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Petition to Congress on Behalf of the Yosemite Indians

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While gathering data at the Yosemite National Park Research Library for a book I am preparing on the social and political history of Yosemite Indians 1851-1978, I discovered this most interesting memorial to Congress from the Yosemite, Paiute, and Mono tribesmen native to the region. This petition is important for several reasons, but mostly because it provides the reader with an incredible description of the political, military, and ecological factors driving remaining tribesmen from their valley. The Yosemite Indians suffered one of the earliest large scale Anglo-militia campaigns of the American period (Bunnell 1880). Although brutally driven to the Fresno River Indian Farm in 1851, in a short time the remnants of Tenaya's band came back to their valley. Like most Native peoples they desired to live and die on their traditional lands.

Although the petition is undated, there are several clues to its approximate origin. Memorials to the President and Congress were in vogue in the decades before the turn of the century. More convincing evidence can be found in the petition reference that the valley had been "withheld from us for 37 years." Taking the Mariposa Battalion's filibustering campaign of 1851 as the beginning of the expulsion of the Ahwahneechees, this indicates a date of at least 1888. Further references in the text comment on the state's administration of

the park. The state government did indeed administer the park from 1866 to 1906 (Russell 1968:146-179). References to Dr. Bunnell's book on the discovery of the valley date the petition after this book's first publication in 1880. Finally, Captain A. E. Wood, Acting Superintendent of Yosemite, wrote the Secretary of Interior in August of 1891 concerning the petition, arguing against compensation for the Ahwahneechees (Wood 1891). Altogether, the evidence indicates a probable printing date sometime between 1888 and 1891.

The question remains concerning authorship of this plea to the government. When the petitioners state in the text, "Here we place our marks as opposite our names," it suggests that many or most of them could neither read nor write. Could any of these Indians have been literate? Until this time and for many years afterward federal Indian schooling focused on reservation populations and no Bureau of Indian Affairs schools were established for the Yosemite people. However, local Indians may have gotten some education from the public school in nearby Mariposa. Although the courts reversed themselves several times in the last half of the nineteenth century concerning educating Indians in public schools, we know that Indians in Mariposa County were admitted to public schools in 1874 as the result of a court decision (Pearson 1973). Despite this favorable decision it is not likely that many local Indians were able to stay in school long, considering hardships and the transitory nature of the work available to them at that time. Later correspondence to the acting superintendent of the park states, "There is only about 4 or 5 of them that know how to read and

write" (Wilson 1905:2). The legalistic jargon is hardly the way Indians expressed themselves then or today.

Positive establishment of the petitioners' association with Yosemite is revealed by the fact that at least two of them, and possibly two others, were later informants for ethnographer A. L. Kroeber and linguist Sylvia Broadbent (Heizer and Nissen 1973:18). Further, C. E. Kelsey's 1906 census of non-reservation California Indians lists six of the petitioners living in the valley and four others living in nearby Mariposa (Kelsey 1906:60-63).

It seems reasonable to assume that some White helped pen these grievances and got it printed. Victorian reformers were especially active during this period. We know that Helen Hunt Jackson visited Yosemite in 1872, but it seems highly unlikely that she helped, considering she only once mentions the Indians in her account, and then in a most arrogant and disparaging way (Jackson 1971:39). In 1888, the Indian Rights Association of Philadelphia was active in southern California in attempting to secure land rights for Indians living on confirmed Mexican land grants (Indian Rights Association 1886-1913 Annual Reports). There may have been other groups or simply interested individuals; we may never know for sure who wrote this memorial. However, what is important is the glimpse it provides us of conditions surrounding Indian life in Yosemite in the last half of the nineteenth century.

I have no doubt that it accurately reflects the sentiments of those whose names appear at the end. Its focus on the ecological destruction of the valley, the unjustifiable expulsion of the Ahwahneechees, and their land rights struggle indeed reflects the core of post-Contact Indian group ethos that still lives on in the consciousness of the traditional Yosemite Indians today.

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**TO HIS EXCELLENCY, THE PRESIDENT
OF THE UNITED STATES,
AND TO THE CONGRESS OF THE UNITED STATES.**

Your Honors:

We, the undersigned chiefs and head men of the existing remnants of the tribes of the Yo-Semite, the Mono and the Piute Indians, who hold claims upon that gorge in the Sierra Nevada Mountains known as the Yosemite Valley, and the lands around and about it, by virtue of direct descent from the aforementioned tribes, who were inhabitants of that valley and said territory at the time when it was so unjustifiably conquered and taken from our fathers by the whites, do utter, petition and pray your Excellency and your honorable bodies in Congress assembled to hear, deliberate upon, and give us relief, for the following reasons to wit:

