

Major James D. Savage and the Tulareños

By ANNIE R. MITCHELL

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HIS enemies said he was an uncouth liar who exploited the Indians. His friends said he was a shrewd, intelligent man who gave his life in an effort to keep the Indians from being exterminated. He said,

... while you study books, I study men. I am not much deceived, and I perfectly understand the present situation, but let those laugh who win. If I can make good my losses by the Indians out of the Indians, I am going to do it. I was once the best friend the Indians had, and they would have destroyed me. Now that they once more call me chief they shall build me up. I will be just to them as I have been merciful, for after all, they are but poor ignorant beings, but my losses must be made good.¹

This is the picture of James D. Savage, who came obscurely into California as an immigrant in 1846 but who was destined to become virtual ruler over hundreds of Tulareños Indians and to be intimately concerned with the federal government's Indian policy in California. He was a typical mountain man, courageous, fearless and secretive; he was also sharp, intuitive and grasping.² The little that he has told about himself indicates that his life did not differ much from that of any other boy who grew up on the shifting fringe of the American frontier.³ His maternal grandfather saw service in the Revolutionary War, as did his grandfather, James Savage. After the war, the family moved from Massachusetts to Locke, Cayuga County, N. Y. In 1822 or '23 James Savage's sons, Peter and John, migrated to Illinois and were among the first settlers in Jacksonville. Peter Savage married Doritha Shaunce and to them in 1823 was born James D., the subject of this paper. Blond and blue-eyed, he grew into a good-natured lad, with little formal education; but his native shrewdness and wit and his ability to get along with people took the place of books. Just when he became a mountain man—lived with Indians and roamed the then-West as a trapper and trader—is uncertain. However, it was during this period that he developed an admiration for the Indians' way of living. Early in the 1840's, he returned to Cayuga County and married, and for a while he and his wife Eliza (surname not traceable) lived in Peru, Illinois, but Savage chafed at the tameness of village life. Luckily for him, economic pressures within the eastern states were setting in motion overland migrations toward the west which have been almost obscured by the later, more out-and-out rush for gold. A family or a small group of families would load their possessions and start toward Independence, Missouri, where they would congregate into larger trains and begin the westward march. In April 1846, James, Eliza, and James' brother Morgan Savage started for Independence. When they arrived, some two thousand persons were waiting for the grass on the western plains to be sufficiently high to feed their stock. It is difficult to follow the fortunes of wagon trains:

money in his trading post. Then, too, he had found something, which for unexplainable reasons had been overlooked for eighty years by the Spanish and Mexicans, namely, that his domain covered much of what was later to be one of the rich mining regions in California,¹² and shrewd James D. Savage set his Indians to digging gold in quantities. The few white men who visited the Tulares during this time have left fanciful stories of El Rey Tulareño and of the extent of territory (from Mariposa to the Four Creeks in the vicinity of Visalia) over which he ruled—not by taking advantage of his subjects but simply by outsmarting them.

The gold rush upset law and order all over California, especially in the Tulares. Every rock and crevice were ransacked for gold, despite the fact that the treaty of Guadalupe Hidalgo had guaranteed the Indians in their ownership of the land.¹³ Once more they were being pushed westward, this time into the ocean. They had the choice of resisting or perishing. They turned to Savage for help but he was interested only in gold. Indian labor was cheap; he was determined to use it. This gave rise to the rumor that Savage, with his domination over the Indians, was playing them against the whites for his own gain.¹⁴

As more miners came, Savage associated himself with them. In 1849, James Wood, J. H. Rider, Charles Bassett and Savage mined at what is called Wood's Crossing; on the Tuolumne River he was associated with Antonio Luego; and the same year he opened the Big Oak Flat mining district, all these claims being worked with Indian labor.¹⁵

In the spring of 1850 Savage's wives told him that the Indians were plotting to drive the whites out of the valley. He thought that he could still dominate the Indians; but this was not so, for they could not overlook his association with the miners. Consequently, the first raid by the hill Indians was directed against his trading post on the Merced.¹⁶ Fearing another attack, he moved to the Mariposa River, near the junction of Agua Fria, and put up a branch post on the Fresno. In October, he went to San Francisco for supplies and to cache some of his gold, taking with him a large group of Indians to impress upon them the might of the white men.¹⁷ One of the group was José Juárez; José drank too much and he and Savage quarrelled, José getting the worst of the scuffle. The party stayed in San Francisco long enough to celebrate on October twenty-ninth California's admission into the Union. On his way home, Savage stopped at Quartzburg and learned that sporadic raids were occurring up and down the valley. He immediately left for his post on the Fresno River, because it was more open to attack. There he found that the Indians were gathering, and, after he had talked with Greeley, his agent, he addressed them, saying that he knew about the raids and about their plans to drive out the whites.¹⁸ He pleaded with the Indians to drop these plans; the white men were too powerful—they would kill them all. As he talked, he noticed José Juárez in the group and called on him to back him

up, but Juárez had been brooding over his disgrace in San Francisco and bitterly contradicted what Savage had said. The latter saw that further talk was useless, so he left hurriedly for his post on the Mariposa.¹⁹

When he reached the Mariposa post he found that Adam Johnston, the Indian sub-agent for the San Joaquin Valley, had been having talks with the Indians in an effort to bring about a reconciliation. Johnston had also been having talks with the miners. He felt, as did most of the white men, that the raids were sporadic and not serious.²⁰ Even at this date the white men failed to estimate correctly the ability of the Indians to carry on a long, harassing war.

On December 17 of that year (1850), a strange thing happened. No Indians came into camp for a talk. Johnston thought little about it, but toward evening Savage discovered that his own Indians had quietly disappeared.²¹ This was a sign that something serious was happening and, with a few men, he set out in pursuit, to prevent his Indians from joining the main group. About thirty miles from camp he sighted them; they had seen him first and were waiting on top of a hill. Savage called to them across the intervening canyon. Thereupon they told him that his post on the Fresno had been raided and the clerks killed. He was shaken by the news but tried to get them to come back to camp. The chief replied that working in the mines was too hard a way to make a living and that his people preferred to supply their needs in some other fashion; they were determined, he said, to drive the whites out of the valley. However, if Savage would go back to camp, they would not bother him for old times' sake. Since his force was small, Savage decided to go back to Mariposa. This was fortunate, because, only a short distance away, they found some 200 Indians.²²

By the time Savage reached his place on the Mariposa, a report had come in, verifying the raid on his Fresno post. He set out with Johnston and about thirty-five men. Johnston had already sent runners to Agua Fria, Mariposa, and scattered camps asking for re-inforcements, but the gold rush was still in full swing and no miner wanted to leave his diggings for what most of them considered a private fight between Savage and his Indians.

When Savage's party reached the Fresno, a horrible sight lay before them; the three clerks had been killed and mutilated, the store stripped of its stock and the cattle driven off. They buried the dead and then went to Mariposa where they learned that the Indians all over the valley had taken their women and children to the hills.²³ At last the miners realized that this was no private quarrel but a general uprising. Consequently Johnston appealed to Gov. Peter H. Burnett for state aid.²⁴ Meanwhile Savage and James Burney, sheriff of Mariposa County, raised a company of seventy-four men who met on January 6, 1851, near Agua Fria and attacked an Indian rancheria on the upper Fresno. While not defeated, the whites were so worsted that the In-

James Savage's trading post some sixteen miles east of Madera, and the granite shaft which indicates his burial place.

