

Oroville Daily Butte Record.

GEO: H. CROSKITT, Editor.

Oroville, Wednesday, January 7, 1857.

FATAL OUTBREAK AT THE NOMEEN LACK-
EE RESERVATION.—The withdrawal of the
United States troops from the above Indian
Reservation seems to have had a bad effect,
and in the absence of a sufficient force, the
Indians are menacing the government prop-
erty and lives of the agent and his employ-
ees. The San Francisco *Sun*, of Jan. 3d,
has obtained from Capt Chard the following
particulars of an outbreak which occurred
there week before last :

Quite a number of the Feather River In-
dians fled from the Reserve, and were pur-
sued by two parties of men, one under the
command of Mr. Stevenson, the agent, and
the other under that of another gentleman.
Mr. Stevenson's party came up with the ref-
ugees, who immediately showed fight, and an
action commenced, during which three of
the Indians were killed before the party
could be made to submit. The other body
of pursuers also overtook a number of the
runaways, near the Sacramento river, but
they surrendered and were ordered to return
under the conduct of one man. On the way
back two of the Indians suddenly seized their
white conductor, pulled him from his horse,
managed to shroud his head and arms in a
poncho he wore, and while a squaw held him
down in this predicament, commenced beat-
ing him over the head with clubs. After
indulging in this pastime for a while, their
victim being incapable of defense, managed
to get at his pistol, when he rid himself of
their attentions by shooting two of them on
the spot, just as they were in the act of re-
peating their blows, having discovered that
he was not quite dead.

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2-10-1857

RANCHERIA DIGGINGS.—Very considerable excitement exists in relation to these diggings, which were discovered a few weeks since. Their location is at or near the old Indian rancheria, about a mile and a half below Oroville on the opposite side of the river. Those who have prospected thereabout are of the opinion that it is one of the richest sections that lie in this region of country. We are informed by Mr. Coleman, who officiated as chairman of a committee of arrangements at a meeting of miners held yesterday at the above diggings, that after the framing and adoption of sundry laws, the meeting adjourned until to-morrow, (Wednesday) at which all miners and others who are interested are invited to attend, to make agreements upon certain rules for the farther regulation of affairs, the settlement of whatever disputes may arise concerning size and location of claims, etc.

The ground for two or three miles below the rancheria has been staked off at intervals, and at the meeting held yesterday more than two hundred persons were present. Water is supplied to the miners from the ditch which runs through Thompson's Flat.

3-13-1857

THE DAILY UNION.

LEGISLATIVE PROCEEDINGS. CALIFORNIA LEGISLATURE, EIGHTH SESSION

SENATE.
THURSDAY, March 12th, 1857.
GENERAL FILE

Senate bill No. 117—An Act to authorize the execution of a bond under an Act funding the debt of the city of San Francisco, passed May 7th, 1850, was taken up, read a third time and passed.

Senate bill No. 118—An Act to authorize Maria Ignatia, wife of Harvey Alviso, and Maria Wouberé to sell and convey real estate, was read a third time and passed.

An Act to amend an Act concerning County Treasurers, passed May 27th, 1850, was read a third time and passed.

An Act to authorize the executors of Wm. D. M. Howard, deceased, to sell the real estate of said testator at private sale, was taken up, and on motion of Mr. DE LA GUERRA, was laid upon the table.

Assembly bill No. 201—An Act to provide for the payment of the debt of Siskiyou and Trinity counties. Passed.

Senate bill No. 131—An Act to authorize the State Treasurer to issue bonds for the payment of the expenses incurred in the expedition against the Siskiyou Indians in the year 1856, was taken up.

Mr. WALKUP said there was some doubt in his mind about the propriety of passing such a bill. It authorizes the Treasurer to issue bonds to the amount of \$200,000 for the payment of these expenses, and under the terms of the law, the State pledges her credit that she will pay those at 12 per cent. interest.

