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"AT THE PLOW AND IN THE HARVEST FIELD": INDIAN CONFLICT AND ACCOMMODATION IN THE OWENS VALLEY 1860-1880

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CHAPTER I

INTRODUCTION

The inspiration for this paper is a collection of Indian baskets housed in the Eastern California Museum in Independence, California. The Eastern California Museum is a small county museum which is fortunate enough to have in its possession a very fine regional collection of California Indian basketry. The heart of the museum's holdings is the Black Collection: several hundred pieces collected by Rose Black and her family during the years 1880-1940. In this time period, the Black family operated a general store where local Paiute and Shoshone Indians traded baskets for food, clothing, and other basic subsistence needs.

While the artistic and aesthetic qualities of the basketry created by the Owens Valley Paiute and the Panamint Shoshone have gained substantial notice and recognition (as has the rapidly escalating financial value of these baskets to the private collectors), little has been written about the actual lives of these Indians during the time period this art was created. At the museum, we are charged with the responsibility to interpret this collec-

tion to the public in a manner which portrays the collection's significance not only as isolated art objects, but as reflections of a people and a culture during a time of significant change. To have an effective interpretive exhibit, we need to understand the people behind the baskets and the environment in which they lived. The baskets should be presented as artifacts created in a cultural context by a people making creative adaptations to changing environmental and economic circumstances; and as the product of a system of economic interchange between the Owens Valley Indians and the dominant white community.

Although information about the lives of the Owens Valley Indians during this immediate post-contact time is lacking, Julian Steward laid the groundwork for the understanding of the Owens Valley Indians in the time period immediately prior to white (or non-native) contact--the ethnographic present--with the publication of Ethnography of the Owens Valley Paiute (1933) and Basin-Plateau Aboriginal Sociopolitical Groups (1938). As an ethnographer, Steward interviewed Indian informants during the 1920s and 1930s to collect information on how the informants' parents and grandparents lived prior to white contact. As was the standard practice of the time, he attempted to create a picture of a pure culture, and had very little interest in collecting information about the informants themselves, or

on the post-contact lives of their ancestors. He shared the view of Kroeber who wrote that "What happened to the California Indians in the years following 1849--their disruptions, losses, sufferings, and adjustment--falls into the purview of the historian rather than the anthropologist whose prime concern is the purely aboriginal, the uncontaminatedly native."[1]

Yet it is an understanding of these early post-contact times that is necessary in order for the museum to be able to adequately interpret its collections relating to the Owens Valley Indians. We need to examine the creative adaptive strategies employed by the Owens Valley Indians as they adjusted to the stresses on their environment caused by the influx of white farmers, miners, and ranchers to the Owens Valley.

The dominant forces acting upon the Indians' environment during this time included these settlers along with local government and civil authority, and agencies of the federal government--primarily the military and the Indian Department.

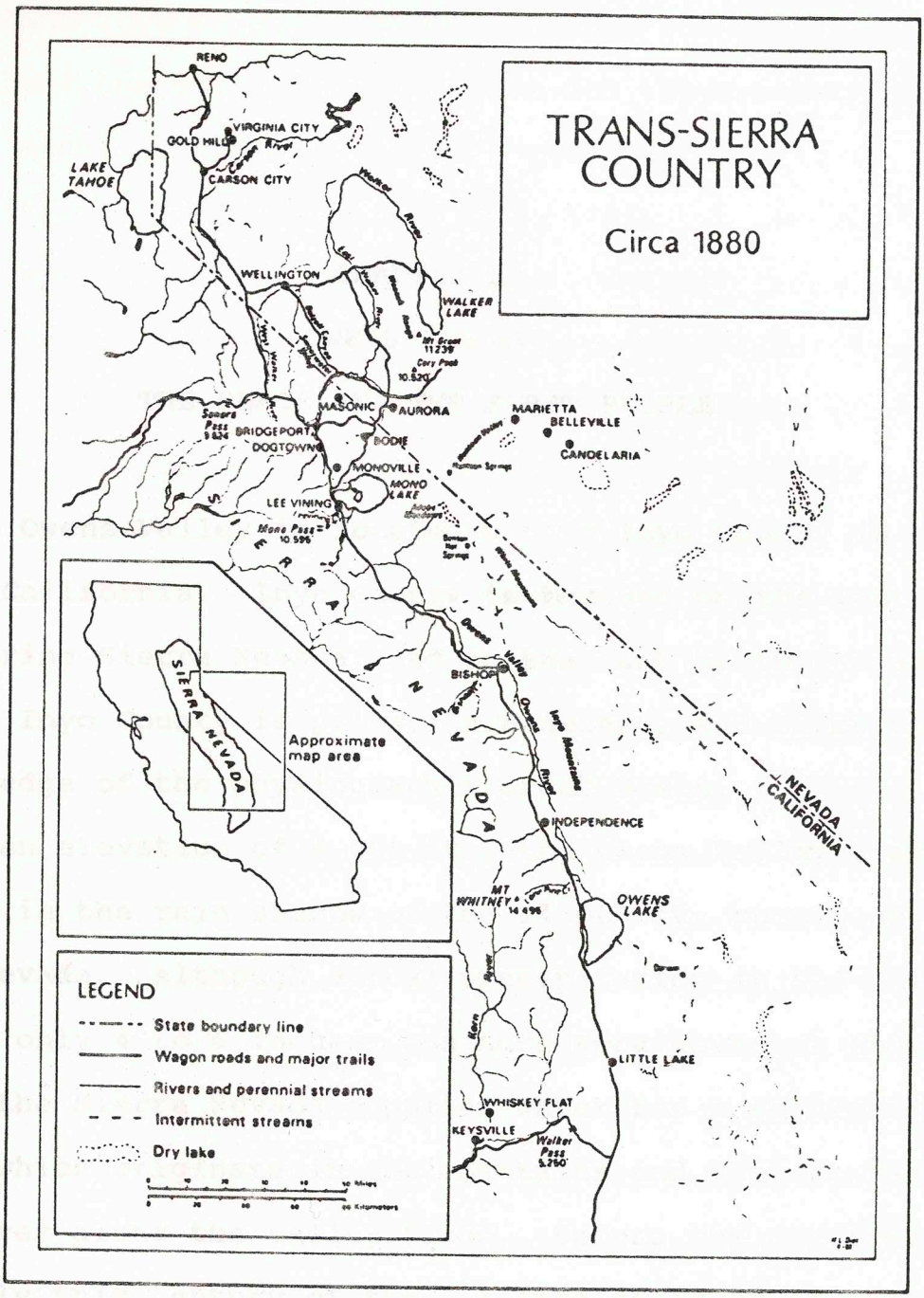
In addition to examining these forces acting upon the Indians, we need to examine the response of the Indians to these forces. Also, there are some specific historical questions for which I hope to find answers. For instance, what happened to the 1,000 Owens Valley Indians that were

forcibly removed from the valley in 1863? What role did the federal government play in Indian affairs in the Owens Valley during the time period 1860-1880? Why did the military forces continue to occupy Camp Independence until 1877, twelve years after the last Indian-white conflicts in the valley? And, what role did local civil authorities play in Indian issues?

Because none of these questions can be answered adequately in isolation, I will present a general chronological picture of Indian-white relations in the Owens Valley in the years 1860-1880: within this general picture will be the answers to our specific questions regarding Indian-white conflict and accommodation.

NOTES

1. Alfred Kroeber, "The Nature of Land-Holding Groups in Aboriginal California: Three Studies in Culture History," in Robert Heizer, ed., Aboriginal California: Three Studies in Culture History (Berkeley: University of California Archaeological Research Facility, 1961), p. 120; quoted in William S. Simmons, "Culture Theory in Contemporary Ethnohistory" Ethnohistory 35, no. 1 (Winter 1988), pp. 3-4.



MAP 1 *The primary mining and agricultural communities of the Eastern Sierra 3 years after the abandonment of Camp Independence in 1877. (Map from Gunfighters, Highwaymen, & Vigilantes used with permission of University of California Press)*

CHAPTER II

OWENS VALLEY:

THE PLACE AND THE FIRST PEOPLE

The Owens Valley is located within Inyo County in eastern California. Inyo County is bounded on the west by the towering Sierra Nevada, and on the east by the Nevada border. Inyo County is primarily a desert, and forms the western edge of the physiographic Great Basin.

At an elevation of 4,000 ft., the Owens Valley lies directly in the rain shadow of the 14,000 ft. summit of the Sierra Nevada. Although annual precipitation in the valley averages only 4 to 6 inches, the much more abundant snowfall in the Sierra Nevada supplies water for a series of streams which originate in the mountains and flow to the Owens River along the valley floor. Before the construction early this century of the Los Angeles Aqueduct which diverts the waters of the river to the Los Angeles basin, the Owens River meandered down the valley and emptied into saline Owens Lake.

Within Inyo County's boundaries are found two groups of Indians: the Owens Valley Paiute and the Western Shoshone. Although Fremont, Walker, and other explorers passed through this region and had incidental contact with the Indians, this area of California remained largely untouched by most of the main events that shaped California's early history. The mission system did not extend its reach inland far enough to reach Inyo County, and the gold rush of 1849 centered on the western side of the Sierra Nevada: it did not include Inyo County. Not until the early 1860s did prospectors enter the mountains to the south and east of Owens Valley--the Coso and Inyo ranges--to search for gold and silver. The prospectors stayed, and were followed by cattlemen, farmers and merchants. Encounters and then conflicts with the Indians of the region soon followed.

The Indians encountered by the encroaching whites in the Owens Valley were the Owens Valley Paiute. Although the valley has been occupied since at least 3500 B.C.(and possibly for as long as 10,000 years), it has been proposed by Robert L. Bettinger that the roots of the subsistence and social patterns of the Owens Valley Paiute originated in the area during the period of 600 to 1300 A.D. as a result of population growth and the consequent intensification of resource exploitation. Bettinger postulates that Owens Valley might even be the source of the Numic expan-

sion--a migration of Numic speaking peoples into the Great Basin from the southwest that occurred about 1000 A.D.[1]

Several aspects of the pre-contact Owens Valley Paiute lifestyle differentiated this group from other Great Basin peoples. These include a more complex social organization, the independent development of an agricultural system based on the irrigation of native plants, and the development of more permanent centralized villages than are found in other areas of the Great Basin.

Village sites in the Owens Valley were distributed primarily along the courses of streams flowing from the Sierra Nevada in the west to the Owens River. Although the size of villages varied, they are described as "semipermanent base camps of some durability, named for topographic features."[2] Julian Steward characterized each village or closely allied group of villages as a "band." This group shared in the cooperative communal activities of hunting, festivals, and the ownership of seed and pine nut gathering territories. The expression of the band organization, according to Steward, was "the common name, chieftainship, and ownership of territory."[3]

One of the communal labors undertaken by the Owens Valley Paiute which required extensive continuing cooperation over long periods of time was the development of irrigation systems. The construction of irrigation ditches--

which reached lengths of several miles--by the Paiute at sites from Round Valley in the north to Independence Creek in the south required a labor-intensive cooperative effort and an organizational level beyond that required by the pursuance of any other traditional subsistence activity.[4] This irrigation process increased the yield of two native plants identified by Lawton as *Dichelostemma pulchella* (wild-hyacinth) called nut-grass in the historic literature; and *Cyperus esculentus L.* (yellow nut-grass) referred to in the historic literature as taboose--a name applied to Taboose Creek in the Owens Valley. Each spring an initial communal effort was made to divert the water from the stream into the main ditch by the construction of a dam. A head irrigator--elected by the people--was then responsible for distributing water throughout the irrigated plots.[5]

Although Owens Valley Paiute were more sedentary than other Great Basin peoples, the seasonal round of seed, root, and nut gathering (Steward lists over 40 plant foods utilized) lasted from spring until fall and required some travel. Seeds (Rice Grass was one of the most important) were harvested from spring to mid-summer when the families returned to the villages. Late summer saw the ripening of roots harvested mostly from the swampy lowlands and irrigated fields. Root harvesting required little travel, and was accomplished from the village sites.[6]

In the fall, families traveled to the pinyon harvesting sites in the White-Inyo mountains. In years of abundant crops, a winter camp was made among the pinyon groves. In years of reduced pine nut harvests, or when the crop failed, the Paiute returned to the valley floor for the winter and utilized stored food sources. The acorn, a highly favored food not found to any extent in eastern California, was acquired by trade over the Sierra Nevada.[7]

Hunting augmented gathered foods, but provided as little as 15% of the food resource. Small game taken by individual hunters included various rodents and the cottontail rabbit. Hunting was also an important social and communal activity as demonstrated by organized rabbit drives, antelope drives, and bighorn sheep hunts. Deer could be hunted individually or communally. Even though hunting only provided a limited portion of the food resource, status as an accomplished hunter was important among the Owens Valley Paiute.[8]

The interaction of the Owens Valley Indians with the Great Basin environment can be characterized as very flexible. Rainfall varied greatly from year to year with a consequent result of unpredictable--sometimes undependable--plant production and animal populations. People therefore relied on a great variety of food resources in a flexible harvest pattern that assured at least one food

available within the local resource area. This characteristic of flexible accommodation to a changing resource base carried over to the Indian relationship with non-Indians invading their territory. Adaptation to change was based on choices made at a family or individual level, rather than at an organized group level. This led to what could be called self-directed culture change, or selective cultural adaptation.[9]

William Wihr has identified cultural traits among the Northern Paiute that have allowed them to maintain their "traditional beliefs in independence, egalitarianism and practicality" throughout the decades of Indian and non-Indian interaction in the Pyramid Lake area.[10] These same values could be applied to the Owens Valley Paiute, and help explain the ways in which they selectively adapted to the intrusion of non-Indians, and adopted and integrated certain components of non-Indian culture while ignoring other components.

Michael Hittman has applied the concept of "cultural creativity" to illustrate how individual Northern Paiute responded to non-Indian settlement of the Smith and Mason Valley vicinity (north of the Owens Valley in western Nevada). The Indians accepted and pursued some aspects of the non-Indian culture (i.e. clothing, horses and wagons, wage labor, and firearms), while retaining traditional food

gathering patterns. They became, effectively, bi-cultural. With the general neglect of the federal government and the consequent lack of strong pressure towards directed acculturation (such as forced confinement to reservations) the Owens Valley Indians were allowed to apply traditional culture traits to selectively adapt to and incorporate portions of the non-Indian culture into their lives. They therefore resisted acculturation, and retained significant elements of their own culture.[11]

The Invasion of Non-Indians

Information regarding the Indians residing in the Owens Valley and surrounding areas at the time of white contact is derived primarily from three sources. The first source is observations made by non-Indians in the latter half of the 1850s through the 1870s. These observers recorded information on the native population numbers and village locations, subsistence patterns, and material culture. Many of these observations are contained in California newspapers of the period in letters from correspondents located in the Owens Valley--usually miners espousing the real and imagined riches to be found in the mountains surrounding the Owens Valley. The observations contain considerable ethno-centric bias, but if viewed with this bias in mind the observations can be valuable. The second

source of information is that found in government documents such as the Annual Report of the Commissioner of Indian Affairs along with reports and letters written by the military officers stationed at Camp Independence. The third important source of information about the Owens Valley Indians is a body of data collected during the 1920s and 1930s which includes Julian Steward's important ethnographic material and interviews collected as part of the government funded SERA project in 1934 and 1935.[12]

Two areas of caution should be noted when viewing both the ethnographic data and the various early observations recorded by whites regarding Owens Valley Indians. The first area of concern is the status of Steward's consultants in the 1930s. Many of them were recalling events and traditional practices experienced during their early childhood years. The memories of these events are filtered through a lens colored by 70 years of Indian-white interaction which may have significantly affected their recall and also the ability to interpret that which they recall. Although white settlement did not begin in the Owens Valley until the 1860s, significant disruption to traditional lifeways and area populations occurred for at least two decades prior to this; probably none of Steward's infor-

mants experienced a life style unaffected by white pressures.[13]

One of the first impacts felt in eastern California caused by non-Indian pressure has been described by Thomas Layton. Layton has identified a "major North-South highway passing along the east face of the Cascade and Sierra Nevada Ranges. This highway was heavily traversed by emergent bands of predatory bands of horsemen." By 1870, the use of this highway by predatory bands of Indians had caused major changes to the "semisedentary occupation of lush and accessible Surprise Valley by pedestrian Paiutes."[14] Although the Owens Valley Paiute were not affected by the travel on this route to the extent that the Surprise Valley Paiute (to the north) were, it is reasonable to assume that both the introduction of the horse and the passage of horse raiders and traders along the North-South trading highway through the Owens Valley had some impact on the Owens Valley Paiute.

Also to be noted is the adoption of the horse by the Owens Valley Paiute--primarily as a food source--following the diffusion of horses to this region from the west at the time of the missionization of the California coast. Horses were provided to the Owens Valley Paiute by the Panamint Shoshone to the south. They stole the horses from the

Tubatulabal to the west who had acquired the horses from the Chumash on the California coast.[15]

Horses also were present in large numbers as a component of the first group of whites to pass through the Owens Valley. In the late winter of 1834, Joseph R. Walker led a party "consisting of 52 men, 365 horses, 47 beef cattle and 30 dogs"[16] which left the San Joaquin Valley in central California, travelled with two Indian guides east up the Kern River and over Walker's Pass, turned north and passed through Owens Valley. Although no contact with Indians is recorded by either Zenas Leonard or George Nidever (who chronicled the Walker expedition), the potential for Indian-white contact certainly existed. This same party had killed 25 to 39 Indians in the Humboldt Sink of Nevada the previous autumn (1833) on their way west; after passing through Owens Valley on their late winter return trip, the party again engaged an even larger group of Indians in armed conflict in the Humboldt Sink.[17]

Some historians of the region have suggested that Jedediah Smith had visited the Owens Valley previous to Walker in Smith's 1827 travels through the Great Basin and over the Sierra Nevada--the first white known to have crossed that mountain range. It is now generally agreed that Smith's travels did not take him through this part of eastern California.[18]

Although the record is not entirely clear, it is presently believed that the first white to pass through the Owens Valley was probably Peter Skene Ogden in 1829-1830. Ogden was a British trapper working for the Hudson's Bay Company. The scant references to Ogden's travels contain no mention of contact with Indians along this route.[19]

Joseph Walker passed through the Owens Valley again in 1843 as a hired guide to the Joseph Chiles party. Walker followed his 1834 route, this time with wagons and heavy equipment. The party abandoned some of the wagons and equipment (including sawmill machinery) in the vicinity of Owens Lake. Although most accounts of the Walker-Chiles journey have no mention of Indian contact, Chalfant--in his recounting of the event--reported a minor conflict with the Indians where Milton Little was wounded by an arrow at night.[20]

Walker passed through the Owens Valley one more time with a portion of Fremont's 1845 expedition in December of that year. The party consisted of about 50 men who camped for several days at Owens Lake before continuing south and crossing Walker's Pass.[21] Edward Kern, a member of this party, recorded some observations on Owens Lake, and referred to the "numerous, badly disposed, hidden Indians." Although no conflict is recorded, Kern wrote that the Indians "created a good deal of apprehension."[22]

More emigrant groups probably travelled through the Owens Valley over the next few years, but there is no record of their journeys. It is not until the winter of 1849-1850 and the famous Death Valley crossing of the Jayhawkers that we find the next accounting of Indian-White interaction. The "Martin" party passed through Death Valley and headed west to Owens Lake where "hostile Indians were found at the lake and some skirmishing resulted, without harm to anyone." Another component of the Death Valley emigrants, the "Bennett-Manly train" had three oxen hit by arrows during an attack on their camp under the cover of darkness.[23]

During 1855 and 1856, A. W. Von Schmidt--with a party of 7 men--surveyed the area from Mono Lake to Owens Lake for the state Surveyor of Public Lands. Although the survey party spent many months in the area, Von Schmidt's field notes refer to only one conflict with Indians. He reported that he "laid off" a day to fight Indians.[24]

By the late 1850s, the eastern Sierra was becoming more heavily travelled as gold discoveries were made in the areas of Mono Basin and Dogtown (to the north of the Owens Valley). In 1857 Charles Uhl and John Kispert passed through the Owens Valley from north to south, but recorded no contact with Indians. In 1858, J. H. Johnson traveled over the Sierra Nevada on the Kearsarge trail to the Owens

Valley, killed 2 Indians, and headed north to the Mono mines. He claimed he wanted to see the valley so often described by Indians in Tulare (at this time the Owens Valley was a part of Tulare County; Johnson is referring to that portion of the county to the west of the crest of the Sierra Nevada). Several other parties--mostly prospectors--passed through the valley also in 1858, but none stayed.[25]

In 1859, the government began to take an increasing interest in Owens Valley Indians. A military expedition in search of stolen horses entered the valley from the south under the leadership of Captain J. W. Davidson with Jose Chico as interpreter. Captain Davidson found no horses but developed a very favorable opinion of the area's Indians--even suggesting that a reservation be set aside for their usage. Indian Agent Frederick Dodge is also reported to have visited the Owens Valley in 1859, possibly to explore Davidson's suggestion of the location of a reservation.[26]

When Captain Davidson visited Lake Beall (located 35 miles south of Owens Lake, now called Little Lake), he was on his way to Owens Lake to chastise the Indians located there which he had "ascertained conclusively" were guilty of committing depredations in the vicinity of Mission San Fernando.[27] At Lake Beall, the remains of horses were found within the remains of rancherias. The remains looked

several years old, and no Indians were to be found. Captain Davidson continued his journey north to Owens Lake, and noted that "there were no signs of horses, either trails or bones." However, they continued their search because the Owens Lake Indians "have long . . . labored under the accusation of being the robbers of the south counties of this state."[28]

When Davidson did make contact with Indians in the Owens Lake region, they claimed to have no horses, but admitted that "some years ago there were four men among them, taught by bad Indians of another tribe, who had stolen horses, but that two of them had died and two had been killed by their own people." Captain Davidson became convinced that "these Indians are not only not Horsethieves, but that their true character is that of interesting, peaceful, industrious people."[29]

The categorization of the Owens Valley Indians as horsethieves had taken place as early as 1853 when it was claimed that Owens River Indians entered the "Valley of Angels" [Los Angeles] over Soledad and Cahuenga Passes to raid horses from Don Benito's Ranch. This was described by Major Horace Bell as the last horse raid made in Los Angeles.[30] Robert Cleland also reported on horse raiding by Owens Valley Indians. He wrote that

> Ranches north of Los Angeles were preyed upon by Indians from the San Joaquin and Owens Valleys, especially by members of a small tribe, consisting of only forty or fifty warriors, which inhabited the rugged mountains between the headwaters of the Kern River and Owens Lake. The tribe was apparently divided into two bands, each headed by a capable leader; and with every new moon one or the other of the companies raided the horse herds of the ranchos near the coast.[31]

Two types of pre-settlement contact between the Owens Valley Indians and whites have been delineated. The first was the intrusion into the Owens Valley region by white explorers and the members of their expeditions. The explorers were followed by the surveyors who began to parcel out the Owens Valley for the settlers that were soon to follow--a threat that could not have been unknown to the Indians. The second type of contact was the horse raiding expeditions to the California coastal areas made by the Owens Valley Indians--or possibly their Panamint Shoshone [Coso] neighbors directly to the south. The horse remains found at Little Lake by Captain Davidson were found in territory utilized primarily by the Panamint Shoshone.

A third type of contact--not as direct as the first two--between the Owens Valley Indians and the world outside the region can be inferred from the ethnographic and historic record. Because of their trading relationships and intermarriages with Monache, Yokuts, Miwok, and Tubatulabal Indians located over the crest of the Sierra Nevada to the west--and the same type of interactions with their Northern

Paiute neighbors to the north--the Owens Valley Indians could not have been unaware of the massive disruption of life and culture experienced by their close neighbors caused by the invasion of the non-Indians. Information would have been communicated quickly as travel across the Sierra Nevada was frequent. Fishing in the trout-laden streams of the western Sierra was an inter-tribal privilege. Owens Valley women harvested acorns on the west side of the Sierra. For the purposes of this paper, I will term these adjacent geographic areas of active interaction with other Indians by the Owens Valley Indians the "Owens Valley Influence Area."[32]

The Owens Valley Indians probably had knowledge of the mission system along the California coast. A group of Chumash, fleeing from the repercussions of the 1824 revolt at Mission La Purisima, entered the Owens Valley Influence Area and established a village in the vicinity of Walker Pass. This village was chronicled by Zenas Leonard about ten years later as he travelled through the pass with Joseph Walker.[33]

The Owens Valley Indians would also have been well aware of the devastating impact the California Gold Rush had on their Yokut and Miwok neighbors. Many of these Indians worked for miners or even mined for themselves during this time. Although early in the gold rush Indians

comprised more than half of the miners in the gold fields, by the latter part of the rush a war of extermination had been launched against the Indians ending their work in the mines (and many of their lives).[34]

Another method in which Indian-white contact was initiated by the Owens Valley Indians was through their travels over the Sierra Nevada to the west. On these trips, the Owens Valley Indians engaged in wage labor, and sought food to help the tribe survive drought conditions in the Owens Valley. Among their Northern Paiute neighbors, travel over the Sierra Nevada to work for white farmers as wage laborers began as early as 1847, when Captain Truckee and his brother Pancho led a number of Pyramid Lake Paiute over the mountains. Sarah Winnemucca also reported that a group of twelve Paiute travelled with Fremont to California, staying until after the war with Mexico.[35]

An important aspect of Indian-white relations throughout this time period was the action of the government--both direct and indirect. Prior to the outbreak of hostilities between the Indians and the whites in the Owens Valley in 1862, the government had proposed a series of treaties and reservations that affected the Owens Valley Indians. Indirectly, the Owens Valley Indians were affected by treaties made and battles fought outside of the Owens Valley but within the Owens Valley Influence Area during the 1850s.