1st. In all of the difficulties, disagreements, quarrels, and violences which sprang up between our fathers and the whites of their days, the first causes can invariably be traced to the overbearing tyranny and oppression of the white gold hunters, who had and who were continually usurping our territory. Those causes were briefly as follows: The white gold hunters brought among us drunkenness, lying, murder, forcible violation of our women, cheating, gambling, and wrongful appropriation of our lands for their own selfish uses. We have been made aware that at this period there was no harmonious system of laws or bonds of restraint operating to check the lawlessness or violence of these bands of adventurous and desperate white men, who had sought our shores in search of gold, and little or nothing could be expected of them as remuneration for our lands; nor could punishment be inflicted upon them by laws which, if existing, remained in the main unenforced: yet in after years, when the long list of oppressions and outrages to which our fathers were forced to submit at the hands of the whites had long ended by the

slaughter and dispersal of our tribes, no notice was taken of the few who remained, and who from then until now have continued to travel to and fro, poorly-clad paupers and unwelcome guests, silently the objects of curiosity or contemptuous pity to the throngs of strangers who yearly gather in this our own land and heritage. We are compelled to daily and hourly witness the further and continual encroachments of a few white men in this our valley. The gradual destruction of its trees, the occupancy of every foot of its territory by bands of grazing horses and cattle, the decimation of the fish in the river, the destruction of every means of support for ourselves and families by the rapacious acts of the whites, in the building of their hotels and operating of their stage lines, which must shortly result in the total exclusion of the remaining remnants of our tribes from this our beloved valley, which has been ours from time beyond our faintest traditions, and which we still claim. Therefore, in support of our petition, we beg leave to offer the following reasons for our prayer:

1st. We, as Indians and survivors of the aforementioned tribes, declare that we were unfairly and unjustly deprived of our possessions in land, made to labor in the interest of the whites for no recompense, subjected to continual brutality, wrong, and outrage at the hands of the whites, and were gradually driven from our homes into strange localities by their action, and that our few retaliatory acts were feeble and deserving of no notice, in comparison to the gross injustices and outrages that we were continually subjected to. And we respectfully call your attention to the official report of Maj. Gen. Thomas J. Green to Gov. Peter H. Burnett, dated May 25, 1850, (page 769, Journals of the Legis. of Cal. for 1851); Brig. Gen. Thomas B. Eastland's report to Gov. Burnett, June 15th, 1850, (page 770, Ibid); letters of Gen. Eastland to Gov. McDougal (page 770, Ibid), and various others. If we were in the wrong the punishment we have suffered and

the war indemnity which our fathers were forced to pay—their all and their lives besides—is in monstrous disproportion to the damage they inflicted, however just they may have deemed the provocation.

2d. The action of the Mariposa Battalion towards our chief at that time, Tenaya, and his tribe was wantonly unjust and outrageous. Our only quarrel with the whites then was owing to our determination not to go upon a reservation being established on the Fresno, and give up to the whites this magnificent valley, which was to us reservation and all that we desired and that for a few paltry blankets, gewgaws and indifferent supplies of rations, that might be furnished us or not, at the discretion of any appointed Indian Agent. Our fathers had the sorrow to see their tribe conquered, their dignified and honored chief Tenaya led out by a halter, like a beast, into a green field to eat grass, amid the wonder and laughter of our pursuers; and his youngest son shot dead for no other reason than that he had tried to escape the unjust thralldom of our persecutors. For proof of these statements, you are referred to Dr. Bunnell's History of the Discovery of the Yosemite. He was himself attached to this battalion, and was an eye witness to all the facts related. Those who were left of our fathers were taken with their chief, however, to the reservation on the Fresno, from which place hunger and destitution finally forced them to run away; after which, we have been informed, the reservation was broken up, having shed disgrace upon all connected with its management.

3d. From that time up to the present the remnants of the various bands formerly in possession of the valley have earned a scanty livelihood by hunting, fishing, etc. There has never been a cause of complaint against the descendants of the old Yo Semites, neither have they broken the peace or indulged in warfares of any kind; they have silently been witness to the usurpation of their lands and

valley; they have never been provided for in any way by the Government of either the State or the United States. The wisdom of their action in quietly escaping from the Fresno reservation was justified by the bad management of that reservation, which finally led to its being abolished by the United States Government. Now we, the last remnant of the once great Yosemite tribe, and also those from the Mono and Piutes tribes who have claims here, see that the time is fast approaching when we must all abandon this, our valley, together, for the following reasons. White men have come into this valley to make money only. They have continually disobeyed the laws which were made for the government of this valley by the Washington Government. Those laws declared that this valley should be kept as a reservation and park for the white people forever but the head men appointed to govern this valley by the State Government do not obey those laws; instead, they have given control of the lands of the entire valley into the hands of a few whites, who only wish to make money here, and care neither for the laws nor the Indians. Those white men have fenced the valley all up with wire fences, with sharp barbs all along the wire, close together; it is divided off into fields, many of which are ploughed up by the white men to raise grain and hay to feed their own horses upon, and the Indians are forbidden to walk across their own fields by reason of this farming; the other fields are filled with the horses and cattle of these white men, as many as 125 horses, and sometimes 40 head or more of cattle being at large in these fields; all of the tender roots, berries and the few nuts that formed the sustenance of the Indians are trampled down and torn up by the roots, or eaten and broken off in this way by these few white men's horses and cattle. If the Indians have two or three horses they must starve, for there are no fields left for them to run in, neither can the strange whites, who came in wagons to look at the great rocks in the valley,