Mr. COSBY said if the gentleman would hear the bill read, he would find that he was mistaken. The bill does not propose to have the State pay it, but authorizes its payment out of the first money appropriated by Congress towards defraying the expenses of Indian Wars in California. The bill was read as follows:

"Any and all moneys that have been or may be appropriated by Congress for the payment of expenses of Indian hostilities in this State, are hereby set apart for the payment of the expenses required by this bill.

Mr. SHAW said his objection to the bill was, that it does not specify what appropriation shall be applied to the payment of those bonds. It ought to read that any appropriation made by Congress towards paying the expenses of this particular war should be applied to the payment of those bonds.

Mr. COSBY said he saw no necessity for the amendment, from the fact that the appropriations are made by Congress in the aggregate; and as this is the first claim that we have unliquidated we shall but dedicate the first money to the first claim allowed. If Congress should make appropriations this law of ours could not direct it from the object for which it would be appropriated. This bill is only to secure the first payment of any moneys that may be granted for California Indian hostility in the general.

Mr. SHAW said it would be risky to authorize the issuing of bonds for \$200,000, as there was not sufficient care to ascertain the amount that ought necessarily to be used of those bonds. It might be that the Commissioners would issue bonds for the entire \$200,000, without proper restrictions, and if so, the amount of the bill would have to be paid whether that amount was incurred in the prosecution of the Indian hostilities named or not. He had no doubt but the Indian war was a just one, but it was rather a risk to give a commission to issue such an amount of bonds.

Mr. COSBY said he thought he could remove the gentleman's doubts. The probable expenses of the expedition are based upon the Commissary and Quarter-master's estimates as a foundation. There is a Board of Commissioners appointed in the bill, and if we have not sufficient confidence in their honesty, let us move to amend that section and appoint others in whom we shall have confidence. We have to avoid another necessity—they are to settle between the government and the individuals who have claims against the government for those services. In appointing them we select them for their honesty, believing they will not allow any claim that is not just and proper, and that its justness is not made evident by competent testimony. As an evidence that no wrong is meditated by this bill, I will say that that portion of the State can show a record that they are not in the habit of claiming more than what they are actually entitled to. There have been two appropriations made for the northern portion of the State—one for the war against the Modoc Indians, not one half of which was claimed, and the remainder was returned into the Treasury. Out of the \$15,000 appropriated last year, nearly \$8,000 of it has been returned to the general fund—not used, not drawn at all.

Mr. DE LA GUERRA asked what basis they had for estimating the amount at \$200,000?

Mr. COSBY replied—This estimate was based upon the number of men employed, and upon the Quarter-master's returns.

Mr. MERRITT asked how it could be appropriated without creating an additional State debt?

Mr. COSBY said the bonds are authorized to be issued by officers of the State of California. Then there is provision made for the payment of those bonds, and only one provision. One manner of payment is provided for. It is to be paid out of a certain fund, got in a certain way, and until that fund shall exist, and that appropriation by Congress is made, there is no fund in the State of California that can be touched for the redemption of those bonds. But if an appropriation is made by Congress, and the officers of the State of California fail to pay these bonds, then the State becomes liable, and not before.

Mr. MERRITT—If the State should issue bonds, although she made no provision for the principal and interest, nevertheless would it not be a debt? It is not a debt of the United States because it is issued by the State of California.

Mr. COSBY—I would like to remove the gentleman's constitutional objections. Even allowing that the State of California was pledged for it—that she had undertaken to pay the bonds, and to pay them out of the fund to be raised by direct taxation, it is constitutional, for that is one of the exceptions that is mentioned in article eight of the Constitution. It excepts war, insurrection or invasion, and if the appropriation was two millions, it would be constitutional for us to make an appropriation for such a purpose.

But there is no charge upon the State of California at all. The gentleman will acknowledge that if I undertake to pay him a certain amount of money upon the happening of a certain contingency—that I will pay him when I obtain that money from a certain source, then upon the happening of that contingency I am bound to pay him; but I am not liable until I have received the money and failed to present it. So if California receives the money in this case, and does not appropriate it to pay this indebtedness, then she would be liable, and not before.