Treaties and reservation proposals that specifically included the Owens Valley or the Owens Valley Indians had a much more direct effect on the Indians.

NOTES

1. Sven Liljeblad and Catherine S. Fowler, "Owens Valley Paiute," in The Great Basin, vol. 11 of Handbook of North American Indians (Washington, D.C.: Smithsonian Institution, 1986) p. 412; Robert Bettinger, The Archaeology of Pinyon House, Two Eagles, and Crater Middens: Three Residential Sites in Owens Valley, Eastern California, Anthropological Papers of the American Museum of Natural History, no. 67 (New York: American Museum of Natural History, 1989) pp. 435-347.

2. Liljeblad and Fowler, "Owens Valley Paiute," p. 414.

3. Julian H. Steward, Basin-Plateau Aboriginal Sociopolitical Groups, Smithsonian Institution, Bureau of American Ethnology Bulletin 120, (Washington, D.C.: Government Printing Office, 1938; Salt Lake City: University of Utah Press, 1970) pp. 50-51.

4. Harry W. Lawton, Philip J. Wilke, Mary DeDecker, and William Mason, "Agriculture Among the Paiute of Owens Valley," Journal of California and Great Basin Anthropology 3, no. 1 (1976): pp. 13-52; Liljeblad and Fowler, "Owens Valley Paiute," pp. 417-418.

5. Lawton et al., "Agriculture Among the Paiute," pp. 33-34; Colin I. Busby, John M. Findley, and James C. Bard, A Cultural Resource Overview of the Bureau of Land Management Colville, Bodie, Benton and Owens Valley Planning Units, California (Bakersfield: Basin Research Associates, 1979) pp. 164-165.

6. Liljeblad and Fowler, "Owens Valley Paiute," pp. 416-417. For more on Owens Valley Paiute use of plants, see Walter Ebeling, Handbook of Indian Foods and Fibers of Arid America (Berkeley: University of California Press, 1986), pp. 136-159; and Julian H. Steward, Ethnography of the Owens Valley Paiute, University of California Publications in American Archaeology and Ethnography, vol. 33, no. 3, pp. 239-249.

7. Robert L. Bettinger, "The Development of Pinyon Exploitation in Central Eastern California," Journal of California Anthropology 3, no. 1 (1976): p. 83.

8. Busby et al., Cultural Resource Overview, pp. 165-166; Julian H. Steward, "Two Paiute Autobiographies," University of California Publications in American Archaeology and Ethnology 33, no. 5 (1934): p. 424.

9. Martha C. Knack and Omer C. Stewart, As Long as the River Shall Run: An Ethnohistory of Pyramid Lake Indian Reservation (Berkeley: University of California Press, 1984), p. 25.

10. William Saxe Wihr, "Cultural Persistence in Western Nevada: The Pyramid Lake Paiute." Ph.D. diss., University of California, Berkeley, 1988, pp. 175-183.

11. Michael Hittman, "Ghost Dances, Disillusionment and Opiate Addiction: An Ethnohistory of Smith and Mason Valley Paiutes." Ph.D. diss., University of New Mexico, 1973, pp. 151-153.

12. Busby et al., Cultural Resource Overview, pp. 161, 263. The SERA interviews are housed in the manuscript collection of the Bancroft Library at University of California, Berkeley. A partial set of the SERA interviews, titled The Kerr Manuscript, is located in the collection of the Eastern California Museum in Independence, California.

13. It is argued in Busby et al. that while Steward's data may contain "some distortion [the data] is probably an accurate representation/recollection of the aboriginal lifeways and practices prior to the white intrusion." (Busby et al., Cultural Resource Overview, p. 161) See also Alley for discussion of the time scale of the contact period in the Great Basin, and for criticism of Steward's work using informants who were trying to recall conditions of life from a century earlier (John Richard Alley, Jr., "Great Basin Numa: The Contact Period." Ph.D. diss., University of California, Santa Barbara, 1986, pp. 375-376).

14. Thomas N. Layton, "Traders and Raiders: Aspects of Trans-Basin and California-Plateau Commerce, 1800-1830," Journal of California and Great Basin Anthropology 3, no. 1 (1981): pp. 127-136.

15. Demitri B. Shimkin, "The Introduction of the Horse," in The Great Basin, vol. 11 of Handbook of North American Indians, p. 521.

16. Gloria Griffin Cline, Exploring the Great Basin (Norman: University of Oklahoma Press, 1963; Reno: University of Nevada Press, 1988) pp. 175-176; Busby et al., Cultural Resource Overview, p. 38.

17. For more on this Walker-Bonneville expedition party, see Cline, Exploring the Great Basin, pp. 168-178.

18. Cragen and Chalfant both have Jedediah Smith passing through the Owens Valley, but Cline has Smith's route west in 1826 located far to the south of the Owens Valley; and the return route east in 1827 located far to the north (near Walker's Lake). (Dorothy C. Cragen, The Boys in Sky Blue Pants: The Men and Events at Camp Independence and Forts of Eastern California, Nevada and Utah--1862-1877 (Fresno: Pioneer Publishing Company, 1975), p. 11; Willie A. Chalfant, Story of Inyo (Los Angeles: Citizens Print Shop, 1933; Bishop: Chalfant Press, 1975), pp. 93-95; and Cline, Exploring the Great Basin, pp. 154-163.)

19. Cline, Exploring the Great Basin, pp. 126-127; Busby et al., Cultural Resource Overview, p. 37.

20. Cline, Exploring the Great Basin, p. 187; Busby et al., Cultural Resource Overview, p. 39; Chalfant, Story of Inyo, p. 96; Inyo Independent 3 October 1870.

21. Chalfant, Story of Inyo, p. 99; Busby et al., Cultural Resource Overview, p. 39.

22. Edward M. Kern, "Journal of Mr. Edward Kern of an Exploration of Mary's or Humboldt River, Carson Lake and Owens River and Lake," Appendix Q in Report of Explorations Across the Great Basin of The Territory of Utah for a Direct Wagon Route from Camp Floyd to Genoa, in Carson Valley, in 1859 by Captain J.H. Simpson, (Washington D.C.: Government Printing Office, 1876) pp. 482, 484. Quoted in Busby et al. Cultural Resource Overview, p. 40.

23. Chalfant, Story of Inyo, pp. 108-109.

24. Chalfant, Story of Inyo, pp. 121-122; Busby et al., Cultural Resource Overview, p. 41; Inyo Independent 8 July 1876.

25. Inyo Independent 18 March 1876 and 8 July 1876; Chalfant, Story of Inyo, pp. 122-124; Busby et al., Cultural Resource Overview, pp. 41, 44-46; Philip J. Wilke and Harry W. Lawton, The Expedition of Capt. J. W. Davidson from Fort Tejon to the Owens Valley in 1859, vol. 8 of Ballena Press Publications in Archaeology, Ethnology, and History (Socorro: Ballena Press, 1976), p. 9.

26. Chalfant, Story of Inyo, pp. 125-126; Busby et al., Cultural Resource Overview, pp. 41-42. For a very thorough accounting of Captain Davidson and his expedition, see Wilke and Lawton, Davidson Expedition. Jose Chico's career is recounted in Chapter VI, "Indian Labor and Creative Adaptation."

27. Wilke and Lawton, Davidson Expedition, p. 12.

28. Wilke and Lawton, Davidson Expedition, p. 18.

29. Wilke and Lawton, Davidson Expedition, p. 19.

30. Horace Bell (Major), Reminiscences of a Ranger (Santa Barbara: Wallace Hubbard, 1927), pp. 114-118.

31. Robert Glass Cleland, The Cattle on a Thousand Hills: Southern California 1850-1880 (San Marino: The Huntington Library, 1964), p. 65. Cleland lists his source for this information as articles in the Los Angeles Star, 2 April and 7 May 1853.

32. Liljeblad and Fowler, "Owens Valley Paiute," pp. 415-416, 435.

33. James A. Sandos, "Levantamiento! The 1824 Chumash Uprising," The Californians 5, no. 1 (Jan./Feb. 1987): pp. 18-20.

34. James J. Rawls, "Gold Diggers: Indian Miners in the California Gold Rush," California Historical Quarterly, 55 (1976), pp. 28-45. For more on California Indians in the gold rush, see also Albert C. Hurtado, Indian Survival on the California Frontier (New Haven: Yale University Press, 1988), pp. 100-124.

35. Wihr, "Cultural Persistence in Western Nevada," pp. 63-64; and Sarah Winnemucca Hopkins, Life Among the Piutes: Their Wrongs and Claims (Boston: G. P. Putnam's Sons, 1883; Bishop: Chalfant Press, 1969), p. 9.

CHAPTER III

THE GOVERNMENT AND OWENS VALLEY INDIAN AFFAIRS BEFORE 1863

Over the years, Owens Valley Indians had become accustomed to the tendency of the Indian Department (and the federal government in general) to break promises regarding treaties and reservations. This interaction stretched back to the early 1850s, for although the Owens Valley Indians were not specifically included in the eighteen unratified treaties negotiated with California Indians in 1851 and 1852, they could not have been unaware of how these events affected their neighboring Indians to the west (over the Sierra Nevada). The promises made by the government of reservations and provisions went unfilled, and California Indians were left with no protection from the whites.[1] Following the failed treaty negotiations, several armed conflicts ensued on the western side of the Sierra Nevada. One of these conflicts led to the creation of the Mariposa Battalion in 1851 and the discovery (by whites) of Yosemite Valley.[2]

Some of the Indians involved in these conflicts on the west side of the Sierra Nevada fled the battles and crossed over to the east side of the mountains. Indian Agent Warren Wasson was convinced that some of the Indians involved in the 1862 and 1863 Owens Valley conflicts were

> . . . California Digger Indians. Many of them are the refugees from Tulare Valley, who in 1852 and 1853 massacred the white inhabitants and depopulated the Four Creek Country [near Visalia]. At great expense to the Government they were driven over to this side of the Sierra Nevada from Tulare Valley.[3]

One of the first suggestions regarding the possibility of locating a reservation east of the Sierra is in an 1853 letter to Edward F. Beale, Superintendent of Indian Affairs for the state of California. The letter is a response from Lt. Williamson, Lt. Parke, and Lt. Stoneman of the United States Top. Engineers to Beale's question regarding their opinion of establishing such a reservation. The Engineers' response indicates that

> If there existed an *absolute necessity* for removing them east of the Sierra Nevada, it might, under these circumstances, be considered practicable; but, as far as our personal observation goes, we should say that they could subsist upon the agricultural productions of the soil, but with extreme difficulty . . . and besides, if a military post is to be established upon the reservation, it would require a very great outlay of money and labor to establish and supply a post on the eastern slope of the Sierra Nevada. [4]

The suggestion of a reservation east of the Sierra also appears in 1855 in a letter from California Superintendent of Indian Affairs Thomas Henley to Commissioner of

Indian Affairs G. W. Manypenny. Henley suggest that a reservation

> might be established east of the Sierra Nevada somewhere in the vicinity of Walker's Pass should a suitable location be found there for the purpose of preparing for an ultimate withdrawal of the Indians within the limits of the state as the progressive settlement of the country should demand.[5]

In May of 1856, California Governor J. Neely Johnson received a petition from citizens in the southern San Joaquin Valley requesting authorization to allow them to organize a militia "to protect them from further outrages of the Indians."[6] The citizens claimed that the Indians living on the western side of the Sierra Nevada in the drainages of the Kings and Kern Rivers (opposite the Owens Valley) and in the vicinity of the town of Visalia, had been committing depredations. Governor Johnson contacted General Wool--Commander of the Department of California--to request additional United States military forces be sent to that vicinity. General Wool claimed that he had no additional forces, as they were all occupied in Indian Wars in Oregon and Washington territories and in northern California. Governor Johnson then ordered General Edward F. Beale (former Superintendent of Indian Affairs for California) to take a volunteer company organized under the state militia law and travel to the vicinity of the reported troubles.[7]

When Beale arrived at Visalia, he first met with local citizens and then organized a meeting with the Indians. One hundred seventy Indians attended representing a dozen tribes including the "Monoes" from the mountains to the east. Beale offered his council to the Indians explaining to them (as he later reported to Governor Johnson)

> . . . that the object of my visit was to make peace--that it was idle for them to attempt to cope with the whites that unless they would unconditionally promise to go where I deemed it best for them to live, I had come prepared to inflict summary and severe chastisement upon them.[8]

Beale then ordered the Indians of the Kings River drainage to report to the "reservation on that River," with the Indians south of that river reporting to the Yocole Valley where they would be fed by the government until Colonel Henley, Superintendent of Indian Affairs, arrived and "would make some permanent provision for their future subsistence."[9]

Beale reported to Governor Johnson that he had "concluded a Treaty of Peace with the . . . tribes." He promised the Indians that they would be "fed and protected by the Indian Agents until the arrival of the Superintendent of Indian Affairs of this state."[10]

Later, Governor Johnson was to offer his opinion that Brigadier General Beale's mission was very successful, and that

> He employed no military force, but instead formed treaties of peace with the disaffected tribes, which completely restored amicable relations, and thus far they have been preserved. Too much credit cannot be awarded Gen. Beale . . .[11]

The Indian Department objected to being held responsible for treaties that it had no part in executing. William Campbell, agent of the Kings River Indian Farm, feared that Beale had obligated the Department to a debt that could be as much as $10,000 (Beale was authorized to spend $500), and that "Beal[e] would take pleasure in running the Department into heavy Expenses."[12]

Superintendent Henley wrote to Governor Johnson to discuss his own concerns about Beale's treaties. Henley claimed that

> . . . if Beal[e] has any ambition in the world it is, that the Indian Affairs in that portion of the State under my administration shall be a failure . . .
>
> Now, no one knows better than Mr. B. how embarrassing it is to the Supt. of Indian Affairs in this State to have promises made to the Indian which cannot with certainty be complied with.[13]

Henley also wrote to Beale requesting written copies of the treaties and information regarding promises made by Beale to the Indians. Henley informed Beale that Beale's authority to make treaties had not been granted by the Indian Department, and that it was impossible for the Indian Department to act on such treaties without more information.[14]

Following the council meetings with the Indians and the creation of the treaties, General Beale returned to San Francisco, resigned from the militia (although he retained the title of General), and in August was elected as Sheriff of San Francisco County. He left the implementation of the Indian treaties to the Indian Department.[15]

Lewis, the Sub-Indian Agent for the Fresno Farm, reported to Superintendent Henley that following the execution of the treaty and the accompanying order to the Indians to move to the government farms,

> . . . the Indians are in great confusion for the want of knowing what to do, or what is to be done with them. They understood they have made a Treaty with Lieut. E. F. Beale . . . as yet few of them have come in, and in this state of confusion . . . there will soon be difficulty between the whites and the Indians.[16]

Lewis also commented on the difficulty of the Indians in knowing what to do when they are counciled "by Mr. Jennings, Lieut. Beal[e], the war party, the peace party, Mr. Campbell and others," with each advocating their own view on Indian policy.[17]

Neither the Indian Department not the State of California ever fulfilled any of the commitments made by Beale in the 1856 Tulare Treaties. The treaties did not directly specify the Owens Valley Indians but did include the "Monoes," and other Indians in the mountains to the east--probably referring to the Monache or North Fork Mono with

whom the Owens Valley Indians frequently traded and intermarried. All of these peoples would have been within the Owens Valley Influence Area, and the Owens Valley Indians would have been well aware of the treaties, the promises made by the government in the treaties, and the failure of the Indian Department and the government (once again) to fulfill their treaty obligations.

In the year following Beale's treaty (1857) Owens Valley Indians did cross the Sierra Nevada to the west looking for food and government assistance. Special Indian Agent Thomas Maltby reported to Superintendent Henley that he had received a report of a threatened attack on the whites along the Kern River by "the Mono Indians and other tribes occupying the country east of the Sierra Nevadas." The tribes were reported to have horses and cattle stolen from Los Angeles, and friendly Indians were looking to Maltby for protection as the hostile tribes threatened to "kill all the whites together with all the Indians who refused to cooperate with them or who carried a pass from the white man."[18]

The threatened troubles never materialized to the extent feared. Maltby attempted to persuade the Indians involved to travel with military escort (for protection from the angry whites) to the Tejon Reservation where they would be cared for by the Indian Department as it was not

possible for Maltby to provide for them. The Indians responded to Maltby's request by stating that they would rather die then go to Tejon, and Maltby let the matter drop.

Maltby reported to Superintendent Henley on the conditions of these Indians and indicated that because of an exceptionally dry winter in 1856-57 and also because of increasing white pressure, the Indians in the Kern River vicinity were in a starving condition. Maltby also reported on the condition of the Owens River Indians, stating that

> There being no agent appointed by the Govt. to look after the interests of the Indians occupying the country in the vicinity of the Owens River I deem it my duty to offer a few remarks touching their condition.
>
> During the past summer about 500 of them came into Kern River to procure clover & flag root arriving here in a starving condition. They informed me that 40 of their number had died for want of food on the way here and nine died from the same cause after they arrived. It was out of my power to procure food for them but I furnished them with hooks and lines and gave employment to 40 of them by which they were enabled to procure the means of subsistence. I found them very willing to work and anxious to be taught.[19]

Although neither the Kings River nor the Fresno farms were official reservations--both were located on private land and operated by contractors--Beale had designated these agencies as recipients of the Indians of the area. By 1859, J. Ross Browne (while investigating the operations of the Indian Department in California) reported that most

of the Indians had left these agencies, and that the Indians still at these agencies were starving. He also reported that the main function of the Agents was to operate the farms for personal profit.[20]

Browne voiced his opinion to A. B. Greenwood, Commissioner of Indian Affairs, that ". . . I am clearly of the opinion that these Indians [from Fresno and Kings River farms] should be moved over to the Owens Lake Valley which offers an open field for a fair trial of the reservation system."[21] McDuffie, Superintendent of Indian Affairs for California, also made the recommendation to Greenwood that the Owens Valley reservation be established. He considered that

> . . . the country in the vicinity of Owens River is well adapted for an Indian Reservation. Should it be reserved by the Government for Indian purposes, as I am informed it is contemplated, its location indicates it to be a suitable place for the Fresno, Kings River, & Tule River Indians. There they would be removed from influences that are now rapidly destroying them and the inhabitants of the country they now live in would be relieved from a source of great complaint by their removal there.[22]

By 1858, traffic to and from the eastern Sierra had increased. The main southern entrance to the Owens Valley vicinity was through Walker Basin and over Walker Pass (100 miles south of the Owens Valley). Although J. Ross Browne considered the Indian Farm system a disaster, Charles Weeks, a resident of the Walker Basin, recognized the po-

tential personal economic gain of an Indian Farm and attempted to persuade Col. Henley to establish a farm at that location. He reported to Henley that

> Several of the chiefs of the Indians in this vicinity requested me to write to you and ask the reason why you do not raise wheat for them as you do for the Indians at Fort Tejon. They say that Capt. Maltby of Keysville on Kern River promised to raise some for them but never did do it. They would like to have a little place unto themselves somewhere in the vicinity of Walker's Basin. . . . We could raise a sure crop every year for them.[23]

Weeks also reported that the Indians from Owens Lake had visited the Walker Basin the previous summer and were more industrious than those living in the Basin. Weeks offered his opinion to Colonel Henley that the Owens Valley Indians

> . . . could be made very contented with a little help from you by taking said place [the proposed Indian farm] and furnishing them with some oxen and plows, seeds and one or two industrious white men who know something about the management of Indians and farming. Hoping that you will do something for these Indians, I am with respect . . .[24]

Neither an Indian farm or an Indian Agency of any type was established in the Walker Basin. However, 250 miles to the north along the Walker River, a similar request for the establishment of an Indian Agency was to receive a different response.

Much of the traffic to the north crossed the Sierra Nevada near the mining developments at Dogtown. The Dogtown strikes kept as many as 100 men working the diggings

along Walker River north of Mono Lake (100 miles north of the Owens Valley) from 1857 to 1859. In the spring of 1859 Mono Gulch--located just south of the earlier strikes at Dogtown--caused an even bigger excitement than Dogtown. Increased mining in the area led to increased Indian - White contact, and the first petition for the establishment of an Indian Agency along the Walker River was received by Superintendent of Indian Affairs Henley in October of 1858.[25]

A cover letter accompanying the petition--signed by Leroy Vining for whom the town of Lee Vining was later named--presented the case of the citizens:

> I am solicited by the citizens residing in the vicinity to represent to you the [possibility] of establishing an Indian agency in this place. We are at least 100 miles distance from any other settlement and separated from them by the Sierra Nevada mountains. The Mono Indians who inhabit this section are very numerous and appear displeased at the appearance of the whites among them. Slight misunderstandings already exist and as there are not exceeding 80 whites in the settlement we would be wholly unable to defend ourselves in the case of an outbreak which is to be hoped will be avoided. The early establishment of an agency here is much required for the better security of peace with the Indians of this portion of the state."[26]

Vining and the other signers of the petition estimated the Indian population of the Mono Diggings vicinity to be several thousand.

Henley forwarded the petition on to Commissioner of Indian Affairs James W. Denver and agreed that there was a

definite need for an agency along the Walker River, but that he doubted that this area was even in California. In Henley's opinion, this region fell within the boundaries of Utah Territory.[27]

Commissioner Denver acted on Henley's suggestion that the Indians in the vicinity of the Mono Diggings were not the responsibility of the California Superintendency, and in 1859 land was set aside for the Walker River Reservation for the Northern Paiute Indians under the jurisdiction of the Utah Superintendency. When Nevada Territory was established in 1861, a new Superintendency was established in the Carson Valley of Nevada with Territorial Governor James Nye as Superintendent of Indian Affairs and Warren Wasson as Indian Agent.[28]

In 1859, under the guidance of Indian Agent Frederick Dodge, land had been aside for reservations for both Walker Lake and Pyramid Lake Paiute Indians in Nevada (Owens Valley Indians' northern neighbors). Promises were made (and partially fulfilled) to provide food and clothing to these Indians.[29] That same year, lands were withdrawn from settlement in the Owens Valley for the creation of an Indian Reservation. These lands (as previously stated) were never formally declared a reservation, and in 1873 became the subject of a conflict over ownership between the state of California and the federal government.[30]

Although the Nevada reservation system proved to be not a great deal more successful than the California system, the Nevada Indian Agents had a far better understanding of the problems facing the Indians of the Great Basin--including those facing the Indians of the Owens Valley. In 1862 Superintendent Nye reported an estimated 7,000 Indians in western Nevada and eastern California, and requested farming implements, tools, horses, cattle and schools for the Indians. Nye stated that

> . . . the tribes for which they [the farming implements and livestock] were intended number some seven thousand souls. These inhabit that part of the country which is fast becoming settled by the whites.
>
> The wild game is being killed by the whites. The trees from which the Indians gathered nuts are being cut down, and the grass from which they gathered seeds for winter is being taken from them; hence you may see the duty of the government to act in their behalf at once . . .[31]

Following the outbreak of the Owens River Wars in 1862, Nye once again pointed out to Commissioner Dole the needs of the Indians. Nye claimed that he could make peace with all Indians in the territory if only the government would provide much needed food.[32]

The Nevada Indian Agents' concern for the Indians under their jurisdiction extended beyond mere duty. Agent Lockhart was interested enough in the food gathering activities of the Walker Reservation Paiute that in 1864 he collected samples of plants used by the Indians--including

taboose, bunch grass, and pine nuts--and forwarded these plant foods to the Secretary of the Interior.[33]

Indian Agent John Burche was also aware of the deleterious effects of mining and ranching on the Indians' food resources. In 1864 he reported to Governor Nye that

> The pine nut trees are rapidly being cut down and used for building purposes or fuel. The bunch grass, the seed of which formerly supplied the Indians with one of their chief articles of food, and which abounds . . . now fails to yield even the most scanty harvest owing to its being eaten off as fast as it sprouts by the vast amount of stock which has been brought to the country by the settlers and drovers . . . thus you will see that the means of subsistence for the Indians . . . for the past year and for the whole future have been greatly impaired if not completely destroyed.[34]

By 1861, there was still discussion of making the Owens Valley a reservation and removing the Indians on the west side of the Sierra Nevada east over the mountains to the valley. A correspondent to the Visalia Delta observed that

> . . . the Superintendents . . . say that the Indians must be moved to the other side of the mountains, and to which movement the Indians strongly object; those who know the character of these tribes, say their love of their birthplace is very strong besides they are already hostile with the Indians on the eastern side of the Sierra Nevada.[35]

The correspondent concluded his statements by offering his hope "that the present Superintendent will take time enough to learn something of these tribes, and what kind of management they require."[36]

With the entrance of prospectors, ranchers, and farmers into the Owens Valley region in the early 1860s, it should have been obvious that the Owens Valley was no longer suitable for a reservation for Indians from the west side of the mountains. However, attempts to make a regional reservation in the valley continued.

A bill introduced to Congress by Senator Latham in June of 1862 advocated the abolition of all existing Indian reserves in southern California, and the removal of all Indians in southern California to the Owens Valley.[37] Indian Agent Wentworth of the Southern District of California reported to Commissioner of Indian Affairs William P. Dole that Latham's proposition

> . . . is subject to numerous objections. . . . In my department there are at least sixteen thousand Indians, and Owens River valley, cultivated in the most skilful manner, with all the modern improvements, by intelligent white labor, would not support that population. How, then, would it be possible for the numerous tribes, strangers to each other, and comparatively ignorant of the first principles of agricultural pursuits, to sustain themselves on such a reservation?[38]

Wentworth continued his comments on the suitability of the Owens Valley for Indian purposes, stating that

> The narrow valley of Owen's river is only, at this time, sufficient for the support of the very small number of Indians (fifteen hundred by census) who at present occupy and inhabit it, and the cause of the war now waged there is the desperation of the Indians because of the fact that emigration to the mines in that vicinity has destroyed the grass seeds upon which

they in great measure, had been accustomed to subsist.[39]

However, by June of 1862 neither Latham's nor Wentworth's opinions as to the suitability of the Owens Valley for an Indian reservation mattered. Earlier that spring, armed conflict had erupted between the Owens Valley Indians and the non-Indian intruders to the region.