find food for their horses, by reason of these wire fences of these few white men. Where there are no fences, the valley is cut up completely by dusty, sandy roads, leading from the hotels of whites in every direction. The head men of the whites also order their workmen to cut away the trees in every direction, and destroy the shade and beauty of the valley, so that they may have more room to plough and raise hay to sell to strangers, and to plant in gardens and build their houses upon.

Every once in a while the State Government changes its head men, and every new lot turn away from their homes more and more of the old resident whites, whom we have known so long, and young, strong and hungry looking new faces come in their places. All seem to come only to hunt money. Why the old ones are turned away we do not know, but when they are sent away their houses are torn down, and new ones are built for these new men to live in. This does not seem to us to be right, neither do we believe the great Washington Government wants this wonderful valley to be ploughed up into a hay farm, or its fine forest trees to be cut down and destroyed for the pleasure of those whites who seem to be afraid of and to hate trees. This is not the way in which we treated this park when we had it; and we know that these white headmen often say that the Indians were the only ones who knew how to take care of Yosemite. We have heard that the white men in the valley intend to plough up nearly all of the open and level portion of the valley, to raise hay upon, and it will only be a short time before they will tell the Indians that they must go away and not come back any more. Now, in this valley grow all the things that we can rely upon for our winter supplies, and we cannot go away from here to gather acorns and nuts, or to hunt game, without trespassing upon some other Indians' ground and causing trouble; besides, we do not wish to leave this valley if we can help it, though as it is governed now in the interest of only a few

white people, and for them to make money in, we do not see that we can possibly stay here much longer, for every year these few whites reach out for more, more, and drive us slowly further back. We have already been told by the former chief of the whites in this valley, that we must go away from here and stay away; but we say this valley was not given to us by our fathers for a day, or a year, but for all time. The whites are too numerous and powerful for us. We willingly keep the peace, we have no desire to do otherwise, but it is with an uneasiness that we see the time approaching when we must leave this spot which has been the home of our people from time immemorial. Therefore we pray our head white father at Washington and his Great Council to consider the following things, viz:

First. Soon after this valley was taken away from us by the whites, the great Washington Council gave it to all the white American people for a pleasure ground, a park, where they might come and see the great rocks and waterfalls, and enjoy themselves.

Now it seems to us that the laws imposed upon the head men of this valley by the Washington Government are being wilfully disregarded, and that Yosemite is no longer a State or National Park, but merely a hay-farm and cattle range.

Second. The valley is almost entirely fenced in, mostly with barbed wire. There are no walks for pleasure. There are horses and cattle in every field. There are nine fenced-off fields within a space of two miles or less, at this upper end of the valley, and consequently the People's Park is a thing of the past. It has now resolved itself into a private institution, making only a show and pretence of being a public benefit and is supported by the State in this condition. Consequently, as we have been wronged and robbed this valley in the first place by the whites, and has been turned by them into a place for their own benefit, and has been withheld from us for 37 years and we have

received not one iota of remuneration for our natural rights and interests therein at any time and as we see we must relinquish all our possessions here soon, and go among strange tribes and in strange places to live, and as we are sufficiently civilized to understand the ways of the whites, and conform in a measure to their habits and customs, we pray you, our great White Chief, and you, the great Washington Council, to give us for our just claims upon this Yosemite Valley, and our surrounding claims so violently and wrongfully wrested from us without either cause or provocation, out of the abundance of your great wealth, for the future support of ourselves and our descendants, one million of dollars, United States gold coin; for which consideration we will forever bargain and convey all our natural right and title to Yosemite Valley and our surrounding claims.

We know that Indians far away in your country have received indemnities in this way for lands forcibly taken from them and other wrongs inflicted upon them by whites in former times; and also that the whites constantly receive such indemnifications for losses sustained at the hands of Indians. Therefore, we hope in justice that you, the Great White Chief, and you of the Great White Council of this Nation, at Washington, may hear with wide open ears, and grant our prayer; also, in case that you declare justly and favorably for us in our great need, suffering under this condition of great wrong and poverty, we desire to be heard, and have a voice in the Council which shall appoint the men who are to receive the indemnity money for us, as we do not wish to part with our last remnant of territory for merely the enrichment of a few adventurous white men. Here we place our marks as opposite our names, the Chiefs and head men of the petitioning remnants of the former Yosemite tribes with our principal women and children.



