

California 1859  
J. P. Barrone  
San Francisco Cal.  
March 5. '59

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One letter from Sub  
Agent M. D. Lewis re.  
to the expulsion of the  
Indians from Kings  
river, and explain  
laws concerning his  
case for A. to Ch. '58

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Rec'd April 18. '59

18. Land

San Francisco, Cal.

March 5<sup>th</sup> 1859.

Hon. S. W. Denver,

Commissioner of Indian Affairs.

Sir.

I have the honor to submit for your consideration, documents and correspondence numbered A B C in relation to Indian Affairs at the Fresno. Having already reported in relation to the condition of that Agency, and the removal of the Indians from King's river, I have nothing further to add.

Very respectfully,  
Yours Obedt Servt,

J. Ross Brown

Copy

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Office of the Fresno Agency Cal.

December 31<sup>st</sup> 1858

Sir:

In submitting my Accounts for the present Quarter, to remove any impression of imprudence or extravagance on my part that the sum total may suggest, it is but simple justice to myself, that I enter somewhat fully into a statement of the Causes that have largely contributed to the result as shown.

During the last six weeks of this Quarter, there has been no choice left me — unprotected as I have been by Law, — but to subsist in some way, some six hundred helpless, destitute & suffering Indians forced on to this Farm, by a restless portion of the Citizens of Kings River & Tulare Lake, in addition to the ordinary expenses incurred for their benefit, and that of the other Indians in this Agency, an indiscriminate extermination was then threatened, for the offence of again being seen roaming over or residing in the neighbourhood of their former Residences & Native Homes, and I would have been justly censurable for dereliction of Official Duty in default of not providing them the necessary food & Clothing, which their situation imperitively demanded. Hence the indispensable necessity for an increase of expenditures for this

Quarters, so much exceeding that of recent Quarters. Yet when these expenses, enormous as they may appear, are all footed up and compared with what has been accomplished, it is surely an insignificant item; but which, <sup>perhaps</sup> as a matter of policy, should not be placed on the roll of expenditures for Indian disturbances. The History of Indian warfare in what is termed the Western Countries affording no precedent where there has been a similar Number of Indians either forcibly or peaceably removed from their native homes without the sacrifice of blood and ten fold the amount of treasure that has been expended on this occasion, I may add with propriety that to avert bloodshed and the serious consequences of a prolonged period of hostilities between the Citizens and these Indians has been an object steadily kept in view, from the time that the first evidences of existing trouble transpired. This object happily, has been effected, but not without vigilance, for there are Spirits among these unfortunate People who were ready and willing to resent the injury done them. — An issue of an additional quantity of food of some kind was indispensable to their existence for a time, until I could better provide for them; Hence the necessity for an unusual large issue of Flour, Beef & Wheat.

Though it is but a small item in Dollars, it is proper to call your

attention to the unusually large issue of Coffee & Sugar; the increase of which over ordinary issues was necessary, and under the circumstances economical, for the subsistence of Myself and assistants during the removal of the Indians and their effects, which occupied nearly six weeks active outdoor operation, and leading for the most part a Camp Life.

There was also an actual necessity for the purchase and issue of an additional quantity of cheap ready made Clothing, to cover the naked bodies of many of those Indians, who were suffering from cold on account of having been driven from their warm huts and exposed to the extreme cold weather of the present season for weeks without shelter of any kind.

In conclusion it is confidently hoped that the Supt. & Comr. of En<sup>d</sup> Affs while deliberating upon the merits of My accounts for this Quarter, will give the circumstances under which they were created, the benefit of due consideration, which from causes beyond My control have reached an amount, that I am ready to admit, will without proper consideration of the true causes create surprise, and which was made at a time, when I was, with due regard for the interest of the Service and in the most economical way, making an effort to avert

the necessity of expending a much greater amount, and to  
ameliorate the condition of a large number of unfortunate  
and destitute Indians, for whom the Government was pledged  
to provide. All of which is very Respectfully

Submitted by  
Your Most Obedt

Thos J Henley Esq  
Supt. Ind Affs

H. H. Lewis

San Francisco Cal<sup>a</sup>

Subt. Supt

General Explanation

To  
Accounts for H. H. 1858

A

B457  
Supplementary Explanation  
to

Accounts for 1<sup>st</sup> 9<sup>th</sup> 1855

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B

Copy 3

Office Guesno Ind. Agency Cal.