NOTES

1. See endnote 46 in Chapter IV "Treaties, War, and Removal" for more on the eighteen 1852 treaties.

2. For more on the armed conflicts resulting from the failure to ratify the treaties, see Annie R. Mitchell "Major James D. Savage and the Tularenos," California Historical Quarterly 28, no. 4 (December 1949): pp. 323-341.

3. Report of Indian Agent Warren Wasson to Governor James Nye, 20 April 1862, as quoted in Myron Angel, History of Nevada (Oakland: Thompson and West, 1881), p. 168.

4. George Stoneman (Lieut. 1st Dragoons), R. S. Williamson (Lieut. U. S. Top. Engineers), and Jno. G. Parke (Lieut. U. S. Top. Engineers), to Ed. F. Beale, Superintendent Indian Affairs, Tejon Pass, California, September 9, 1853, in Robert F. Heizer, ed., Federal Concerns about Conditions of California Indians 1853 to 1913; Eight Documents, (Socorro: Ballena Press, 1979), pp: 23-25.

5. Thomas Henley to George Manypenny, 30 April 1875, Office of Indian Affairs, Letters Received, California Superintendency, 1849-1880, U.S. National Archives Microfilm, Record Group 75, M234, Roll 34 (hereafter cited as M234: 34).

6. Deposition by Governor J. Neely Johnson, 19 April 1858, Indian War Papers, California State Archives, Office of the Secretary of State, Sacramento (hereafter cited as Indian War Papers).

7. Deposition by Governor J. Neely Johnson, 19 April 1858, Indian War Papers; Gerald Thompson, Edward F. Beale & the American West (Albuquerque: University of New Mexico Press, 1983), p. 94.

8. Beale to Governor Johnson, 12 July 1856, Indian War Papers.

9. Beale to Governor Johnson, 10 June 1856 and 12 July 1856, Indian War Papers.

10. Beale to Governor Johnson, 10 June 1856, Indian War Papers.

11. Deposition of Governor J. Neely Johnson, 19 April 1858, Indian War Papers.

12. W. J. Campbell to Thomas Henley, 14 June 1856, Indian War Papers.

13. Henley to Governor Johnson, 24 June 1856, Indian War Papers.

14. Henley to E. F. Beale, 27 June 1856, Indian War Papers.

15. Thompson, Edward F. Beale, pp. 95-96.

16. B. Lewis, Sub Indian Agent Fresno Farm, to Henley, 21 June 1856, Indian War Papers.

17. Lewis to Henley, 21 June 1856, Indian War Papers.

18. Thomas Maltby to Thomas Henley, Supt. of Indian Affairs, 13 December 1857, M234: 36.

19. Thomas Maltby, Kern River, to Henley, 13 December 1857, M234: 36.

20. Report to A. B. Greenwood, Commissioner of Indian Affairs, November 1859, M234: 37. The Fresno and Kings River Indian Farms were established by Colonel Henley in 1854. Never having the full status of reservations, they were operated by private contractors on leased land. The farms were abandoned by 1861 (Edward Castillo, "The Impact of Euro-American Exploration and Settlement" in California, vol. 8 of Handbook of North American Indians (Washington, D.C.: Smithsonian Institution, 1978), pp. 110-112.

21. Browne to Greenwood, 5 November 1859, M234: 37.

22. California Superintendent McDuffie to Greenwood, 4 September 1859, M234: 37.

23. Chas. Weeks to Henley, 18 November 1858, M234: 37.

24. Weeks to Henley, 18 November 1858, M234: 37.

25. Thomas C. Fletcher, Paiute, Prospector, and Pioneer: A History of the Bodie-Mono Lake Area in the Nineteenth Century (Lee Vining: Artemesia Press, 1987) pp. 30-31; and Herbert to Henley, 1 December 1858, M234: 37.

26. Leroy Vining to Henley, 5 October 1858, M234: 37.

27. Henley to Commissioner of Indian Affairs Denver, 18 December 1858, M234: 37.

28. Richard O. Clemmer and Omer C. Stewart, "Treaties, Reservations and Claims" in Great Basin, vol. 11 of Handbook of North American Indians, pp. 532-536.

29. Edward C. Johnson, Walker River Paiutes: a Tribal History (Schurz: Walker River Paiute Tribe, 1975) p. 28.

30. Inyo Independent 7 June 1873.

31. Jacob Lockhart, Indian Agent Carson City, to W. P. Dole, Commissioner of Indian Affairs, March 1862, Letters Received by the Office of Indian Affairs, Nevada Superintendency, 1861-1880, U.S. National Archives Microfilm, RG 75, M234, Roll 538 (hereafter cited as Nevada Superintendency M234: 538).

32. James Nye to Commissioner of Indian Affairs Dole, May 1862, Nevada Superintendency M234: 538.

33. Jacob Lockhart to Secretary of the Interior, 16 April 1864, Nevada Superintendency M234: 538.

34. John Burche to James Nye, August 1864, Nevada Superintendency M234: 538.

35. Visalia Delta 7 November 1861.

36. Visalia Delta 7 November 1861.

37. Visalia Delta 5 June 1862.

38. Wentworth to W. P. Dole, Annual Report of the Commissioner of Indian Affairs for the Year 1862 (Washington, D.C.: U. S. Government Printing Office, 1862) p. 327 (hereafter cited as ARCIA 1862).

39. Wentworth to Dole, ARCIA 1862, p. 327.

CHAPTER IV

TREATIES, WAR, AND REMOVAL

From 1862 to 1865, a series of armed conflicts in the Owens Valley and surrounding area caused the death of an estimated two hundred Indians and thirty whites. Encroaching settlers arrived in the valley with thousands of cattle which destroyed the abundant grasslands that Owens Valley Indians had developed, irrigated, and harvested as an important food source for hundreds of years. Indians started eating cattle, and battles erupted. Settlers petitioned the Governor of California and the military authorities for help, and Lieutenant Colonel George S. Evans with troops of California Volunteers entered the valley in the spring of 1862, establishing Camp Independence on July 4th 1862. By the fall of 1862, a treaty of peace had been made. However, the failure of the government to live up to the commitments made in this treaty led to further conflicts in the spring of 1863. In July of 1863, nearly 1000 Owens Valley Indians were forcibly removed from the valley, and Camp Independence was abandoned with the assumption that the

removal of the Indians from the valley had solved the Indian problem.[1]

Colonel Evans and his troops were not the first military troops to enter the Owens Valley. Captain Davidson, in his 1859 expedition to the area, observed the Owens Valley Indians and recommended a course of action for the Indians and the area. Davidson had been ordered to "examine the country well with reference to its fitness for the purposes of an Indian Reservation . . ."[2] Davidson found the Owens Valley Indians to be "a peculiarly interesting race of Indians, deserving the watchful care and protection of our government." He considered the Owens Valley well suited for a reservation not only for the Owens Valley Indians, but that "their country is large enough, & fruitful enough, not only for them, but for all the Indians of the Southern part of California."[3]

The Owens Valley Indians, Captain Davidson, and the first settlers to the valley understood that a reservation for the Indians had already been established. A correspondent from the Owens Valley to the Daily Alta California, on discussing the causes of Indian-white conflict in 1863, reported that "the whites . . . have used the reservation only after gaining consent of Captain George, their chief."[4] However, even though the Secretary of the Interi-

or exempted some lands in the Owens Valley from settlement, a reservation was not formally established.

In 1862, only three years after the promise of a reservation and government protection, the military returned to the Owens Valley with a different purpose, and under conflicting orders. Lieutenant Colonel George Evans of the California Volunteers with two hundred men entered the Owens Valley from the south with orders to "chastise severely" the Indians, while Lieutenant Herman Noble with 50 men accompanied by Indian Agent Warren Wasson entered the Owens Valley from the north with orders from the Military Department of the Pacific to make peace with the Indians.[5]

Noble's orders from Captain Rowe (commanding Fort Churchill in Nevada Territory) stated that

> . . . you will be governed by circumstances in a great measure, but upon all occasions it is desirable that you should consult the Indian Agent, Mr. W. Wasson, who accompanies the expedition for the purpose of restraining the Indians from hostilities. Upon no consideration will you allow your men to engage the Indians without his sanction.[6]

Unfortunately for the Owens Valley Indians, Colonel Evans, as ranking officer, took command of the expedition (which also included a local militia of 40 or 50 citizens), and Wasson reported that "we made known to them our business and instructions, but found little or no encouragement to make peace with the Indians, their desire being only to exterminate them." After viewing the results of Evans'

decisions, Agent Wasson returned to Fort Churchill having found "it out of my power to do any good in the neighborhood under the circumstances.[7]

Shortly after the establishment of Camp Independence on July 4, 1862, Colonel Evans was made aware of abuses by local citizens and soldiers of Indian women. He promptly issued General Order No. 6, dated July 15:

> The undersigned having learned with regret that some person or persons in this valley have so far forgotten themselves and their self-respect as American citizens and enlightened men as to attempt to take advantage of their present power over the Indians of this valley by catching hold of the Indian women while they were engaged in gathering seeds for their subsistence, with a determination to satisfy their vicious lusts by having carnal connection with such women even by force; therefore it becomes my unpleasant but imperative duty to publish the following order:
>
> I. Hereafter any man, men, or set of men, whether soldiers or citizens, found guilty of molesting or in any manner interfering with the Indian women of this valley shall be arrested and punished according to law.[8]

Colonel Evans' aggressive campaign led to the subjugation and removal to Fort Tejon in 1863 of an estimated one third (almost one thousand) of the Owens Valley Indians. His tactics included starvation of the Indians, destruction of the Indians' stored food resources, and preventing the Indians from reaching water sources. The abuse of Indian women by his troops (as well as by local citizens), became a problem once again in the spring of 1863--as starving Indians surrendered and gathered at Camp Independence--and

Captain Moses McLaughlin was compelled to issue another directive (General Order Number 9) stating that

> On account of the disgraceful and brutal conduct of parties resident of this valley and in order to shield the soldiers of this command from imputations which would bring the blush of shame to their cheeks, the following order is published . . . all persons belonging to this command are hereby strictly prohibited from visiting the Indians encamped near this place between the hours of Retreat and Reveille . . .[9]

Even with the aggressive nature of Colonel Evans' (and later Captain McLaughlin's) approach to Indian policy in the Owens Valley, boundaries of proper behavior had to be set--usually after the fact. Orders had to be issued to protect the Indians from both enlisted men and civilians. McLaughlin issued an order in May of 1863 that all "hostilities against the Indians of this Valley are hereby suspended" and that Indian messengers bearing white flags will be "allowed to pass and repass unmolested from and to the different Military Camps in this Valley."[10]

Several Indians, travelling under the white flag, were killed by civilians resulting in the arrest of Frank Whetson by McLaughlin's men. Captain Roper reported in a letter to the Esmeralda Star that

> Two Indian messengers that were sent from this post to the White Mountain district to gather in those Indians were fired upon by some chivalrous miners, although the messengers were unarmed and bore a white flag. . . . Then, again, a Tehachape Indian . . . was returning [to Camp Independence] with a number of his people--men, women, and children--when they were fired upon in the most cowardly manner by three whites while

> they were sitting in their camp only fifteen (15) miles from the post; two men and one little girl were killed, and all were scalped . . . [the] party of Indians also bore a white flag, travelled openly in the road in the daylight, and that their purpose was well known to every one.[11]

Whetson was imprisoned at Camp Independence and moved with other prisoners to Fort Tejon when Camp Independence was abandoned in 1863. The outcome of his case is not known.

The war in the Owens Valley started in the spring of 1862 and led to several treaties between the Owens Valley Indians and--at different times--the military, the white settlers, and the Indian Agents.

In January 31, 1862, a treaty was signed by Indians Chief George, Chief Dick, and Little Captain Jim; and by eleven whites including Samuel A. Bishop, A. Van Fleet, and E. P. Robinson. In this treaty it was specified that "the Indians are not to be molested in their daily avocations by which they gain an honest living," and that the Indians "are not to molest the property of the whites, nor to drive off or kill cattle that are running in the valley." Both parties to the treaty were to "live in peace and strive to promote amicably the general interests of both whites and Indians."[12]

It was claimed by one Owens Valley resident that little more than two weeks passed before Indian depredations

of cattle began again. In addition to the depredations, a gathering of 700 to 800 Indians took place near Bishop's ranch, and the Indians demanded beef from the whites to feed the gathering's participants. Although the whites supplied the beef, they were of the opinion that the demand was contrary to the provisions of the treaty. A correspondent to the Sacramento Daily Union reported that the Indians "were treated kindly and humanely by the whites, both from policy and humanity. They have brought the trouble upon themselves, and may they have meted to them their desserts."[13]

The armed conflicts between whites and Indians escalated, and military forces were sent to the Owens Valley. The arrival of military forces led to more treaty agreements. Lt. Colonel George S. Evans of the Second Cavalry California Volunteers reported to Major Drum in July of 1862 that Captain Rowe and Indian Agent Wasson (from Nevada) had met with the Owen's River Indians, and had made a treaty with them. Following this, Lt. Colonel Evans also met with the Indians and reported that they were ready to quit fighting but that he did not have any authority to make a treaty. He requested specific instructions be forwarded to him as to how to proceed in the matter.[14]

Major Drum responded to Evans' request on July 19th, 1862, and authorized Evans to enter into a treaty with the Indians providing that

> [if] you are fully satisfied that the Indians recently engaged in hostilities in that quarter are repentant and really desire to live in peaceful relations with the whites, you are authorized to make a treaty with them securing protection to the settlers. The Indians must restore all property they have stolen from the whites; hostages to the number of four or five, consisting of sub-chiefs or influential members of the tribe, with their families, to be sent to Fort Churchill, must be given as a guarantee of good faith.[15]

On August 18, 1862, Major John M. O'Neill of the Second Cavalry, California Volunteers--commanding the Owens River Expedition--reported to Major Drum that he had formed a treaty of peace with the Owens Valley Indians, and that the Indians had turned in a number of weapons previously taken from the whites. Five Indian hostages and their families had turned themselves in, including Te-ni-ma-ha and Captain George who O'Neill described as "two of their great chiefs."[16] Major Drum's office indicated that O'Neill's treaty had been approved by the Military Department of the Pacific.

While the military was creating its treaty with the Owens Valley Indians, Indian Agent Wasson (from Nevada) was called to San Francisco in July of 1862 to meet with Governor Stanford of California, Governor Nye of Nevada Territory, and Indian Agent Wentworth to discuss the Owens Valley

Indian difficulties. Wasson was sent to the Owens Valley to arrange a meeting between the Indians and Indian Agent Wentworth. The date agreed upon for the meeting was September 20, 1862.[17] Wentworth sent a letter for Wasson to distribute among the Owens Valley Indians that told them

> I am instructed by the Great Father at Washington to go to your country and talk with you. I shall be there on the 20th of September. In the meantime you must remain quiet and not allow your Indians to have any difficulty with your white neighbors. Your Great Father has a good heart for all Indians who are obedient and do not fight. The Great Father regrets that the Indians have killed their white neighbors. This must not occur again. I shall take with me some food, clothing, and blankets for the chiefs. You have lands there, and shall be protected in your rights, but never go to war. When you have trouble with the whites, come to me or the agent who will be stationed there, and he will settle it for you."[18]

Wasson distributed Wentworth's message through interpreters, and over 100 Owens Valley Indians were assembled for the September 20th meeting. Agent Wentworth, however, did not arrive at the scheduled time. When he had still not arrived by September 30th, Lt. Colonel Evans ordered beef to be distributed to the assembled Indians, and reported to Major Drum that

> . . . there is a great danger of another outbreak amongst these Indians arising from what they seem to think duplicity and treachery on the part of the whites. They say they have complied with their part of the treaty, have given up their arms and families as hostages, and the whites are "mucho big lie: no give them nothing."[19]

Evans wanted it made clear that if trouble with the Indians arose, it would be caused by the Indian Department's actions, and would not be the fault of the military.

Agent Wentworth finally arrived in October. He distributed rations and blankets to the Indians and promised them seeds, agricultural implements and other supplies. Another "treaty of peace" was made. Wentworth then reported to Commissioner of Indian Affairs Dole that "although the General Land Office has withheld from sale a reservation for these Indians, much of the best portion of it has been settled by whites and the Indians driven off."[20]

Following the meeting with the Indians and the distribution of goods, Wentworth laid off a new reservation containing about six townships with a north boundary of Big Pine Creek, a south boundary of George's Creek, and with the Sierra Nevada and Inyo mountain ranges as the west and east boundaries. He estimated that this reservation would be suitable for the 2,000 Indians in the area, and that the land was not attractive to settlers and barely fit for grazing. To establish this reservation, Wentworth requested that the Indian Department seek $30,000 from Congress. This money

> . . . judiciously expended in the purchase of seed, stock, cattle, mules, wagons, ploughs, &c., would place those wretched people beyond the necessity of stealing for a livelihood, and would relieve the government from any further expense for their support, as

> well as dispense with the necessity of maintaining an expensive military post in a country where everything has to be hauled a distance of 300 miles over a sandy road . . .[21]

In his report to Commissioner Dole, Wentworth also repeated his earlier objection to the proposal to relocate all the southern California Indians to the Owens Valley. He considered the potential expense of removal to be too high, and the climate of the valley too cold, and that the valley would not be able to contain the Indians from southern California--they would leave and head for their homelands.

Unfortunately, Commissioner of Indian Affairs Dole did not agree with Wentworth's proposal for a new reservation. Dole did consider it urgent that Congress allocate funds for a reservation in southern California, but it was his opinion that a more suitable location than the Owens Valley could be found: one that could provide for the needs of all the Indians in the southern California district.[22]

Hostilities again broke out in the Owens Valley in the spring of 1863, and Wentworth made an urgent plea to Dole for appropriations to enact his reservation plan and stop the war. His plea for funds unanswered, Wentworth soon received a letter from Assistant Adjutant General R. C. Drum, Department of the Pacific, informing Wentworth of a report from Captain Ropes, commanding Camp Independence, that claimed

> . . . the Indians justify their recent outbreak on the grounds that the Government has not observed and kept the promises made to them in the treaty of last summer. The general thinks the present disturbance . . . would be more easily quelled if you were to visit that part of the State and reassure the chiefs as to the policy and determination of the Government.[23]

In correspondence to Dole, Wentworth lashed out at the inability of Congress to act on his request for an appropriation of $30,000 for the creation of the Owens Valley Reservation:

> Had Congress promptly made that appropriation, no Indian war would have been waged, and the country would have saved more than two hundred and fifty thousand dollars to its treasury, the lives of many of its valuable citizens, and many of the poor, ignorant, misguided Indians, to whom the government have promised protection, would to-day, instead of being dead, be living and tilling the soil of their native valley, and, through their own willing hands, obtaining an honest and well-earned livelihood.[24]

With the discovery of rich mineral resources in the vicinity of the Owens Valley and the consequent influx of large numbers of miners, farmers, and other settlers, Wentworth realized that it was no longer practical to establish an Owens Valley Indian Reservation. He agreed with General Wright that the Indians needed to be removed from the Owens Valley, and he consented that the Indian Department would receive the Indians at the Tejon Reservation following their removal from the valley by military forces.[25]

The Removal

The forced removal of nearly one thousand Owens Valley Indians to Fort Tejon and the San Sebastian Reservation has been only briefly mentioned in the existing published works on Owens Valley history. Chalfant reports that Captain McLaughlin with 92 soldiers left Camp Independence on July 11, 1863 arriving at Fort Tejon on July 22 with 859 Indians to be delivered to Indian Agent Wentworth. Many Indians were reported to have escaped along the way, and "when the settlers learned that stragglers were returning from their unusual journey they made a virtue of necessity and sent an invitation to the exiles to return and live in peace."[26] Cragen gives a similar accounting of the removal of the Owens Valley Indians to Fort Tejon, and reports that by fall, 1863, "many of the Indians who had made the long trek with Captain McLaughlin began to return and were seen through the Valley."[27] Cragen also claims that Camp Leonard, the military outpost on the south fork of the Kern River, had little effect in "keeping the Owens Valley Indians at San Sebastian Reservation, as the Indians in returning did not go near Camp Leonard, and by this time [September 1863], most of the able-bodied had returned to the Owens River Valley."[28] When commenting on Captain Schmidt's report in January, 1864, that the 380 starving Indians located 300 yards from Fort Tejon were the remnants

of the relocated Owens River Indians, Cragen claims--even though Schmidt lists the group as consisting of 120 men, 170 women, and 90 children--that "these Indians were mostly old men and women, and children whose fathers and mothers had long since left them and gone back to the Owens River Valley."[29]

McGrath gives a thorough accounting of the armed conflicts of the early 1860s, yet restricts his comments on the removal to noting that the Indians that were removed represented about one-third of all Indians in the region. He makes no further mention of the approximately 850 Indians that were delivered to Fort Tejon.[30]

Liljeblad and Fowler also briefly mention the removal, and state that "the reservation and fort were ill-equipped to hold the people, and within three years, most were back in the valley."[31] Missing in all of these accounts is documentation of the actual fate of those Indians removed from the Owens Valley. A further look at the details of the removal and return of the Owens Valley Indians may present some indication of adaptive strategies created and utilized during this time period.

The forced removal of the Owens Valley Indians from the valley in July of 1863 was precipitated by the renewal of armed conflicts between the Indians and whites earlier that spring. Captain George, held as hostage for the good

behavior of the tribe throughout the winter at Camp Independence, escaped from the fort in March and led his people again into battle. There were several causes given for the resurgence of troubles at this time. Foremost among these causes--according to complaints from the Indians--was settlers locating farms in the valley in an area laid out by the Government as a reserve for the Indians. Another cause was illustrated by Captain McLaughlin's contention that

> Mr. Wentworth, Indian Agent for this district has been most undoubtedly the cause of the present difficulties, and from representations made to me he has been shamefully negligent of his duties . . . Mr. Wentworth promised everything, gave nothing, and the results have been the destruction of life and property of settlers in the valley, besides an immense outlay to the government.[32]

Residents of the Owens Valley did not necessarily agree with Captain McLaughlin's views. A correspondent to the Daily Alta California--who signed his letter "Alert"--expressed his opinion that there was "no earthly reason . . . for this outbreak on their [the Indians] part." In his view, the Indians had been treated well, were being fed by the United States, and their women were "protected by stringent military orders."[33]

Captain Ropes filed a report with Colonel R. C. Drum (Assistant Adjutant General, Department of the Pacific), in which he offered his opinions regarding the causes of the March 1863 uprising of the Owens Valley Indians. Colonel

Drum then wrote to Superintendent of Indian Affairs Wentworth expressing his opinion that "the Indians justify their recent outbreak on the grounds that the Government has not observed and kept the promises made to them in the treaty of last summer." Drum then stated that the uprising could easily be subdued, if Wentworth would visit the region and "reassure the chiefs as to the policy and determination of the Government."[34]

Captain McLaughlin arrived in the Owens Valley in April 1863. While in route to the valley from Camp Babbitt, he ordered his troops to massacre 35 Indians on the Kern River. McLaughlin, believing these Indians to be renegades from the Owens Valley, offered his opinion that "this extreme punishment, though I regret it, was necessary, and I feel certain that a few such examples will soon crush the Indians and finish the war in this and adjacent valleys."[35]

Upon his arrival in the Owens Valley, McLaughlin took command of all of the forces in the area. He adopted some new battle techniques which concentrated on the destruction of any items that could be used by the Indians, and the posting of troops at known springs and water sources to prevent the Indians from reaching water. Captain McLaughlin's troops chased the Indians over the Inyo mountains east towards Death Valley and forced the Indians to camp

many miles from available water. While some of his troops prevented the Indians from returning to the valley, other troops destroyed huts, baskets, food stores and any other items left behind by the Indians that could be of any potential use to them. In this campaign, the soldiers destroyed 300 bushels of nuts and seeds at Bishop Creek. The adoption of these new battle techniques by McLaughlin's troops soon led to starvation among the Indians.[36]

Following several months of conflict and starvation, Captain George was persuaded to come back to Camp Independence to negotiate. He recounted that many of his people--mostly women and children--who had been chased over the mountains to Death Valley had died from lack of water. After this meeting with Captain George, McLaughlin issued orders that "hostilities against the Indians of this valley are hereby suspended . . . Indians will be allowed to pass and repass unmolested."[37] McLaughlin promised food and clothing to Captain George's people, and on May 23, 1863, Captain George returned with 300 of his people. George's surrender was soon followed by the surrender of Indians from the Argus and Coso mountains to the south and east. This raised the number of Indians coming into camp to 500. By July 10, the number of Indians that had surrendered was over 1,000.[38]

In a report dated May 26, 1863, McLaughlin informed Colonel Drum about the number of Indians collected at Camp Independence, and recommended that the Indians be moved out of the Owens Valley to the reservation at Nome Lackee (in northern California) "where they would be prevented from future outbreaks."[39] On June 5, Colonel Drum at the Department of the Pacific headquarters referred the matter to Indian Agent Wentworth and requested that the Indian Agent find a place for these Indians. McLaughlin and his troops were directed to assist in the actual relocation.