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Mr. CHASE said it should be specified in the law, in order to carry out this intention expressed, that these bonds are to be paid out of the fund to be obtained from the United States. The bill should provide that the bonds should specify that the indebtedness is to be paid out of such a fund as the United States may appropriate to pay that war debt.

Then the State incurs no indebtedness; but it may incur indebtedness by issuing a general bond. Then the bond will carry upon its face that there is no appropriation by the State of California to pay it—that it must depend upon the United States.

Mr. COSBY—Then I will amend by inserting "upon the face of the bonds." I prefer to amend the 4th section by adding to it "said bonds shall specify upon their face the fund out of which they shall be paid."

Amendments adopted. Bill ordered engrossed and read a third time.

Senate bill 132—An Act to amend an Act to repeal the several charters of the city of San Francisco, and to consolidate the government thereof, passed April 19th, 1856, was announced as the next in order.

Mr. COFFROTH—Before that bill is taken up, I wish to ask leave to introduce a bill.

Leave granted.

The bill was read as follows: "An Act to regulate the Fire Department of the city and county of San Francisco." Read a first and second time.

Mr. COFFROTH said this was a bill that has been gotten up by the fire department themselves. And while they have no intention to be discourteous to the delegation from that city, they do not rely upon the delegation, with one exception, to assist its passage. He said it was a bill authorizing the fire department to manage its own affairs, independent of the city government; and enunciated the doctrine of non-intervention. He said he had been a member of the fire department of that city, and knew its wants. He trusted the bill would be printed, and referred to the San Francisco delegation, and that they be instructed to report it back by Tuesday morning.

Mr. WOODWORTH said the delegation from San Francisco would not have sufficient time to examine it after being printed by that time. He moved to amend by saying Thursday instead of Tuesday.

Mr. COFFROTH said the bill would be printed and placed upon the desks of members by to-morrow morning.

Mr. Woodworth's amendment was voted down. The motion to refer with instructions, prevailed.

The Modoc War—How Carried on.

There having been grave doubts entertained as to the necessity of some of our Indian wars in California, as well as to the mode in which they have sometimes been carried on, a writer in the *Yreka Union*, in speaking of the conduct of the Modoc war of 1853, asks if it is true, as was then generally asserted and commonly believed, that Capt. Wright, in that expedition, or in any other, took with him an Indian called "Swill" and a quantity of poison; that he sent the Indian to invite the Modocs to a feast, while preparations were made to mingle poison with the proposed hospitality; and that Swill, revolting at the mode of warfare adopted, betrayed it to the enemy, and thus saved their lives.

The editor of the *Union* asks if any one can answer the grave and startling charge here insinuated. We should like to know that same, trusting there is no foundation for a charge so damning, not only to our fame as a people, but to the very name of our common kind. We trust, and in truth believe, it was for the payment of no such service the bill introduced by Senator Cosby intended to provide. We trust, however, the claims growing out of the late Modoc war, which are now being pressed before the Legislature, will be closely scrutinized.

Report of the Committee on Indian Affairs.

This Committee, in their report to the Legislature, do not agree with the Governor in his suggestions that the present policy of gathering the Indians into reservations within the limits of this State should be abandoned.

In their opinion, to remove the California Indians beyond the Sierras, while it would be attended with an immense expense, would also doom them to speedy destruction.

The country, say the Committee, between the boundary of this State and the Rocky Mountains, is inhabited by a band of mounted savages, who maintain a precarious existence, mainly by the chase; whilst the tribes along the coast, and most of those in the interior of the State, are much beneath them, both physically and intellectually; they feed upon the fishy yield of the ocean, or the acorns or crickets of the interior; they are unaccustomed to the management of the horse, and are in every way incapable of procuring a subsistence if placed in competition with their more active and daring neighbors, and would consequently disappear before them, if brought in contact, in a very short time.

