted on mules, would probably be sufficient for each post. Timber for building houses, fences, corrals, &c., is abundant and convenient; grass for grazing animals

plenty the year round; fish and game inexhaustible; land good for cultivation; nothing to invite or produce disease, with a genial, salubrious and delightful climate. I think both officers and men would find it a pleasant, exciting and desirable service.

A depot for supplies might be established on Humboldt Bay, and by means of a small pack train, regular communication kept up with both points, every two or three weeks. On these points, however, I need not enlarge; for if Major Wessels, who commanded the escort party on my late expedition, has not already reported on the subject, he can readily supply all necessary information. I know of nothing more likely to do good, or which would more fully reassure and gratify the well disposed white citizens in that region, than the establishment, at your earliest convenience, of these small garrisons.

Another may have to be made on the Upper Trinity River, unless I can induce the Indians there to remove to the Colony in Scott's Valley; but that region is yet unexplored, and it will be impossible for me to examine it, or confer with the tribes, until I receive further remittances from the Department at Washington.

With high regard, your most ob't. serv't,
Redick McKee,
U.S. Indian Agent for Northern California

* * *

Dispursing Agency, Ind. Dep't. in California,
San Francisco, April 12, 1852

To His Excellency, John Bigler, Gov. &c.

Sir:—I have the honor to acknowledge the receipt, this morning, of your letter of 9th inst. In the general remarks made by your Excellency touching progress of civilization and the purpose for which governments are instituted, &c., I fully concur; many of them are familiar truisms, very prettily expressed.

I am gratified by the assurance that, in relation to the unhappy occurrences referred to in my letter, you "concur with me in opinion, that prompt action is indispensable." This is what the case demands, and the object I had in view in addressing you.

I have already written urgently to the Commander of the United States Pacific Division in relation to the

establishment of small garrisons or military posts on the Indian reservations at the junction of the Trinity and Klamath and in Scott's Valley, which I consider indispensable to the peace and safety of that frontier. A copy of my letter to Gen. Hitchcock, under date of 7th inst. will be enclosed for your perusal.

I have entire confidence in the desire of Gen. Hitchcock to employ the force and means at his command, for the protection and peace of the country; but unfortunately, owing to the failure of our Democratic Congress to make suitable appropriations, these means are extremely limited, at present, and some time may elapse before it may be possible for him to act effectively.

It was in view of this state of things, that I took the liberty of appealing to your Excellency to consider the propriety of the course suggested in my letter of 5th instant.

Your Excellency appears to have misapprehended or misconstrued, some parts of my letter, and to have been thereby led into false conclusions. I attempted no detail of the Indian difficulties which have occurred *generally, or in all past time*, in the Counties of Trinity and Klamath.

Those Counties embrace an area of perhaps three or four hundred miles of mountain ranges, with a numerous Indian and very sparse white population, and in some of their remote parts may have had "troubles," unknown to me. What I designed to bring to your Excellency's attention, and what I *wrote about*, was the *two distinct specific massacres, in cold blood, of defenseless Indians, by the whites, on or near Humboldt Bay and on the Klamath*. I stated that my information came from reliable parties, in the form of written reports, which were corroborated by gentlemen then in this city. About *those transactions*, I presume "the respectable gentlemen representing those Counties in the Legislature," to whom you refer, had no previous information, whatever. How then can your Excellency arrive at the conclusion, that I had placed myself "at issue" with those gentlemen, or their statements? If they had information touching those particular enormities, differing from that I communicated, *they* could make an "issue," if they thought proper; but if they did, I have entire confidence an investigation would result in showing the substantial accuracy of my information, and the inaccuracy of theirs. I could scarcely expect from gentlemen so fully committed on what your Excellency terms "*the other side*," a voluntary

corroboration of any statements I might make on Indian affairs in that quarter.

If, as you say, there are discrepancies between the statement I submitted “connected with this outbreak,” and the statement, laid before you by the members of the Legislature representing the northern Counties, I submit that your Excellency will see the propriety of sending me certified copies of those statements, that I may transmit them to the gentlemen who reported to me, and give them an opportunity of repelling this indirect attack upon their veracity. If, however, the statements referred to relate, as I think quite probable, to matters in *other* and *distant* parts of the country—perhaps one hundred and fifty miles from the Klamath and two hundred and more from Humboldt Bay, then there may, after all, be nothing which, on reflection, your Excellency would denominate by the term “discrepancy,” at least in the sense of contradiction. The intimation that special credit should be given to the statements or counter statements of gentlemen, because they happen to be “*members of the Legislature*,” is apposition in which my experience does not lead me to concur. That the responsibilities of the station and the solemnity of their oath, should lead gentlemen so elevated to weigh well and carefully every statement made or vote given, is unquestionably true; but all experience shows that the accidental elevation of a man to a political station, especially in our frontier States, does not necessarily change his moral perceptions or sensibilities. No more in a political than in a moral sense “*can the Ethiopian change his skin, or the Leopard his spots.*” In forming an opinion, therefore, about either men or things, in California, I find it all-important to look at the probabilities of statements made, and the private character of the party making them, without very particular reference to the official position he may chance to occupy.