The order to remove the Indians was issued on June 11, 1863, at the San Francisco headquarters of the Department of the Pacific. Colonel Drum agreed with Captain McLaughlin that the Indians should be relocated, but he determined that their destination should be Fort Tejon rather than the Nome Lackee Reservation.[40]

On the evening of July 10, 1863, Captain McLaughlin assembled and counted 998 Indians on the parade ground at Camp Independence. He ordered the chiefs to the center of the ground, and had interpreter Jose Chico announce the removal orders. Previous to the announcement, McLaughlin had positioned his troops around the perimeter of the parade grounds. The Indians were surrounded and they submitted to McLaughlin's orders without resistance. On the morning of July 11, Captains Noble, McLaughlin, and Ropes

began the journey to the Tejon Reservation with "about 1,000 men, women, and children" and 25 wagons with teams of 6 mules each.[41]

At the time of the initial surrender of the Indians in May, orders had been given to provide the Indians with rations of barley and beef. Supplies on hand were insufficient to do this, and 40,000 pounds of barley were purchased in Keyesville to be sent to Camp Independence for this purpose. These stores had not arrived prior to the departure of troops and Indians on July 11.[42]

With the consequent shortage of food, the intense July heat, the limited availability of wagons for transport of the Indians, and the unwillingness of the Indians to be removed, Captain McLaughlin reported to headquarters that "the sufferings upon the route were intense."[43]

An observer to the departure of the Indians from the Owens Valley wrote that

> I have the great and good news to tell you, that yesterday morning the Indians . . . were removed from our beautiful valley. You should have seen the motley group on their winding way. Some of the squaws were fortunate enough to get a ride in the wagons, with the children and other "valuables," consisting of baskets, old clothing, etc. . . . The men and the remaining women trudged on afoot and looked, generally, pretty serious. . . . It appears that Capt. McLaughlin had assembled all the Indians, men, women, and children, on the south side of the stable, and surrounded them with his men, "armed and equipped as the law directs," and then and there informed them that he had orders to take every one of them to the Tejon Reservation; . . . but he had also received his orders that in case they

refused to go, that every one thus refusing would be killed.[44]

The Visalia Delta of July 30, 1863, announced the arrival of over 800 Indians from Owen's River at Fort Tejon. The newspaper reported that "a few squaws from the Coso Indians escaped or strayed from the band and were lost" during the long march.[45]

The Reservation Fiasco

The Owens Valley Indians arriving at Fort Tejon to be placed in the care of the Indian Department were introduced to an Indian reservation system in chaos. The reservation system in California was begun by Superintendent Edward F. Beale in 1853. Beale had been appointed by Congress as California's first Superintendent of Indian Affairs in 1852. He was then directed by Commissioner of Indian Affairs Luke Lea to examine the accounts of Indian Agents O. M. Wozencraft, Redick McKee, and George W. Barbour following their treaty negotiations, and to develop a plan for the future of California's Indians. One of Beale's first actions in office was to dismiss Agents McKee and Wozencroft who had not visited any Indians in the state in six months and were accused of financial misdealings in the purchases of cattle to be used to feed the Indians.

McKee, Wozencroft, and Barbour were the three California Indian Agents appointed by Congress in 1852. President Filmore then appointed the three to be treaty commissioners and in 1851-52 they arranged 18 treaties which proposed setting aside certain areas totalling 11,700 square miles of California as reservations. These treaties were not ratified by the United States Senate, and the reservations were never actually created.[46]

Beale proposed a system of Indian reservations modeled after the earlier California mission system with an Indian Agent taking the place of the priest. These reservations would be built in conjunction with military posts where agents would instruct the Indians in farming and other useful subjects. Indian labor would be used to produce the food necessary to feed themselves, and also to feed the military forces. In March of 1853, Congress, upon the recommendation of William K. Sebastian, Chairman of the Senate Committee on Indian Affairs, approved Beale's plan for the creation of 5 military reservations out of public domain land in California, Utah, or New Mexico.[47]

On September 12, 1853, Beale convened a council meeting at Tejon Pass with over 1,000 Indians in attendance. Benjamin D. Wilson, newly appointed Indian Agent, addressed the Indians in Spanish. Beale informed these Indians of his proposed 50,000 acre reservation, and promised to pro-

vide them with agricultural implements and livestock if they would come to the reservation. At the end of the two day council, the Indians agreed to the reservation proposal.[48]

Beale's reservation (and administration) soon encountered problems. Even though he was successful in persuading Indians from as far away as Grass Valley (several hundred miles to the north) to come to the reservation, costs soared beyond what newly appointed Commissioner of Indian Affairs George P. Manypenny considered appropriate. Also, Beale was informed by Ignacio del Valle of Los Angeles that the reservation was not on public domain land, but that the new reservation had been located on lands contained within a Spanish Land Grant owned in part by del Valle.[49]

Commissioner Manypenny informed Beale that tho only allowable costs of the reservation were the costs of removal and subsistence of the Indians. Beale, by this time, had already expended thousands of dollars on agricultural implements, mules, horses, cattle, and freighting costs. Over a square mile of the reservation had been plowed and planted, and on any given day Indian boys had 30 to 40 plows in the field. An irrigation ditch 9 miles long had been excavated by Indian labor. Beale hoped the harvest from this undertaking would be worth as much as $437,500. In December of 1853, Beale gave a feast to celebrate the

reservation project. This feast was attended by Indians from the east side of the Sierra Nevada, and the attendees probably included Owens Valley Indians.[50]

By the spring of 1854, Beale's reservation experiment was in real trouble. His proposed annual budget had soared to $617,350. Almost all of his attention was directed to the Tejon Reservation, and the rest of the Indians in California were virtually ignored. In an effort to gain political support, he had the reservation named after Senator William K. Sebastian, Chairman of the Senate Committee of Indian Affairs. Beale's efforts were to no avail, and on May 31 he was dismissed as Indian Superintendent and replaced by Colonel Thomas J. Henley. Henley pledged to continue Beale's reservation experiment. Henley's administration was eventually judged more corrupt than his predecessors, and Henley was removed from office in 1859 following charges of fraud and malfeasance from an investigation by Special Treasury Agent J. Ross Browne.[51]

Following Henley's dismissal, James McDuffie was appointed Superintendent of Indian Affairs for California. By then, the reservation experiment had fallen apart. In 1856, Thomas Vineyard, the resident agent assigned to the Tejon Reservation, reported 693 Indians on the reservation.[52] By 1857, 200 Indians had been moved to Tejon from Tule River, bringing the total on the reservation to about

1,000. Agent Vineyard also reported that a third year of drought was making agricultural pursuits difficult, and that the unsettled title to the land made it impractical to install improvements.[53]

In 1858, the crops again failed at Tejon, and Vineyard reported that "the continuous drought in this region . . . is lessening every year the natural resources of the Indians." Agent Vineyard claimed that 650 Indians were on the reservation, and 800 more Indians were on adjacent lands within the influence of the reservation. A delegation of Indians from the vicinity of Owens Lake visited the reservation that year and "asked assistance to put in crops next season, and also someone to instruct them in agriculture." Vineyard gifted this delegation with "presents of clothing and useful implements," and promised to inform the great chief of their request. Vineyard also reported that the Indians of the Owens Lake region--he estimated their numbers at fifteen hundred--were expected to experience great suffering and famine due to continued drought and consequent dearth of native plant foods.[54]

Congress cut funding for California's reservations to $50,000 in 1858. The reservations were reported to be in dilapidated condition. Commissioner of Indian Affairs Charles E. Mix was of the opinion that the reservation system cost too much money, had limited results, and did

too much for the Indian. The recommendation that Beale's reservation system be abandoned was made by A. B. Greenwood, Mix's successor as Commissioner. Greenwood then made a new proposal for California's Indians that would divide the state into two districts with superintending agents--a system that made no improvements on Beale's reservation program.[55]

In 1859, Vineyard reported the Tejon Reservation population to number 600, with the surrounding lands containing an additional 900 Indians. Vineyard had begun to issue individual allotments to families, and commented that the "Indians are well satisfied with this plan, knowing that they are working for themselves, and secured in the enjoyment of the fruits of their labor." Considerable concern was evident in Vineyard's comments regarding the fluctuating boundaries of the reservation--first 50,000 acres, then reduced by Congress to 10,000, and then expanded to 25,000--and the land title claims in which two courts had issued decisions in favor of the claimants who considered the reserve as their private property.[56]

With the continued deterioration of the reservation system, the Secretary of the Interior in his report of 1859 reported that

> The management of our Indian affairs in California has been embarrassed with a great variety of difficulties. Neither the government of the United

> States nor the State of California recognizes in the Indians any right of exclusive occupancy to any specific lands. Reservations have been provided by law; a large number of Indians has . . . been collected upon them, and large sums of money have been expended to establish them, with the hope that the Indians would soon support themselves by their own labor, and gradually become civilized. But these expectations have not been realized. Through the mismanagement and neglect of our employees, the interference of our citizens, and the apparent impossibility of inducing these Indians to labor thereon, the reservation system of California has proved a failure.

The Secretary then endorsed Greenwood's proposal that the superintendency, agencies, and sub-agencies in California be abolished, and that the state be divided into two distinct districts each with a single agent.[57]

Even though his Indian reservation experiment had failed, Beale managed to prosper personally. In 1855, he acquired the 49,000 acre Rancho La Liebre located ten miles south of the Tejon Reservation for $1,500. Beale made this purchase with his share of the profits from a 25% interest in John C. Fremont's cattle herd that was sold to the government for the outlandish sum of $183,825 to feed the Indians following the 1851-52 treaty negotiations (because Beale was Superintendent of Indian Affairs, he tried to keep his interest in the cattle secret). Later, following appointment as Surveyor General for the state of California in 1861, Beale spent $1,028 of the government's money to survey Rancho La Liebre and confirm his title. He also used government funds for the surveys of Rancho Castaic--

owned by his partner Samuel A. Bishop--and El Tejon, site of the Tejon Reservation and the military installation at Fort Tejon, in which Beale had a share of ownership with Juan Temple. Even though people had considered Tejon to be Beale's ranch for some time, the title issue cleared in late 1862 and in early 1863 Beale again exerted his influence on Indian affairs by refusing a request to allow the Owens River Indians to be relocated to the San Sebastian Reservation--the site of which was now located on his private property.[58]

Meanwhile, by 1861, John P. H. Wentworth had been appointed Indian Sub-Agent for the Southern District of California. He proposed that the small bands of Indians scattered throughout the region be gathered onto the reservations at Tule River and Tejon--both located on privately owned land. He could not estimate the number of Indians at Tejon at that time, and reported that no farming had taken place that year. The Indians were "dependent upon their own efforts for subsistence, which is gained in a few instances by the cultivation of small patches of ground on their own account." Agent Wentworth also expressed his opinion that Indians in the interior regions of California who hadn't been subjected to the reservation system were not his responsibility; therefore, he could only operate in an advisory capacity in that region. Wentworth did pro-

pose, however, to tour the Owens River country and locate a reservation on public lands so that the government could get out of the business of renting reservations.[59]

In his report for 1862, Agent Wentworth noted that crops had once again been planted on the Tejon Reservation (he would later claim that they were again destroyed by drought). Indians were returning, and the population had increased to 1,370. Wentworth acknowledged that the land was claimed by private parties under a Spanish land grant, and expressed the opinion that the United States had a better claim to title. He requested the assistance of the United States District Attorney in examining the title. White settlers had begun to graze on the reservation causing much trouble for the Indians. Wentworth also reported that he was an his way to the Owens River Valley to investigate the Indian troubles.[60]

By the time of Wentworth's September 1, 1863, report to Commissioner of Indian Affairs William P. Dole, one of the private parties claiming title to the land on which the Tejon Reservation was located under a Spanish Land Grant had been identified as Edward F. Beale, the former Superintendent of Indian Affairs for California and the present Surveyor General for California. Beale was furious that Wentworth had placed the Owens River Indians on his private

property, claiming that he had shown Wentworth his patent to the land only two months previously.[61]

Beale wrote to Wentworth complaining that:

> I have just heard, with great surprise, that eight hundred Indians of the most hostile Owen's River tribe have been removed, under your direction, to my ranch of "El Tejon" . . . My informant also states that my orchard and vineyard have already been destroyed by the cattle furnished these savages, and not a vestige of a garden remains.[62]

Agent Wentworth responded to Beale, acknowledged Beale's patent to the land, and continued his attempt to retain use of the Tejon Reservation by asking Beale if he would consider renting or even selling part of the estate for use by the Indians. Beale responded that he needed all of his land for his present and future cattle business, but would rent 12,000 acres for $1 per acre per year only as a great favor granted with reluctance. However, under no circumstances would he "rent to the hostile and vicious Indians whom you have lately removed there . . . These savages . . . may at any time break out again in open mutiny." Beale then demanded that the Owens River Indians be removed immediately from his property before the lives of employees and neighbors were endangered.[63]

The Daily Alta California supported Beale's position. It reported that Lieutenant Daley, in charge of the Indians, had ordered the ranch staff to remove their livestock and had turned the Government mules and horses loose in

Beale's orchards and vineyards. In the Alta's opinion, "The Rancho is owned by Surveyor-General Beale, under a U.S. Patent, and the Indian Reservation, which once covered part of the Rancho, has been abolished by Congress." Lt. Daley, the newspaper went on to say, should be court-martialed if he acted in this manner.[64]

Wentworth heeded Beale's demands. On September 30, the Owens River Indians were moved from the Tejon Reservation (San Sebastian) to Fort Tejon, a distance of 25 miles. Fort Tejon was under the command of Captain Moses McLaughlin who had been the officer in command during the removal of the Owens Valley Indians from Camp Independence to Fort Tejon. McLaughlin had then been instructed to re-garrison Fort Tejon. By this time, Wentworth had acknowledged in a letter to Commissioner of Indian Affairs William P. Dole that the Indians were suffering from lack of food, and had requested that funds to feed the Indians be forwarded immediately. McLaughlin reported to the Department of the Pacific headquarters that no commissary stores had been issued to the Indians since their July delivery to the Indian Department, and that the Indians were received at Fort Tejon on the 3rd of October and were camped near the Post.[65]

Even with the removal of a portion of the Owens Valley Indians to the Tejon Reservation and the abandonment of his

reservation plans for the valley, Wentworth was unable to get an appropriation to care for the Indians. The Indians arrived at Tejon in July of 1863; by September, Wentworth issued a plea to Commissioner Dole to "please forward my funds immediately. Owens river Indians, Tejon, are suffering for food."[66]

Remembering the Removal

Susie Westerville, a Paiute from the Independence area, recalled her experiences as a child during the 1863 removal in an interview conducted when she was 85 years old:

> . . . the Indians were gathered and the big drive was on. They were driven to Tejon and to Tule [Reservations]. They had many covered wagons [and] the children were given rides in the wagons. She remembered going eleven days. They were treated right, given plenty to eat. They stayed one year. During the summer there in Tejon the soldiers raised gardens and farmed there. Many of the Indians died through . . . epidemics.[67]

Susie remembered that when the attempt was made to move the Indians from the Tejon area to Tule River Reservation, the Indians "ran away" and returned to the Owens Valley. On their return journey, the Indians passed over the mountains eating pine nuts and whatever other food was available, and travelled carefully to avoid being sighted be any whites.

Ben Tibbets, a Paiute born in the vicinity of Big Pine also recalled the forced march to Fort Tejon. His family had attended a meeting in Big Pine to listen to what the white soldiers had to offer. Initially, the Indians feared a trap was being set for them and were therefore reluctant to respond to the invitation. But, the messenger from the soldiers convinced the Indians that "the intention of the white friend was to make peace and to be friends forever and to live as one body and to have feast together." The Indians gathered together at the appointed place and time and heard (through interpreter Chico) a speech where they were told that

> Our white father and friend said to us to forget the war and trouble. We are going to be friends. We are not going to kill one another any more . . . They have a plan . . . to come down to Fort Independence just as soon as you can and go to work for our white friend.[68]

Following the speech, the Indians were given food to take home to their families.

Tibbets recalled that over the next days the Indians voluntarily collected at Fort Independence and were kept there for several weeks during which they worked for the whites. Early one morning, Chico announced to the massed Indians that they were to be driven to Fort Tejon. Tibbets recalled that this was "the most sad news to the Indians." Ben remembered the night march south through the Owens

Valley and over Walker Pass, and the eventual arrival at Fort Tejon. He noted that the escape of several families during the journey was not noticed by the soldiers.

After remaining at Fort Tejon for about three months, Tibbets and his family decided it was time to return to the Owens Valley. They escaped from Tejon, travelled mostly at night, and collected pine nuts and caught trout for food along the way. When they reached the vicinity of Owens Valley, they crossed the valley at night, climbed the Inyo Mountains to the east, and wintered among the pinon pines at the crest of the mountains.

The next spring [1864], they returned to the Owens Valley floor, resumed the collection and harvesting of traditional native foods, and began to work for the whites. Tibbets recalled that those Indians remaining at Fort Tejon were struck by an epidemic after his family departed. Many died, and in his recollection only a handful lived to return home to the Owens Valley.

Mary Rooker was the daughter of Captain George, an important leader of the Owens Valley Indians during the Indian wars. She recalled that many Indians escaped during the trip to Tejon, and many more left while at Tejon. Mary's family stayed at Tejon for one year, and then went to the Tule River Reservation. They stayed at Tule River for almost 10 years; during this time, many of the other

Indians at Tule River died from disease. Mary and her family then returned to the Owens Valley and went to work for the John Shepherd family on their ranch near George's Creek. Jose Chico, who had worked for the military during the time of the Indian removal, also returned to the Owens Valley at the same time as Mary and her family.[69]

Not all of the Indians in the valley made the trip to Tejon; it was estimated by Agent Wentworth that only one third of the Indians in the valley were relocated. Mary Harry recalled that her people lived in Fish Lake Valley and chose not to surrender to the troops at Fort Independence even though Chief Joe Bowers--acting as messenger and interpreter for the soldiers--told the Indians that they would be given farming equipment, livestock, food, clothing, and shelter if they obeyed the command to assemble at Fort Independence. Her tribe decided to wait until more information was forthcoming about the invitation. Later, they heard that the Indians who had assembled at Fort Independence had been driven south to (as she recalled) San Fernando Valley:

> Wagons and horses were provided for these poor people, but they outnumbered the horses and wagons so many of them had to walk. These white men had no pity for these poor men, women and children. Whenever they became exhausted and weak and couldn't walk much further, they, the white soldiers, whipped them which very often killed some, throwing the dead corpse to the side of the road . . . Many [were] killed and others were fortunate enough to be in good health to

make an escape. Many of the young girls were assaulted and afterwards murdered.[70]

Mary was elderly when she told this story and stated that this was how her grandparents told the story to her. Although some factual information is inaccurate in this version--the Indians were removed to Fort Tejon, not the San Fernando Valley--and Mary did not make the journey herself, there is validity to the emotions contained in this account as they reflect the response to the sufferings encountered during the journey, and the emotional remnants of the experience 70 years later.

Also containing strong emotions are the recollections of an anonymous Indian woman who tells of escaping along the removal route. Although somewhat lengthy, the story needs to be told in her own words:

> Then came a day of big excitement. The white men were at last going to give us food and clothing. As it is all in the game there are always one or two hired to go out and tell the other Indians throughout the valley the good news. So there were two chosen by the white man to round the tribes to a certain gathering place. . . . Many Indians traveled for days to get their share of promised food and clothing.
>
> At last our little family of three started south to which is now Fort Independence. . . . We were round together in the evening every one head of family were given a small amount of flour and some clothing. At the same time an order was given for us to be moved early next morning for a new fort, which was to be our final destination. People cried and did not want to go, children and babies cried of hunger from the long trip. The next day sure enough we were well on our way to our new promised home somewhere we did not know. Some went on bravely some were too feeble and weak and fell. I saw them lay down to rest or sit

> down to rest for want of water or food. I saw the white men with long knives stick the knives into their sides, I know by now the promised land was but a promise of the earthly grave. Our flesh was to be picked up by the hungry birds and coyotes of the wilds. . . . My poor grandmother sat down for just a second, was thirsty she wanted water. Just then one of the men with swords saw grandmother sit down to rest. He was upon her in a second and stabbed her through the heart dead . . .
>
> I knew mother and I would try to cheat death and the men in the United States Uniforms. We travelled for days . . . At last nature played its part and opened a way for us, we crawled close together in the brush taking care that the two soldiers who were looking for us would not find us. I saw them coming near, just 50 feet away. I felt chills run through me, death was to claim us . . . the soldiers turned away, took another route, and we knew we were safe.[71]

This anonymous author's story is quite powerful; yet it needs to be noted that none of the military records regarding the forced removal in 1863 record any deaths along the route: either accidental or caused by violence.

The Owens Valley Indians responded to the forced removal to Fort Tejon and the San Sebastian Reservation in a manner that reflected their traditional independent approach to challenges. Alone or in family groups, they reacted in a variety of ways. Some ignored the summons to Camp Independence and were therefore not included among those Indians removed. Some Indians escaped along the route of the forced march and returned to the Owens Valley. Some left after arrival at Fort Tejon, while others made the move from Tejon to Tule River and spent a number of years there before returning to the valley. However, it

appears that a large percentage of the Indians who survived the forced march and epidemics that hit Tejon and Tule River Reservations eventually made their way back to their Owens Valley homeland.

NOTES

1. Walton, Western Times and Water Wars, pp. 18-22. For more on the Owens Valley Indian Wars of 1862 - 1865, see McGrath, Gunfighters, Highwaymen and Vigilantes pp. 17-54; Chalfant, Story of Inyo, pp. 147-200, 215-229; Cragen, Boys in the Sky Blue Pants, pp. 21-36, 46-75; and Busby et al., Cultural Resource Overview, pp. 53-58.

2. Wilke and Lawton, Davidson Expedition, p. 2.

3. Wilke and Lawton, Davidson Expedition, p. 29.

4. Wilke and Lawton, Davidson Expedition, p. 31; and Daily Alta California 31 May 1863.

5. George S. Evans to Major R. C. Drum, 9 July 1862, Department of War, The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, vol. 50, part I (Washington, D.C.: Government Printing Office, 1897), pp. 148-149; Aurora Hunt, The Army of the Pacific: Its Operations in California, Texas, Arizona, New Mexico, Utah, Nevada, Oregon, Washington, Plains Region, Mexico, etc. 1860-1866 (Glendale: The Arthur H. Clark Company, 1950) pp. 256-257; and Roger D. McGrath, Gunfighters, Highwaymen, and Vigilantes (Berkeley: University of California Press, 1984) p. 26.

6. Angel, History of Nevada, p. 166. Indian Agent Wasson had been successful in averting war in a similar situation in April of 1861 when 1,500 Indians assembled at Walker Lake to make plans to take over Fort Churchill, Nevada. Wasson entered the Indian camp alone and persuaded the group to set aside their plans for war (Angel, History of Nevada, p. 165; ARCIA 1861, p. 724; and Johnson Walker River Paiutes, p. 32).

7. Angel, History of Nevada, pp. 167-168.

8. "General Order No. 6," War of the Rebellion, vol. 50, part II, p. 23.

9. "General Order No. 9," 7 June 1863, General & Special Orders Issued April 1863-September 1864, 2D Cavalry California Volunteer Detachment, Record Group 393, Pacific Division, U.S. Army Continental Commands, 1821-1920. U.S. National Archives (hereafter cited as RG 393 General & Special Orders). For more discussion of the sexual abuse of Indian women by whites in the Owens Valley, see John Walton, Western Times and Water Wars: State, Culture, and Rebellion in California (Berkeley: University of California Press, 1992), pp. 46-48.

10. "General Order No. 4," 19 May 1863, RG 393 General & Special Orders.

11. ARCIA 1863, p. 218.

12. Inyo Independent 8 July 1876.

13. Sacramento Daily Union 19 May 1862.

14. Lt. Col. Evans to Maj. Drum, War of the Rebellion, vol. 50, part I, pp. 148-149.

15. Drum to Evans, 19 July 1862, War of the Rebellion vol. 50, part II, p. 33.

16. O'Neill to Drum, 18 August 1862, War of the Rebellion, vol. 50, part II, p. 75.

17. Angel (ed.), History of Nevada, p. 168.

18. Wentworth, Superintendent, Agent Southern District of California to Ten-ne-mah-ha-te and Other Chiefs of Owen's River, 1 August 1862, War of the Rebellion, vol. 50, part II, p. 152.

19. Lt. Col. Evans to Lt. Col. Drum, 30 September 1862, War of the Rebellion, vol. 50, part I, pp. 151-152.

20. San Francisco Daily Evening Post 22 November 1879.

21. Wentworth to Dole, 3 December 1862, ARCIA 1863, pp 223-224.

22. Dole, Commissioner of Indian Affairs, to Hon. J. P. Usher, Secretary of the Interior, 13 January 1863, ARCIA 1863, pp. 224-225.

23. Drum to Wentworth, 12 March 1863, War of the Rebellion, vol. 50, part II, p. 347.

24. Wentworth to Dole, 1 September 1863, ARCIA 1863, p. 217.

25. Wentworth to Dole, 1 September 1863, ARCIA 1863, p. 217.

26. Chalfant, Story of Inyo, p. 395.

27. Cragen, Boys in Sky Blue Pants, pp. 61-63, 67.

28. Cragen, Boys in Sky Blue Pants, p. 69.

29. Cragen, Boys in Sky Blue Pants, pp. 69-70.

30. McGrath, Gunfighters, Highwaymen, & Vigilantes, pp. 40-41.

31. Liljeblad and Fowler, "Owens Valley Paiute," p. 430.

32. War of the Rebellion, vol. 50, part I, p. 212; Visalia Delta 12 March 1863; Sacramento Daily Union 17 March 1863.

33. Daily Alta California 8 April 1863.

34. War of the Rebellion, vol. 50, part II, p. 347.

35. War of the Rebellion, vol. 50, part I, p. 209; Visalia Delta 23 April 1863; and McGrath, Gunfighters, Highwaymen, & Vigilantes, p. 38.

