



powered by



A Freely Accessible Repository
of Digitized California
Newspapers from 1846 to the
Present

Weekly Alta California, Number 19, 10 May 1849 — Col. .MasoiiniMI <Jol. Ik'uloii. [ARTICLE]

Col. Mason and Col. Benton.

[Continued.]

It will be borne in mind in reading the appendix that the "supplies" referred to in Col. Fremont's certificate No. 2 of the 26th April 1847, as having been already furnished for subsisting troops under his command, all of which had been previously discharged, are the identical same cattle for which the contract was made, and which the two receipts of Stearns, his agent, of a subsequent date show had never been furnished at all. This is the transaction, and these are the documents—the "lies against Col. Fremont"—which has brought upon me the ire of Mr. Benton, merely for being the proper channel through which the Government was made acquainted with them. Truly they must be a painful "thorn in the King's side," if we judge from his cries.

I am satisfied, and such is the general opinion of every man I have heard speak on the subject, that a bill simply appropriating a sum of money for the payment of the California claims, would have passed Congress with little or no opposition; and that Mr. Benton himself defeated the bill by his efforts to force Congress to place Col. Fremont at the head of the Board of Commissioners, so that he might sit in final judgment upon his own acts.

I have, as is known to the chief of the military staff in this Department, long since had applications for copies of the foregoing contract and certificates for publication, and that I have as often refused them, saying, as this affair came to me officially I had officially forwarded the papers to Washington for the information of the Government; there my business with the matter ended; and that I deemed a publication of them improper in the absence of Col. Fremont. Mr. Benton's wanton attack now justifies the publication, in warding off the blow he has aimed at me.

in warding off the blow he has aimed at me. If, in unravelling the skein of this contract, some curiously wrought hard knots are found in it, all concerned must remember they were tied by themselves, and thank Mr. Benton for the opportunity of explaining to the public the manner in which they were tied.

I am not so much of "an ignoramus"—as Mr. Benton calls me,—as to follow *his* example, by bandying opprobrious epithets with him. They are as harmless to those to whom they are applied, as they are undignified and unproductive of good to those who apply them.

No man rates his poor abilities and very limited acquirements at a more humble rate than I do mine, and no man rates Mr. Benton's higher than he does himself. I wonder if he ever read that proverb of Solomon's which says:—"Seest thou a man wise in his own conceit, there is more hopes of a fool than of him."

R. B. MASON.

Col. 1st. Dragoons, Commanding.

APPENDIX I.

Head Quarters, 10th. Mil. Dept. } June 21st., 1847.
Monterey, California. }

* * * * *

A claim has to day been presented to me, against the United States, of so extraordinary a nature, that I deem it proper to send it to you, for the information of the Department.

You will perceive it is for money borrowed at an enormous rate of interest, by Lieut. Col. Fremont, from one Antonio Jose Cot, and that too, in the official character of Governor of California, when he knew that General Kearny, his superior and commanding officer, was here in the country.

In the same manner the Lieut. Col. gave orders, and caused the collector of customs at San Pedro to receive in payment of Custom House dues, a large amount, say about \$1,700, of depreciated paper, signed by individuals, no way responsible to the Government.

Genl. Kearny has gone home prepared to lay all the facts attending that transaction, before the War Department.

The object that I now have in view, is to request that Lieut. Col. Fremont, may be required to refund immediately seventeen hundred dollars, that the Treasury of California has thus lost by his illegal order.

The money is wanted to defray the expenses of the Civil Department in this country.

I am respectfully

Your obdt. servant.

Signed R. B. MASON
Col. 1st. Dragoons Commanding.

Brig. Genl. R. Jones Adj't U. S. A.
Washington, D. C.

APPENDIX II.

Head Quarters, 10th Mil. Dept. }
 Monterey, California. } Oct. 9th., 1847.

Sir— I have the honor herewith, to enclose you the papers, relating to a certain contract entered into on the 3rd day of March, 1847, by Lieut. Col Fremont, mounted Riflemen, with a Don Eulogio de Celis, a resident of the ciudad de los Angeles, California, but professing to be a subject of the Queen of Spain. The paper marked A., is a copy of this contract, with Lieut. Col. Fremont's certificate bearing date April 26th, 1847, that the contract had been complied with on the part of Don Eulogio de Celis, and that he, Col Fremont, had executed in payment to him, a note for the sum of six thousand, nine hundred and seventy five dollars.