Placed in a subordinate and dependant condition, they are of opinion the existence of the Indian race may be prolonged amongst us. To this end a system of industrial education should be fostered by the Government, by which all the young Indians of both sexes may be taught agriculture and the ruder branches of the mechanical arts, thereby stimulating the rising generation to exertion, and inducing habits of industry and frugality. It is the conviction of the Committee that no rude and barbarous race can be elevated to even a tolerable degree of enlightenment without spending years in personal servitude or national pupilage, the former of which being impracticable in the case of the Indian, the latter should be speedily and extensively adopted by the General Government. Experience shows that all efforts to elevate the savage races by mere intellectual and religious culture, have failed.

This body believe there can be no safety to the settlers in the vicinity of the Reservations until the Indians are made to feel that they have left their lands by their own choice and for a proper consideration, nor will they yield ready obedience to the Superintendent or local Agents while feeling that we have dealt unjustly towards them.

Our government has made a great mistake in failing to extinguish by fair purchase, the Indian title to the lands from which they have been sought to be removed. There is also much danger to be apprehended from the fact that the fascinations of Indian society appear to have attracted a class of white men, addicted to most of the low vices to which humanity is heir, who ape a half savage life; hang about the villages, or seek to do so; and whose contact with the Indian is at once degrading and dangerous. The Agents of the government cannot be too vigilant in guarding their charge from the contaminating influence of such pests to society and to the State.

The committee recommend that suitable military forces be stationed near the Reservations, and that greater power be conferred on the local Agents in their management of the matter. The Legislature should also call the attention of the General Government to the condition of affairs in the north-eastern part of the State.

The inhabitants of Siskiyou have been subjected to heavy burdens during the last year in their difficulties with the Pitt river and Modoc tribes; to relieve them from which a Reservation should be established, and a strong military force stationed in that quarter.

In conclusion, the committee having embodied the foregoing sentiments and opinions in a set of joint resolutions, submitted the same to the Legislature for their consideration.

Sacramento Daily Union

4-24-1857

RICH DIGGINGS IN A BURYING GROUND.—A rich claim in the neighborhood of Oroville, owned by Mr. Ford, is located on an old Indian burying ground. The skulls and bones are being constantly washed out, much to the discomfiture of the superstitious Chinese who are employed. It seems that the Diggers do not burn all their dead—as has been generally supposed—but only their warriors and those who die of contagious diseases.

THE MODOCS FRIENDLY.—According to latest advices from Yreka, the Modoc Chief La Lakes returned to that place, accompanied by the head chief of his tribe, named Skonchez, and another chief called Lookax. They expressed a great desire to enter into terms of lasting peace with the whites.

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5-12-1857

Correspondence.

OROVILLE, MAY 11

I feel disposed to give you some items of a flying trip to the Mountains, but doubt whether you will consider them worthy of being made public. I will not attempt to describe the beautiful panorama on either side of the road from Oroville to Pence's, nor the magnificent views about the West Branch, as most of your readers about Oroville have probably seen them. At Pence's we had to leave the Dogtown stage and take horses to Frenchtown, (which was very inconvenient for those having baggage,) where we took mules for the rest of our trip. Going through Spanishtown, we took the pack trail leading through Concow and Flea villages to KimsheW. Concow and Flea villages are respectively five and nine miles from Frenchtown on the ridge north of Concow. It commenced raining and hailing and by the time we reached Flea Valley the storm came on so hard that we were compelled to halt at a small cabin at the head of the valley. Soon after stopping a regular snow storm set in, which decided us upon camping for the night and returning the next morning. We found the cabin occupied by Mr. Sanford, who extended to us every kindness possible. He with Mr. Fairbanks of Frenchtown have taken up Flea Valley as a ranch, and intend building a public house (a thing much needed at that point,) as there is a great deal of travel through the valley all summer. As we were about starting on our return yesterday morning, Messrs. Fargo and Evans arrived