36. McGrath, Gunfighters, Highwaymen, & Vigilantes, pp. 38-39; Visalia Delta 4 June 1863; and War of the Rebellion, vol. 50, part I, p. 209.

37. War of the Rebellion, vol. 50, part I, p. 212; part II, p. 466; and "General Order No. 4," 19 May 1863, RG 393 General & Special Orders.

38. War of the Rebellion, vol. 50, part I, pp. 211-212; Visalia Delta 11 June 1863.

39. War of the Rebellion, vol. 50, part I, pp. 212-213. Nome Lackee reservation was established by Superintendent of Indian Affairs T. J. Henley in 1854 near Colusa, California.

40. War of the Rebellion, vol. 50, part II, p. 480.

41. War of the Rebellion, vol. 50, part II, p. 535. ARCIA 1863, p.218.

42. "Special Order No. 15," 23 May 1863; "Special Order No. 29," 25 June 1863; and "Special Order No. 33," 4 July 1863, RG 393 General & Special Orders.

43. War of the Rebellion, vol. 50, part II, p. 535.

44. Daily Alta California 31 July 1863.

45. Visalia Delta 3 July 1863.

46. Thompson, Edward F. Beale, pp. 49-53; Robert F. Heizer, "Treaties" in California, vol. 8 of Handbook of North American Indians, pp. 702-703; and Castillo, "Impact of Euro-American Exploration," p. 110. For more on the controversies involving the eighteen un-ratified California Treaties and the consequent effect on Indian-White relations of their failure to be ratified, see Heizer, "Treaties" pp. 701-704; Edward E. Dale, The Indians of the Southwest: A Century of Development Under the United States (Norman: University of Oklahoma Press, 1949) pp. 25-40; and William H. Ellison, "The Federal Indian Policy in California 1846-60" in Mississippi Valley Historical Review, 9 (1922), pp 48-59. Although only $50,000 was appropriated by Congress for the use of the Treaty Commissioners, they spent or contracted for $716,395 worth of goods and services. Of this amount, $183,825 was for beef cattle owned in partnership by John C. Fremont and Beale. The beef was purchased by the Commissioners at 3 to 4 times their market value. This transaction represents one of Beale's first ethical transgressions in public service.

47. Thompson, Edward F. Beale, pp. 54-58; and Dale, Indians of the Southwest, pp.36-38.

48. Thompson, Edward F. Beale, pp. 64-65.

49. Thompson, Edward F. Beale, pp. 67-69.

50. Thompson, Edward F. Beale, pp. 67-70.

51. Thompson, Edward F. Beale, pp. 71-78; Castillo "Impact of Euro-American Exploration," pp. 110-111; and Dale Indians of the Southwest, p. 40. Beale's lengthy battle in Washington to clear his name of these charges culminated with a public brawl in an hotel lunchroom with Commissioner of Indian Affairs Manypenny. Beale challenged Manypenny to a duel (which Manypenny refused) and initiated legal proceedings against him.

52. ARCIA 1856, p. 248.

53. ARCIA 1857, pp. 402-403.

54. ARCIA 1858, pp. 295-296. This request by the Owens River Indians for agricultural assistance clearly refutes McGrath's conclusion--in discussing the Owens Valley Indian Wars--that "there is no evidence that the Paiute conceived of themselves as potential yeomen farmers who would soon be tilling the soil of their native valley" (McGrath, Gunfighters, Highwaymen, & Vigilantes, p. 41).

55. Francis Paul Prucha, The Great Father: The United States Government and the American Indians (Lincoln: University of Nebraska Press, 1984), vol. 1, pp. 390-391.

56. ARCIA 1859, pp. 443-444.

57. ARCIA 1859, pp. 6-7.

58. Thompson, Edward F. Beale, pp. 89-90, 140-142.

59. ARCIA 1861, pp. 753-756.

60. ARCIA 1862, pp. 324-328; and ARCIA 1863, p. 222.

61. ARCIA 1863, pp. 219-220; and Thompson, Edward F. Beale, pp. 144-145. By 1863, Beale was one of the biggest land owners in California. He owned (in partnership with S. A. Bishop) Rancho Castaic, La Liebre Ranch (this alone encompassed 80 square miles), and now El Tejon. Beale was reported as controlling all land east of La Liebre Ranch and west of the Mojave Desert (There is some confusion as to the actual date of Beale's acquisition of El Tejon; Thompson also lists February 9, 1865, as the date of acquisition by Beale from Juan Temple of the area including the site of the 1852 reservation).

62. ARCIA 1863, p. 220.

63. ARCIA 1863, pp. 220-221.

64. Daily Alta California 26 July 1863.

65. War of the Rebellion, vol. 50, part II, p. 658; and ARCIA 1863, p. 225.

66. Wentworth to Dole, 11 September 1863, ARCIA 1863 p. 225.

67. Susie Westerville, SERA Papers, Anthropological Documents, Bancroft Library, University of California, Berkeley (hereafter cited as SERA Papers).

68. Ben Tibbets, SERA Papers.

69. Mary Rooker, SERA Papers.

70. Mary Harry, Big Pine Paiute, SERA Papers.

71. Anonymous, "Biography of an Old Woman," The Kerr Manuscript (1936), Eastern California Museum, Independence, CA.

CHAPTER V

THE TROOPS AND THE INDIANS RETURN TO THE VALLEY

By September of 1863, even though almost one thousand Owens Valley Indians had been forcibly removed from the valley, reports were already being made of new conflicts with the Indians. But orders had been issued to abandon Camp Independence in July following the removal of the Indians, and the assumption had been made that the Indian problem had been solved. The government was reluctant to re-staff the post unless it was absolutely necessary.

The removal of Indians from the Owens Valley had not taken care of the problem of Indian-white conflict in the valley--possibly because the number removed was estimated by Indian Agent Wentworth to be only one third of the total number in the valley. In December, a correspondent to the San Francisco Daily Alta California from San Carlos (four miles east of Camp Independence in the Owens Valley) reported on the armed conflicts that had started again in September in the northern part of the valley. The corre-

spondent reported that the September uprising was largely unsuccessful for the Indians:

> The Indians are now quiet. They did not succeed in getting another treaty and presents by force, and are much disappointed. We do not expect more trouble, although most of those who were taken away have returned. So many settlers are coming in that the red skins will have to be peaceable, or will be driven out of the valley altogether.

The correspondent also reported--erroneously--that Captain George had been killed while trying to escape from Fort Tejon.[1]

A petition was sent in November of 1863 to General Wright, commanding the Military Department of the Pacific, requesting that troops be returned to Camp Independence. The petition included signatures from the Sheriff of Mono County along with prominent citizens from throughout the Owens Valley region. General Wright responded by stating that he was too busy worrying about traitors to the Union to deal with Indians, and he did not have the extra manpower to send troops at this time. He suggested that the locals form their own state militia company.[2]

Captain Moses McLaughlin was ordered to leave Fort Tejon and travel to the Owens Valley in November of 1863. On his arrival in December he reported that "the valley is fast filling up with settlers and miners, and no fear is entertained of Indians as far up as Bishop Creek . . . .

There the people are very uneasy, and fear to travel to and from Aurora . . ."[3]

Another petition was written by residents of the eastern Sierra in September of 1864. This petition originated in Bend City (near present day Independence) and requested that General McDowell, commanding the Department of the Pacific, assign one company of cavalry to the valley because "the conduct of our Indians has been such as to force conviction upon the minds of your petitioners that the Owen's River Indians, assisted by the Pah-Utes, intend a war upon us during the coming winter."[4]

General Wright was not persuaded by the petitioners, and offered his opinion to McDowell that "I do not believe it either necessary or expedient to send troops [to the Owens Valley] at this time. I believe that light, moveable columns, traversing through remote, sparse settlements exposed to Indian depredations . . . are preferable to permanent stations and much less expensive to the Government."[5]

Austin Wiley, Superintendent of Indian Affairs for California, was requested in October of 1864 to investigate Indian matters in the Owens Valley as several petitions and applications for military aid to that region had been made. Wiley, obviously unfamiliar with the Owens Valley region, responded that he had not had the opportunity to visit the

valley, but that "in an isolated district like the Owens River Valley, where there are any number of Indians, imaginary dangers are often magnified into real, and thus the Indians themselves become excited and likely to become troublesome."[6] Even though Wiley thought that the Indian troubles were imaginary, he did suggest that he considered it reasonable to establish a military post there with a company of cavalry.

In November of 1864, another petition was sent to General McDowell signed by 40 residents of the Owens Valley. The petition was accompanied by a letter from George S. Evans, now the Adjutant General of the State of California. Evans attested to the high character of those signing the petition, and commented on his own experience commanding troops in the region two years previously. Once again, the request for troops was made along with a reference to the "helpless women and children among us."[7]

Following even another petition--this one signed by J. B. Crockett and other prominent residents of San Francisco who had mining interests in the Owens Valley--General Wright finally recommended that a company of infantry be sent down to the Owens Valley from Fort Churchill in Nevada for the winter.[8] Lieutenant R. Daley travelled to the Owens Valley as escort to Special Indian Agent Hoffman in November of 1864, and reported that Indian food supplies

were low, the whites were mistreating the Indians, and unless troops were posted to that vicinity, an Indian outbreak was unavoidable. On December 7, 1864, R. C. Drum ordered a troop of Nevada infantry to the Owens Valley to re-occupy Camp Independence.[9]

Even though orders to re-occupy the camp had been issued, another petition from 86 citizens of Tulare County (including at that time the Owens Valley) requesting military assistance was received. This petition requested troops be sent to the Owens Valley to help protect the 60,000 cattle that had been driven to that vicinity to escape the drought on the western side of the Sierra Nevada mountains.[10]

As the population of non-Indians in the eastern Sierra increased, abuses of the Indians by the whites were again feared, and the troops sent to the Owens Valley soon received specific orders to "see that the whites do not take it upon themselves to inaugurate hostilities with the Indians, and protect inoffensive Indians."[11] Also in December of 1864, several Indians from the Walker River Reservation in Nevada were summoned to the Owens Valley to meet with the chiefs there. R. A. Washington, a young Paiute who had spent three years in Lancaster, Pa., wrote to Major McDermitt at Fort Churchill and reported that the Owens Valley Indians wanted peace with the settlers and with all the

whites who might pass through their country. Washington reported that the Walker River Indians had been summoned to the Owens River country because

> The Indians told us "all we are lacking is an interpreter," because none of them can speak the English language well enough to interpret what the chief wish to communicate to the settlers about his Indians, and to tell them what their wishes are, so the settlers could see that they were for general compromise. . . . If there were an [Indian] agent and good interpreter there they would have no fusses and no misunderstanding at all. . . . There ought to be a treaty made with the Indians, and Indian Agent stationed there to get the natives to compromise, and instruct them to civilization and quit their barbarous actions and the way of their ancestors.[12]

Petitions from the eastern Sierra regarding Indian troubles continued to be received by Major General McDowell even though troops had already been dispatched to re-occupy Camp Independence. In January of 1865, the Mayor of Aurora, the Judge of Esmeralda County, and the Wells Fargo Agent of Aurora requested help in dealing with the Indians in the Montgomery and Esmeralda mining districts to the north of the Owens Valley. Once again, orders had to be issued to the troops "to be circumspect in their dealings with Indians at all disposed to be friendly, and not to permit their indiscriminate slaughter."[13]

As the spring of 1865 arrived, battles again erupted throughout the Owens Valley, eastern California, and western Nevada. In March, troops out of Fort Churchill fought Indians at Pyramid Lake and Walker Lake, Nevada, and troops

from Camp Independence engaged Indians in battle along the shores of Owens Lake. Troops also fought Indians in Paradise Valley and Dun Glen in the Humboldt district of northern Nevada.[14]

The conflicts in Nevada escalated to the point that the Commander of Fort Churchill requested two additional companies of cavalry; by comparison, the conflicts in the Owens Valley were minor and largely ceased following the spring of 1865. In the following years, it remained generally quiet in the Owens Valley, and in 1870 it was reported that "of late years [the Indians] have committed no depredations and travel to Los Angeles is entirely uninterrupted."[15]

The Return of the Indians

Although some of the Indians had returned to the Owens Valley, Captain Schmidt reported that when he assumed command of Fort Tejon in January, 1864, he found 380 Indians--the remnants of those removed from the Owens Valley--camped 300 yards from the fort. Schmidt described the Indians as "almost in a state of starvation; as they are under no one's charge, and no one to care for them, they must look out for themselves." These Indians, as well as 200 more from the Tejon Reservation itself, requested that they be moved to the Tule River Reservation where they would be

allowed to once again put in crops. The agent at the Tejon Reservation, Mr. Godey, would not provide plows and mules to allow a crop to be put in as he claimed he had not received any supplies from Indian Agent Wentworth.[16]

That April, the Indians were still in the Tejon region. A letter in the Visalia Delta claimed that although the Indians had been fed while under the care of the military, since they had been turned over to the Indian Department they had had little to eat except the seeds, acorns, nuts, and game that the Indians could provide for themselves. The children were no longer allowed to enter the fort to gather food scraps left by the soldiers after meals; a sentry was posted to impose the order to keep the children away. The Indians had also suffered through the winter without adequate clothing. The author of this letter, Jose Chico (the letter was addressed to General Wright, Commander of the Department of the Pacific), offered his opinion that

> You and our Great Father at Washington do not know how bad we fare, or you would give us food or let us go back to our own lands where we can get plenty of fish and game. I do not think we get the provisions and clothing intended for us by our Great Father; the agents keep it from us and sell it to make themselves rich, while we and our children are very poor and hungry and naked.

Chico reported that only 257 Indians were left near Fort Tejon and that he expected they would soon leave.[17]

Public attention was called to the conditions of the Indians (and the troops) at Fort Tejon, and in May the Visalia Delta called for a Board of Inquiry to determine whose fault it was that the troops were on half rations and that the Indians, completely starved out, were leaving and returning to the Owens Valley. Following this editorial statement, Lieutenant Hill from Fort Tejon paid a visit to the Delta's office demanding to know who was writing letters to the paper about the conditions at Tejon. The paper refused to divulge its sources.[18]

The next week, the Delta printed a letter signed "Practical" containing some very serious allegations regarding the Indian Department. "Practical" claimed that the Indians had not been provided food since their arrival the previous July; and that a good acorn crop kept them fed until January when Captain Schmidt caused a stir and demanded that the agent feed the Indians. Damaged rice, beans, and rotten hams were distributed to the Indians, but good stores had been sent from the east. These supplies--including rice, beans, calico, blankets and knives--were being kept by the agent and sold. "Practical" claimed to have documentation of these charges, and offered the opinion that "these are harsh charges to make against Government officials, but a man who would steal the blankets from a naked Indian's back deserves not only to be turned out of

office but out of the country." As a final comment on the seriousness of the situation, "Practical" reported that "you can see at any time during the day dozens of Indian women in almost a state of nudity, eating clover in the pasture with Government mules . . ."[19]

An additional letter to the Delta in June claimed substantiation of all the claims made by "Practical." This letter, signed "Veritas," commented that such dealings were nothing new; that all agents dating back to Beale in 1852 have practiced such swindles. The letter also questioned how Beale, a poor soldier, had come to own over 250,000 acres of land along with many thousand head of livestock--some still (according to "Veritas") carrying the government brand.[20]

On May 26, 1864, Austin Wiley was appointed Superintendent of Indian Affairs for the State of California following an act of Congress which once again reorganized the Indian Department in California. By this act, all previous offices were discontinued, one superintendent was appointed, and four reservations were allowed. Soon after taking office, Wiley removed all Indians from the abandoned Tejon Reservation (200 in number) along with all government property to the Tule River Reservation. Wiley wrote that "the Indians of Tejon were reported to me as being in a very bad condition and suffering for food." Wiley also reported

that "pretty much all the Owen's River Indians, which were removed to the Tejon reservation two years since have left and returned to their old haunts." As of September 1, 1864, 350 Owens River Indians were reported to be at Tule River Reservation.[21]

The Indian Agents, and the Search For a Reservation

The United States government interacted with the Owens Valley Indians primarily through two agencies during the time period 1862-1877: the Indian Department, and the War Department. As in much of the west, the Indian Department failed to respond adequately to the needs of the Owens Valley Indians caused by the encroachment of the white settlers on Indian lands. No Indian Agents were assigned directly to the area, and visits by the Indian Agents who had some jurisdiction over (or responsibility for) the Owens Valley Indians were infrequent--at times years went by without a visit. During this time period, the Owens Valley Indians became accustomed to broken promises and unfulfilled obligations on the part of the Indian Department. Treaties were made by Indian Agents (and by local citizens), but never officially ratified by the United States government or adhered to by its agents. Reservations were laid out and given to the Indians, but they were never officially approved by the government and the bound-

aries were soon ignored, forgotten by the whites, and abandoned.

While the military--particularly local commanders at Camp Independence--expressed some concern for the welfare of the Owens Valley Indians and on occasion issued food and clothing to the Indians, the Indian Agents largely ignored the Owens Valley Indians after the 1863 Removal to Fort Tejon. Although the military records indicate that Indian Agent Hoffman visited the valley in 1864, the only mention of Owens Valley Indians in that year's Annual Report to the Commissioner of Indian Affairs is of the Owens River Indians that were located at the Tule River Reserve.[22]

With the recognition that the Owens Valley would not be suitable for the formation of a new reservation, both the military and the Indian Department began to look elsewhere. In December of 1863, Brigadier General G. Wright commanding the Department of the Pacific ordered troops to Catalina Island off the southern coast of California to establish a post and began the process of turning the Island into an Indian reservation.[23]

Those people inhabiting the island were ordered to vacate by February 1, 1864. General Wright claimed military possession of the whole island, and following some conflict with miners attempting to remain, a request was made to the Interior Department to make the Island into an

Indian reservation. While awaiting a response from the Interior Department, the military began to make improvements including the development of springs and wells, and the construction of pipelines.[24]

The Interior Department took no action on the request to establish the reservation, and the military's interest in the proposed Catalina Island Reservation for the Indians of southern California soon waned.

The Indian Department continued to ignore the Owens Valley region. In his 1865 report, the Superintendent of Indian Affairs only includes mention of the Owens Valley Indians in regard to those Indians still in place at the Tule River Reserve along with an indirect inclusion in an estimate made of the number of California Indians living off reservations (30,000).

In the 1866 Annual Report, no mention is made by the Agent of services rendered to the Owens Valley Indians, or of a visit to the region. The Agent does estimate the Indian population of "Owen's River and Caso [Coso] Indians [at] 1,500 . . . their removal to a reservation at an early day is desirable."[25]

Interestingly, even though little mention is made (in the 1866 Annual Report) of the Owens Valley Indians, it is reported that "on the 3d of December, 1862, Agent Wentworth reported that he had laid off a reservation at Owen's riv-

er." It is later claimed in the report that "Owen's River and Fresno reservations have long since been abandoned, and the claim of the government to the same as Indian reservations is relinquished."[26]

Another event of 1866--which appeared to have been initiated without any input from the Indian Department--was an effort by the military to again gather up the Owens Valley Indians and forcibly remove them from the valley to the Tule River Reservation. Captain Noble, who undertook this mission under orders issued from the Military Department of California in January, 1866, failed to accomplish the removal because a local citizen named Goodale

> . . . told the Indians that the soldiers were after them[,] that Tule River was no good place[,] that they had better go to the hills and he Goodale would give them plenty of ammunition to fight . . .[27]

Superintendent Whiting, in 1868, makes no specific reference to the Indians of Owens Valley in his annual report. Some Owens River Indians are again listed as residing at Tule River Reservation. Whiting does make the observation that "the Indians of California are becoming more and more anxious for a permanent home."[28]

In 1869, B. C. Whiting is replaced as Superintendent of Indian Affairs for California by Bvt. Major General J. B. McIntosh. Charles Maltby, Agent at Tule River Reservation, was replaced by Lieut. John H. Purcell. Maltby, in

his final report, noted that a measles epidemic during the previous twelve months had killed fifty-seven--more than one fourth of the population--of the "Manache" or Owens River Indians resident at the Tule River Reservation. Small-pox then appeared in the vicinity, but the Indians on the reservation were all vaccinated and no deaths occurred. Eighty of the "Manache" left the reservation to return to the Owens River. Later that same year, Lieut. Purcell reported that all the remaining "Manache" had left the reservation to return to Owens River.[29]

Following the return from the Tule River Reservation of the Owens Valley Indians, a request was made by Lieut. Purcell for assistance in capturing these Indians and returning them over the mountains to the Tule River Reservation. In August of 1869 Colonel J. P. Sherbourne, Asst. Adjutant General of the Military Department of California, requested that Captain Egbert (commanding Camp Independence) investigate the matter. Egbert investigated, and reported back

> . . . that these Indians are probably in this valley, but that owing to the unwillingness of the tribe to answer any questions on the subject, it will be very difficult to distinguish them from those who have been here a long time. . . . all the Indians in this Valley are now quiet and useful doing most of the Farm work & receiving wages therefor. . . . the citizens in the Valley are anxious that all the Indians now here, shall remain.[30]

Upon receiving the report of Egbert's investigation, General McIntosh, Superintendent of Indian Affairs for California, "deemed it advisable to let the case rest." McIntosh also reported on a census of Indians east of the Sierra conducted by Captain Egbert (at McIntosh's request). The census concluded that "from Mono Lake south to Walker's Pass, and including that east of Camp Independence, there is supposed to be a total of about 4,100 Indians."[31]

Following a year long tenure, Lt. Purcell was replaced at Tule River Reservation by Jno. W. Miller. With the return of the agency to civilian hands, concern over the Owens Valley Indians disappears and no mention of them is made in the Agent's report for the year 1871. Maltby returns to the reservation in 1871 to replace John Miller as Agent; he also makes no references to the Owens Valley Indians in his annual report.[32]

In 1871, another attempt was made by Owens Valley Indian Joe Bowers to initiate a treaty with the whites. Bowers travelled to San Francisco with some of the Owens Valley settlers. Although the butt of several practical jokes on the part of his white friends, Bowers undertook the journey with the serious purpose "to sign a treaty of alliance with the Governor, to whom he was bringing a present of some chunks of gold he had found."[33] The results of Bowers' visit with the Governor are not known.

In 1872, the Inyo Independent reported on yet one more reservation attempt. B. C. Whiting, Superintendent of Indian Affairs for California, visited the Owens Valley and proposed establishing a reservation over the Inyo Mountains to the east of the valley. This reservation was "to be used as a home and place of instruction in agriculture and other civilized callings" for the Indians. The Indians would be required to report "semi-occasionally," but would not restrict their movements in the area off the reservation as long as they behaved. Whiting's reservation proposal seemed to get nowhere, possibly because another reservation proposal for the Owens Valley Indians was also being considered that year. [34]

In 1872, the Indian Department suggested establishing a new reservation to house the Owens Valley Indians in the Tule River region. It would replace the reservation in that vicinity that was already in use, but was located on private land:

> There are also about 4,000 Owen's River and Manache Indians east of the Sierras, whom the settlers would gladly see removed to a reservation, and brought under the care of an agent. The Department has under consideration the propriety of establishing a new reservation, upon which shall be concentrated these and numerous other Indians, in which event the Tule River agency could be advantageously be discontinued.[35]

Among the reasons for considering this was the desire by the Indian Department to discontinue paying rent to a pri-

vate citizen for the land where the Tule River Reservation was located.

B. C. Whiting, once again appointed as Superintendent of Indian Affairs for California, offered his opinion that if a new reservation was established on South Tule River, it would be able to accommodate up to five thousand Indians, who could "be readily collected . . . without using any compulsory measures." Whiting thought that "Indians will go cheerfully to a reservation permanently established for their use and benefit . . ."[36]

In 1873, a Special Commission consisting of J. W. Powell and C. W. Ingalls reported to the Commissioner of Indian Affairs on the results of their investigation of the Indians of the Great Basin in Idaho, Nevada, Northern Arizona, Utah, and Southeastern California. The Commission was to consult with the Indians "concerning the propriety of their removal to reservations." The Commission had little to say about the Indians of the Owens Valley region, reporting that "your Commissioners have but little more knowledge than is already before the [Indian] Department."[37]

As to collecting the Indians on reservations, the Commissioners proposed to

> collect all the Pai-Utes of Southern Nevada, Southeastern California, Northwestern Arizona and Southern Utah, together with the Chem-a-hue-vis of Southeastern

California, on the Mo-a-pa reservation, in Southern Nevada.[38]

Another opinion offered by the Commissioners regarded the continuing presence of soldiers among the various Indian groups. The Commissioners felt that the troops were generally not required to keep the Indians under control, or to protect the Indians from the whites, and that the troops should in most cases be removed. In their interviews with the Indians they learned that

> . . . they [the Indians] regard the presence of a soldier as a standing menace, and to them the very name of soldier is synonymous with all that is offensive and evil. To the soldier they attribute their social demoralization and the unmentionable diseases with which they are infested.[39]

The attempt to establish a new reservation at Tule River that was large enough to include the Owens Valley Indians (and would therefore require their removal to that location) was not taken kindly by either Owens Valley Indians or the Owens Valley farmers. In March of 1873 the Inyo Independent reported that President Grant had set aside the new reservation for Indians including the Owens River tribes, and planned on gathering up "a few hundred of our Owens River Indians" to be "driven over the mountains to this narrow-contracted reservation." The Independent offered the opinion that

> To keep these Indians on that reservation it will have to be well stockaded all around and then guarded by a full regiment of well armed soldiers. To attempt to

> force them there is simply to attempt an unmitigated swindle upon the Government, an outrage upon the Indians and scarcely less upon the whites among whom they live.[40]

The Independent also pointed to San Francisco speculators and "thieving" Indian Agents who would profit from government contracts related to the establishment and operation of the new reservation as the architects behind the proposal.