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Quarterly

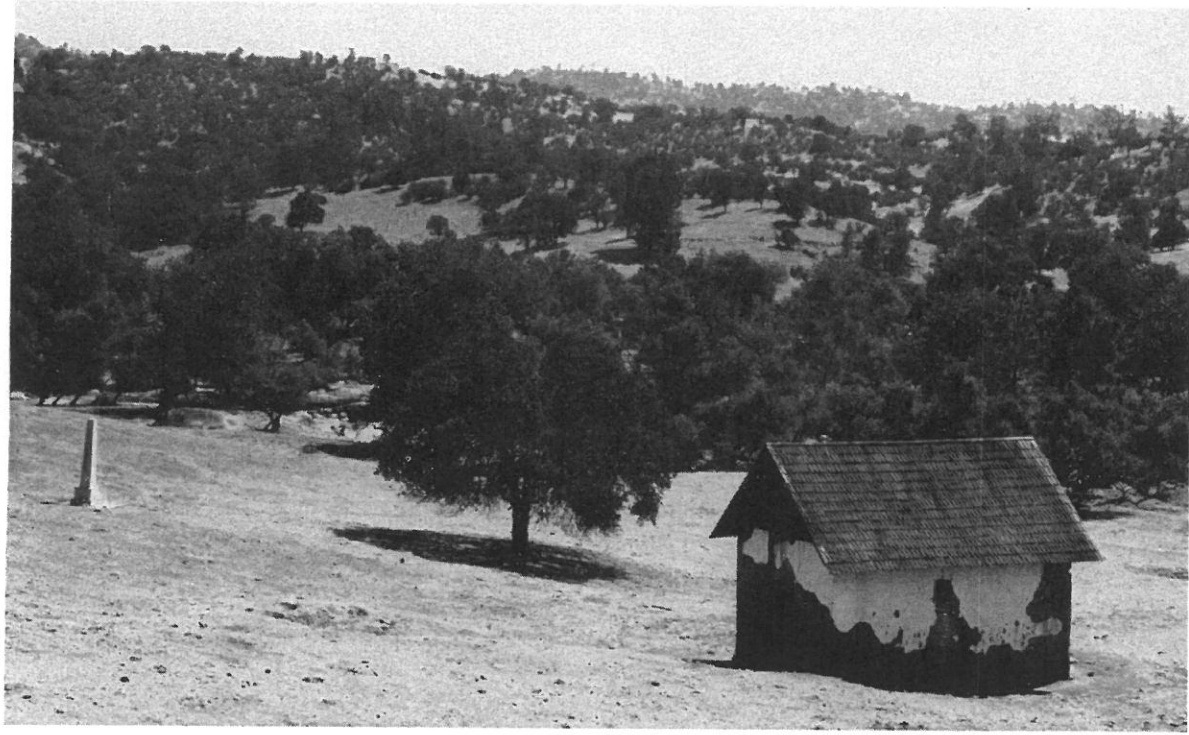
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dians were highly encouraged. Burney, in a letter written from Agua Fria on January 13, asked the governor for assistance:

Sir: Your Excellency has doubtless been informed by Mr. Johns[t]on and others of repeated and aggravated depredations of the Indians in this part of the State. Their more recent outrages you probably are not aware of. Since the departure of Mr. Johns[t]on, the Indian agent, they have killed a portion of the citizens on the head of the San Joaquin river, driven the balance off, taken away all movable property, and destroyed all that they could not take away. They have invariably murdered and robbed all the small parties they fell in with between here and the San Joaquin. News came here last night that seventy-two men were killed on Rattlesnake creek; several men have been killed in Bear Valley. The fine Gold Gulch has been deserted and the men came in here yesterday. Nearly all the mules and horses in this part of the State have been stolen, both from the mines and from the ranches. . . .²⁵

Burney then described the attack he and Savage had made on the rancheria, and appealed to the governor either to send aid or to authorize some one to raise volunteers, who would not only be paid but would also be furnished with arms and ammunition.

It is interesting to notice the effect of Savage's personality upon the young adventuresome men who were in the group of volunteers. In a letter written to his father by T. G. Palmer from Hart's Ranch on January 16, 1851, shortly after the raid of January 6, the recruit said:

. . . From his long acquaintance with the Indians, Mr. Savage has learned their ways so thoroughly that they cannot deceive him. He has been one of their greatest chiefs, and speaks their language as well as they can themselves. No dog can follow a trail like he can. No horse endure half so much. He sleeps but little, can go days without food, and can run a hundred miles in a day and night over the mountains and then sit and laugh for hours over a camp-fire as fresh and lively as if he had just been taking a little walk for exercise. . . .²⁶

Gen. Persifer F. Smith, commander of the U. S. troops on the Pacific coast, did not feel that his force was large enough to be effective. Furthermore, Secretary of War C. M. Conrad, to whom the matter was referred, reminded Governor McDougal that only the President could call out the militia.²⁷ It had been traditional in California that frontiersmen were best equipped to put down Indian uprisings; therefore, on January 24, 1851, the governor issued an order calling for the creation of a volunteer group to be known as the Mariposa Battalion, the supposition being that all of the expenses incurred by the state in quelling the Indians would be repaid by the federal government.²⁸

In the meantime the U. S. government had begun its traditional policy of treaty-making. Ever since 1787 it had assumed that the Indians were its wards and had followed the general plan of extinguishing Indian titles, only upon the consent of the Indians concerned. In return, the government had provided compensation in terms of goods, supplies, and intangibles, such as the services of agents.²⁹

This policy was complicated in California, first, because of the Mexican

and Spanish grants which had to be examined; then there were those persons (and the number was considerable) who believed that they were entitled to squatters' rights upon the public domain, just as in other areas of the United States; in the third place, there was the Treaty of Guadalupe Hidalgo, which emphasized that property should be respected. The acute phase of the problem was the ignorance of most people as to economic conditions in California, which were entirely out of the familiar proportion because of the gold rush. Added to these four complications was the fact that the geography of the state was inadequately known and the number of Indians a matter of mere conjecture—estimates ranged from 50,000 to 300,000.³⁰ As mentioned above, Adam Johnston was the agent most closely concerned with the Indians of the San Joaquin Valley. He had been appointed on April 14, 1849.³¹ On September 30, 1850, a commission to negotiate treaties with the Indians was set up, and on March 3, 1851, a private land claims commission was created. The first named commission, composed of Redick McKee, George W. Barbour, and O. M. Wozencraft, arrived in California in January of 1851; the second, concerned with land claims, arrived later but made no move to carry out its instructions as far as the Indians were concerned.³² The Indians were not literate, they were not apprised of the commission, and did not present their claims. Neither did the United States do it for them through their agents. Thus, through ignorance, fear, and laxity, the unhappy Indians relinquished title to their lands.³³

The treaty commissioners attempted to carry out their instructions but only in the face of great difficulty and opposition. Between March 19, 1851, and January 7, 1852, they concluded eighteen treaties and one supplementary treaty.³⁴ The integrity of these men could not be questioned; nevertheless they, like most easterners, misunderstood the situation in California and tried to impose upon the whites a conciliatory policy. The whites on their part regarded the Indians as lazy, inferior, and without inherent rights. On January 14, 1851, the commissioners visited the governor. They asked for a military escort; at the same time, they criticized him for calling out the Mariposa Battalion, whose members expected to be paid five or ten dollars a day, "thus making another pretty little claim against Uncle Sam, who would be expected to foot the bill." Ill feeling among some elements was increased by recommendations such as the following, quoted also from the commissioners' statement, which the *Alta California* published in its issue of January 14, 1851:

... the Commissioners appeal to their fellow citizens, in such disturbed districts, to adopt and pursue towards the Indians, a course of conduct marked by mildness, moderation and forbearance... holding themselves wholly on the defensive, at least until time shall be afforded us to investigate, and if practicable address their grievances. . . . As there is now no furthest West, to which they can be removed, the General Government, and the people of California, appear to have left but one alternative in relation to these remnants of once numerous and powerful tribes, viz: extermination or domestication.