January 15<sup>th</sup> 1859

Sir:

I'm submitting my Accounts for 4<sup>th</sup> quarter ending 31<sup>st</sup> December 1858, for settlement, allow me, in addition to what has already been said in the General explanation to said accounts, to state, that relying on a cash deposit, to enable me to settle the necessary expenses incurred for the support and subsistence of the Guesno Indian Agency for the last two Quarters, — with persons having faith in the ability and integrity of the Indian Department, always contributing to my wants in time of need, — is indispensable to the existence of this Agency.

The long suspension of payment by the Department has not only exhausted the patience of my Creditors — but it has exhausted their means also, — and prevented them from replenishing their Stocks of Goods so as to continue the necessary relief, heretofore so generously afforded.

The entire supply of grain raised on the



Two small farms in this Agency the past season: with the exception of a small quantity yet on Kings River Farm, necessary for the subsistence of the Indians on that place, has already been unavoidably consumed, and the acorns gathered by the Lower Kings River Indians, previous to their expulsion by the Whites, and since hauled to the Fresno, will not, used in the most economical way suffice for food more than one month, Hence it is plainly to be seen, that without early relief the Operations and the subsisting of Indians within the Fresno Indian Agency must cease, and the Indians recently driven from Kings River, being some six hundred (600) in number, unprotected and entirely destitute of anything in the shape of subsistence, will be forced by hunger to leave the Indian Farm, and roam over the Plains and the Hills of the Coast, like Beasts of the field, in search of rising Vegetation for food, or resort to Pillage and petty theft, as hunger or inclination may lead them.

The Indians which have long lived - and faithfully

labored on the farm, will also have to abandon their  
posts, at perhaps the sacrifice of a growing crop, and  
resort to the hills and elsewhere, taking their chance  
for a living among their acquaintances and relations,  
who procured last fall a very limited supply of  
acorns for their own consumption,

I am aware this is drawing truly a  
deplorable picture of events in the prospective,  
nevertheless, without timely relief the anticipation  
must assuredly be realized.

All of which is Very Respectfully  
Submitted by

Thos. J. Henley Capt.  
Supt. In. Affs.  
San Francisco Cal.

Your Most Obedt  
Mo. B. Lewis  
Sub Capt

Office Fresno In. Agency Cal.  
February 28<sup>th</sup> 1859

J. R. Brown Esq

Dear Sir,

On the supposition  
that my accounts for the last (4<sup>th</sup> Decr 1858) might  
be submitted to You for Your consideration before the  
money for the payment thereof, is placed to my credit, I  
have thought well to test Your Kindness with a few lines  
on that Subject, - at the same time submitting for Your  
information and consideration, as an Officer in whose  
hands much government interest is intrusted, Copies of  
"General Explanations", filed with said accounts in the  
Office Supt. In. Affs. My object for so doing is  
to prevent any <sup>delay</sup> or Suspence that might intervene, on the  
arrival of the funds, - which thin could have been no  
excuse for, had I not been forced by circumstances, be-  
yond my Control to expend a much longer time during  
the operation, of said quantum, than would have been  
necessary

Under ordinary circumstances.

