Events after the Mariposa Indian War, from *Sam Ward in the Gold Rush* (1861, 1949) by Samuel Ward

[Editor’s note: Only chapter 4, which relates to events after the Mariposa Indian War, Major James Savage, and Chief Bautista, is reproduced here. Sam Ward, later Washington, DC “Lobby King” spent two years on the short-lived “Mercedes Indian Reservation” as a storekeeper working for William J. Howard. The treaty was never ratified and the reservation closed—dea]

Preface

Two years ago while examining the ninth volume (1861) of the New York weekly called *Porter’s Spirit of the Times*, I found that it contained a few opening installments of a serial memoir of the California Gold Rush. The possible interest of the memoir to present-day readers made it seem suitable for reprinting in our time—especially so because in its original form it was almost inaccessible, only two complete copies of that ninth volume being known to exist. But too few installments were available, and to search for more seemed futile because reference guides stated that *Porter’s Spirit* stopped publication at the conclusion of the ninth volume. Recently, however, a complete copy of a hitherto unknown tenth volume of the periodical came by luck into my possession; and when it was found to contain several more installments, reprinting the greatly enlarged memoir as a book became possible.

One problem remained—discovering the identity of the author, who had hidden behind a pseudonym, signing himself “Midas, Jr.” The search eventually led to a manuscript of legal testimony in the National Archives which gave simultaneously the first hint and the final proof that “Midas, Jr.” was Samuel Ward—brother of Julia Ward Howe, companion of Longfellow, friend of Thackeray, epicure, poet of sorts, and “King of the Lobby.”

In the interest of readability the text has been altered as follows: Digressions of little interest as well as especially wordy passages have been omitted, with all omissions indicated by ellipses except at the beginning of Numbers One, Three, and Eleven, where ellipses interfered with design. Obvious typographical and spelling errors have been corrected without indication. Where irrationality of punctuation made sentences difficult, the punctuation has been changed.

Further in the interest of readability, no formal references to sources of information are given. But a bibliographical note at the back of the book gives general references to sources, and an interleaved copy of the book containing detailed references will be deposited at the Stanford University Library.

Carvel Collins

Harvard University
September 1948
That accomplished traveller and persevering hunter, the late Mr. Ruxton, in the narrative of his trip through Mexico to the Rocky Mountains, dwells, with tender longings and heartfelt regrets, upon his sojourn for the period of several weeks in the seclusion of a grassy nook near the “Beer or Soda Springs,” sheltered by the Wind River Mountains, where he enjoyed the luxury of absolute solitude, diverted only by the custody and purveyance of his animals, and enlivened by the sports of the chase. . . .

The tranquillity which pervaded the region of my retirement, although not so unbroken as that of Mr. Ruxton’s retreat, so far from proving irksome, was refreshing in its repose to one who had just quitted the carnival excitement of San Francisco existence. Such a rustication kept one out of mischief and avoided, if it did not cover like charity, foreign or domestic, a multitude of sins. There were no unsaleable goods to be “worked off”; I say this feelingly, having once paid the freight upon a consignment of obsolete stoves, which I was unable to give away. There were no “steam days,” calling for heavy remittances from an exhausted treasury and an estate mortgaged beyond capital temptation; no fever from the infection of “good things,” as new speculations in coals, sugars, rice, flour, lots, and especially occult Mexican titles to the latter, were then called; no gnashing regrets when the unexpected success of some enterprise which you had scorned as worthless had proved your neighbor as wise as you were foolish, an unclassified weakness of human nature—call it emulation, envy, or avarice—which leads mankind to more than half their griefs . . . .

The dividends my friend expected to derive from his investment at Belt’s ranche were to be earned by the toils of the ferry, the profits of the Indian store, and the gains upon a contract, entered into with the U.S. Indian sub-agent for that section, to furnish the Merced and Tuolumne tribes with certain supplies of flour and fresh meat as inducements for their tranquillity and for their abstinence from depredations upon the cattle and horses of their white neighbors.

The business of the ferry, though never swollen by unexpected tides of emigration attracted to the Southern Mines by rumors of “rich strikes” and of “monster nuggets,” was sufficiently uniform to pay the wages of the white “help” employed on the premises. Indeed, the boat and its appointments were of an inexpensive description. At its average height, the river was some eighty yards wide; a cable about fifty fathoms long had been stretched across and fastened to a couple of trees which grew opportunely on either bank; two sliding slings at the bow and stern of the boat were thrown over the cable, and the ferryman drew the boat across by hauling upon it. The boat was just large enough to hold a loaded six-mule wagon, and a stout boy could work the whole affair with ease. The teams generally arrived towards nightfall, and our whole establishment was thrown into a bustle of delight when a procession of half a dozen or more wagons loomed from the opposite bank. Their appearance early in the afternoon was wont to inspire the apprehension of their continuing their journey after crossing, but when the day was far advanced preparations might be safely made for their lodging and supper, and they were looked upon as sure customers for both, though upon the excellence of the latter might depend their stopping for breakfast; and this reminds me that I had forgotten to mention that the so-called store was, like all similar establishments in the mines, a hostelry for the nonce.

The late Mr. Becquerel, whose brilliant discoveries have so greatly enriched the treasury of electrical science, performed most of his experiments on a minute scale, chiefly in watch glasses; and had I been ambitious of putting to shame the unwieldy, sometimes incomprehensible, and often contradictory prolixities of Smith, Say, Storch, Ricardo, and other political economists, I have no doubt that the fluctuations of the trade of our little store at the ferry would have enabled me to lay down the basis and prove the developments of their much vexed science with a truth of premise, a simplicity of argument, and an irresistibility of conclusion which would forever have set at rest the disputes that still agitate the “money and trade articles” of our day.