As the latter includes all private property and secures to the people of California its resources, viz: cheap labor, to adopt, and, if possible con-

The commissioners' report aroused a storm of protest. The commissioners' habit of being generous to carry on in the legislature in January 1851 would continue to be so. It was beyond the power of the legislature to avoid its inevitable destiny."³⁵

The *Daily Pacific N*

... We have conversed with the Commissioner of Public Education, and find

He represents the Indian problem as a spread through the mountains of the San Joaquin. They will probably reach whatever point may be attained by the Indians must be pretty severe. It is very evident; there must be a long, bloody and costly war. It is a moment for pacification and news has arrived of another place.

There can be no doubt that the Indians are exterminated by writers and others who are as brave as the Mohave. It is doubtful whether the General Government will have a severe lesson shall have been

... We believe the Commission is acquainted with the Indian character if it be possible without the Saxon blood is up, and stay it within its channels.

January and February 1851. The paying official calls and the people are of organizing. Every citizen is new (and, in many cases, the commissioners to a new state) and the Indians on reservation. The success, for he depended on the reservation system, he was the cause of his knowledge. It is a wonder that when the

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As the latter includes all proper measures for their protection and gradual improvement, and secures to the people of the State an element greatly needed in the development of its resources, viz: cheap labor . . . it is the one which we deem the part of wisdom to adopt, and, if possible consummate.

The commissioners' belief in a domestication or a reservation system aroused a storm of protest in California. The people were also irked by the commissioners' habit of wasting time. It was becoming more and more dangerous to carry on in the mines. Governor Burnett in his message to the legislature in January 1851, had flatly stated that ". . . a war of extermination would continue to be waged until the Indian race should become extinct." It was beyond the power or wisdom of man, he thought, "to avert the inevitable destiny."³⁵

The *Daily Pacific News* of March 7, 1851, editorialized as follows:
 . . . We have conversed with Judge [John] Marvin, recently elected Superintendent of Public Education, and from him we have learned many important particulars.

He represents the Indians as numbering probably 7000, with hostile determination, spread through the mountains between the waters of the Tuolumne and the headwaters of the San Joaquin. They have intercommunications through the mountain passes, by which they will probably be able to concentrate the greater part of their force upon whatever point may be attacked by the Americans. Judge Marvin's opinion is that the Indians must be pretty severely drubbed before they will so far respect our power as to keep any treaties they may agree to, if such may be entered into with them. One thing is very evident; there must be immediate action. Our Commissioners must be active, or a long, bloody and costly war is inevitable. While we hesitate or lose time, the golden moment for pacification may be forever lost. Even since this article was commenced, news has arrived of another battle, the particulars of which the reader will find in another place.

There can be no doubt that the Indian tribes of the mountains have been underestimated by writers and others. The gentleman above referred to says that he considers them as brave as the Mohawks, or any other of the eastern tribes. . . . It looks now very doubtful whether the Gentlemen of the Commission will be able to secure peace before a severe lesson shall have been taught the belligerent tribes.

. . . We believe the Commission fully competent with the aid of gentlemen well acquainted with the Indian character, who are ready to cooperate, to settle the whole matter if it be possible without the last appeal. But if that be done it must be done quickly. The Saxon blood is up, and when it is so, like the rolling Mississippi, no slight levee will stay it within its channels.

January and February had been months of confusion—the commission paying official calls and getting supplies, the Mariposa Battalion in process of organizing. Every day reports came in from scattered camps, telling of new (and, in many cases, imaginary) raids. Savage had been called upon by the commissioners to act as interpreter.³⁶ He advocated their policy of getting the Indians on reservations, both for their protection and his own success, for he depended upon cheap labor. In spite of his advocacy of the reservation system, he was highly regarded by the men in the battalion because of his knowledge of the Indians and his personal courage. It is little wonder that when the Mariposa Battalion, with a roll of 204 men, was finally

mustered in at Agua Fria on February 10, 1851, James Savage was elected major.³⁷ Camp was set up near Savage's ruined post on the Mariposa, their orders being to keep in subjection all of the tribes on the east side of the valley from the Tuolumne to Tejon Pass. As the days passed and nothing happened, Major Savage moved his camp fifteen miles below the town of Mariposa and continued to wait for some word from the commissioners. Much controversy has arisen over Savage's election to the office of major of the battalion; but his knowledge of the Indians was extensive, nor could anyone challenge his ability to inspire his followers; and the opinion of some contemporaries that James Burney and Walter Harvey wanted the post can be argued to no great advantage.³⁸ What made the battalion famous was not military exploit but the fact that, in pursuing the Indians, it discovered the Yosemite Valley.

When the commissioners reached Stockton, they were greeted by all sorts of stories of murders and raids. This time many of the stories were true. On February 11, Wozencraft, Barbour, and Judge Marvin left the main body and went to Dent's Crossing on the Stanislaus to treat with the Indians supposed to be there.³⁹ The other commissioners started for Graysonville on the San Joaquin, where they were joined on February 14 by Wozencraft and Barbour and some twelve Indians, "as slovenly, lazy, degraded and miserable looking as those we see in our streets daily. . . . They retired to the comforts of their serapes, after gobbling up the Commissary's issue."⁴⁰

Wozencraft reported that the talk at Dent's Crossing had been successful in that José Jesús and Packano, two friendly Indians, had been receptive to the idea of living on reservations, but neither chief was willing to go out and spread the idea among the hostile tribes.⁴¹ The commissioners had then gone to Cornelius' ferry, about thirty-five miles from the mouth of the Tuolumne, where they found Cypriano, the chief of still another tribe. Through the persuasion of "Old" Cornelius, Cypriano agreed to go out and bring in the chiefs of the hostile tribes within nine days. Whereupon the commissioners broke camp and started for the Tuolumne, arriving there on the twenty-first. The *Alta California* of February 28, 1851, reported that on the march they

. . . were met by half a dozen horsemen, who were no less distinguished personages than Major Savage and staff. They had come from Mariposa to meet and confer with the Commissioners respecting the Indian difficulties. . . . Major Savage says that he cannot now form a correct estimate of their numbers, although a year ago he possessed statistics which enabled him to come very near the mark. He thinks that at that time there were between the Merced and Four Creeks, about 18,000 all told, out of which there were perhaps 8,000 warriors, of which number there were about 2,000 braves. Since that period there has been much sickness among them and a very heavy mortality, which has, of course, materially reduced their numerical strength.