In the absence of laws, or rather the means of enforcing the law:— The Expulsion of the Indians from Kings River, however arbitrary and uncalled for, was a matter not within my power to controul. Every proposition consistently in my power to perform, was proposed to the Whites, with a view of putting a stop to hostilities, thereby avoiding a heavy expense that was bound to follow, an arbitrary and hasty removal of these Indians from their fixed homes and comfortable Huts at that season of the Year. Notwithstanding my appeals to the sympathy and humanity of the more intelligent Whiteman, there was no retraction nor concession that would be made by me on their part; The Knowing Ones of this party, declared that the Government had provided the means for the Concentration, <sup>feeding & clothing</sup> of all the Indians, and it hence to be done, and as a means of forcing the Government into the discharge of its <sup>duty</sup> in War of Extirmination was the threatened doom of those Indians, in default of immediate removal. Hence there was no alternative left me, My duty not only demanded vigilance on my part;— but required that I should if in my power

rescue those helpless objects of government, from the  
Vengeance of their enemy and captives, Humanity also  
demanded that it should be done, Had I have refused to  
extend to them the humiliating name in their exposed & distress  
condition, I would have been justly censurable for a dis-  
obedience of Official duty and subject to removal, - besides,  
I would have been denounced by the laws abiding and more  
humane portion of Community.

Conscientious of my duty under the circumstances,  
I took the field in behalf of the unfortunate "digger Indians",  
and by acting purely in the defence, succeeded in effecting  
them which at this time would seem to be a satisfactory peace,  
without blood being shed in a hostile manner, - and at  
an expense to the government, insignificant, when taken  
into consideration, - with, the importance of the object attained  
all of which is most respectfully submitted.

For Your information

Very respectfully

Yours most Obedt

M. N. Lewis

Sub Capt

J. Ross, Boston Esq

1851

C

*Merced Star Feb 1st*

**Fresno Indian Affairs.**

FRESNO, Jan. 18th, 1859.

*Editors Star*—Gentlemen:—Notwithstanding my utter abhorrence to newspaper discussions tending to encourage ill feelings among men, and affording no useful information to the public, at the solicitation of R. T. Burford Esq., as expressed in his lengthy communication under date of December 19th, 1858—I have to request that you give publicity in your paper at the earliest convenience, to the certificate of E. P. Hart Esq., Register of the land office Visalia, corroborated by the certificate of Judge Clark Hoxie, of Millerton; the certificate of L. G. Hughes, merchant in Millerton, corroborated by the certificate of John McLeod of the same place, and the certificate of John L. Hunt, of the firm of Hunt & Co., as evidence that Mr. Burford, of Millerton did in his communication under date of November 16th, 1858, voluntarily and rather carelessly "speculate in falsehood," as censured in my communication under date of December 14th, 1858.

These certificates show conclusively to an impartial reader who is conversant with the matter in question, that his remarks were "speculative" and ungrounded, and that he was not as well posted in the affairs of the Fresno Indian agency as he boasted of.

The risk of an improper construction being put upon silence, and the additional opportunity so generously presented to make good the assertion contained in my former communication, that I would prove Mr. Burford, "speculating in falsehood," alone, induces me to take any manner of notice of the "annihilator," that appeared in the STAR of the 28th, ult, from the arraigning pen of Mr. B. In that communication he makes numerous charges and indulges liberally in promises to enlighten an injured and benighted public upon several points of most vital importance to the general safety. Two points only in his letter, and these, the great features of his future ground work, will be noticed. He asserts that "\$2,000," per annum is the amount of rent paid for the Fresno Farm. This is an egregious error either wilfully or recklessly represented. \$1,000 is the price paid, as may be seen by any person desiring evidence of the truth, by examining the official papers in this office, or in the office of superintendant of Indian affairs.

The other point is the assertion that this "high rate" of rent is paid for lands of which the "Government is the sole proprietor." Here again is a charge made in utter disregard of fact, or in such pitiable ignorance of what he brings before the public that ridicule is disarmed. This Farm for which the rent of \$1,000 per annum is paid by the Government embraces not less than 960 acres of PATENTED LAND, as is shown by the records of the Land Office, now at Stockton,

(that, among the outside tribes, the Pitcairney and Salanches, (San Joaquin Indians,) being more exposed to evil influences than other tribes, the effects of which had allured them into habits of idleness and dissipation, and learned them to be more skilled in the art of begging, which afforded them additional excuses for more frequent visits to the Fresno farm for counsel; all of which advantages they availed themselves, independent of their regular quarterly visits—knowing that, after counsel and fair promises made on their part, as a matter of consequence a few presents, in consideration of their charitable appeals and known destitution, would follow; thus receiving, as may be seen by reference to the books of L. G. Hughes & Co., as much, if not more, than any two tribes of Indians not permanently located on the Farm.