YOSEMITE INDIANS

- Te-he-he or Capt. Henry.
- Cha-muk or Lancisco.
- Mu-mu or Capt. Dick.
- Sung-ok or John (Capt. Dick's son).
- Chich-ka or John Lawrence.
- Hick-ah or Peter Hilliard.
- Wit-ta-ra-bee or Tom Hutchings.
- Low-a or "Bill."
- Bu-lok or "Bullock."
- Chor-cha or "Austin."
- Chre-cra or "Mike."
- Hul-i-na or "Capt. Reuben."
- Una-moy-na or "Capt. John."
- or "Scipio."
- "Cary."
- "Johnny Brown."
- "Charley Bill."
- Su-pan-chee or "Capt. Paul."
- Car ra-nee or "Pedro."
- Chee-tee or "Jim."
- "Wilson."
- "Willie Wilson."
- Meme-lem or "Melquita."
- Pancho or "Jack."
- Cha-muk or "Louie."
- Ha-tam-e-we-ah or "Nancey."
- "Billy Stanley."

MONO-YOSEMITES.

- Shi-ban-nah or "Capt. John."
- (Head Chief of the Mono Piutes)
- Bos-seeek
- Chen-na-pee
- Tor-tah-hock-a-mah
- Pah-aw-zack or "Jim."

YOSEMITE INDIANS. WOMEN.

- Pa-ma-ha or "Callipene."
- Y-mu-sa or "Betsey."
- Yo-ne-pa or "Mary Ann."
- Chen-na-chu or "Susey Lawrence."
- Shu-wi-o-nee or "Jenny."
- Why-to-ne
- To-nee-pa or "Mary."
- "Dulcy."
- "Caledonia."
- Awl-kim
- "Julia Ann."

- "Cosey."
 - "Louisa."
 - "Susey."
 - "Yusey."
 - "Nancy."
 - "Lucy."
 - "Old Lucy."
 - Chi-nee
 - Wil-la-pum..... or "Co-qui."
- And many others.



A Strategic Mission: Santa Catalina

WILLIAM M. MASON

One of the influential factors which shaped the history of Alta California was the physical isolation of California from the rest of Mexico. Aside from a brief period (1774-1781), Alta California was cut off from Mexico except by sea. The opening of the Sonora Trail via Yuma in 1774 was most helpful in the early period of settlement within the province. Cattle, horses, and colonists were brought over the land route for about six years, but the Yuma Indians decided they had had enough of the Hispano-Mexican rule in 1781. They revolted, killed most of the soldiers and colonists among them, and closed the route by land for over forty years.

Subsequent to the Yuma uprising, Spanish governors of Alta California frequently recommended that a land connection with Sonora be established, whether by force or persuasion. To force the Yumas into submission or to go around them was a point of contention.¹ The latter idea was a plan of Joaquín de Arrillaga, commander at Loreto Presidio and *de facto* governor of Baja California. He favored the establishment of a post at the mouth of the Colorado River on the California side, which

would be situated among the Cocopa Indians. This tribe was not friendly with the Yumas, and it might have been assumed they would be more amenable to contact with the Spaniards. Arrillaga viewed the establishment of a mission at the pass that led through the mountains of Baja California as a stepping stone for a Spanish route over the Colorado River to Sonora. Putting a presidio on the Colorado would involve considerable effort, he admitted. Such an establishment would have to withstand a possible attack by 2000 warriors. Former Governor Pedro de Fages said that he had been attacked by 1500 Indians on the Colorado River some fifteen years before. Before this move could take place, Arrillaga felt, the Mission of Santa Catalina should form a liaison between the Spanish frontier (Fig. 1) and the people at the river's mouth.²

Penetration of the northern mountains of Baja California's *Frontera* had begun with the establishment of San Pedro Mártir Mission in 1794, approximately seventy miles south of the Portezuelo, or pass, through the mountains to the Colorado River.³ The strategic advantage of having an establishment covering the best pass to the river is mentioned more than once. Relations between the Spanish forces and the Indians directly east of San Diego were far from cordial, as the experience of *Alférez* Juan Pablo Grijalva indicated in 1795.⁴ Access to the Colorado River north of the Portezuelo had been attempted in 1785 with poor success, in any case.⁵

What the military knew about the mountainous interior of the *Frontera* is not certain; allusions to earlier expeditions in the Portezuelo region and the Valle de San Rafael are made by later diarists and correspondents, but little specific information has survived in the Californias. Visits by *Alférez* Grijalva and Sergeant José Manuel Rúaiz are mentioned, however, and it would seem that between 1785 and 1795 several excursions had been made into the interior.⁶ Whether these trips were to register