You inform me, that the “*gentlemen representing the northern Counties*,” have stated that “*the Indians are daily guilty of committing outrages upon unoffending citizens*”—that the number of *white men murdered by the Indians* in the Counties of Klamath, Trinity, Shasta, and Siskiyou, within a few months past, is one hundred and thirty; and the aggregate value of the property destroyed by them (the Indians) is \$240,000.

It would be an endless, as well as thankless task, to notice and correct the thousand extravagant statements made on this subject, in the public prints, and even by

honorable members of the Legislature; and while I shall not controvert even the above, I will nevertheless take the occasions to say that, certainly, the statements can have no reference to the region about Humboldt Bay, or the Klamath, or the Lower Trinity, Scott’s or Shasta rivers—which is within my district—and where, *up to the time of the late murderous attack upon the Indians, no difficulties of any kind had occurred since the treaties made in October and November.*

Upon the certainty of this information, your Excellency may rely.

What may have occurred on the Upper Trinity, or on the trails through the country of the Cow Creek or Pitt River Indians, I have no information other than the constantly recurring reports and rumors of Indian depredations, which appear in the papers. Your own experience in California has doubtless led you to remark that if a pack train is attacked or robbed, if a *corral* in one of the valleys is broken into and robbed, the conclusion is instantly reached that the *Indians* are the aggressors, the Oregon rifle or the Pike County revolver is at once called into requisition, and the first red skins, not white made to pay the penalty. While I was in the Shasta country last fall, several extensive and aggravated robberies were committed, large numbers of mules and horses carried off, and the blame, *as usual*, laid at the door of the Indians. Large parties were organized and a war of extermination almost determined on. Just then it was discovered that the *Indians were mostly at my camp in Scott Valley for the purpose of treating*, and the idea was broached, apparently for the first time, that *possibly* they were not *guilty*; that the outrages had been committed by men with *white* and not *red* skins. Pursuit was made in the direction of Oregon and the Salt Lake; and since my return the temporary Agent writes me that the Salt Lake route party had returned with several white prisoners, and a large number of animals. The *white* Indians, at the date of his letter, were chained to a log house prison in Shasta Butte City, awaiting the return of the other party, when they would be tried; unless meanwhile, through the influences of “*consanguinity*” or of money, they did not manage to escape.

Precisely similar cases have come to my knowledge in the Sacramento Valley, on the San Joaquin, and in the country back of Los Angeles; in fact, the cases are numerous in which, after Indians have been shot down like bullocks for supposed crimes of this sort, it has been

found, to the satisfaction of all others concerned, that *white men were the real criminals*.

It is not, therefore, to be wondered at that I receive these frontier rumors and statements with some incredulity, and many grains of allowance. This principle may, I presume, be applied to the statements made to you about the 130 American citizens killed, and the \$240,000 worth of property destroyed.

The *Shasta Courier*, published in the very focus of these reports and rumors, gave, some days since, a statement on this subject, making the numbers killed 20 or 30; and, as it is all guess work, I think far more probable than the one you refer to.

As a general thing, the Indians of this country are not disposed to war with the whites; they are afraid of our long rifles, and seldom attack or steal from parties traveling, unless driven to desperation by hunger, or the supposed necessity of killing a pale face, to make good the death of one of their own people. The *lex talionis* is a part of their religion. They think they would hardly lie quiet in their graves, if they failed to revenge the death of such of their people as had fallen by the hands of their enemies; and, generally, I believe they manage to keep the account about balanced. This law of their education, if not of their nature, is well known to the old mountaineers; and it is surprising that, in view of the certain consequences, packers and traders on the mountain trails continue to pick off straggling Indians, wherever and whenever opportunity serves. Until a different policy is adopted, border frays and disturbances must continue of frequent occurrence.

If your Excellency will again read my remarks about the bloody tragedy on Eel River, you will see that I did not preface the details of that sad affair "*by an admission*" that the two white men had been murdered *by the Indians*. So far from this, I referred ironically to the conclusion *jumped at* by the whites; and I can now add, on the authority of a gentleman from Humboldt, that it is still *wholly uncertain* whether the murder and robbery were the work of *Indians at all*. There are numbers of white adventurers on that frontier, who are none too good to be at least suspected. I made, and of course meant no reflections upon the character of *American citizens*. I profess to entertain quite as much regard for the character and honor of my countrymen, and for all the proper claims of "consanguinity," as your Excellence,

or any other citizen; but my regards for *the dear people* shall not prevent my calling things by their right names, and denouncing a white man who kills an Indian in cold blood, just as readily as I would an Indian for killing a white man. *They would be equally guilty of murder*.