Savage advised the commissioners to act quickly; the Indians might make treaties but would not adhere to them. He informed the group that his men

were located in three one at Mariposa; and whole affair immediately after the Indians.⁴² ance by February 28 the Little Mariposa. were murdered with plan was to wait about Frémont's old camp. ing for word to chase the Indians nor the forts in the valley, to punish both delinquenter than treaties.⁴³ troubles: Indians were inactivity; and Savage expedition's personnel forming him that in the ing districts and that murders if the commission that the battalion was tation and that the Indian was sympathetic. He Indian troubles on the sage to the legislature and stating the involved. The bill was sions which were with townswomen. . . ."⁴⁵

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were located in three camps: one on the San Joaquin, one on the Fresno, and one at Mariposa; and that it would be a pleasure for the battalion to end the whole affair immediately if the commissioners would give him authority to go after the Indians.⁴² As Chief Cypriano had not made his promised appearance by February 28, 1851, the commissioners struck camp and started for the Little Mariposa. This was really near the scene of action, for several men were murdered within a few miles of the place the night they arrived. Their plan was to wait about a week more for Cypriano and then strike out for Frémont's old camp. Meanwhile Savage was camped a mile or so away, waiting for word to chastise the Indians. Even Adam Johnston felt that neither the Indians nor the Americans would respect treaties. He thought that a few forts in the valley, manned by soldiers with an Indian agent in charge, to punish both delinquent whites and Indians, would do more to solve the matter than treaties.⁴³ Moreover, the Mariposa Battalion was having its own troubles: Indians were stealing its horses and mules; the men were tired of inactivity; and Savage was worried because no pay was forthcoming for the expedition's personnel. He despatched a letter to Governor McDougal informing him that in the past few days eight men had been killed in the mining districts and that that he felt his command could have prevented these murders if the commissioners had given the word. He reminded the governor that the battalion was in need of arms, ammunition, and means of transportation and that the men were becoming very dissatisfied.⁴⁴ The governor was sympathetic. He belonged to the group that wanted action in quelling Indian troubles on the frontier. Consequently early in March he sent a message to the legislature, asking that it pass suitable provisions for the emergency and stating that the federal government would pay all of the expense involved. The bill was passed after heated debate, necessitating evening sessions which were well attended, even by "a great number of our beautiful townswomen. . . ."⁴⁵

On March 15, 1851, nearly 200 Indians came to the commissioners' camp for a talk. The plan proposed to them, and to which they seemed to acquiesce, called for a reservation on the Merced River where they could farm and raise stock; and Wozencraft, Barbour, and some of the Indians promptly left for the Merced to select a suitable spot. In the meantime, Capt. John Kuykendall and his Co. A, Mariposa Battalion, had been attacked by a band of Indians on the San Joaquin. Ten natives were killed, and the troops destroyed several tons of jerked beef and large quantities of acorns.⁴⁶

The Chow-chillas, the Yosemitees, and the Neuch-teus had refused to come in to the talks; therefore, on March 19, Savage was told to go out after them.⁴⁷ He took companies B and C, commanded respectively by John Bowling and William Dill, and started for the headwaters of the Merced to subdue his old mountain enemies, the Yosemitees. After three days' march through snow-covered mountains, the volunteers reached the South Fork

of the Merced, about seven miles above the rancheria of the Neuch-teus, and on March 23 arrived at the rancheria itself. Through a Chow-chilla Indian (husband of a Neuch-teus woman) in his command, Major Savage sent word that if the Indians attempted to leave the rancheria they would be killed. Finding themselves trapped, the Indians gave themselves up without a gun being fired. The major talked with Pan-Wache, chief of the Neuch-teus, in his own dialect and told him that if his tribe would consent to live like good Indians the whites would not disturb them. Pan-Wache replied that he had not believed the promise before, but, now that Savage had made it, he, Pan-Wache, believed it.⁴⁸ The volunteers then prepared to march against the Yosemite, distant about twenty-five miles on the middle fork of the Merced. Major Savage had sent forward an Indian courier to tell the Yosemite he was on his way and that he wanted the chief, Tenaya, together with his tribe, to come to his camp. Tenaya and his two sons complied, but brought no others of the tribe with them, saying that they were all good Indians, that they had never stolen animals nor killed white men; besides, the snow was deep, and as they had plenty of acorns they were living happily. But these Indians had committed numerous depredations about Burn's Diggings and Mariposa, and their assertions of peaceful intentions obtained no credence from Savage, who, with part of his command, pushed through the snow to the middle fork, taking with them the chief of the Yosemite. They destroyed the Indians' crib of acorns and their huts, and on March 29 started with all the Indians for headquarters. The *Alta California* for April 23, 1851, from which this account has been briefed, continues:

The rancheria of the Yo-Semites is described as being in a valley of surpassing beauty, about ten miles in length and one mile broad. Upon either side are high perpendicular rocks, and at each end, through which the middle fork runs, deep canyons, the only accessible entrance to the valley. The forest trees, such as pine, fur, redwood, and cedar are of immense height and size. . . .

On the first day of April the whole command arrived at the headquarters of the regulars on the Fresno, and the Indians were turned over to the Commissioners. The Commissioners declined treating with them until the Chow-chillas came in, but furnished them with a supply of food and some clothing.

The Chow-chillas had not yet made any attempt to come in; so, on April 13, Savage started out after them. Early in May, he issued an order to the battalion canceling leaves. Then, on May 4, came the following:

Captain John Bowling.—Sir: You will, with thirty-five of your company, take up the line of march for the Yo-Semite vicinities. You will, if possible, surprise them and whip them well. But in the event you cannot surprise them you will make use of any means in your power to induce them to come down and treat.⁴⁹

By May 15, Bowling was able to report to Savage that he had had a brush with the Indians, killing two of Tenaya's sons and capturing the old chief himself. Bowling told the Yosemite that they had been "taught the double lesson, that the white man would not give up the chase without the game,

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and at the same time, if they would come down from the mountains and behave themselves, they would be kindly treated."⁵⁰

As commander of the battalion, Savage is given credit as the discoverer of Yosemite Valley. The date of entry was March 25, 1851, and the first sight of it was from what is now called Inspiration Point.⁵¹ Later they camped at the base of El Capitan. Credit for naming the valley goes to Dr. Lafayette Bunnell, a member of the expedition. The beauty of the place made a deep impression upon him and he thought it only fitting to commemorate the name of the Indians who also loved their valley home. Ethnologically, the name should have been Awani, which was the name of the principal ranche-ria and by inference the name of the Indians.

The beauty of the valley made little impression upon Savage.⁵² He was intent on getting the Indians settled upon reservations and resuming his trading activities. He had not gone far in his pursuit of the Chow-chillas because, as was said above, the commissioners had recalled him to act as their interpreter. When Bowling came back from the Yosemite, he took over the Chow-chilla campaign. It had the aspects of a wild goose chase since the Indians would not make a stand and fight; but by this time it was apparent that the backbone of resistance had been broken, although sporadic raids could be expected for months to come.

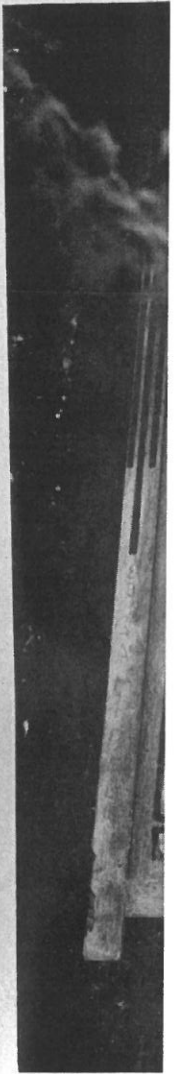
The difficulties experienced by the commissioners in making treaties went beyond the bitter opposition of the Californians and the fact that the numbers of Indians did not tally with the figures they had been given: Washington now (May 25, 1851) served notice that when their second appropriation of \$25,000 was exhausted they were to stop the negotiations and assume the status of Indian agents.⁵³ In order to speed up their work, they divided their territory so that McKee had northern California, Wozencraft the region between the Sacramento and San Joaquin rivers, and Barbour the area from the San Joaquin south. When negotiations stopped in January 1852, they had met with about 120 bands or tribes and the reservations established under the treaties included some 8,518,900 acres, or roughly seven per cent of the entire state, including most of the San Joaquin Valley.⁵⁴ Besides overlooking the bitterness of the miners, the commissioners made other mistakes; for example, the stipulation of settling Indians on lands not previously occupied by them was without precedent. It is certain also, that the men who gave them the padded figures intended to make money by supplying Indians who simply did not exist. After the discovery of Yosemite Valley, Dr. Bunnell feared that Savage was being used by this "Indian ring"—that he was "being surrounded by combinations" which he, Bunnell, did not like. "Sharp men," Bunnell told Savage, "are endeavoring to use you as a tool to work their gold mine. Besides this, you have hangers-on here who are capable of cutting your throat." But Savage answered that he was perfectly aware of the situation and that he felt he would eventually win out.⁵⁵