Meanwhile, a contingent of the Owens Valley Indians, having heard rumors of the proposed reservation and their consequent removal from the valley, offered a protest to Captain Egbert at Camp Independence. Egbert reported to his superiors in San Francisco that the Indians "are ready and willing to fight if such a removal is contemplated." Egbert assured the Indians that "they shall receive the protection of the U. S. in their rights and property in the valley."[41]

The Independent reported on the Indian response to the proposed removal, stating that

> Many say that they will not go; that they will fight first; which they will, and small blame to them either if they should. . . .
>
> We earnestly advise the Indian Department to just let these Indians alone and avoid a far worse and more expensive war than that with the Modocs.[42]

Charles Maltby, the Indian Agent at Tule River Reservation held a very favorable view of the new reservation. He approved particularly of the distance of the new reser-

vation from "those disreputable person who take every occasion clandestinely to furnish the Indians with whiskey." In Maltby's opinion the new reservation offered "arable lands sufficient for agricultural purposes" and was "well watered, [an] abundance for milling and irrigation; well adapted for grazing, and stock and sheep raising, with the best pinery in the southern portion of the State . . ."[43]

None of the Owens Valley Indians were removed to the new reservation, and the Indian Department had trouble relocating any Indians to the new 64,000 acre site. In 1874, nine houses had been built on the new reservation, but because of a change of Indian Agents (the reservation was now under the supervision of the Methodist Episcopal Church), the lack of funds, and the fact that only two hundred acres of land on the new reservation were suitable for agriculture, only seven Indian families had made the move from the old (rented) Tule River Reservation to the new (government owned) Tule River Reservation. Several hundred Indians remained on the old reservation.[44]

By 1875 Indian Agent Vosburgh of the Tule River Reservation reported that the new land set aside by the 1873 Executive Order had been rejected by every official who had inspected the reservation over the previous twenty months, and no further funds had been expended to either make im-

provements on the reservation or for the relocation of Indians there.[45]

In 1876, it was reported that there was still seven Indian families on the new reservation, even though an additional Executive Order in October of 1873 had added a tract of land (about 48,000 acres) that almost doubled the reservation's size. C. G. Belknap, now the Indian Agent for Tule River, commented that of the 1,200 Indians assigned to this reservation (including the Monache from Owens River) only 330 were under his care--most of these remained on the old rented reservation. In Belknap's opinion, once the government purchased the improvements owned by whites already in existence on the newest portion of the new reservation (houses, a barn, orchards, water ditches, and vineyards), the reservation "will make an excellent home for all the Indians in the southern part of the State."[46]

Finally, in 1877, the move to the new reservation was made--but only by some of the Indians in the immediate vicinity of the reservation; none of the Owens Valley Indians made the move. Rather than buy the white-owned improvements on the reservation, the government adjusted the reservation's boundaries to exclude these lands. This effectively removed most of the arable land from the reserve, and the Agent predicted no increase in the number of

Indians residing on the site would occur in the coming months. He also reported that "three-fourths of a small band of 65 Kaweahs living off the reservation had perished from disease, and that "nearly the same mortality has prevailed among the Monache Indians on Owens River."[47]

Throughout this time period, the Indian Department had largely ignored the Owens Valley Indians and their needs. Even the 1873 reservation creation at Tule River--along with the proposed removal of the Owens Valley Indians to that place--was made without taking into consideration the needs of the Indians or the desires of the local whites living in the Owens Valley. By 1873, the whites and Indians of the Owens Valley had entered into a relationship of mutual exploitation and accommodation based on the extensive use of Indian labor. This relationship precluded the potential for any further large-scale armed conflict in the region, and therefore eliminated the need to remove the Indians from the valley to reservations outside of the region.

NOTES

1. Daily Alta California 18 December 1863.

2. Drum to Jones, War of the Rebellion, vol. 50, part II, p. 613; General Wright to G. W. Bailey, p. 663.

3. McLaughlin to Drum, 16 December 1863, War of the Rebellion, vol 50, part II, p. 699.

4. Hughes, Mahon, Tripp, & 21 others to General McDowell, 25 September 1864, War of the Rebellion, vol. 50, part II, pp. 989-990.

5. General Wright to Lt. Col. Drum, Asst. Adj. General, 26 September 1864, War of the Rebellion, vol. 50, part II, p. 994.

6. Drum to Austin Wiley, 19 October 1864, War of the Rebellion, vol. 50, part II, p. 1016; and Wiley to Drum, 20 October 1864, p. 1017.

7. George, Smith, Jackson and 37 others to McDowell, War of the Rebellion, vol. 50, part II, pp. 1080-1082; and Evans to Lt. Waite, 29 November 1864.

8. General Wright to Drum, 29 November 1864, War of the Rebellion, vol. 50, part II, p. 1080.

9. R. Daley to Col. Drum, 3 December 1864, War of the Rebellion, p. 1084; and Drum to General Wright, 7 December 1864, p. 1085; "Special Order No. 73," 8 November 1864, RG 393, General & Special Orders.

10. Owens, Briggs, Bequette and 83 others to McDowell, 8 December 1864, War of the Rebellion, vol. 50, part II, pp. 1086-1087.

11. E. D. Waite, Acting Asst. Adjutant-General to Maj. Charles McDermitt (commanding Fort Churchill), 13 December 1864, War of the Rebellion, vol. 50, part II, p. 1095.

12. R. A. Washington, Pi-Ute Interpreter, to Maj. McDermitt, 22 December 1864, War of the Rebellion, vol. 50, part II, pp. 1112-1114; and McDermitt to Drum, 1 January 1865.

13. E. D. Waite to Major McDermitt (commanding Fort Churchill), 14 March 1865, War of the Rebellion, vol. 50, part II, p. 1161; and Chase, Bechtel, Sanchez & Garesche to McDowell, 9 January 1865, pp. 1118-1119.

14. C. McDermitt to General Wright, 20 March 1865, War of the Rebellion, vol. 50, part II, p. 1167.

15. Egbert to McIntosh, Superintendent of Indian Affairs for California, 30 January 1870, Letters & Endorsements Sent, October 1865-July 1877, Camp Independence, CA, Record Group 393, Pacific Division, U.S. Army Continental Commands, 1821-1920. U.S. National Archives (hereafter cited as RG 393, Letters Camp Independence).

16. War of the Rebellion, vol. 50, part II, pp. 733-734.

17. Visalia Delta 19 May 1864.

18. Visalia Delta 5 May 1864, 12 May 1864.

19. Visalia Delta 19 May 1864.

20. Visalia Delta 2 June 1864.

21. ARCIA 1864, pp. 13, 119, 125-131.

22. ARCIA 1864, p. 269; and ARCIA 1865, pp. 180, 283-284.

23. Brig. General Wright to Adjutant General U.S. Army, Washington, D.C., 21 December 1863, War of the Rebellion, vol. 50, part II, p. 706.

24. Drum to Capt. B. R. West, 24 December 1863, War of the Rebellion, vol. 50, part II, p. 708; Wright to Adjutant General, Washington, D.C., 7 January 1864, p. 719; ; Adjutant General to Wright, 20 February 1864, p. 719; West to 1st Lt. Forrey, 28 January 1864, p. 736.

25. ARCIA 1866, p. 94.

26. ARCIA 1866, pp. 105, 107.

27. Capt. H. Noble to Col. Drum, 13 March 1866, RG 393, Letters Camp Independence.

28. ARCIA 1868, p. 127.

29. ARCIA 1869, pp. 629-635.

30. Egbert to Sherbourne, 8 August 1869, RG 393, Letters Camp Independence; and Egbert to Sherbourne, 23 August 1869.

31. ARCIA 1870, pp. 543-545, 554.

32. ARCIA 1871, p. 743.

33. Inyo Independent 4 March 1871.

34. Inyo Independent 28 September 1872.

35. ARCIA 1872, p. 455.

36. ARCIA 1872, pp. 760-761.

37. ARCIA 1873, pp. 409-410.

38. ARCIA 1873, p. 430.

39. ARCIA 1873, p. 433.

40. Inyo Independent 1 March 1873.

41. Egbert to Asst. Adj. General, 30 March 1873, RG 393, Letters Camp Independence.

42. Inyo Independent 5 April 1873.

43. ARCIA 1873, p. 695.

44. ARCIA 1874, p. 623. For more on the church supervision of Indian agencies, see Prucha, Great Father, pp. 501-533; and R. Pearce Beaver, "Protestant Churches and the Indians," History of Indian-White Relations, vol. 4 of Handbook of North American Indians (Washington, D.C.: Smithsonian Institution, 1988): pp. 430-458.

45. ARCIA 1875, p. 731.

46. ARCIA 1876, p. 421.

47. ARCIA 1878, p. 438.

CHAPTER VI

INDIAN LABOR AND CREATIVE ADAPTATION

The use of California Indians for labor--both forced and voluntary--was a long-standing California tradition before the settlement of the Owens Valley region. Forced Indian labor began with the mission system, and Anglo-Americans continued the Hispanic California system of peonage and labor exploitation. The disruptive effect on Indian cultures of forced labor practices--at times slavery--was wide-spread and intense. The integration of Indians into the labor force in California also represented a different approach to Indians than the usual practice in the American west of removal or extermination.[1]

At the time of early Owens Valley settlement by non-Indians, there existed state legislation that supported the institutionalized system of forced Indian labor. A law entitled "An Act for the Government and Protection of Indians" was passed in California in April, 1850. This law allowed an Indian to be declared a vagrant, arrested, and sold within 24 hours to the highest bidder for a term of 4

months. The 1850 law also established an Indian apprenticeship system where Indian children, with the approval of their families or responsible parties, could be issued by judges to white people until the children reached the age of majority--eighteen years for males and fifteen years for females.[2]

In 1860, the state legislature amended the 1850 law to allow that children could be obtained from third parties other than their families. The law was also expanded to permit the indenture of adults and to increase the term of indenture until the age of twenty-five or thirty years. This new amendment led to the regular abduction and sale of California Indian children "as apprentices"--particularly in northern California. Captain Thomas E. Ketcham, commanding Fort Baker in northern California, reported to his superior officers in April, 1862, that

> I have also been informed that there are quite a number of citizens who intend, as soon as the snow goes off, to make a business of killing the bucks wherever they can find them and selling the women and children into slavery. . . . [They will take] their captives into Long Valley, there selling them to certain parties at $37.50 per head, who will put them in a covered wagon, take them down to the settlements. and there dispose of them at a very handsome profit. One person is said to have made $15,000 last season in the business.[3]

The repeal of this law in 1863 coincided with the early development of an Indian wage labor system in the Owens Valley.[4]

In this chapter, I will present a chronological accounting of the development of the Owens Valley Indian wage labor system. By viewing the system as a dynamic process developing over time, we will see that as the system developed, each of the three main participants--the Indians, the military, and the white settlers--made accommodations and changes that aided in the system's creation.

The use of Indian Labor in Inyo County during the period 1860 to 1880 was wide-spread and diverse. Indians worked in every situation where extensive manual labor was required. As in traditional native culture and the white culture around them, the type of labor activity was often dependent on gender. However, the Owens Valley Indians entered the labor system even prior to white settlement of the valley. Thomas Maltby, on the Kern River, reported that during the summer of 1857

> . . . about 500 of them [Owens Valley Indians] came into Kern River to procure clover & flag root arriving here in a starving condition. They informed me that 40 of their number had died for want of food on the way here and nine died from the same cause after they arrived. It was out of my power to procure food for them but I furnished them with hooks and lines and gave employment to 40 of them by which they were enabled to procure the means of subsistence. I found them willing to work & anxious to be taught.[5]

One of the earliest uses of Indians for wage labor in the Owens Valley itself followed a pattern seen over much of the American west. Wherever the military and Indians

met in battle or in negotiations for peace, Indian laborers were required as interpreters, scouts, and guides. As the military entered the Owens Valley, one Indian who figured prominently in this role was Jose Chico.[6]

Jose Chico was not living in the Owens Valley at the time he was persuaded into service for the military; he was living 100 miles to the southwest in the Kern River Valley. Chico first was hired by Captain Davidson in 1859, and later by Colonel Evans in 1863. During both periods of employment, Jose was promised $50 per month for his services. Colonel Evans also granted Chico provisions for his family and himself. In an April 1864 letter sent to General Wright (commanding the Military Department of the Pacific) and signed Jose Pacheco, Jose claimed to have not wanted to go with Evans and Captain McLaughlin to Owens River because he had just planted and watered his garden and he did not want his farm left "without anyone to take care of it."[7]

Chico was initially given $135 cash by Evans to help provide for his family while he was gone. He then spent the next thirteen months working for the military in the Owens Valley and at Tejon (following the forced relocation of the Owens River Indians to that location). Jose complained in the letter that although Capt. Davidson had paid him promptly in 1859, his present employers were not quite

as dependable and he had not received food or cash for his work in the past three months. His family was hungry, and $220 worth of his crops of wheat, potatoes, corn, squashes and melons had been destroyed because he had no one to care for them while he was gone.[8]

Although Jose was displeased with his employment arrangement, Captain McLaughlin considered his services significant: "Jose Chico, the interpreter, has rendered most important services, as through him alone I have been able to communicate with the [Owens Valley] Indians."[9] Colonel Evans also considered Chico's services valuable. He described Jose as an Owen's River Indian cultivating a farm on the Kern River, who spoke little English but could communicate well in Spanish. One of the first duties assigned Chico by Colonel Evans took place along the Kern River while they were in route to the Owens Valley. In the early morning hours of April 19, 1863, Chico was given the unfortunate order to designate which Indians among the group surrounded by Evans troops were friendly, and which might have been hostile participants in the Owens Valley wars. Those Indians not identified by Chico and the local citizens as friendly, "were either shot or sabered. Their only chance for life being fleetness, but none escaped, though many of them fought well with knives, stones, and clubs."[10]

Jose travelled to Fort Tejon with the Owens Valley Indians during the July 1863 forced removal, and there he continued to work for the military. Among Jose's responsibilities at the Tejon Reservation was the charge to persuade the Indians to stay there, even though the Indian Department was issuing no food. Chico wrote that

> Since they have been turned over to the agents here they have had very little to eat except acorns and such roots and game as they could procure themselves . . . I have tried hard to keep the Indians here, and told them they would be shot away, but they are discontented and nearly every one of them leave without my knowing it."[11]

Jose Chico also worked for whites outside of his role as military interpreter. Shortly before his hiring by Colonel Evans in April, 1863, the Visalia Delta reported that "even Jose Chico, heretofore the fast friend of the whites, is said to be on the warpath." The next week, the newspaper retracted that statement, stating that "Jose left Keyesville last Saturday, as guide to a party of citizens, who were going to try to intercept the Indians who drove off a lot of cattle from Roberts' ranch."[12]

In May of 1863, Captain McLaughlin expressed his concern for Chico's future welfare because of the type of service he had provided to the military. Chico had explained to McLaughlin that because he had pointed out the Indians in Kern River who had participated in the Owens River Wars, he was no longer safe. If he tried to return

to his farm, he thought that he would be killed. McLaughlin expressed his concerns for Chico's future to Colonel John Middleton:

> . . . you will perceive that Jose Chico and family are worthy objects of charity, for the following reasons: First--His life would not be safe did he return to Kern River. Second--Did he return, his family would starve during the winter, as it is now too late to sow or plant. Third--The Government cannot now indemnify him for his losses, or protect him upon his isolated farm. I would, therefore, most earnestly recommend that a sufficient sum be subscribed to purchase an improved and partially stocked farm, sufficiently large for him and his family . . .[13]

In 1862, Captain George was described as "the big war chief of these [Owens Valley] Indians."[14] George was one of three valley leaders who signed the January 1862 Treaty at San Francis Ranch on behalf of the Indians, and was described as the leader of the 9 tribes in the valley following the death of old Shandau in a skirmish with the whites. Captain George was one of five Indian leaders held hostage--along with their families--by the military forces at Camp Independence (until his escape in March 1863) under terms of the July 1862 treaty initiated by Major O'Neill.[15]

Captain George was also one of the first Owens Valley Indians to enter into a wage labor arrangement under his own initiative. Prior to the outbreak of hostilities in the valley, the Visalia Delta reported that Captain George "has commenced running as Expressman between this place and Coso. For his service he gets very well paid, and would be

better paid if he got a touch of 'Yankee' in his system . . . He makes the trip now in about four days, and packages of light weight of any description may be safely entrusted to him."[16]

The types of wage labor engaged in by Jose Chico and Captain George were exceptions to the rule. Not many Owens Valley Indians were employed as guides or interpreters; very few exhibited the individual business initiative of Captain George. As white ranches, farms, and mines became established--and in reaction to the decimation of Indian food stores by the military, the appropriation of Indian irrigation systems by the white farmers, and the forced removal of some of the Indians to Fort Tejon--a new adaptive strategy was pursued by the Owens Valley Indians. A system of wage labor for the whites was developed and incorporated into the yearly round of subsistence activities. Because it was evident that depending on the whites or their government was at best a risky venture, traditional food gathering activities continued to be pursued whenever possible.

The creation of the Owens Valley Indian wage labor system did not take place without some problems as all three major participating groups--the whites, the Indians, and the military--made adjustments and accommodations. For example, in 1864 Lieutenant Daley accompanied the Indian

Agent to Owens Valley and reported to Colonel Drum that "the Indians had not been properly treated by the whites in the Owen's River Valley," and that the Indians claimed the whites "hire Indian, and not pay him according to agreement." Daley interviewed local whites, and learned that the settlers had been "sending to the Tule River Reservation for Indians to come and work for them, and when they would get them there decline paying them, and after a certain length of time drive them from their claims and cabins without pay or allowance." The Indians stated they would retaliate by driving the whites from the valley, and Daley expressed his opinion that troops needed to be sent to the Owens Valley to avoid another Indian outbreak.[17]

Although wage labor was most prominent following the 1863 removal and return of the Owens Valley Indians, the roots of the system were established prior to the removal and were also present in surrounding geographic areas. In 1862, following the Nevada Pyramid Lake Wars, a San Francisco newspaper reported that in Virginia City, Nevada, Paiutes were "doing the drudgery of the whites, such as carrying water and hauling wood."[18] George Robinson, a Paiute from Fort Independence, recounted how Indians assisted in the making of adobe bricks for the construction of houses at Bend City in 1863 by gathering grasses for the whites. At the outbreak of armed conflicts in the Owens

Valley in early 1863, Henry Hanks, a correspondent to the Daily Alta California, expressed his outrage at the conduct of the Indians stating that "the whites have treated them well, paid them faithfully for all services and labor done by them, and have used the reservation only after gaining consent of Captain George, their chief."[19]

As survivors of the Tejon and Tule River Reservation experiences slowly returned to the Owens Valley during the years following the 1863 forced removal, the Indians who avoided the removal and stayed behind in the valley learned of the difficult times and suffering experienced by those Indians who had been removed. Although now occupied by whites in increasing numbers, the valley was still the Indians' homeland. By working for the whites and also continuing to gather native food sources when available, the Owens Valley Indians were assured a better chance of adequate food resources than the reservation experience had offered. This increased chance of survival provided motivation to the Indians to make accommodations to the whites. By making their labor invaluable to the whites, the Indians were able to avoid--to a large extent--a repeat of the disastrous consequences of starvation and disease suffered at the hands of the military and the Indian Department during the forced removal of 1863-1864.

The number of white settlers in the Owens Valley continued to grow tremendously, and by 1865-1866, the wage labor system "was firmly established" both in the Owens Valley and the surrounding areas.[20] In 1865, the agent at the Walker River Reservation reported that many of the Paiutes there had traveled to California and "learned all kinds of work." The agent was paying the Indians $1.50 to $2.00 per day to cut hay (unfortunately, the financial benefits of the hay crop were to be realized by the agent rather than the Indians).[21]

To the northeast of Owens Valley, Shoshone Indians were reported by Captain Devin of Camp Independence to be employed by the settlers and miners at a mining camp on Lone Mountain (near present day Tonopah, Nevada). Soldiers from Camp Independence stationed at an outpost in Fish Lake Valley in February 1867, were instructed to hire a trustworthy Indian to take care of a flock of sheep provided for the soldiers' sustenance.[22] When the Fish Lake Valley outpost was abandoned in November 1867, the officer commanding the outpost reported to the commander of Camp Independence that "everything in the vicinity is quiet, and many of the Indians are employed in the mines."[23]

The important place of Indians in the region's developing wage-labor economy was a significant factor in the failure of an 1866 attempt by the military to once again

remove the Indians from the Owens Valley. Captain H. Noble of the Second Cavalry, California Volunteers, reported that pursuant to orders he had attempted to gather the Indians of the valley for removal over the mountains to Tule River Reservation. The attempt was thwarted by a settler named Goodale who had warned the Indians that Tule River was not a good place for them, and that they would be better off in the hills. If needed, Goodale promised to provide the Indians with the necessary ammunition to fight.[24]

By 1869, Indians leaving the Tule River Reservation for the prospect of employment in the Owens Valley were considered to be "escaping," and Captain Egbert, commanding Camp Independence, was ordered to investigate. Egbert determined that the escaped Indians probably were indeed in the Owens Valley, but that they had blended in so well with the Indians already residing in the valley that it would be impossible to separate the two groups. Any attempt to do so would cause all Indians to flee the valley, agitate the "wild" Indians to the east, and lead to conflict. Egbert also reported that "the Indians in this valley are now quiet and useful, doing most of the farm work and receiving wages therefor."[25]

Civilian Indian Agents in California--who had paid scant attention to the Owens Valley--were replaced by military Indian Agents in 1869. Newly appointed Superintendent

of Indian Affairs Major General J. B. McIntosh requested from Captain Egbert (commanding Camp Independence) a thorough census of the Indians in the area patrolled by the soldiers of Camp Independence. In a report dated January 30, 1870, Egbert reported that

> . . . all of these Owens River Indians are employed by the farmers in agricultural pursuits--not only during the harvest, but throughout the entire year. In fact with the proprietors of land they constitute almost the entire working population of the farms. They make fences, clear land, sow, reap, & a few plough. The wages of the men are usually 50 cts. (coin) per day, often 75 cts. & a few $1.50. The women all work on the farms. They get at Independence & below it 50 cts. per day--at Big Pine & above 25 cts. . . . They receive food in addition to the wages I have cited, but clothe themselves. . . .
>
> They are considered good laborers, & without their assistance the farm work of the valley (which comprises barley, wheat, oats, corn & vegetables to supply the mines of Silver Peak, Belmont & Cerro Gordo & for home consumption) would cease, as white labor is too costly to be employed.[26]

Captain Egbert also reported there were 100 to 150 Indians employed in the vicinity of the Cerro Gordo mines hauling wood and water, but that none of these were actually employed in the mines.

To the northeast of the Owens Valley, "a lot of Indians" in Deep Springs Valley in 1870 were being used to process ore at a small mine, according to a correspondent to the Inyo Independent, a newly founded Owens Valley newspaper.[27] Considering the extent to which Indian labor was being utilized locally, the Independent offered the ironic

opinion in an editorial on federal Indian policy and the reservation system that "though not given to labor, even an Indian can not exist in the apathetic idleness and aimless life such as is entailed upon him on these reservations."[28] The very next issue of the paper reported that the construction of a tramroad at the Eclipse mine and mill (to be powered by a small locomotive) was being accomplished by a large force of laborers, most of whom were Indians.[29]

In February of 1872, the Independent reported that "Indians are extensively employed on farms at certain seasons, receiving each about 50 cents per day."[30] By June of 1872, local farmer Guy Earl was relying almost entirely on female Indian labor because of the scarcity of farmhands in the area. The Independent reported that "mechanics, workmen and laborers of all descriptions are very scarce . . . farmers are falling back on the slow and uncertain Piutes and Piutesses for help."[31]

Although local residents considered the Indians "slow and uncertain" laborers, Captain A. B. MacGowan, newly appointed commander of Camp Independence, offered his observations on the value of the Indians in a report to headquarters where he stated "the people in the valley could not get along without them as they do most all the labor required for which services they get paid 50 [cents] to

$1.00 per day. They are industrious, but will drink whisky when they can get it . . ."[32]

In March, 1873, the editors of the Independent eventually offered what was in essence a rebuttal to their June, 1872, low opinion of the Indian potential for productive labor. The newspaper reported that Indian "labor is of essential importance in public economy, and supplies a want in that direction that no other can do as well."[33]

Not only were Indians employed in daily wage labor, but during the harvest season when the threshing crews were all busy, Indian women were being kept busy working in a contractual arrangement to thresh grain at a set rate per sack.[34]

By 1874, at least one group of Owens Valley Indians (at Taboose Ranch) had made an additional adaptation to living in a wage labor system, and were augmenting their labor earnings by cultivating one-acre plots of corn and vegetables for their own use.

