

CAMP ON THE MARIPOSA RIVER, CALIFORNIA,

March 5, 1851.

SIR: We wrote you on the 17th February last from our camp on the San Joaquin, giving you the particulars of our organization and subsequent proceedings to that date; we now take the liberty of addressing you, informing you of our proceedings; &c., up to this date.

On the evening of the 18th February we crossed with the train to the east bank of the San Joaquin river, and on the morning of the 19th started for the point on the Tuolumne river, at which we expected, by the arrangement of which we advised you in our last, to meet some, if not all, the hostile chiefs. We travelled up the Tuolumne river about forty or forty-five miles to the place of meeting, accomplishing the march in two days. The country through which we passed consists of extensive plains, too sandy and dry for vegetation, except occasionally a small valley binding immediately on the river. Some of them are very rich and productive, and with a little labor could be well irrigated, the river affording at all seasons of the year an abundant supply of water; but the quantity of productive land, or such as might be made so, is very inconsiderable indeed, when compared with the entire surface of the country.

The chief Cipriano and his men, whom we had sent to the hostile chiefs with an invitation to meet us, did not return until the 25th. He brought with him two of the hostile chiefs, (Willouma, the chief of the Mercedes tribe, and Potawackata, chief of the Potawackaties) with some of their "braves." Excuses, in which we had but little reliance, were sent in by some three or four other chiefs. The tribes from which the two chiefs we have named came, are small, not numbering more than two or three hundred warriors, with an entire population not exceeding, in the first-named tribe, four hundred persons, and the second not more than one thousand.

We had a long talk with those chiefs, explaining to them the object of our mission, and that it was the wish of the government that they should live on terms of friendship with the whites; that protection would be extended to them upon the condition that they would cease their depredations upon the persons and property of the whites, and of each other; that if they would act honestly and use industry, lands should be set apart for them, seeds to plant and implements to work with furnished them, schools established for them, and capable persons appointed to teach them how to cultivate their lands, to make and repair their tools, clothing, &c. We then tried to impress upon them the advantages that would result to them by submitting at once, and adopting the course we had pointed out to them. On the other hand, we told them, that if they persisted in their hostility to the whites, and continued their depredations, destruction, and even the entire annihilation of their whole tribe, would be the inevitable result. They listened with much apparent interest; but when we proposed they should use their influence with the other hostile chiefs and get them, with all their own men, women, and children, to meet us at some suitable time and place, for the purpose of entering into a formal written treaty, they seemed to hesitate; but on being pressed to come to some definite conclusion, and after much consultation with Cornelius, a very honest, correct, and

friendly chief, they agreed to meet us with all their tribes, and as many more as they could influence to do so, on this (the Mariposa) river, on the 9th day of this month, (March) and try to come to some definite terms. The next morning, (25th) after we had prepared to move our camp to the Mercede river, distant some 20 miles, and just as we had gotten under way, we learned from an Indian runner that had been sent in, that two of the hostile chiefs (Hawhaw and Newmasecawa,) who had sent in their excuses for not meeting us on the day before, were now on their way to see us. We sent a messenger and the chiefs with whom we had conferred, together with the two friendly chiefs (Cornelius and Cipriano) to meet them, repeat to them what we had said to the others, and apprize them of the contemplated meeting and treaty on the 9th instant, and request them to bring their tribes. We afterwards learned they had promised to do so.

We moved on to the Mercede river, and encamped on its southern bank. The country between Tuolumne and Mercede is very poor and sterile indeed. On the Mercede we found a few valleys of rich and productive land, and more easily irrigated than those on the Tuolumne.

On the 27th of February, two other chiefs, Mulla and Aloe, with some of their tribes, came to camp. We had about the same conversation with them that we had with the others—the substance of which we have before given—and they agreed to meet us on the 9th instant at the grand feast and council. We expect, and have good reason for believing, that the following tribes will meet us on the 9th, to wit: the Mercedes, Potawackaties, Tiposies, Kocches, Mikechuses, and Yosemite. These constitute about one-half of the hostile tribes that live north and east of the San Joaquin river, from the Sierra Nevada mountains to the coast range. The tribes here named live among the hills at the foot of the Sierra Nevada, on the headwaters of the Tuolumne, Mercede, and Mariposa rivers. The other hostile tribes living north and east of the San Joaquin, and of whose attendance at the general council we have but little hope, are the Chouchillas, (a very large tribe,) the Powhawneches, Chuckehalins, Pitchackies, Talinches, and Hawitiches. These tribes are generally large and warlike. They inhabit the hills at the foot of the Sierra Nevada, on the headwaters of the Mariposa, Chouchilla, Fresno, and the San Joaquin rivers, and number, *altogether*, perhaps ten or twelve thousand persons. By far the greater portion of the hostilities, murders, and robberies have been perpetrated by the Chouchillas. Several engagements have recently taken place between them and companies of the miners and citizens, in which the success was uncertain. They are almost in the daily habit of attacking small parties of white men, and of robbing small settlements and driving off mules, horses, cattle, &c. But two nights since, a war party of the tribe attacked a company of eight white men who were encamped within a few miles of our encampment, and within a few miles of the encampment of the State's troops, killed one man and wounded four others, and then drove off all their mules and horses. There have been other instances of hostility and robbery by them since we started runners to them with a proposition to treat, which go to satisfy us that they, at least, do not intend to treat. The troops that have been raised by the State are, at our request, awaiting the result of the meeting on