Lieut. Col. Fremont left California, in the month of June 1847, giving no notice to General Kearny or myself, of the existence of such a contract, or that he had pledged the faith of his government for the redemption of it, by the payment of the sum of \$6,975, nor had I the least idea of this obligation, until applied to by Col. Stevenson, in his letter marked I, whether I would recognise the contract, and redeem the bond at maturity. This letter was accompanied by those marked A, B, C, D, E, and F, which show that in fact, notwithstanding the certificate of Lieut. Col. Fremont, Mr. Celis never delivered to the Commissary of the California Battalion, one single head of beef cattle under this contract, and that not one of these six hundred were slaughtered for the use of that Battalion, but on the contrary, that they have been delivered to a Mr. Stearns, of Los Angeles, in two parcels, one of four hundred and eighty-one on the 1st of May, and another of one hundred and nineteen on the 6th day of July, 1847, both of which dates are subsequent to the discharge of the California Battalion, commanded by Lieut. Col. Fremont.

There is no doubt that these cattle are the same six hundred contracted for by Lieut. Col. F. on the 3rd of March, 1847. Mr. Celis states it positively in his letter marked D; and the receipts, for them by Stearns, marked B. & F., specially states that he Stearns receipts for them in the name and behalf of Lieut. Col. Fremont. These deliveries occurred at the time when a garrison was stationed in Los Angeles, with a commissioned agent of the Commissary Department of the Army, Lieut. Davidson, to take charge of any subsistence stores intended for public use; yet these cattle, furnished by a formal contract, are delivered to a private individual, upon a special agreement (as he Stearns says), to breed on shares, for a term of three years. I have endeavored to procure from Mr. Stearns a copy of the agreement he has made with Lieut. Col. Fremont, for taking care of these cattle, but his letters, 7, and 10, positively assert that he regards these cattle as the private property of Lieut. Col. Fremont, but that the agreement by which he holds them, is a verbal one, witnessed by a Mr. Hensley, Midshipman Wilson, and Lieut. Gillespie U. S. Navy. Midshipman Wilson has endorsed on the paper, (10,) that he knows nothing of it, and the other two gentlemen have gone to the United States, in company with Commodore Stockton, and cannot be referred to by me. Thus stand the facts, and I am applied to, to know whether payment will be made upon the paper marked 2,

which is a certificate that the sum of \$6,975, is due Mr. Celis for supplies furnished the California Battalion, which supplies are clearly and plainly the lot of six hundred breeding cows now in the hands of a private individual, not one of which has been used for public purposes. This note becomes due on the 18th of December, 1847, and bears an interest of 24 per centum per annum, after that date.

In connection with this subject I call your attention to a paper marked 3, wherein Lieut. Col. Fremont has bound himself, and future Governors of California, to pay the sum of \$2,500, at the expiration of eight months, from the date March 3rd, 1847, or in default thereof, that the note shall bear an interest of 24 per cent per annum, this too when the A. A. Qr. Master at Monterey, had been more than a month in the country, with a supply of money applicable to the proper expenses of the army in California. Mr. Celis states that it was partly to secure this loan of money that Lieut. Col. Fremont made with him, the liberal bargain for cattle, for which the price is about 40 per cent higher than the market price at the time. Both of these notes are soon due, and Mr. Celis is going to make application for payment, as he claims to have fulfilled his part of a contract, for the redemption of which the good faith of the Government of the United States is pledged by an officer thereof; but the whole transaction, as shown by the accompanying papers, appears to me of such a character, that I shall not order payment of the money to Mr. Celis, but refer all the papers to the Department, for such action as they may consider proper in the case.

I have the honor to be

Your most ob't. serv't.

(Signed) R. B. MASON.

Col. 1st. Dragoons, Gov. of California.

Genl. R. Jones, Adj't Genl.

Washington, D. C.

[To be continued.]

From the Mines.

Sacramento City, April 22d, 1849.

Friend "Alta":—After a few months sojourn in them, I have just returned from "the diggings," a "wiser" if not a "sadder" man. I have "seen the Elephant" and am now returning to the regions of civilization with a trustful hope that greed of gain will never tempt me again to endure hardships and dangers of which none but a gold digger can form any idea.

I left the Middle Fork about ten days since, having been driven off by the rise of the water which has been some ten feet within the last four weeks, and which has completely destroyed all prospects of successful digging for the next three months. It is an entirely erroneous idea that this immense swell of the river will cease in a few weeks. It is a fact verified by the testimony of that ubiquitous personage the oldest inhabitant that more snow has fallen in the

mountain region this year than in any previous one within recollection. So long as this snow continues melting, so long will the river remain up. Nearly all who have been laboring here for the past season are now leaving, whilst thousands of new comers, perfectly verdant, are rushing in to supply their places. How excessively disappointed will these people be, coming here as most of them do with their ideas of gold-digging so exalted that nothing short of making a fortune in a few weeks will satisfy them. There are now encamped at Culloma saw mill some three hundred New Yorkers, most of them bound for the Middle Fork, with provisions, tools, and all the new fangled machines which have been invented and manufactured like Pindar's razors "to sell" and which are only valuable as curiosities.