at the cabin; from them we learned that there was a good waggon road from Spanishtown to within one mile of Flea Valley; over which teams are hauling heavy loads of lumber for fluming the Frenchtown ditch. Mr. Evens thinks it will be completed in ten or twelve days. We were also informed by several parties who seemed to be familiar with the country, that a wagon road could be easily made through these Valleys to Honey Lake, but all said the road through Dogtown would be the most practical and less liable to obstructions from snow, and far easier and cheaper than any other route. Returning, we had from the top of the ridge south of Concow Valley a splendid view of the Coast Range, Sacramento Valley, Butte Creek, Table Mountain and the Buttes. At Yankee Hill we found the "Virgin" Company rolling the rich quartz down a long chute to their new Mill. The Mill is built for twenty stamps, but they will commence crushing with ten or fifteen, their engine and machinery is on the ground and they are putting it in place as rapidly as possible. Adjoining them on the south, is the "49 and 56" Company, and on the north, the Butte Quartz Mining Company. Mr. J. F. Johnson the energetic President of the Company has a force of men actively engaged in sinking shafts and opening the vein. They have gone down thirty two feet with one shaft and found rich rotten quartz; they propose sinking the same shaft a few feet further and then drifting to, and cutting through the ledge. The vein extends some 7,000 feet and the croppings along the whole distance are very rich. I will give you a few more items when we renew our trip and penetrate further into the mountains, if acceptable.

Yours resp't.

H.

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5-19-1857

DRUNKEN INDIAN --An Indian was navigating our streets yesterday, in a beastly state of intoxication. He was arrested by officer Duret, when it appeared that he had procured a bottle of the "O be joyful" from a 'collud gemman" at Thompson's Flat, who had fallen desperately in love with his Mohala! He was set at liberty.

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6-13-1857

Indian Affairs.

Mr. Storms, the efficient Superintendent of the Nome Cult reservation, passed down to McCorkle & Smith's Ranch on Friday last, where he was met by Col. Henley, who is preparing to drive six hundred head of cattle to the reservation.

Col. Henley's two hundred dollar *Mohala*, the San Francisco, *Vigilante Globe*, displays considerable ill-nature over the fact mentioned by us, that the contract between the proprietors of the old vigilante *Mohala*, stated that \$800 were put into the concern by J. C. Duncan, for himself and Col. Henley. The genuineness of the contract is not denied, nor is our authority called in question. The *Globe* merely gives way to its ill-nature and assumes that we stated "that Col. Henley has an interest in" the *Globe*. We simply stated one or two provisions of the contract, without asserting anything further. After giving the *Record* a false position in the matter, it gives us the following, which we presume is the only explanation of the differently worded contract. We omit the *Mohala's* "scurrility" portion of the article:

"A small loan, one-fourth of the amount stated, made by Col. Henley to the former proprietors of this journal nearly one year ago, is the foundation—"

We were obliged to cut short the extract before arriving at a period, or we should be obliged to copy language appropriate only for a digger reservation organ. We believe we copied sufficient to give the public to understand the version of the *Globe*. If we have failed, it is because we could not separate the meaning of the article from its native scurrility. That we do not desire to notice, as the author will, undoubtedly, soon follow the noble example of numerous vigilantes, and commit suicide.

"Former proprietors!"—former fudge and prevarication! The names of Duncan and Simonton figured prominently in connection with Col. Henley's, in the copy of the contract submitted for our perusal.

We would simply call the attention of the Democracy to the fact that according to this statement of the *Globe*, Col. Henley's two hundred dollars was loaned (was it ever paid back to Col. Henley?) to sustain a paper that opposed the Democracy, and advocated the election of the opposition ticket in that city and county. We certainly think the Democracy of San Francisco county deserved better treatment from Col. Henley. This \$200 00 was furnished "nearly one year ago" When the Democracy of San Francisco were gallantly struggling against a combination of opposing isms—Col. Henley loaned two hundred dollars to assist in crushing them out of existence. When the Vigilance Committee of San Francisco were violating the laws and constitution of the State, Col. Henley, a Federal office holder, loaned two hundred dollars to sustain one of the principal mob organs! Verily, the Democracy of San Francisco were struggling not only against an open and combined enemy, but also against the means of men high in the confidence and esteem of the party.