To return to the treaties—when they reached Washington, the Californians in Congress went into action. Although officials most directly concerned, such as Edward Beale, superintendent of Indian affairs for California, urged that the treaties be adopted, they were unanimously rejected by the U. S. senate on June 8, 1852, and placed in the secret archives where they were to remain for almost half a century.⁵⁶ Before news of the rejection reached California, several reservations had been set up and the Indians placed upon them. One of the reservations was on the Kings River, in the vicinity of the place where it would be crossed by white men traveling through the valley.⁵⁷ Once more Savage was to dominate the picture, not as a conqueror but as the champion of the Indians. Whether this was due to humanitarian or economic reasons is a matter of conjecture.

After the Mariposa Battalion was mustered out on July 1, 1851, Savage had set about recouping his losses by opening a store on the Fresno near Coarse Gold.⁵⁸ He did a splendid business with the miners, who preferred to pay his prices rather than go back to the coast after supplies. A month earlier he had applied to Adam Johnston for a license to act as an Indian trader. It cost him \$1,200 but, because of it, he and his partner, L. D. Vinsonhaler, were free to trade with the Indians in the area between the Chowchilla and Kaweah rivers; and also, as a licensed trader, he could petition the government for redress of the losses he had sustained in the raid of December 1850. This claim totaled \$25,150 but his petitioning was fruitless.⁵⁹

By the spring of 1852, better mining methods were needed in California. Their installation called for more stable settlements, which, in turn, called for enforcement of law and order; and as the number of settlers increased in Mariposa County, which had been created in 1850 with the prospect of subdivision as the need arose, it suffered a salutary amputation in the setting up of Tulare County on April 20, 1852. The latter extended from Mariposa County to Los Angeles County and from the Coast Range to the Sierra. In it were three houses and some dozen bona fide residents. July 10 was set for the organization election and the commissioners selected to supervise it were Savage, John Bowling, M. B. Lewis, and W. W. McMillen. There were two polling places: one at Pool's Ferry on Kings River where W. J. Campbell was to act as the inspector; and the other was in Wood's cabin on the Kaweah, William Dill, inspector.⁶⁰ Rumors of Indian trouble on the Kings River were current. For that reason the men who left Mariposa for Four Creeks were heavily armed. When they came to Pool's Ferry, some stayed there and some went on to the Four Creeks country. Major Savage led the latter group.⁶¹

July 10 dawned as only a native of the valley can appreciate. By mid-morning it was so warm that Savage moved the polling place from the Wood cabin to the shade of an oak that has since been called Charter Oak, where the Mariposans proceeded to cast 109 votes.⁶² The officers-elect took



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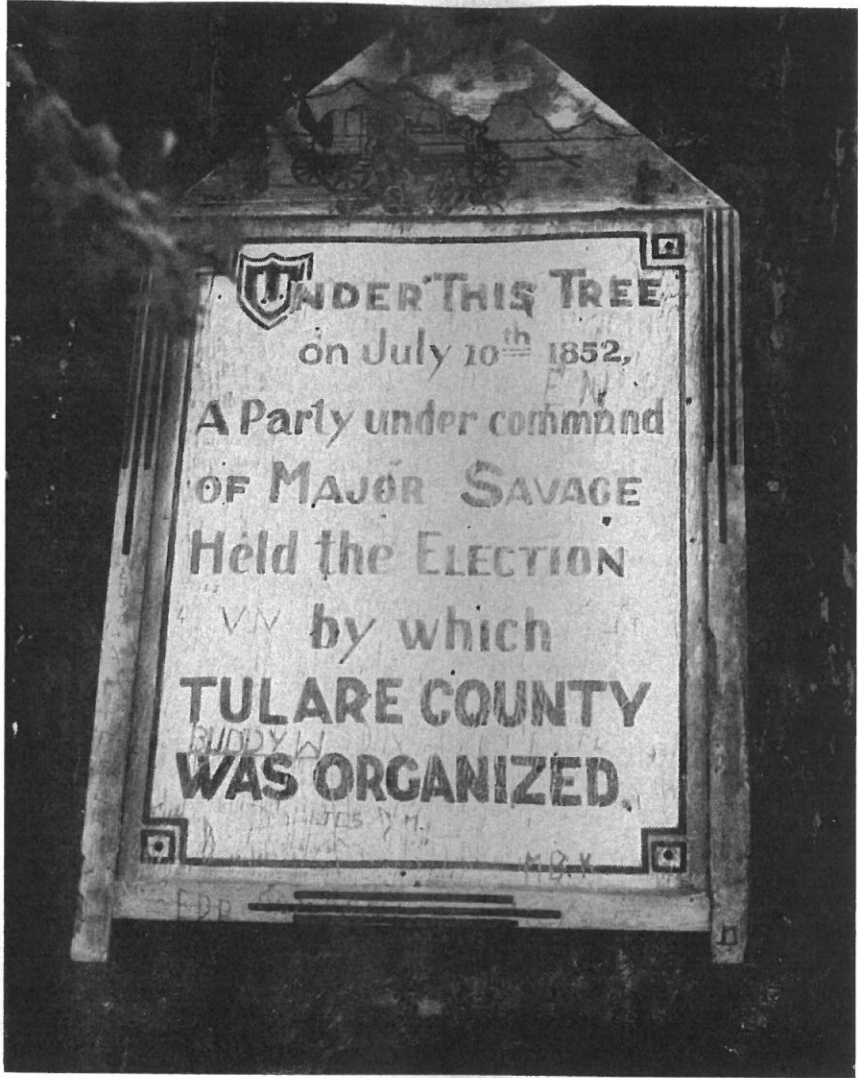
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This sign identified for many years the "Charter Oak" mentioned in the text. It was replaced on July 10, 1949, with a permanent marker by the Tulare County Historical Society in collaboration with the California Centennials Commission.

From photograph by Ward's Studio, Visalia

their oaths within a few days, but the certification of election did not come until early August. By that time, four of the men who had been prominent in the election had met violent deaths: Dr. (?) Edwards, county clerk, was killed in a fight in Mariposa; L. C. Frankenburger, county treasurer, was found dead in the swamps; Dr. C. E. Everett was shot in a brawl; and James Savage succumbed from the effects of a bullet fired by Walter Harvey, the newly elected judge of Tulare County. The events leading up to the quarrel between the last two men are best recounted by contemporaries.

San Joaquin
July 2, 1852

Editor, *Alta California*

A few days ago, the Indians on King's River, warned Campbell Poole & Co., ferrymen, to leave, showing at the same time their papers from the Indian Commissioners. The Indians then left and threatened to kill the ferrymen if on their reservation when they returned. Mr. Campbell has been collecting volunteers, many have joined him. Major Harvey left this evening with some eighteen or twenty men. A fine chance for the boys to have a frolic, locate some land, and be well paid by Uncle Sam. Lieutenant Moore has been sent for from the head of the Merced, as Fort Miller, here, is nearly deserted. Some miners are talking of going thirty or forty miles up the river prospecting. They will probably get up another fandango there, as the Indians will be almost certain to attack them. Fresno, Coarse and Fine Gold Gulches have fewer miners now than they had ten days ago, many having left for the San Joaquin, and some on one or another Indian Expedition. Spangled Gold Gulch is almost deserted. The Fresno diggings are almost a failure. The soldiers have not succeeded in getting near enough to the Indians of the upper Merced to get a fight.⁶³

The subsequent attack made upon the Indians on Kings River was too much even for Californians who were hardened to hearing of raids upon the natives. The outburst of criticism, directed against the whites who were involved, induced them to write a statement trying to justify their course of action.