Given with freedom and pleasure.

E. P. HART.

This is to certify that the entire statement as above made, by E. P. Hart, Esq., applying to the operations of the Fresno Indian Farm, between the first day of January, 1856, and the first day of January, 1858, came under my own personal observations, and is strictly true, and not exaggerated.

Given under my hand with freedom and pleasure.

CLARK HOXIE.

MILLERTON, Jan. 8th, 1859.

This is to certify that Judge M. B. Lewis, Indian Agent for Fresno Agency, has, to my own personal knowledge, purchased and issued to the various tribes of Indians on and south of the San Joaquin River, in substantial articles of food and clothing, during the last three years, to the amount of not less than one thousand dollars per quarter; and that, among the various tribes thus served and provided for, the San Joaquin Indians always received a liberal share; that, in the latter part of the month of September last, the said Agent, in person, provided an outfit for and dispatched a large party of the San Joaquin Indians to a point on the San Joaquin River, some fifteen miles below this place for the purpose of taking and curing Salmon, for their own consumption, and for the use of the Fresno farm; and that said party continued to fish under his instruction during the salmon season; that another party of the said San Joaquin Indians, as directed by said Agent, was at the same time in the mountains gathering acorns for the season; that, during the performance of the labor by said tribes of Indians, constituting very nearly all of what is known as the San Joaquin Indians, the necessary supplies for the occasions were furnished them by the said Agent; and that the said Agent has, to my own personal knowledge, frequently bought supplies and issued to the Monos.

Given freely, and with pleasure.

L. G. HUGHES.

This is to certify that the entire statement as above made, by L. G. Hughes, are facts which have from time to time come under my own personal observation, and that they are strictly true. Freely given and with pleasure.

JOHN McLEOD.

UPPER FRESNO FARM,  
January 8th, 1859.

I do hereby certify that Judge M. B. Lewis, Indian Agent for Fresno Indian Agency, has, to my own personal knowledge, purchased from the trading post of Hunt & Co., situated on the Fresno river, in the neighborhood of the residence of the Po-ho-nee-chas and Noot-choo tribes of Indians, for their consumption, in substantial articles of food and clothing, not less than an amount of four hundred dollars worth

such pitiable ignorance of what he brings before the public that ridicule is disarmed. This Farm for which the rent of \$1,000 per annum is paid by the Government embraces not less than 960 acres of PATENTED Land, as is shown by the records of the Land Office, now at Stockton, and not an acre of public land is used for Indian purposes in the vicinity of this Farm. With these facts open for the inspection of the Public, it is very safe to conclude that the whole tenor of what Mr. Burford has written, and also what he holds "in reserve for the next communication," are reckless and flimsy "speculating," and that he has ends in view that will not admit of a faithful representation of facts.

Go on Mr. Burford, but henceforth the field will be all your own, for I assure you (and the public also) in all sincerity, that I am not a little ashamed of having allowed myself to notice in any manner, what has proved as self-condemning as have your shallow attempts to unmask and bring into disrepute the operations of this agency. Very respectfully,  
Your most obt.

M. B. LEWIS.

VISALIA, January 2d, 1859.