In June of 1874, John Shepherd was employing over 30 Indian women in his fields, paying them 75 cents a day. Shepherd also employed Indian labor to construct a toll road to the Darwin and Panamint Mines in 1874 and 1875. Captain George--having returned to the Owens Valley after staying at first Tejon and then Tule River Reservations for almost ten years--led the Indian laborers, and the Inyo

Independent reported that "the way the Captain and his men slashed sage brush, and made rocks and dirt move, could not be surpassed by any equal numbers of white men that ever made road for wages."[35]

In 1875 Indians continued to be employed by whites in the mining towns of Cerro Gordo and Belmont, and as many as 75 Indians were employed at the Pine Mountain mines.[36] That autumn, available labor for harvest got even more scarce as the Indians headed for the mountains to harvest pine nuts. The Indians who remained in the valley to work raised their wage requirements to $1.50 per day, and were paid accordingly. Even the Indians in remote Saline Valley (over the Inyo Mountains to the east) were working for whites at 50 to 75 cents a day, and it was reported that the Amargosa Indians (3 days east) were also working for wages.[37]

By October of 1877, Camp Independence had been abandoned by the military troops. Without the presence of the military to mediate Indian-white relations in the valley, resentment about the Indians' success grew. A correspondent to the Inyo Independent voiced his displeasure and resentment with the large number of Indians holding employment as laborers. In his opinion, it was unthinkable that the hundreds of unemployed whites traveling through the Owens Valley in the past months had been denied employment

while "our pet Indians" held all of the jobs. Even when a white was employed to fill in for an Indian "on a spree," he could not expect to be paid as well as the Indian. Jinks, the correspondent, recalled that

> Years ago, when the Piutes worked for two bits a day, and low diet, or a whole week for an old shirt, or an old pair of breeches, Mr. Lo was then a good Injun, and quite serviceable to the pioneer farmers who had no money and little of anything else but elbow grease and pluck. But of late years two, four nor six bits will not satisfy them--nothing less than a dollar a day, and our young, smart, "like 'm whiskey" bucks demand one dollar and a half. . . . The redskins are now well fed, well clad, well armed and well supplied with whiskey. This treatment is too good for an Indian--beyond his appreciation. Being that they appear to have outlived their sphere of usefulness, and that white labor can be obtained as cheap, and farmers ought now be able to pay white laborers decent wages, would it not be advisable to discontinue employing Indians, and engage white labor entirely?[38]

The Indian View

Mary Cornwell, a Bishop Paiute, recounts how as a child she and her family traveled from Long Valley to the Bishop vicinity one summer to see whites for the first time. They saw corn, and stayed and got jobs in harvesting the whites' crops. Later, she got a job washing dishes at a restaurant in Bishop for fifty cents a day. After her husband, a Sioux Indian raised by whites, was killed by some Paiute men (newspaper accounts of the murder place this event in 1877), Mary never remarried. She raised her daughter as a single mother. As the only wage earner in

her family, she did not continue to gather native foods on a regular basis, but she recalled the gathering techniques and one year she did gather grass seeds and make mush from them.[39]

Susie Butcher, on the other hand, recalled that during her second marriage to Butcher Jake, she was well supported by him, and "they both worked and saved together. Many things they did together such as pine nutting, seed gathering, and other things."[40] While pine nutting, the men would hunt and trap, at times going high into the mountains to hunt for deer. Although Mary Harry's husband worked for a ranch in Big Pine, they acquired a wagon and horses, and continued to travel to Fish Lake Valley to gather Indian foods.[41]

Jack Stewart lived some of the time at Fort Independence, working for the soldiers in the garden and kitchen. Yet he continued to gather pine nuts in the mountains, and won great respect from his tribe for his personal power as a hunter. He crossed the Sierra to trade salt, and traveled with a white friend to the San Francisco area to see how the whites lived. He returned to the Owens Valley, and in 1932 Julian Steward described how

> Jack has spent the remainder of his life peacefully working for the white people and living with his children in a small, unpretentious shack in one or another of the various Indian communities. For many years he was a popular dancer at the annual "fandan-

go," and even made small sums by performing on Fourth of July for white people. He sold his dance outfit, however, somewhat reluctantly for a museum specimen.[42]

Indian Labor: Discussion

A review of some of the recent studies of the use of Indian labor in California during the post-Hispanic period may help place the Owens Valley information in context. Albert L. Hurtado, in his study of California Indian survival during the mid 1850s, looks primarily at the decline of Indian populations, and builds on Kroeber's view of California Indian survival as a function of native cultural traits instead of viewing the Indians as merely passive victims. Hurtado points out that many California Indians added wage labor as a part of their seasonal round of food gathering, thereby relying both on traditional food gathering activities and on earned wages while being completely dependent on neither source. But, Hurtado offers the opinion that agricultural wage-labor by California Indians was a factor in their population decline by leading to the breakdown of traditional family and tribal structures as Indian families became attached to particular white farms and ranches. Also, Indian labor was more important to California agriculture in general before the gold rush then after as mechanization of farming and an increasingly available white labor force pushed the Indians off the

farms. Hurtado points out that the 1860 federal census demonstrates an abundance of white farm labor, and a declining Indian population. Together, these factors made wage labor a less reliable economic resource for California Indians in general than it was for the Owens Valley Indians--even though the adoption of wage labor employment by California Indians into their seasonal rounds of subsistence was a fairly recent phenomenon.

Hurtado's analysis also relies on patterns of Indian wage labor that differ from that found in eastern California. In examining the federal census figures for 1860, Hurtado found that over half of the Indians in Los Angeles lived in non-Indian families as domestic servants or farm labor. Therefore, wage labor pulled Indians out of traditional family structures and put Indians into circumstances under which child rearing was not possible; population decline was an inevitable result.[43] The pattern differed for Owens Valley Indians who--in a pattern similar to that which Hurtado describes for Indians in the Monterey vicinity--continued to live in Indian households with their families and consequently maintained a larger degree of social control over their own lives.[44]

Walton's important analysis of Indian wage labor in the Owens Valley portrays the Indians as a colonized people who were coerced into a wage labor system by having no

alternative other than flight. Yet by continuing to practice traditional subsistence patterns when they could and utilizing both systems, the Indians "nevertheless resisted economic and cultural domination."[45] Walton describes how the Indians were

> gathered in camps and small plots at the edge of white farms, [their] Paiute society was dispossessed of its land, independent subsistence, and the social order resting on these foundations."[46]

Yet Walton also suggests that the role of the Indian in the area economy was so important that "pioneer society was built with the labor of whites and Indians working together in an exploitative yet closely interdependent social relationship."[47]

There are several possible reasons why the Owens Valley Indian labor system developed in a manner different from the system prevalent in the rest of California. The relatively late settlement of the Owens Valley meant that the legal structure supporting a forced labor system was in the process of being dismantled. Also, the primary tribal unit followed the general Great Basin pattern and was an extended family group or "kin clique" as described by Wihr (after Malouf and Fowler). The "kin clique" consisted of "several bilateral relatives in addition to various combinations of friends or acquaintances. The 'kin clique' had by no means the permanence of a family: its composition

changed season to season, year to year."[48] Because this group was flexible and impermanent, it was adaptable to a wage labor system that usually aligned from one to several Indian families with a single white farm for extended periods of time.

In other areas of California, the wage labor system broke apart Indian communities and dispersed the Indians into individual white households, often as live-in help. This pattern of social disintegration did not occur to any great extent in the Owens Valley. This, too, may have been the result of the "kin clique" based social structure of the Owens Valley Indians, where the division of the band into individual family units was not as disruptive as it would have been in a more highly organized social structure. Also, wage laborers in the Owens Valley very rarely were live-in help; at the end of each work day the laborers returned to their own families and households.

As such, the development of the Indian wage labor system in the Owens Valley and the integration of wage labor into the exploitation cycle of the Owens Valley Paiute might be viewed as a process of creative adaptation, or cultural creativity: a selective adoption of certain elements of white culture (wage labor), with the retention of preferred native elements (family structure and homes).[49]

NOTES

1. James J. Rawls, Indians of California: The Changing Image (Norman: University of Oklahoma Press, 1984), pp. 81, 107.

2. Rawls, Indians of California, pp. 86-87.

3. Ketcham to Hannah, 3 April 1862, War of the Rebellion, vol. 50, part I, p. 982. For more on forced Indian labor in California, see Robert F. Heizer, "Indian Servitude in California," History of Indian-White Relations vol. 4 in Handbook of North American Indians (Washington, D.C.: Smithsonian Institution, 1988): pp. 414-416.

4. Rawls, Indians of California, pp. 91-95, 104.

5. Thomas D. Maltby, Special Agent Kern River, to Thomas Henley, Supt. of Indian Affairs, 13 December 1857, M234: 36.

6. For more on the use of Indians as scouts and interpreters during the Civil War period, see Thomas W. Dunlay, Wolves for the Blue Soldiers: Indian Scouts and Auxiliaries with the United States Army, 1860-1890 (Lincoln: University of Nebraska Press, 1982), pp. 25-41.

7. Visalia Delta 19 May 1864.

8. Visalia Delta 19 May 1864.

9. War of the Rebellion, vol. 50, part I, p. 209. Although Colonel Evans understood Chico to be an Owens River Indian, Jose describes himself in an 1864 letter to General Wright as "Chief of the Kern River Indians; my father was a great Chief, and owned all the land on the Kern river from the lakes to the tops of the big mountains" (Visalia Delta 19 May 1864).

10. War of the Rebellion, vol. 50, part I, p. 209.

11. Visalia Delta 19 May 1864.

12. Visalia Delta 26 March and 2 April 1863.

13. Alta California 9 June 1863.

14. War of the Rebellion, vol. 50, part I, p. 149.

15. Inyo Independent 8 July 1876; War of the Rebellion, vol. 50, part II, p. 75; and Visalia Delta 12 March 1863.

16. Visalia Delta 28 November 1861.

17. War of the Rebellion, vol. 50, part II, pp. 1083-1084.

18. San Francisco Daily Evening Bulletin 28 February 1862.

19. Walton, Western Times and Water Wars, p. 25; and Daily Alta California 31 May 1863.

20. Walton, Western Times and Water Wars, p. 25.

21. Franklin Campbell to James Nye, June 1865, Nevada Superintendency M234: 538.

22. Devin to Platt, 12 November 1866, RG 393, Letters Camp Independence; and Devin to Commanding Officer (Fish Lake Valley), 2 February 1867.

23. Summer to Devin, 18 November 1867, RG 393, Letters Camp Independence.

24. Noble to Drum, 13 March 1866, RG 393, Letters Camp Independence.

25. Egbert to Sherbourne, 16 August 1869, RG 393, Letters Camp Independence; and Egbert to Sherbourne, 23 August 1869.

26. Dale, Indians of the Southwest, p. 81; and Egbert to General McIntosh (Superintendent of Indian Affairs, California), 30 January 1870, RG 393, Letters Camp Independence. The military Indian Agents were replaced by civilians in 1870.

27. Inyo Independent 12 September 1870.

28. Inyo Independent 9 December 1871.

29. Inyo Independent 16 December 1871.

30. Inyo Independent 17 February 1872.

31. Inyo Independent 8 June 1872 and 15 June 1872.

32. MacGowan to Asst. Adj. General, 1 October 1873, RG 393, Letters Camp Independence.

33. Inyo Independent 1 March 1873.

34. Inyo Independent 9 August 1873.

35. Inyo Independent 19 December 1874 and 24 April 1875; and MacGowan to Asst. Adj. General, 30 June 1874, RG 393, Letters Camp Independence.

36. MacGowan to Asst. Adj. General, 25 May 1875, RG 393, Letters Camp Independence; and Inyo Independent 29 May 1875.

37. Inyo Independent 16 October 1875; and MacGowan to Asst. Adj. General, 23 October 1875, RG 393, Letters Camp Independence.

38. Inyo Independent 13 October 1877.

39. Mary Cornwell, SERA Papers.

40. Susie Butcher, SERA Papers.

41. Mary Harry, SERA Papers.

42. Steward, "Two Paiute Autobiographies," pp. 425-432.

43. Albert L. Hurtado, "'Hardly a Farm House--A Kitchen without Them': Indian and White Households on the California Borderland Frontier in 1860," Western Historical Quarterly 13 (1982), pp. 253-255.

44. Hurtado, "Hardly a Farm House," p. 258; see also federal census schedules for Inyo County 1880 and 1900.

45. Walton, Western Times and Water Wars, p. 36.

46. Walton, Western Times and Water Wars, p. 22.

47. Walton, Western Times and Water Wars, p. 24.

48. Wihr, "Cultural Persistence in Western Nevada," p. 32.

49. For more on the Indian wage labor system as an agent of social disintegration, see George H. Phillips, "Indians in Los Angeles, 1781-1885: Economic Integration, Social Disintegration," Pacific Historical Review 69 (1980), pp. 427-451.

CHAPTER VII

THE MILITARY AND THE CITIZENS 1865-1880

Soon after the Owens Valley Indians were removed from the Owens Valley in July 1863, orders were issued for the abandonment of Camp Independence. However, Indian-white violence reignited as early as September, 1863, and the citizens of the valley demanded that the troops be returned. Troops first returned to the Owens Valley in 1864 to escort Special Indian Agent Hoffman, and returned again to reoccupy Camp Independence in late March of 1865.[1]

Armed conflicts of any consequence between the Owens Valley Indians and the non-Indians were over by late 1865. In characterizing the Owens Valley conflicts, Richard White has stated that the conflicts might be better labeled social violence instead of warfare. Even when military troops were involved, the fighting might be labeled murder rather than war because of the mass execution of Indian prisoners (on Kern River in 1863) by the troops. When the troops weren't involved in the fighting, the deaths of both Indians and non-Indians took place more often as the result

of isolated interracial violence rather than organized warfare. Whites hunted and killed Indians who had killed cattle, and Indians retaliated by killing whites.[2]

With the cessation of significant conflict by late 1865, it is worth examining some of the reasons why military forces remained in the Owens Valley at Camp Independence until 1877.

The Military 1862-1877

The presence of the United States Army in the Owens Valley from 1862 until 1877 had a strong influence both on the Owens Valley Indians and on the formation of the frontier culture of the vicinity. When the military entered the Owens Valley in 1862 as a result of the armed conflicts between Indians and non-Indians, the military interactions with the Indians were characterized by punishment and abuse, followed by the forced removal of the Indians from their homeland in the Owens Valley to Fort Tejon. With the end of the Civil War, and the change of the military forces from California Volunteers to the regular United States Army, the military began to employ Indians, issue (on occasion) rations to the Indians to help prevent starvation, and often protect Indians from the abusive white settlers. The military also campaigned hard against the selling of

liquor to Indians--a practice which local authorities tended to ignore.

Over its fifteen year tenure in the region, the military had many types of interaction with the local white community. The military often acted as an adjunct to civilian law enforcement in the region. They intervened to prevent vigilante violence, chased escaped prisoners, and attempted to prevent racial violence between mexican miners and Indians, mexicans and whites, and between whites and Indians. Although troops were on occasion posted to surrounding towns and mining camps to prevent Indian-white conflict, after 1865 actual armed conflict was minimal. But local settlers continued to express strong opinions regarding the potential of danger from the Indians in the valley and the need to keep Camp Independence staffed with military forces. Of course, local suppliers also reaped substantial financial benefits from the amount of business done locally by the military forces.

The military played a strong role in the development and implementation of Indian policy in the Owens Valley. The failure of California to enact an effective Indian policy or of its Indian Agents to demonstrate responsibility for the Owens Valley Indians was illustrated by Indian Agent Wentworth's observation in 1861 that he was not responsible for the Indians of California's interior. Be-

cause the Indians in that region had not yet been subjected to a reservation system, Wentworth felt that his authority only allowed him to act in an advisory capacity regarding Indian affairs in that vicinity. Wentworth placed the responsibility for these Indians in the hands of the military. Agent Wentworth did promise his superiors to "visit the Owens River country, where it is reported there are fine grazing lands, all of which belong to the government. Here, with the permission of the department, I propose to locate a reservation, and give up entirely the system of renting farms." Wentworth was obviously unaware that Owens Valley Indians were already under the impression that the government had created an Indian reservation in the Owens Valley.[3]

The general neglect of Indian affairs in the Owens Valley by the Indian Department--along with the military's failure to delineate a clear Indian policy on a state or national level--left local military commanders great leeway in their approach to local Indian difficulties. As the commanders at Camp Independence changed over time, the different officers interpreted commands and instructions differently with a consequent change in Indian-white relations.[4]

For example, following the replacement of the California Volunteers with regular federal troops, Captain H.

Noble (commanding Camp Independence) in December of 1865 made a request to issue food to a band of 80 Indians located fourteen miles above the post because "the Indians are destitute in fact they are starving having but little chaboose [sic] or grass seeds there being no game in the valley . . ." The pine nut crop had also failed that season, and in Noble's view "humanity dictates that they should not perish when so small amount of food will sustain life." Noble requested permission to issue a beef a month to the band of Indians.[5]

In July of 1866, clothing (listed as condemned) was issued to Indian Joe Bowers and a party of six friendly Indians. Bowers was issued a horse in September of 1866 under the orders of Major General McDowell, Commander of the Department of the Pacific. McDowell had visited with Bowers on his tour of the Owens Valley vicinity. By 1867, Bowers was listed in official reports as a scout and was receiving monthly wages for his services.[6]

Again in 1871, the issuance of stores to Indians is discussed. Captain Harry Egbert, commanding Camp Independence, reported that almost all stores issued over the past year to Indians had gone to Joe Bowers, and that there were no destitute Indians in the immediate vicinity. However the Indians east of the Inyo Mountains were in a near starving condition, and although they had hot yet requested

help, Egbert was requesting permission to issue food to them.[7]

Even with this demonstrated concern for the welfare of the Indians, the most often stated reason (until 1873) for the continued presence of troops in the valley was deterrence. By the very presence of military troops, war with the Indians was prevented. Captain Harry Egbert, commanding Camp Independence, reported to Major General McIntosh in January, 1870, that although most of the Owens Valley Indians were employed by farmers, the Indians were well armed with smooth-bore muskets and were also well mounted. Egbert offered his opinion that

> I incline to think that it is the belief at Dept. Hd Qrs that Camp Independence is no longer of much utility because no Indian disturbances have occurred in its neighborhood for a long time. I believe from my best information that the existence of the post is the very cause why there are no disturbances & that it is the preserver of peace along a long Indian border extending from . . . Camp Cady on the south to Camp Bidwell on the north--a frontier of 600 miles . . .[8]

Egbert continued his report by writing that if the troops were withdrawn, it would lead to bloodshed, and "the Indians would at once retreat over the Inyo mountain & join the wild Indians. . . . Then the valley would lose its laborers & the outcry raised would speedily cause a re-establishment of a post . . ."

In September of 1870, the newly established Independence newspaper the Inyo Independent--in an editorial about

the rumored removal of troops from Camp Independence--offered the opinion that the real danger was not that the Indians desired war with the whites, but that unprincipled whites might cause a war for their own benefit. The best way to prevent such a war was to protect the Indians, because

> The Indians of this Valley do not desire or intend war, it is quite certain, because they are at the present time almost universally well treated, and very well know they have nothing to gain. But . . . it is in their power to do as much damage as at any time since the settlement of the valley. . . . The presence of even a semblance of military force exerts a wholesome moral influence over the rough classes of both white and red, far beyond the physical power of the soldiers as a body who constitute the organization . . . we believe that this Post should not be broken up.[9]

Following the destruction of many of the Camp Independence buildings by a massive earthquake in March of 1872, the Inyo Independent again ventured an opinion regarding the proposed removal of Camp Independence:

> Its removal at this crisis cannot be considered in any other light than as a misfortune, more disastrous and demoralizing in its effects than the great earthquake. It is the only military or Government station in a vast region extending nearly five hundred miles in every direction. In this region there are several thousand of Indians, wild and tame, but all bound together by a common tie, liable at any moment to break out into active hostility . . . that will inevitably result in a prolonged and expensive Indian war. The moral effect of this Post upon both races is of great importance.[10]

However, in May of 1873, Captain Egbert was ordered to San Diego, and Captain A. B. MacGowan took command of Camp

Independence. The change in command brought new rumors regarding the imminent closure of Camp Independence. The Inyo Independent escalated its verbal attack on the proposed removal of the troops:

> With the troops withdrawn, it means a renewal of Indian troubles in all their horrors; it means the calling in of the arms loaned the settlers by the commandant, not one in ten of whom have else than shotguns; it means the forced abandonment of half our farms and homes, and it foreshadows that the frontiersmen will be forced back to the cities to struggle for existence instead of being accorded the protection which will in time enable them to become a self-protecting and prosperous community.[11]

It was soon clear that Captain MacGowan, newly in command of Camp Independence, had a sharply different opinion than his predecessor as to the need for a military post in the Owens Valley. In August of 1873, only three months after his assignment to Camp Independence, MacGowan reported to the Asst. Adjutant General in San Francisco regarding observations about the Indians of the area that he had made during his march to Camp Independence. He indicated that

> . . . of one thing I am well assured and thoroughly convinced that from Los Angeles to Independence and from 40 miles east of my whole line of march to over the Sierra Mountains west, there is not an Hostile Indian, nor one that the inhabitants wish interfered with.[12]

Captain MacGowan not only noted the absence of hostile Indians in the Owens Valley, he also made note of the character and activities of the peaceable Indians he encountered. In June of 1874, he reported to headquarters that

> In reference to the Indians, the result of inquiry, closely followed up, is that most of the females and many of the men are at work on the various ranches that dot the valley. At one place (Shepard's) I counted over thirty squaws in one field busy at work. . . . It is evident that all the disturbances that arise between whites and Indians are caused by the whites. That this branch of the Pah-Utes is desirous of maintaining friendly relations and to imitate the industrious habits of the whites does not imitate of a doubt.[13]

After over a year at Camp Independence, MacGowan held an even stronger opinion as to "how utterly worthless this post is in a strategical point of view, it is worthless as a Depot for supplies, and is not needed to protect citizens from the Indians (emphasis MacGowan's)." MacGowan had heard reports of Indian depredations in Nevada, and recommended that a post be established to the east in the vicinity of the conflicts.[14]

June of 1875 saw MacGowan again offer his opinion that "it is a perfect farce to talk of hostile Indians or even to say that the Indians are numerous this side of the boundary line between California and Nevada."[15] September of 1875 brought a similar report from Assistant Surgeon C. B. White--assigned to duty at Camp Independence--who had just completed a tour of the Owens Valley vicinity and reported that there was "not a hostile Indian in the County."[16]

In May of 1876 MacGowan repeated this opinion stating "for years there has not been a hostile Indian within a

radius of over one hundred and fifty miles of this post."[17]

Also in May of 1876, MacGowan wrote that

> In fact there are no hostile Indians anywhere in this or the four adjoining counties of California and Nevada. All Indians in these counties are employed by the whites. The total number of men women and children (Indians) in Inyo, Mono, and Kern Counties, Cal., and Esmeralda and Nye, Nevada, does not exceed 900, and not one of them could be hired to kill a white man. Troops from this post could not reach any point where Indians might create trouble in less than two weeks march and at great expense.[18]

Throughout the remainder of Captain MacGowan's tenure as commander of Camp Independence, he continued to report to headquarters that the Indians of the Owens Valley were peaceable and were greatly outnumbered by the whites, and that there was no need for military troops in that region. He summed up his views in one of his final reports:

> There are only 220 male Indians in the county from eighteen years old, up to an unknown age, and they are all employed by the farmers as laborers. There are six registered voters to each of the 220 male Indians. There is a male population of about twenty whites to each indian in the county. The indians have no arms, and for many years instead of being a source of fear to the whites have proven valuable to them as servants. There is actually no necessity for troops at this post.[19]

Finally in July, 1877, the troops from Camp Independence were ordered to abandon the post and proceed to Boise City, Idaho, to assist in the campaign against the Nez Perce. The editors of the Inyo Independent blamed the closure of the Post on Captain MacGowan, who

> has never for the past three years been sparing in his efforts to effect an abandonment of Camp Independence, though it is not probable that he would have succeeded for some years to come had it not been for the Idaho trouble. . . . [MacGowan's] efforts and reports in favor of removal have savored of pique and spite.[20]

Petitions again came to play in attempts to persuade the authorities at both the state and federal levels as to the proper course of action to take regarding Indians and the military in the Owens Valley region. First, it was rumored in June, 1877, that a petition to abandon Camp Independence had been generated locally by farmers who wanted to gain title to land within the one-mile boundary of Camp Independence.[21]

Next, following the actual removal of troops from the valley, a petition dated August 6, 1877, was sent to Governor William Irwin of California from the citizens of Bishop Creek in the north end of Owens Valley. The petitioners claimed that the behavior of the Indians had changed significantly since the removal of the troops from the region and that the Indians were becoming "turbulent, saucy, and will not work." Because they could not arm even twenty-five men with the arms currently in the valley, the petitioners requested permission to form a militia company and to have the state supply arms and ammunition for the company.[22]

The Governor notified the petitioners that the State Militia was full, and that permission had been denied to

form a new company in Bishop Creek that would be supplied by the state of California with arms and ammunition. The Inyo Independent expressed the concerns of the local citizens over the Governor's response, and commented on the "lamentable scarcity of arms of any description in the valley." [23]

Governor Irwin then wrote to Major General McDowell (commanding the Military Division of the Pacific) informing him that the state considered the protection of the Owens Valley residents from Indians to be the responsibility of the federal government. McDowell answered the Governor and informed him that

> Should it prove true that the quiet, peaceable and unarmed Piutes on Owen's River have all at once become warlike and threaten the lives and property of the citizens there, the post at Independence must again be occupied. But after the very emphatic and long continued reports from the Commanding Officer of Camp Independence that a garrison there was not needed to afford protection to the settlers in that part of the state, but only as market for them, I shall with reluctance send back troops to re-establish the post while greater danger from Indians threatens communities less able to protect themselves.[24]

Following the denial of assistance to the citizens of the valley by both the state and the federal governments, a new petition from Bishop Creek dated September 8, 1877, was sent to Governor Irwin. In the new petition, the citizens expressed their concern over the murder of Jerry Cornwell, a Crow Indian (or possibly Sioux) who had been raised by

whites and owned his own farm in Round Valley. Cornwell was murdered by local Owens Valley Indians who suspected him of witchcraft. The citizens claimed that this murder would lead to more violence, and that they were poorly prepared to respond as "there not being on an average more than one gun to every 20 men in the valley."[25]

The scarcity of arms in the valley--as indicated in the Bishop Creek petition--illustrates one of three important reasons why Owens Valley residents wanted the military troops to remain in the valley. Throughout the time period of military occupation of the Owens Valley, the military provided weapons to local residents. Although primarily indicated for protection against Indians, these weapons were also used for other purposes.