King's River, July 8, 1852

As various and conflicting rumors are in circulation relative to the origin of the difficulties between the Indians and the whites, and the circumstances regarding the fight, we deem it a duty which we owe to ourselves, and the party engaged in the skirmish, and to the community in general, that a fair and impartial statement of the whole affair should be published emanating from those who are in possession of all the facts connected with the case.

On the first day of this month, a party of Indians, some sixty in number, part of whom were armed with their bows and arrows, came to the store of Campbell Poole & Co., and had a talk with Mr. Edmunds, one of the proprietors of the ranch, through their chief, Watoka, and his interpreter, in language to this effect: When Major Savage first came to this country, he gave them blankets and camisas, that they, the proprietors of this ranch had not done so; that Major Savage had said that they should do as he had done. Then they ordered the party at the store to leave the river. Then they handed Mr. Edmunds a note, a copy of which is herewith transcribed:

Fresno River, June 17, 1852

GREETINGS: Know all men by these presents, that the holder of this, Watoka, is the

chief of the Chonemne tribe, and has treated with the Commissioners for the lands which he now occupies, which said land, he, the said Watoka, is resolved to hold and occupy with his people, apart and alone, entirely free from white men and their settlements. He, the said Watoka, desires me to say that no molestation or hindrance will be given to white men traveling through this country, but that he is determined to prevent all encroachments on his people's land.

JAMES D. SAVAGE

Mr. Edmunds and a hired man were all the parties on the premises at the time the Indians came up and commenced talking. A party of four men came to the ranch during the conference with the Indians. What was said and done by the Indians being considered tantamount to a declaration of hostilities on their part, it was agreed upon that a small party of men would remain at the store, while Mr. Edmunds should go to the San Joaquin, Fine and Coarse Gold Gulches to get a sufficient body of men to protect his ranch from the expected attack of the Indians. Mr. Edmunds, and his partner, Mr. Campbell, went to the places above named, and collected a force of some 25 men, a part of whom arrived at the ranch on King's river the night of the second day; the balance arriving with Mr. Campbell early the next morning. We were all immediately organized into a company under the command of Major Harvey, twenty-five men in all; a few, some half dozen, remaining at the store for its protection. . . .

Previous to our arrival at the rancheria, Captain Harvey addressed the company, and gave his plan of action; appointing by consent of the company, three of the party to hold a conference with the Indians for the adjustment of difficulties if possible. The company had orders to wait the issue of this conference before an action should ensue.

On our arrival at the rancheria, the Indians were occupying it, apparently in a peaceable attitude. The company was divided into two columns. The left, under the command of Lieutenant Mathews was ordered to take a position back of the rancheria, between the rancheria and the river nearby; while the right, under command of Captain Harvey took a position immediately in front. The three men appointed to treat with the Indians, proceeded into the rancheria to one of the bush tents pointed out, and inquired in Spanish of the Capitan of the rancheria if Watoka was in. The Indian replied in Spanish (whom we will call the interpreter) that he was out getting something to eat.

About this time several other Indians came up to the brush arbor where we were talking. Among them one came with a paper [signed by Savage] in his hand, which was taken from him, a copy of which has been given [above]. He acknowledged himself to be the Capitan, but at first denied it. During the conference, some firing was heard at the upper end of the rancheria, by the party stationed between the rancheria and the river, at an Indian who was endeavoring to make his escape across the stream, after being ordered to stop. Captain Harvey requested the commissioners to the Indians that they must come out under the oak tree, immediately in front and close by, and hold a talk with us. The Indian named as Capitan endeavored to bring his men out; they refused to come. An Indian named Francisco (an old offender) was called for at this time and brought out; there being then only three Indians under the tree, the so called Capitan, Francisco, and the interpreter.

It was concluded upon to take these three Indians, recognized as principal offenders in the difficulty, as prisoners, down to Campbell & Poole's ranch. The Indians were ordered to move before us; they refused and broke to run, one of them endeavoring in his flight to snatch a gun from one of our party. At the same moment of time, there was a general movement in the rancheria and the fight commenced. . . . [It continued until the strategy of the whites won out] After the rancheria was abandoned for the last time, it was decided best for the party to proceed back to Campbell & Poole's Ferry, as it was feared that the Indians might make an attack upon the small body of men left in pos-

session of the store. From this day from the Ferry and found all quiet, come out to attend to Four Creeks have made

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session of the store. Pasquale, the chief of all the tribes upon the river, was expected over this day from the Fresno, with a hundred more warriors. We came back to the ferry and found all quiet, with the additional force of some men from Mariposa who had come out to attend the election. All the Indians in the country from King's river to the Four Creeks have manifested a friendly disposition since the fight.

A party of us went to the Four Creeks after the fight and found some fifteen hundred Indians collected at one rancharia at a grand feast. There were two Americans at the Four Creeks at the time of the fight. So as soon as the chief heard of the difficulty he sent for the men and took them under his protection until our arrival. There are numerous reports as to the dead and wounded. The most reliable is from a wounded Indian who was in the fight, which corresponds with our opinion that there were nine killed and as many more badly wounded. On our side there was one man wounded, and one horse shot. On this statement, which is true and correct, to the best of our knowledge and belief, rests the basis of our action and the line of our conduct. It remains for an unbiased and unprejudiced community to render us a fair and impartial verdict.

Under any and all circumstances, we hold ourselves in readiness to defend our country and our friends from any foe of whatever kind they may be.⁶⁴

Signers of the statement: John C. McBee, William Bourland, L. C. Frankenburger, W. T. Watkins, Abram Brown, Benjamin Bransom, Ira Isoms, Joel R. Brooks.

Members of the company: Jechonias L. Berry, Henry Kruder, Edward Edwards, Walter H. Harvey, Richard Mathews, James A. Moore, G. W. Newton, John H. Garrison, James Bryson, William Bower, B. F. Edmunds, Joseph Cox, Charles H. Weick, Wm. J. Campbell, C. E. Everett.

Criticism of the affair continued by word of mouth and in the press. On July 17, Walter Harvey issued a personally signed statement in which he left it "to the public to determine how far the party under my command have transcended the rules of propriety; conscious myself of having done no wrong, I do not fear the tongue of slander."⁶⁵ Nevertheless, rumors of war and massacres of Indians persisted. Indian Agent Wozencraft was said to have been in San Francisco for the purpose of issuing warrants and sending the US. marshal to investigate the attack on the Kings River reservation.⁶⁶ There was some truth in this report, as will be seen later.