Being employed as Clerk on the Fresno Indian Agency in the month of October, 1855, the time Judge M. B. Lewis entered upon the discharge of his duties as Agent, I do hereby certify that, during the month of November following, (1855,) in compliance with invitations extended to them, the various tribes of Indians belonging to said Agency, residing on the waters of the Merced, Chowchilla, Fresno and San Joaquin Rivers, commenced concentrating, and in a short time the number of Indians on and about the Fresno Farm exceeded fifteen hundred. All of whom being on the ground, and assembled in one grand Council, it was unanimously agreed that the will of the Agent should be their guide. Soon after, as instructed, they went their way again to occupy their former villages, and temporarily subsist themselves on the natural resources of the mountains; leaving on and about the Fresno Farm, permanently located, some three hundred of their number, consisting of the Choochaucys, Chowchillas, Houches, and remnants of other tribes; which tribes of Indians, as agreed by the Agent and the various Chiefs present, were to remain permanently on the Fresno Farm, and perform all the labor required for their common good. This number of Indians, varying a little occasionally, more especially after the labors of harvest being over, when it was their usual custom to go into the mountains for a short time in pursuit of manzanita and other fruits, and to avoid the hot season in the plains, to my own personal knowledge, lived on and about the Fresno farm, under the immediate superintendance of Agent Lewis and assistants, always ready to labor, and cheerfully labored when required, and were regularly and liberally fed and clothed by him, up to the time I left the service, in July, 1858.

In the mean time, from personal knowledge—having assisted in the issue of both food and clothing—I assert that it was a custom seldom ever neglected by the various tribes yet permanently located on the Fresno Farm, each quarter, respectively, to visit that place for food, clothing and counsel, never failing to receive at the hands of Agent Lewis good counsel, and all the relief in his power to afford them. And

I do hereby certify that Judge M. B. Lewis, Indian Agent for Fresno Indian Agency, has to my own personal knowledge, purchased from the trading post of Hunt & Co., situated on the Fresno river, in the neighborhood of the residence of the Po-ho-noc-ches and Noot-choo tribes of Indians, for their consumption, in substantial articles of food and clothing, not less than an average of four hundred dollars worth per quarter, from his first acquaintance with these Indians as Agent, to the dissolution of the copartnership of Hunt & Co., some few months since; all of which amounts thus purchased was delivered to them in person, or caused to be delivered in good faith, and that in the mean time, he, the said Agent, made the necessary provision for the subsistence and clothing of the indigent and sick of the tribes.

Given under my hand with freedom and pleasure.  
JOHN L. HUNT.

**FIRE.**—A fire occurred at Watts' Billiard Saloon, at Snellings in Merced Co., last Wednesday night. It originated from a badly fixed stove pipe passing through the roof, and was extinguished without much difficulty. A small hole burned through the roof, and a full deck of cards destroyed, was about the amount of the loss sustained.

**VISALIA.**—We learn that this town is steadily improving. New Buildings going up, and, the surrounding country settling up rapidly.

A grand Ball will come off on the 22nd of February.

**Gone Under.**

With the last number of the Hornitos Democrat, we learn that Journal closes its career. The paper has been in existence during the past two years, and was started in Mariposa by Messrs. Milne & Baer. The former gentleman retired from business after a brief period, when the press was moved to Hornitos and conducted by Mr. Baer, with considerable ability. It afterwards came under the control of Messrs. Davis & Godfrey. Mr. D. shortly after, disposed of his interest to his partner the present proprietor, who has since had the sole management of the concern. The paper has been distinguished for its neat typographical appearance, and for the number and variety of its selections from other Journals. Its loss will be severely felt by the reading community.

The next Mail for the Atlantic States and Europe will close at the Mariposa Post Office, on Wednesday, February 16, at 6 o'clock P. M. J. F. McNAMARA, P. M.

**Divine Service.**—At the Methodist Episcopal Church South, Main street, (next door to the STAR office.)—Preaching every Sunday by Rev. T. C. Barton. Prayer-Meeting every Wednesday evening.

**J. R. WHITE.....Constable,**  
HORNITOS,

Will attend promptly to Collections and general business pertaining to his office. f1

**Dr. E. H. TRECOTT,**  
OFFICE.....Southwest Corner of the Plaza,  
HORNITOS. f1