To all strangers determined to "see the Elephant" allow me to give a word of advice. Fortunes are not to be made in the mines in a few weeks, excepting in very rare instances. Those who have prospered in the mines have done so by labor incessant and severe. This is required, and any one who expects to "get gold" without it, will find out his mistake to his sorrow. Many a poor fel-

low now rushing with beating heart and high hope to the mines will leave his bones bleaching in the canons before the summer is closed.

I wish I possessed the descriptive power of Dicken's to paint to your "mind's eye" a picture which burst upon my vision, when wearied and footsore I was descending the hill at Culloma. A New-Yorker, probably "the man who came out in the last steamer" was ascending this terrible hill. He was dressed in city style, with sack coat, flashy vest, and pantaloons with straps on, while upon his back was a bag containing about fifty pounds of flour, on his shoulder a bundle of tools, and under one arm a box of principle segars, one of which he kindly offered me, probably in consideration of the advice which he asked, and I gave him to facilitate his progress, which was to cut his straps and let himself out—Poor fellow, ere this he has doubtless "seen sights."

I found the community at Culloma in a great state of excitement. Some three weeks since a party of Indians entered a camp of white men on the Middle Fork, a few miles below the Spanish Bar, whilst the men

miles below the Spanish Bar, whilst the men were at work, and after breaking the locks of their rifles, rushed upon, and cruelly murdered them. The names of the men were James Johnson, of Kentucky; Thompson, residence unknown; Benjamin Wood, Missouri; Robert Alexander, do.; Henry English, do.

A few days afterward, a part of the same party killed two more men, higher up the river—One of these men was James Sergeant, formerly a member of Co. F. Col. Stevenson's regiment, and the other a man named Leonard.

Upon the reception of the news of these murders at Culloma, a party was instantly equipped, who started in search of the murderers. After travelling nearly all day without seeing an Indian, about dusk they came upon a rancharia on Weber's Creek where they killed twenty-one, and took prisoners some forty Indians; among the party were found some of the clothing, and little articles which had belonged to the murdered white men, and on the arrival of the prisoners at Culloma seven of them were recognised by a man who had escaped, as being participators in the murder—all but these seven were released, and they were retained for trial. On the afternoon of the 19th they were taken out from their place of confinement to be tried. But they probably thinking they were to be shot, no sooner reached the open air than they ran. The rifles of the mountaineer's were instantly levelled upon them with a deadly aim, and six of the seven fell, at the first fire. The other escaped, and he is said to have been the leader of the party, and a desperate fellow.

There will be trouble with the Indians in the mountains this summer. After what has occurred, revenge will be sought by both parties, and many a solitary white man will be cruelly murdered by Indians, and many an Indian picked off by a mountaineer's rifle. Hereafter treaties cannot be made, and the two races can never live together harmoniously; and I doubt not but a war of extermination will soon be commenced.

The country between here and Culloma is beautiful. For miles in extent the ground is clothed with that prettiest of all wild flowers, the California poppy, the air is fragrant, the hills green, and the trees affording a delicious shade. It scarcely seems possible that this is the same dried up, burnt and bar-

ren region I travelled through four months ago.
Yours &c. E. G. B.

ASTOUNDING DISCLOSURE.—A man named Antonio Valencia was recently arrested and taken before his honor, Judge Kimball H. Dimmick, at the Pueblo de San Jose, charged with the murder of a man named Edward Piles, who has been missing since May, 1848. On examination, Valencia confessed that he had murdered Piles, by dragging him a hundred yards with a lasso, and then cutting his throat; after which, he buried him. When our informant left, a party had started in search of the remains of the murdered man. Valencia was to be tried on the 9th inst.

Since writing the above, we have learned that the bones of the murdered man have been found, and Valencia has been tried, found guilty and was executed on the 10th inst.

The reason given by Valencia, for having murdered Piles, is because he was told to do so by one Anistacio Chobollo. This Chobollo, it appears, was present at the murder, and shot the body of the murdered man full of arrows, to lead to the impression, should the body be found, that Piles was murdered by Indians. A warrant has been issued for the arrest of Chobollo, who is said to be somewhere in the mines.

Great praise is due to the citizens of the Pueblo de San Jose, for this second proof of their fidelity to the cause of justice and order, and too much cannot be said in favor of the decision and firmness of the first alcalde and his assistants. Large bribes are said to have been offered to the officers having the prisoner in charge, to procure his escape, but they were spurned by the intelligent and high minded men who performed that duty—an incident creditable alike to the integrity of the officers and the community for which they acted.

SACRAMENTO CITY.—The citizens of that city and district, held a mass meeting at the above named place on the 30th April last, and elected a district legislature of eleven members.