The officials at Fort Miller sent for Savage and asked him to go down to Four Creeks and meet with the Indians. One of the group who went with Savage says that,

... he visited in the space of three days some twelve or fifteen different tribes, collected together their chiefs and captains, and explained to them, as he was authorized, the nature of the difficulty and exhorted them to a strict observance of the treaty obligations. Never was an audience at Divine service more strict and orderly, more attentive and quiet.⁶⁷

By authority of Wozencraft, Savage summoned a great council to meet in Four Creeks on August 15, in an endeavor to settle the trouble.⁶⁸ He then returned to his ranch. It was there that he learned that a detachment of dragoons had left Benicia to be present at the council. When the time came to start for the council, Savage went by way of Campbell's Ferry across Kings River. Here he met Harvey. The latter and his friends were under a strain, for it was generally supposed that the dragoons would arrest the leaders of

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JAMES D. SAVAGE

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the attack upon the Indians. Savage told Harvey that an investigation was to be held and advised him to give himself up. Harvey agreed. As Savage turned to leave, he remarked to Harvey: "Captain Harvey, I understand you do not consider me responsible for my conduct as an Indian trader, but you look upon Dr. Wozencraft as an honest man and a gentleman."⁶⁹

To this, Harvey replied that he did consider Wozencraft to be a gentleman, and when Savage repeated his question about his own qualifications in that respect, Harvey answered emphatically in the negative; whereupon Savage knocked him down. In the scuffle, Savage lost his pistol. Judge Marvin, who was present, separated the men and gave Savage back his weapon, but in a few minutes the men were at it again and once more Savage, who had put the pistol in his waistband, lost it. Marvin made a move to take Harvey's gun away from him but was not in time, for Harvey was already firing at Savage. The latter fell at the first shot and Harvey gave himself up.

News of Savage's death on August 16, 1852, created a sensation. The newspapers unanimously regretted it, for public opinion held that he could do more to keep the Indians in subjection than could all of the troops or treaties. The following is an instance of descriptive press comment:

The night he was buried the Indians built large fires around which they danced, singing the while the mournful death chant, until the hills around rang with the sound. I have never seen such profound manifestations of grief. The young men, as they whirled wildly and distractedly in the dance, shouted the name of their Father that was gone, while the squaws sat rocking their bodies to and fro chanting their mournful dirges until the very blood within one curdled with horror at the scene.⁷⁰

Everyone in the valley expected a general uprising but the Indians showed their resentment only by sporadic raids that were to last until the Tule River War of 1856.

Many accounts have tended to picture Walter Harvey as a broken and terrified man after the death of Major Savage.⁷¹ He suffered remorse, but in the code of the frontier he had done no wrong. Their quarrel was the outgrowth of opposing opinions on the Indian question and there is nothing to indicate that it stemmed from Savage's election as commander of the Mariposa Battalion. A brief outline of Harvey's career after the shooting should refute the claims that he died haunted by the ghost of James D. Savage:

He was acquitted in the county court of Tulare County.

In 1853, he was a member of Harry Love's posse which supposedly captured Joaquin Murieta.

In 1854, he was appointed sergeant-at-arms of the California Senate.

In 1859, he married Miss Helen Downey, whose father became governor of California, 1860-62.

In 1861, he was appointed superintendent of immigration at the port of San Francisco, a post he held until his death in August 1861.⁷²

James D. Savage's life was adventuresome. No one thought of him with indifference. He was unpredictable in the sense that his friends became his enemies if they interfered with his ambition; he never seemed to bother with

any fine distinction between ethical points. Much of the good that he did for the Indians was forgotten in the gossip and controversy which followed his death. As stated by the *Alta California* on its editorial page of Sunday, August 22, 1852:

... Major Savage, in the exercise of his official duties, doubtless made many enemies among our countrymen; but he also had warm and numerous friends. In his death our State has lost an old and respected citizen, the white residents of the San Joaquin valley an able exponent of their true rights and demands among the Indians, and the Indians themselves probably their best and most influential friend.

In 1855, Dr. Lewis Leach had Savage's remains moved to the site of the old trading-post on the Fresno, where a shaft of granite was erected bearing the legend, Jas. D. Savage.⁷³ The reader, better informed, it may be, than the casual passerby, can muse over the possible wording of a just epitaph.

NOTES

1. Lafayette H. Bunnell, *Discovery of the Yosemite Valley* (Los Angeles, 1911), p. 273.
2. H. H. Bancroft, *History of California* (San Francisco, 1884-90), V, 713; T. H. Hittell, *History of California* (San Francisco, 1898), III, 836.
3. James D. Savage's genealogy (compiled mainly from letters of H. M. Savage, Lt. col., USA, retired), in information folder on Savage, Bancroft Library; and Horace Bell, *Reminiscences of a Ranger* (Los Angeles, 1881), p. 298.
4. Edwin Bryant, *What I Saw in California* (New York, 1848), pp. 13, 31, 37, 46; and Bancroft, *ibid.*, p. 528 note.
5. J. Quinn Thornton, *Oregon and California* (New York, 1849), I, 79.
6. Carl Russell, *One Hundred Years in Yosemite* (Stanford University Press, 1931), p. 23.
7. William F. Swasey, "California in 1845-46," quoted by Bancroft, *ibid.*, p. 374.
8. John A. Sutter, *New Helvetia Diary*, Sept. 9, 1845-May 25, 1848 (San Francisco, 1939), p. 81; and Jill L. Cossley-Batt, *The Last of the California Rangers* (Capt. William James Howard), New York, 1928, p. 109.
9. Sutter, *op. cit.*, p. 47, says that on May 31, 1847, Savage was helping James Marshall on the "Millraise with ploughs & Scrapers"; on July 1 and again on the sixth (pp. 55 and 57), he was bringing down lumber (shingles and planks) from the mountains; Sept. 23 (p. 80), he was reported as having arrived at the fort from San Jose with Thomas Fallon; and p. 81 records Sutter's receipt of "the Fremont Cattle from J. D. Savage, 150 head in all small and large," on Sept. 27, 1847.
10. J. M. Hutchings, *Guide to the Yosemite Valley* (New York, 1871), p. 64. Of the five native women who were said to have been his wives, the names of only two, Ee-ki-no and Ho-Mut, have been recorded.
11. Bell, *loc. cit.*
12. 32d Cong., 1st sess., H. Ex. Doc. 2 (hereinafter called Ser. 636), pp. 493-98, G. W. Barbour, San Francisco, July 28, 1851, to Luke Lea, commissioner of Indian affairs; especially pp. 494 and 496, regarding territory occupied by Tulare and San Joaquin Indians. See also Bell, *op. cit.*, p. 299.
13. Robert W. Kenny, *History and Proposed Settlement Claims of California Indians* (Sacramento, 1944), pp. 8, 9.
14. Cossley-Batt, *op. cit.*, pp. 110, 115.