Upon the frontiers of this State, your Excellency must be aware, that there are great numbers of *Mexicans, Chileans, Sydneyites*, and *renegades from justice*, in the old States wholly undeserving to be classed with American citizens; or to be included in the compliments you lavish upon our countrymen.

It was with reference to this part of the population, to the arrest and trial of certain *desperadoes*, that I wrote. If, after the rigid investigations into those melancholy transactions at Humboldt and on the Klamath, which you promise shall be made, it shall be found that none of our countrymen, or *American citizens*, are implicated, certainly no person will rejoice more heartily than myself.

In conclusion, I beg to state, that Walter Van Dyke, Esq., the District Attorney of Klamath County, is now in this city, and will remain for some days, awaiting such instructions as your Excellency, as Chief Magistrate of the State, may deem proper to send him.

I have the honor to remain,
Very respectfully,
Your ob't. serv't.,
Redick McKee
U.S. Indian Agent, Northern California

* * *

Executive Department,
Sacramento City, April 13, 1852

To the Hon. Redick McKee,
Indian Agent, &c.

Sir:—Your letter of the 12th inst., inclosing a copy of a letter addressed by you to Gen. E.A. Hitchcock on the 7th inst., has been received; and, in reply, I have the honor to refer you to the memorial addressed to me by the Senators and Representatives from the Counties of Trinity, Shasta and Klamath—a copy of which will be transmitted to the Senate, in obedience to a resolution adopted by that body, and a duplicate copy of which I herewith transmit for your perusal.

I cannot undertake to discuss or decide a point of difference between yourself and the respectable gentlemen representing the Counties named in the Legislature; nor can I discern that in the letter which I addressed to you on the 9th inst., there is any misapprehension or misconstruction of your statements.

The localities which you have described as the immediate scene of the outrages, are all situated within the Counties of Trinity, Klamath, Shasta and Siskiyou; the Counties named in the memorial addressed to me by their Representatives.

In your letter of the 12th inst., you attempt to palliate the imputations made upon American citizens in your letter of the 5th, by declaring that you referred to "Mexicans, Chileans, Sydneyites, and renegades from justice in the old States," as the "murderers of Indians in cold blood," and as the parties whom you desire to have arrested and punished. If, in your letter of the 5th inst., you referred to "Mexicans, Chileans, and Sydneyites," why did you follow up such a reference by an assumption, in the same letter, that their aggressions against the Indians have, "at all events, brought lasting disgrace upon the American name?" I cannot admit that the American Government is so far responsible for the crimes of "Mexicans, Chileans, and Sydneyites," or that "lasting disgrace" can be brought "upon the American name" by the misdemeanors of "renegades from justice in the old States."

But you may have forgotten that in your letter of the 5th inst., you name, as the perpetrator of one of the most atrocious of the outrages detailed by you, "a man from Missouri"—an American citizen. I am authorized by members of the Legislature and other respectable gentlemen, to inform you that this "man from Missouri," is the son of a highly respectable merchant at St. Louis; and that himself and his business partners in California (Messrs. Roach, McDermott and Stence), are gentlemen of irreproachable character.

These statements, authenticated so fully, incline me to believe that there are no good reasons to justify a change of the opinion expressed in the communication

which I had the honor to address [to] you on the 9th inst., that an investigation of the circumstances will fully acquit the American citizens residing in the northern Counties, of the charge of "murdering naked and defenseless Indians, in cold blood."

In the letter addressed by you to Brevet Brig. Gen. Hitchcock, on the 7th inst., you invite his attention to "the propriety of sending immediately a small body of troops to each of the Indian Reservations, near the junction of the Trinity and Klamath, and in Scott's Valley." The localities designated, may be well adapted to the service, and, if deemed to be so by the distinguished officer referred to, no objection can, of course, be urged. But if your suggestion is adopted by that officer, I confidently trust that he will not consider himself bound to enforce treaty stipulations, which have not received the sanction of the Senate of the United States. The treaties negotiated by you in those localities, so far as they assign fixed and determined boundaries to valuable lands reserved for the permanent use and occupation of the Indians, are opposed to the wishes and interests of the people of this State.

It may be proper to remark here, that I have assurances of the united opposition of our delegation in Congress to the ratification of the treaties, and that their rejection by the U.S. Senate may be regarded as beyond a doubt. I have entire confidence that the officer in command of the Pacific Division will not voluntarily interpose obstacles to the public interest, and I trust you will patiently await the action of the Senate, and not so far disregard the well matured judgment of the people of California, and the State authorities, as to assume a position, or adopt measures calculated to aggravate difficulties, the speedy termination of which is so imperatively demanded by the public good.

I renew to you the assurances given in a former letter, that I will exercise all the power reposed in me to punish offenders against the laws, and to promote the public peace.

I have the honor to be,
Sir, your ob't servant,
John Bigler