General McDowell's response to Governor Irwin's request for military assistance in the valley contains the second reason why the troops remained in the valley until 1877. McDowell states that the garrison was not needed for protection of the citizens of the Owens Valley from Indians, but only to provide a market for the products of local farmers and ranchers.

A third important reason for the citizens to desire that the post remain--one not discussed by McDowell--was the important assistance that the military forces provided in the enforcement of civilian law.

Arming the Citizens

The provision of guns and ammunition to the Owens Valley settlers by the government began as early as 1862. Nevada Territorial Governor Nye furnished arms to citizens of Aurora, Nevada, to take with them as they travelled south to the Owens Valley in April of 1862. Captain Moses McLaughlin furnished weapons to the Owens Valley settlers during the violence of the spring of 1863--first requiring them to take an oath of allegiance to the Union. Citizens from Deep Springs Valley (northeast of Owens Valley) requested that Major Egbert send arms to allow them to protect themselves from the Indian outbreak they feared imminent (notice they requested arms, not troops).[26]

In September of 1871, Major Egbert provided arms to civilians as well as furnishing some of his own troops to form a posse and assist in the search for escaped prisoners from the Nevada State Prison. Egbert also used a contingent of thirty local Indians to help track and pursue some of the fleeing convicts. Two of the convicts were lynched by vigilantes near Bishop Creek.[27]

Just a month after using the thirty Indians to help the posse, Egbert reported to headquarters that

> . . . careful investigation convinced me that the Indians of Owens River are better mounted, better armed & more ready every way for war than the whites who with very few exceptions either have no arms, or only shot guns & revolvers.[28]

Egbert than took it upon himself to remedy the situation and provide government arms to some of the local residents. With the threatened withdrawal of troops from the Owens Valley in May of 1873, concern for the loss of these arms was evident. The Inyo Independent reported that if the arms loaned by Egbert were called in, the settlers would only be armed with shotguns. In a letter to headquarters, Egbert wrote that

> It is surprising how few firearms other than revolvers the people of this section possess. I have really felt compelled in some cases to loan arms for which I am responsible because families in lonely places were entirely without & exposed to danger. These arms I am of course about to call in.[29]

With the replacement of Captain Egbert by Captain MacGowan as commander of Camp Independence in 1873, a different approach to the perceived need of arms for the settlers was taken. MacGowan requested permission in July of 1875 to sell outdated 50 caliber muskets and ammunition to the citizens of the valley. His request was answered by high level military officials in Washington, D.C., who directed that "neither Arms, Ammunition, nor any government property will be loaned or sold to citizens."[30]

The final chapter in the government provision of arms and ammunition to civilians in the Owens Valley is the refusal by the state to the request in 1877 for the formation of a local militia to be furnished with government

arms. The Inyo Independent lamented the decision by the state that "no other company can be accepted or supplied with State arms," and commented that there was a "scarcity of arms of any description in the valley."[31]

Economic Benefits of the Military Presence

The presence of military forces in the Owens Valley region provided substantial economic benefits to the local citizens. Camp Independence provided a market for locally produced goods as well as a market for the labor of local craftsmen (such as the blacksmith). This interaction was not without conflict, however. Problems with the military bidding procedures and with the different viewpoints of the various post commanders over time were evident throughout the period.

Major General McDowell had offered his view to Governor Irwin in 1877 that a primary reason for the Owens Valley citizens' desire for a military post in the vicinity was that it provided them with a market for the goods they produced.[32] McDowell recognized that this was the case in much of the military frontier of the west, as did General Ord (also a commander of the Department of the Pacific). Ord offered the opinion in 1869 that

> Almost the only paying business the white inhabitants have in that Territory [Arizona] is supplying the troops. . . . If the paymasters and quartermasters of

> the army were to stop payment in Arizona, a great majority of the white settlers would be compelled to quit. Hostilities are therefore kept up with a view to protecting inhabitants most of whom are supported by the hostilities.[33]

Local citizens were encouraged to bid for the opportunity to supply Camp Independence with as much as 150,000 pounds barley, 200,000 pounds hay, 600 cords wood, and 30,000 pounds straw annually. Bids were also solicited for the staples of beef, flour, salt pork, bacon, hams, beans, and lard. Amounts paid to locals included $24 per ton for hay, $16 per cord for wood, and 4 to 5 cents per pound for grain.[34]

When Captain MacGowan assumed command of the post in 1873, it was apparent to him that the post supply contracts were of significant concern to the local citizens, and constituted the basis for their objections to any discussion of removal of troops from the valley. MacGowan reported in 1873 that "since arriving here I have heard only one gentlemen express a different opinion [that the Indians were indeed hostile] . . . and he is too much interested in making money out of the Post to be a reliable informant."[35]

Just because a contractor was successful in winning a supply bid did not guarantee financial success. The Inyo Independent reported in 1874 that one of the post contractors was owed $6,000 by the government, and had not received any payments in over four months. The contractor

was broke and had recently had a mortgage foreclosure decided against him. Yet the government continued to make demands for supplies from the contractor. If he did not meet these demands, he would forfeit all claims for present payments and also money already owed him. The newspaper offered the opinion that "it isn't decent, the way these things are done by the Government."[36]

At times the soldiers benefitted from the financial exchanges between the military and the civilians in the Owens Valley. When local blacksmith Abraham Parker issued a complaint that the Camp Independence blacksmith was also doing civilian work which Parker considered unfair competition, MacGowan answered the complaint by claiming that it was just Parker's sour grapes because he no longer was getting $300 to $400 a month for doing blacksmith work for the post.[37]

It was also claimed that the beginning of the mining rush to the Russ District (directly east of Camp Independence) was begun by a soldier who found gold while prospecting in his spare time. This led to the founding of the San Carlos Mining and Exploration Company along with the beginning of the towns of San Carlos and Bend City. It was even claimed that many of this enlisting in the California Volunteers were doing so to get free passage to the rich mining country surrounding the Owens Valley. This claim is

believable when it is seen that these troops had a desertion rate that rose as high as 32.6 per cent. Even Captain Egbert, who left the command of Camp Independence in 1873, returned to the Owens Valley and used his local contacts to help establish a law office and to file a land claim.[38]

Civil Affairs

One of the most important roles of the military in the Owens Valley was to serve as an adjunct to local law enforcement in civil matters. Over the years that Camp Independence was occupied, soldiers participated in the following areas of civil authority responsibility: military forces intervened in racial matters; provided protection to those transporting the mail; escorted travelers and bullion from the mines; chased escaped convicts; protected the county courthouse, jail, sheriff, and a defense attorney from vigilantes; and tried to stop the illegal liquor trade with Indians.

As early as 1866, soldiers intervened in civil matters. A man named King, a suspect in a particularly gruesome murder of Rogers at the south end of Owens Lake (cannibalism was also suspected), was taken into protective custody by the soldiers in order to prevent a lynching by vigilantes. He was eventually executed in Visalia following his trial.[39]

In 1870, troops were detached to Lone Pine to protect the Chinese inhabitants of Cerro Gordo who were being regularly victimized by highway robbers as they traveled back and forth from Cerro Gordo to Lone Pine hauling produce and merchandise. Captain Egbert did not see any conflict with civil authorities in this matter, and reported that

> The highwaymen of this region are numerous & bold & have robbed every stage line east of the Sierra Nevada. In consultation with some of the principal citizens & the District Attorney, I sent my first Sergeant & Pvt. Krause 12th Infty. to Lone Pine to bring the [Chinese] headman back in safety. There was no possibility of any conflict with the Civil Authorities & I regarded it simply as a matter of humanity to furnish safeguard.[40]

When Captain MacGowan took command of Camp Independence in 1873, the military participation in civil matters increased. MacGowan took a particular interest in the liquor trade with Indians, and reported in 1873 that

> I have been after these white men (who sell them [the Indians] whiskey) so successfully that two of them have been convicted and are serving 100 days imprisonment at hard labor in County Jail. . . . The Civil Authorities were working up these cases at the same time I was and they made the arrests so that the Military Authorities appear in the matter.[41]

MacGowan was not only opposed to the liquor traffic with Indians, but also opposed to the use of liquor among his own men. In 1874, following a fight between civilians and soldiers at a dance in Independence, he issued an order forbidding his troops to enter the town except to attend weekly meetings of the temperance society.[42]

In August of 1875, MacGowan again took action to halt the sale of liquor to Indians. Jacob Dence (or Dentz), proprietor of a saloon at George's Creek, was arrested by civil authorities and fined $75 for selling liquor to Indians. Dence then locked himself in his saloon with two Indian women, and threatened to shoot the first Indian he saw. A male relative of the Indian women approached the saloon, and was shot by Dence. Captain MacGowan intervened and arrested Dence, and gave Dence four days to leave the Owens Valley vicinity. Dence, unhappy with MacGowan's order, consulted the District Attorney who then made the claim that Captain MacGowan had no legal authority to take this action. The matter then was passed to the Grand Jury, who failed to take any action in the matter. Dence was allowed to stay in the area and went unpunished for the shooting of the Indian.[43]

Just the previous year (1874), Dence had been acquitted in a jury trial of the same charges. Although numerous Indian witnesses testified that Dence was providing them with whiskey, the jury was unwilling to convict on Indian testimony, and Dence went free.[44]

Also in 1874, Captain MacGowan took action to once again protect travellers from highwaymen--this time the noted bandit Vasquez. Local Independence merchant Nathan Rhine reported that MacGowan had written him with a pledge

to protect the stage carrying the United States mail. MacGowan also requested that Rhine

> . . . inform the Sheriff of my readiness to co-operate with him, whenever called upon, for the protection of this entire section of country, north and south, against the attacks of that desperado band of robbers.[45]

In 1875, bandits were again threatening travellers in the region. Mexican bandits were haunting the road into the Cerro Gordo mining camps. Bandits had also killed an Indian, and Captain MacGowan took a contingent of soldiers to Cerro Gordo to investigate. An alleged bandit was killed, and the whites and mexicans in both Lone Pine and Cerro Gordo grew agitated over the threat of further racial conflicts. Captain MacGowan intervened, and helped arrange a committee of three Americans (whites) and three Mexicans to investigate the problems. MacGowan's committee found that the Mexican who had been fatally shot had indeed been a notorious bandit, and that the shooting was justified. The Indians in the vicinity of Cerro Gordo--who had also suffered a fatality in the incident--were not included in MacGowan's committee. The Indians elected to remain neutral in the matter and chose to not help either the whites or the mexicans. Local civil authorities took no action in the matter, and without the intervention of MacGowan and his troops it is likely more deaths would have occurred.[46]

Probably the most critical incident of military intervention into civil affairs also took place in the spring of 1875. Captain MacGowan reported to headquarters that there was great local excitement caused not by hostile Indians, but by the rough white element attracted to the area by the reports of rich mines. A number of murders and robberies had been attributed to this rough element, and local citizens had organized vigilante committees to deal with these criminals. A threat had been issued from one such committee that they would hang the first man arrested for committing any of these crimes. The vigilantes would also hang the lawyer who dared to defend the criminal. Also threatened were the killing of the Sheriff, and the burning of the Jail and the Court House. MacGowan reported that

> The Sheriff called upon me one night to protect the Court House and Jail, it appears from good authority that the presence of U. S. Troops alone saved the lives of the Sheriff, prisoner, and lawyer defending the prisoner, also saved the Court House, Jail, and lawyers residence. . . . I notified the Sheriff that if he considered his prisoners not safe that he could bring them to this post. I also notified the parties whose lives were threatened that we would protect them if they came to the post believing that I have full authority to defend all within its limits from lawless acts.[47]

The Sheriff accepted MacGowan's offer and moved his prisoners and himself to Camp Independence; the lawyer hired a personal guard of 25 men to protect his house, his office, and himself. Captain MacGowan, unsure how far his

authority in civilian matters extended, requested further instructions from headquarters as to how to proceed in the matter. The Major General commanding the Department of the Pacific responded to MacGowan's request on April 16, 1875, and directed MacGowan to

> . . . act with such portions of your command as may be necessary, as a part of the "Posse" of the Sheriff in the lawful execution of his duty when duly summoned by him, if in your judgement the case is one requiring such action; that is, when the ordinary civil posse is insufficient.[48]

MacGowan was also informed that the papers regarding his situation were being forwarded to Washington headquarters for further instructions.

When instructions from Washington were received later that year, their content completely changed the role of the military forces in the Owens Valley. Many of the interventions into civil matters that had occurred over the past decade were specifically forbidden. The military role in Indian affairs was also more clearly defined. And, arms and ammunition could no longer be provided to the citizens. MacGowan received an opinion from J. Holt, the Judge Advocate General (concurred with by Secretary of War W. W. Belknap) which he expressed in Post Orders No. 22 dated September 10, 1875:

> 1. In all cases of offenses committed or threatened against the local authority or laws of State or Territory, the only attitude which the officers or soldiers of the U.S. are permitted, in their public character,

to assume, (until ordered to act by the President, under Section 4, Article IV of the Constitution and statutes in accordance therewith) is one of simple inaction or indifference.

2. Indian territory within a State, is limited to Reservations set apart by the President in pursuance of law, and military offers have no jurisdiction over civilians outside of such territory and the Military Reservation.

The sale of liquor to Indians is a great evil, but, beyond the limits of Indian territory, the Army has no power to prevent it, and is not responsible for the consequences.

Army officers must confine their official action, within the limits of the law, let the consequences be what they may.

3. Subsistence can only be issued to Indians under paragraph 1202 Revised U.S. Army Regulations of 1863.

The War Department has no appropriations applicable to the subsistence of Indians, except when held as prisoners of war, and it cannot therefore take the responsibility of feeding Indians, nor take any responsibility for any outbreak which may occur by reason of their not being fed.

4. Neither Arms, Ammunition, nor any other government property will be either loaned or sold to citizens.[49]

With the changes in local relations and Indian relations required by these orders, it was becoming evident to the Army commanders that it no longer was of much benefit to post troops in the Owens Valley. In 1877, the troops were ordered out of the valley, and a new period of Indian-white relations was initiated.

NOTES

1. "Special Order No. 73," 8 November 1864, and "Special Order No. 24," 11 July 1865, RG 393, General & Special Orders; and McGrath, Gunfighters, Highwaymen, & Vigilantes, p. 49.

2. Richard White, "It's Your Misfortune and None of My Own": A History of the American West (Norman: University of Oklahoma Press, 1991), p. 337.

3. ARCIA 1861, pp. 754, 756.

4. For a discussion of the authority of local military units in the implementation of Indian policy during this time period, see Robert Wooster, The Military and United States Indian Policy 1865-1903, Yale Western Americana Series, 34 (New Haven: Yale University Press, 1988), pp. 209-216.

5. Noble (commanding Camp Independence) to Sherwood (Fort Churchill), 9 December 1865, RG 393, Letters Camp Independence.

6. "General Order No. 61," 25 July 1866, "General Order No. 103," 28 September 1866, and "General Order No. 37," 2 April 1867, RG 393, General & Special Orders.

7. Egbert to Asst. Adj. General, 8 August 1871, RG 393, Letters Camp Independence.

8. Egbert to General McIntosh, Supt. of Indian Affairs, 30 January 1870, RG 393, Letters Camp Independence.

9. Inyo Independent 5 September 1870.

10. Inyo Independent 20 April 1872.

11. Inyo Independent 3 May 1873.

12. MacGowan to Asst. Adj. General, 13 August 1873, RG 393, Letters Camp Independence.

13. "Extract from Report of the Commanding Officer Camp Independence dated June 30, 1874," in General McDowell to Governor Irwin, 27 September 1877, Indian War Papers.

14. MacGowan to Asst. Adj. General, 22 December 1874, RG 393, Letters Camp Independence.

15. MacGowan to Asst. Adj. General, 5 June 1875, RG 393, Letters Camp Independence.

16. "Extract from a report of the Commanding Officer Camp Independence dated Sept. 30, 1875," in McDowell to Irwin, 27 September 1877, Indian War Papers.

17. MacGowan to Asst. Adj. General, 2 May 1876, RG 393, Letters Camp Independence.

18. "Extract from the report of Commanding Officer Camp Independence dated May 31, 1876," in McDowell to Irwin, 27 September 1877, Indian War Papers.

19. "Extract from report of Commanding officer Camp Independence dated June 3, 1877," McDowell to Irwin, 27 September 1877, Indian War Papers.

20. Inyo Independent 14 July 1877.

21. Inyo Independent 16 June 1877.

22. J. C. Bourland, Bishop Creek, to Governor William Irwin, Sacramento, 6 August 1877, Indian War Papers.

23. Inyo Independent 8 September 1877.

24. McDowell to Irwin, 27 September 1877, Indian War Papers.

25. Alexander, McLaren, Hutchinson, & 45 citizens, Bishop Creek, to Governor William Irwin, 8 September 1877, Indian War Papers; and Inyo Independent 8 September 1877.

26. Visalia Delta 8 May 1862 and 28 May 1863; and Inyo Independent 1 July 1871.

27. Inyo Independent 30 September 1871.

28. Captain Egbert to Asst. Adj. General, 5 October 1871, RG 393, Letters Camp Independence.

29. Inyo Independent 3 May 1873; and Egbert to Asst. Adj. General, 30 April 1873, RG 393, Letters Camp Independence.

30. MacGowan to Asst. Adj. General, 3 July 1875, RG 393, Letters Camp Independence; and "Post Orders No. 21," 10 September 1875, RG 393, General & Special Orders.

31. Inyo Independent 8 September 1877.

32. General McDowell to Governor Irwin, 27 September 1877, Indian War Papers.

33. Secretary of War, Annual Report (1869), p. 124, quoted in Robert M. Utley, Frontier Regulars: The United States Army and the Indian 1866-1891 (Lincoln: University of Nebraska Press, 1973), p. 173.

34. Inyo Independent 4 May 1872, 26 April 1873, 3 May 1873, and 20 June 1874.

35. MacGowan to Asst. Adj. General, 13 August 1873, RG 393, Letters Camp Independence.

36. Inyo Independent 9 May 1874.

37. MacGowan to Asst. Adj. General, January 1875, RG 393, Letters Camp Independence.

38. Chalfant, Story of Inyo, p. 179; and Utley, Frontier Regulars, p. 23.

39. Noble to Asst. Adj. General, 1 June 1866, RG 393, Letters Camp Independence; and Chalfant Story of Inyo, pp. 233-234.

40. Egbert to Asst. Adj. General, 26 December 1870, RG 393, Letters Camp Independence.

41. MacGowan to Asst. Adjt. General, 1 October 1873, RG 393, Letters Camp Independence. For more on the problem of policing the liquor trade to Indians in the Owens Valley, see Walton, Western Times and Water Wars, pp. 43-49.

42. "General Order No. 21," 30 January 1874, RG 393, General & Special Orders.

43. Inyo Independent 21 August 1875; and Walton, Western Times and Water Wars, p. 49.

44. Inyo Independent 21 March 1874.

45. Inyo Independent 28 February 1874.

46. Inyo Independent 22 May 1875, 29 May 1875, and 5 June 1875.

47. MacGowan to Asst. Adj. General, 11 April 1875, RG 393, Letters Camp Independence.

48. Asst. Adj. General Samuel Breck to MacGowan, 16 April 1875, RG 393, Letters Camp Independence.

49. "Post Orders No. 21," 10 September 1875, RG 393, General & Special Orders; and Inyo Independent 18 September 1875.

CHAPTER VIII

CONCLUSION: POST MILITARY ADAPTATIONS

With the murder of Indian Jerry Cornwell by local Paiutes in 1877, the white settlers in the northern part of Owens Valley became concerned about the possibility of additional violence among the Indians, and that this violence could escalate into new Indian-white violence. The military troops were no longer in the valley, and petitions to the governor for assistance had failed--as had petitions to the military commanders of the Department of the Pacific. The Inyo Independent editorialized that what was required was a return to past circumstances:

> The simple moral effect of a single company of soldiers at this Post, or the organization of a well armed and uniformed militia company will put an immediate end to all these mutual distrusts between the races. . . . There never was a time when these Indians would be more formidable as enemies then at present.[1]

As usual, the Indian Department was exhibiting no interest in the Owens Valley Indians and their needs. The newspaper also recommended that the military officers at a

re-manned Camp Independence be given broad authority over the Indians:

> We believe furthermore that at some point, whether at Camp Independence or some other more eastward a permanent military station should be established, and that the commandant should be vested with supervisory powers over all the Indians of the district, secondary, of course to the civil authorities in certain particulars.[2]

The editors' desire that some civil authority over the Indians be retained--enforced by the presence of the military troops--demonstrates their somewhat nostalgic desire for the way things used to be before the removal of the troops. It also illustrates their inability to perceive the changes taking place around them.

The Owens Valley Indians, however, realized that change was happening, and that without the presence of military troops in the vicinity to mediate between Indians and non-Indians, a new accommodation to the whites had to be negotiated; a new way to resolve potential conflicts needed to be developed.

In November 1877, leaders of the local Indians from Bishop Creek, Deep Springs, Big Pine, Fish Springs, and Independence gathered in a meeting at Georges Creek. The Indians invited local whites to the meeting and Georges Creek ranchers John Shepherd, James Shepherd, and John Kispert attended--as well as a representative from the Inyo Independent. Speaking for the Indians were Captain Joe

Bowers and Captain George. They encouraged the other Indian leaders to recognize the folly of "entertaining thoughts of hostility to the whites." They sought an agreement between all parties as to how any troubles between them would be adjudicated. If an Indian killed an Indian, he would be dealt with by the Indians. If an Indian harmed or killed a white, he would be turned over immediately to the whites for justice. Also, if a white killed an Indian he was to be dealt with by the whites as if the Indian he killed had been white.

The newspaper reported that

> Captain Joe's proposition, given at the outset, was cordially endorsed by all present, and now, it only remains for us to add, that they all most respectfully ask the whites not to get excited or alarmed at the act of any individual mischief maker, to act with moderation in any event, and all will be well.[3]

Walton points out that this conference between the Indians and the whites illustrates a change in the type of response the Indians had to white pressure. Before this conference, a primary response to white pressure had been resistance by the Indians. With this conference (and afterwards), an important change in the Indian response to white pressure was the effort at negotiation rather than resistance or conflict. The Indians offer to make concessions to the whites--they offer to give up the right to self-defense--in exchange for the whites' agreement to

punish the abuse of Indians by whites in the same manner and by the same standards of Indian abuse of whites.[4]

A truce--or an accommodation--was made between the Indians and the whites, and the desired return of the military troops to the Owens Valley did not take place, and was not needed. The proposed organization of a state militia company also did not take place, and proved not to be necessary to maintain peace in the Owens Valley.

Over the years of Indian-white contact in and around the Owens Valley, the Indians had responded to whites in a variety of ways; but in ways that reflected traditional cultural values. Traditional beliefs in independence and practicality permitted the Owens Valley Indians to respond to white pressure with a flexible accommodation. Some elements of white culture were incorporated into native culture, yet important aspects of traditional culture were retained.

Following the initial armed resistance to white intrusion to the Owens Valley and the resultant forced removal to Fort Tejon, the Owens Valley Indians incorporated the white system of wage-labor into their seasonal round of subsistence activities. By doing this and laboring for the white ranchers, the whites became so dependent on native labor that the whites resisted further attempts at removal of the Indians from their Owens Valley homeland. Those

Indians who survived the 1863 removal and the stay at the Tule River and Tejon Reservations eventually returned to the valley and were allowed to remain.

The forced removal of the Owens Valley Indians from the valley in 1863 elicited a variety of very independent responses from the Indians. Reacting individually and in family groups, some avoided the removal altogether by not surrendering to Camp Independence. Some escaped along the march south, and others escaped upon arrival at the Fort Tejon Reservation. Finally, some Owens Valley Indians stayed in the reservation system for as much as ten years before finally returning to the Owens Valley.

Even with the adoption of white food, clothing, and wage-labor into their lives, the Indians retained elements of their pre-white culture by choice. The Indian Agent at the Tule River Reservation noted in 1875 that the Indians under his care, even after a long exposure to "civilized life," preferred to

> hold tenaciously to their old primitive character of "Diggers." While they are fond of the white man's food, they also from choice, when not a necessity, eagerly devour all kinds of food which they were accustomed to use in their entirely wild state. Their ancient superstitious customs are likewise maintained without abatement. They make much ado over their dead, dancing and mourning around them in the wildest manner; and after burial, they burn all that remains of the possessions of the deceased. . . They also observe their customary feasts, their annual continuing sometimes two or three weeks.[5]

While the military troops were in the Owens Valley, the Indians used the troops as a buffer between the local non-Indians and themselves. With the removal of the troops from the valley, the Indians initiated a conference with the whites to develop a new method of dealing with conflicts. Although the agreement resulting from the negotiations did not always work out, it should be noted that it was an Indian effort and not one by the whites that initiated the desired changes.

This paper began with comments on a collection of Indian basketry produced by the Owens Valley Indians. Although the baskets represent the most visible physical reminders of this period of Indian-white interaction in the Owens Valley, they can tell us very little about Indian-white interaction at that time. However, they do represent an additional accommodation to whites by the Indians. As basket collecting became a popular activity among whites, Indians women began to produce baskets in quantity as trade items. The baskets were either traded for food and clothing or sold outright. They represent one more creative adaptation by the Indians to the whites by incorporating a traditional native activity--the creation of baskets--into a white economic system. In this manner, the selling and trading of baskets became one more segment of the round of subsistence activities undertaken by the Indians.

NOTES

1. Inyo Independent 13 October 1877.
2. Inyo Independent 13 October 1877.
3. Inyo Independent 13 October 1877.
4. Walton, Western Times and Water Wars, pp. 50-52.
5. ARCIA 1875, p. 730.

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