15. Hittell, *ibid.*, p. 129.
16. Hutchings, *op. cit.*, p. 63.
17. *Ibid.*, p. 64.
18. Bunnell, *op. cit.*, p. 6.
19. *Ibid.*, pp. 9-10.
20. Cossley-Batt, *op. cit.*, pp. 117-20, transcribes Adam Johnston's letter to Peter Burnett, dated San Jose, Jan. 2, 1851.
21. *Alta California*, Jan. 3, 1851, under INDIAN DISTURBANCES; article is signed by "Arpad."
22. *Idem.*
23. Cossley-Batt, *op. cit.*, p. 120.
24. *Loc. cit.*
25. James Burney's letter of Jan. 13, 1851, to the governor is given in full in *California Assembly Journal*, 1851, pp. 943-45; see also J. M. Bondurant, county judge, and Richard H. Daly, county att'y, to the governor (and concurred in by David Easton and seventy others), commending Burney's character, *ibid.*, p. 943.
26. Bunnell, *op. cit.*, pp. 30-33.
27. 33d Cong., spec. sess., S. Ex. Doc. 4 (hereinafter called Ser. 688), p. 196, Adam Johnston, Merced Indian Reservation, Oct. 8, 1851, writing to Luke Lea, cited law of 1832 with respect to fact that only the President could call out the militia. But see D. P. Baldwin, member committee on Indian affairs, to speaker of Assembly, Jan. 22, 1851, regarding protection of people of Mariposa County, *Calif. As. Journ., op. cit.*, p. 966, where the right of the governor to call out militia "by an order to the Sheriff . . ." is set forth.
28. *Ibid.*, pp. 941-42; also p. 1141, where the state would be under the necessity of negotiating a loan to defray expenses, ". . . in the absence of adequate provision being made by the general government."
29. Kenny, *op. cit.*, p. 12.
30. Wozencraft to Lea, San Francisco, Sept. 30, 1851, Ser. 688, *op. cit.*, p. 188; see also *Alta California*, Jan. 6, 1851, under INDIAN DIFFICULTIES.
31. William H. Ellison, "Federal Indian Policy in California, 1846-1860," Ph.D. Thesis, Univ. Calif., 1919.
32. *Idem.*
33. W. W. Robinson, *Land in California* (Berkeley, 1948), pp. 15, 16.
34. Kenny, *op. cit.*, p. 10.
35. *California Senate Journal*, 1851, pp. 14-15.
36. *Alta California*, Feb. 28, 1851. The escort under Captain Stoneman, assigned to accompany the commissioners, consisted of 25 men, as reported by Wozencraft from Camp Norris, Sacramento Valley, to Luke Lea on July 12, 1851. (Ser. 636, *op. cit.*, p. 490.)
37. *Alta California*, Feb. 28, 1851.
38. *Idem.*
39. *Ibid.*, Feb. 13, 1851.
40. *Ibid.*, Feb. 20, 1851.
41. *Idem.* Wozencraft's diagnosis of the character of the California Indians and how the reservation idea appeared to him, are presented in his letter to Lea from San Francisco on May 14, 1851. (Ser. 636, *op. cit.*, pp. 486-88.)
42. *Alta California*, Feb. 28, 1851.
43. Johnston to Lea (as in note 27 above). On the preceding Aug. 4, he had written to Gen. Ethan A. Hitchcock, in command of the Pacific Division, that he "must therefore urge the necessity of having a few troops placed within my control." (*Ibid.*, p. 200.)

44. *Alta California*, March 13, 1851.
45. *Ibid.*, March 17, 1851.
46. *Ibid.*, March 24, 1851.
47. *Ibid.*, April 23, 1851.
48. *Idem.*
49. Wallace W. Elliott, *History of Fresno County* (San Francisco, 1881), pp. 179, 180.
50. *Alta California*, June 12, 1851.
51. Bunnell, *op. cit.*, pp. 69-70.
52. *Ibid.*, pp. 91-93. An idea of the size of Savage's trading operations may be obtained from an item in his favor to the amount of \$4,278.80, for having supplied flour for distribution to the Indians, which appears in Wozencraft's tabulation of disbursements. (Ser. 688, *op. cit.*, p. 398.)
53. Ellison, as in note 31 above.
54. Kenny, *op. cit.*, p. 80.
55. Bunnell, *op. cit.*, p. 273.
56. Kenny, *op. cit.*, p. 24.
57. *San Joaquin Republican*, July 24, 1852.
58. Cossley-Batt, *op. cit.*, p. 153.
59. Ser. 688, *op. cit.*, pp. 100-101 (license); pp. 231-33 (damages).
60. Kathleen Small, *History of Tulare County* (Chicago, 1926), pp. 45-47.
61. *Ibid.*, p. 47.
62. *Idem.*
63. *Alta California*, July 10, 1852.
64. *San Joaquin Republican*, July 24, 1852.
65. *Ibid.*, July 17, 1852.
66. *Alta California*, Aug. 12, 1852.
67. *San Joaquin Republican*, July 21, 1852.
68. *Alta California*, Aug. 12, 1852.
69. *San Francisco Daily Herald*, Sept. 3, 1852.
70. *Idem.* Wozencraft, writing to E. F. Beale, sup't. Indian affairs of Calif., on Sept. 9, 1852, from San Francisco, called Major Savage's death "a sad calamity . . . he was a benefactor in his limited sphere; his place will long remain unoccupied." (Ser. 688, *op. cit.*, p. 401.)
71. Small, *op. cit.*, p. 54.
72. *Alta California*, Aug. 18, 1861.
73. Russell, *op. cit.*, p. 45.

Documentary

Monterey March 15. 1847

F. D. Atherton Esq. [at Valparaiso, Chile]

Dear Sir,

Your two letters by the Independence [U.S. man-of-war] I have received. I let Genl M. G. Vallejo have last Octobr a french draft of \$500. for you, to send by Capt Bonnet of the French Ship "Lyon" [a transport].*

Your brother [Robert] arrived here during my absence (see papers, No. 28 & 29). and went north. I sent for him & engaged him as a clerk. I send you a file of Newspapers as a subscriber, I really cannot write you much now. if I could have obtained my pay last month, from the Squadron, Capt. [John] Paty & myself would have sent the "Don Quixote" to your port.**

Commodore Stockton with Col Fremont (under the former) owe 300.000\$ in California; they have no money† & up to Feby. when I left the Commodore, in San Diego, he would not sell drafts at a discount: he sent the "Erik" [*Erie*] to Callao for 100.000\$. Capt. [Chas. C.] Turner thinking he had not time to be at Panama by the 20th Jany for the Dec. mail did not go for the money: the Farmer Mechanic Rifleman & merchants, are therefore without pay. My house has nearly 20.000\$ against govnt & on \$8000 we are paying 2 p ct. pr month borrowed money. Comd [James] Biddle will have nothing to do with the debts.†† We look for Commodore Stockton & Col Fremont daily.

Goods are almost as dear as ever. at the south they are the same, yet these may soon be up but prices are very uncertain for the next six months.

If you would send a cargo of 15 to 20.000\$—(Vessel and cargo insured) to California, selecting yourself mostly, Wines, Brandys, Groceries, Shoes and clothing, & some Bread and Flour, some Dry Goods, I will be concerned in half of the risk, profits and loss.

I remain With much respect,

Your most obdt. svt. THOMAS O. LARKIN [signed]

(Original in collection of A. T. Leonard, Jr., M.D.)

* See A. P. Nasatir, "The French Consulate In California, 1843-1856," for Moerenhout's letter to Paris, March 31, 1847, regarding necessity of long credits in California; and also mention of *Le Lion* and Capt. Bonnet, this QUARTERLY, XII (Dec. 1933), 347-48.

** James Biddle, com'g Pacific squadron, U.S. ship *Columbus*, writing from Monterey, March 6, 1847, to Larkin, stated that the blockade of the Mexican west coast had been revoked and that the "Hawaiian Barque Don Quixote is at liberty to go to San Blas or Acapulco and return to this port." ("Larkin Documents," Bancroft Library, V, 85.) For picture of vessel and account of Capt. Paty, see this QUARTERLY, Dec. 1935, pp. 291 ff.

† A. H. Gillespie, writing from Los Angeles, March 5, 1847, to Larkin, comments on "... the great scarcity of money in this quarter, unless obtained at an enormous discount. . . ." ("Larkin Docs." *op. cit.*, V, 65).

†† See 30th Cong., 1st sess., Sen. Ex. Doc. 1, pp. 559 ff, regarding disbursement, on public account, of moneys collected at ports (as of April 3, 1847). See also H. H. Bancroft, *History of California* (San Francisco, 1884-90), V, 572, n. 39, quoting Biddle's orders to collectors that nothing but specie, treasury notes, or drafts are to be received for duties.