the 9th instant; and those tribes that have been known to be hostile, and that do not come in on that day, will be attacked immediately by them, and such aid will be rendered them by the troops who accompany us, as circumstances may justify.

We hear of depredations being committed by the Indians in other parts of the State—in many instances, no doubt, superinduced by the whites. Such things will necessarily occur frequently until treaties have been made, and the relations of the white and red man properly defined by such rules and regulations as will secure the rights and protect the person and property of each.

When we first arrived in the country, knowing as we did but little of its geography, and less of the locality, number and disposition of the Indians, and with a view to economize as much as possible the very limited sum of money placed at our command, we deemed it prudent to act together as a joint board; but since learning more of the country, the number and extent of the Indian tribes, and that they are scattered in small tribes over the entire surface of the country, and hostilities existing between them and the whites in different sections of the State, with a prospect of an increase, unless prevented by speedy treaty stipulations, we have come to the conclusion that the interest of the government, and of all the parties concerned, requires that we should, as soon as practicable, separate. By so doing we could accomplish in one-third of the time, as much as we could by acting conjointly.

From the best information that we can obtain from "old settlers" in the country, and such as have travelled extensively among the various tribes, their numbers within the boundary of the State of California are variously estimated at from *two to three hundred thousand* souls, scattered pretty equally over the whole extent of the country.

We have not as yet had an opportunity from actual observation to determine upon the precise lines of division for an equal distribution of the labors, territory, tribes, &c., to be assigned to each one, as contemplated by the instructions from your department, nor indeed could we do so short of several years' travel and observation; consequently we have to rely very much upon the information of those persons who are well acquainted, and who are *reliable men*, for such information as will enable us to report to you the proper lines or divisions of the State.

Two plans present themselves, either of which we believe would be equitable. The first is, to assign to the southern division all the country west and south of the San Joaquin river to the head of that stream; from thence a line due east to the eastern boundary line of the State; second division to include the country north of that line to the valley of the Sacramento river, up that river and valley, including all its tributaries, to its source; third division to include the coast range north from San Francisco to Klamath, Trinity, Humboldt, Trinidad, and Rocky Point rivers, with all their tributaries, to the Oregon line. The other division would be by lines of latitude: as there are ten from the northern to the southern line of the State, give four degrees of latitude to the southern division, and three to each of the others. Either of those divisions we are *satisfied* would be equitable and just; and, if made, we believe that all the tribes in the State could be treated with in the same time that under our present organization either one of the departments

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could; and that, too, at a much less expense to the government, and *decidedly* more to the satisfaction of the people of the State and to the interest of the Indians.

There is now much vacant territory in the State on which the Indians could be located without prejudice to the claims of any white occupant; but from the rapid influx of population, and from the fact that gold is to be found in greater or less quantities in *every part and portion* of the State, but a short time will elapse before the whole country will be covered with miners, farmers, &c., and there will be no place where the Indians can be located without prejudice to both the white and red man, and expense to the government. Hence the necessity, as we conceive, for prompt and speedy action.

We would at once adopt the course of separate action as contemplated, or rather as allowed, by our instructions from your department; but we are unable to do so for the want of funds, having learned from Colonel McKee, the disbursing member of the commission, that the funds placed in his hands by the government have been already nearly exhausted, and without funds little could be done in this country. We therefore most respectfully request that you will divide the State into three departments, according to either of the plans suggested.

We would likewise request, if there should be any additional instructions to those already received by us, touching our powers, duties, &c., that they be forwarded to us, respectively, at as early a day as practicable.

With an earnest desire to accomplish as speedily as possible the object of our mission to the interest of the country and all parties concerned, we hope you will pardon us for urging the propriety of placing us in a *condition* so that we may act separately, believing, as we do, that much of the success of our mission depends upon it.

With sentiments of respect, we are your obedient servants,

G. W. BARBOUR.

O. M. WOZENCRAFT.

Hon. LUKE LEE.

In concurring with my colleagues in the foregoing report, I beg to say that my information as to the number of Indians in the State would greatly reduce the number mentioned; still there is no possible way of ascertaining at present, and what is said on that point can go for what it is worth. I presume we shall have no difficulty, if the State be divided into three districts, of selecting or choosing the one we may severally prefer for our permanent location.

In haste, yours truly,

R. McKEE.