STILL LATER FROM PITT RIVER.—The *Yreka Union* of Thursday, August 20th, contains the following news from Pitt River Valley, which is much later than previous accounts:

We learn from Indians who came in town on Sunday last, that Lalakes and tribe, from Klamath Lake, have been engaged in an expedition against the Pitt River Indians. Lalakes proceeded to the valley fully armed, mounted and equipped for warlike purposes, without any incumbrance of women and children, making an attack about a month since on a large body of Indians, who were encamped at a number of small deep streams that empty into Pitt River between thirty and forty miles northeast of Fort Crook. It appears that Lalakes had made a flank movement on the Indians previously attacked and routed by Lieut. Crook, in which movement they killed five bucks and captured fifty-five women and children prisoners, whom they have taken to the Dalles in Oregon, to trade them with other tribes for Cayuse horses, cattle, &c., in the hope of replacing the great loss of stock among Lalakes' tribe during the last severe winter.

According to the story of these Indians, the Pitt River country has been the abode of numerous red skins, who were a few years ago the assassins and plunderers of settlers in the Sacramento Valley, and the greatest dread to valley digger tribes. Mr. Marx observed the tracks of Indians and horses, but none of children, which were no doubt those of Lalakes' tribe, and partly corroborates the Indian account above stated.

Nigger Bill, who has been some time in the Modoc country, is said to have been killed by the Indians in that vicinity. The Indians were fearful of an attack from the whites on account of depredations committed by Nigger Bill and party, and have concluded to stop his plundering incursions. The Indians say he was driven to the mountains, where the snow was very deep, but the squaws assert that he was killed, and his horse and gun taken by the Modocs.

The squaws living on Canal Gulch and vicinity have regular communication with the Klamath Lake Indian settlements, and make frequent visits to the different tribes. They are well posted on the movements of the Indians, and we have often heard various rumors emanating from them, that have proven true.

Lalakes is anxious to have a talk with Mr. Stevenson, the Indian Agent, in regard to the condition of the Indians and the propriety of a reservation, and will endeavor to meet him in a short time.

Daily Butte Record 9-17-1857

Removal of Indians.

MR. EDITOR.—I have been asked so many questions about the Reservations and Nome Lackee, that I deem it of sufficient interest to some of your readers to give you a short sketch of my trips, observations and the information I received from those who reside at and near the Nome Lackee.

I learned from Mr. Titus, the Sub Agent, that his visit here was caused by complaints received from some of the inhabitants of Oroville, that the Indians had become a general nuisance. Mr. Titus arrived here on Saturday evening, and, having made known his business, soon found those ready to assist him. During Sunday the Indians were secretly watched, and their camps having been found, a larger number than any ever supposed to be around Oroville were thus captured—the women being in quite a majority. While encamped on the other side of the river, the Agent was beset by petitioners for the release of boys who had been living with some of our citizens; but it was almost heart-rending to see certain woolly-headed hombres, whose roaming loves had been so ruthlessly snatched from them, begging—preaching and praying for their restoration to their soft embraces. But Indian Agents

laugh at love! Yet I think a Justice of the Peace might have done a good business. On Tuesday, the 8th, everything being in readiness, the six wagons moved up the hill, all filled with Indians and their stuffs—the “bucks” in high glee pushing them, and stopping every now and then, at a signal from old Walkatow, to give three democratic cheers, which were always given with vigor, stimulated by a large bottle of *Minie-Gin*, sold to them by some hu-Maine individual. At Myere's Ranch there was a halt, and many a melon found its way into the wagons—thanks to the generosity of the proprietor. We passed the night on little Butte Creek, and whither Mr. Titus had had the precaution to have beef and flour conveyed from Major Bidwell's. There being wood and water in abundance, their fires were soon kindled, when baking and roasting began in good earnest; being divided into families, the supper was soon ready and devoured, when they began their usual songs and sank singing into sleep to dream of beef and red shirts. The immense fires, showing the sleeping Indians the wagons drawn up in a circle, the guards' slow pace and the solemn stillness of the night, gave the scene a charm not easily described. More anon.