Unlike most producers, whether by agricultural industry or by manufactures, our market lay under our eyes; the demand depended not upon political caprice nor upon wars and the other contingencies of national good or bad fortune but upon the success of our consumers in their gold washings. If their labors, which were under our constant supervision, had been richly rewarded, all hands were needed in the store; were they lazy or dispirited by two or three days of bad luck, it was haunted only by the loafers and beggars of the tribe, and occasionally honored by the visit of one of its few economical capitalists who was sure, in those times of commercial inactivity, to drive a good bargain.

The question of profits upon the beef and flour contract, though at first sight as alluring as a new mining prospectus, was more problematic if not mythical. Uncle Sam, though good for what he puts his name to, is as dilatory and scrutinizing of all bills not yet accepted as the veriest Bohemian that ever questioned the items or postponed the payment of a tailor’s account. In our case, the supplies were honestly furnished, the accounts made out with scrupulous exactitude by that most prudish, squeamish, and methodical of honest book-keepers, Judge Stakes, whilom of San Antonio, Texas, and since of Stockton, California; they were all certified by Col. Adam Johnston, the Indian sub-agent referred to, and yet at this day all the efforts of the parties interested have only reached the threshold of that throne of mercy but not of grace, the Court of Claims. In these hours of national excitement and anxiety, arises the hope that if we are, like the Great Eastern, dismembered in a gale, to float asunder in two or more water-tight compartments, the new governments to arise out of this cataclysm may administer justice with an equity and meet their liabilities with a promptness to which the overgrown, chaotic and corrupt bureaucracy of our central administrations, by an unholy and tripartite alliance between Congress, the lobby and the departments, has long been a stranger.

A few days were sufficient to familiarize me with the simple details of an enterprise in which hope was a much more considerable element than reality, and my attention became principally directed to the habits and customs of the Indian tribe, of which I was now the Indian sub-agent referred to, and yet at this day all the efforts of the parties interested have only reached the threshold of that throne of mercy but not of grace, the Court of Claims. In these hours of national excitement and anxiety, arises the hope that if we are, like the Great Eastern, dismembered in a gale, to float asunder in two or more water-tight compartments, the new governments to arise out of this cataclysm may administer justice with an equity and meet their liabilities with a promptness to which the overgrown, chaotic and corrupt bureaucracy of our central administrations, by an unholy and tripartite alliance between Congress, the lobby and the departments, has long been a stranger.
The chief of the other tribe, old Trypoxi, was a being of a higher order, though unadorned by those social and Christian graces which stamped his compeer a caballero. He was more dusky in hue (the other being of a bright and florid copper color) and spare of flesh, with a meekness and humility of manner which almost deepened into chronic melancholy. No episode of Mission flesh pots and scarlet kerchief had interrupted with enervating influences the sad monotony of his life struggle to keep together the small remnant of his once powerful tribe. The advent of the whites, and the comforts which they bartered for gold, had passed over his existence like sunshine over the sorrows it cannot dispel. I became subsequently greatly attached to this rare representative of savage self respect, honesty, and sensitive good faith; nor do I remember a more striking proof that the great Creator has planted all the elements of moral grandeur in the natural and unredeemed man. The intercourse between the two chiefs was as friendly and unassuming as that of the police captains of two contiguous districts in a well regulated city.

Agent Johnston’s map of Indian reservations, January 30, 1852

A month may have elapsed after my permanent anchorage at the ferry, when one forenoon there were symptoms of great agitation in the Indian camp. Unintelligible words flew like arrows through the air, and the men and women left the river and hastened up the road in the rear of the store, which, at right angles with the Quartzburg trail, led to the Fresno, some fifty miles distant. I was at a loss to account for all this flurry among the apathetic Potoyensees, until informed that it portended the approach of Major Savage, the great Indian trader of the lower country, and even then was puzzled to know why his advent should produce a Prince of Wales’ sensation. Dignity, of course, forbade my advancing to meet an unknown stranger, however distinguished, but, keeping my eye in the direction which the Indians were following, it was not long before I descried a cavalcade of some half-score trappers in appearance, slowly descending the bluff. As they approached the ferry, it was easy to detect their leader, whose yellow hair hung profusely below his shoulders, and who had something of that air—Napoleon which the habit of command is apt to impress upon those who wield it. His staff consisted of mountain men, who were the support of his forest throne; and I recollect that Judge Marvin, afterward Superintendent of Public Instruction in the Golden State, rode at his right. The white Sachem dismounted, and entered the store with his suite. I observed that his face was clean-shaved and his complexion sallow despite exposure in the open air, two traits quite rare among the bearded and bronzed population of the mines. It may appear singular that in stature, air, and feature, he bore a marked resemblance to the effigies I have seen of Peter the Great. The Indians, particularly the women and children, thronged the store and pressed in crowds on the outside with all the avidity of the mob which struggles to enter an apothecary’s shop into which a wounded man or a fainting lady has just been carried.

With the Dowager Princesses of the Potoyensees he carried on a lively conversation, and his remarks were listened to with breathless interest, and at times elicited explosive delight. He was bound for San Francisco in search of some innocent assignee of his confidence in the solvency and the good faith of our Indian Bureau. Meeting with such an one, his design was to convert into cash his drafts and certificates of supplies, with a view to provide loads for his teams, which were shortly to follow him as far as Stockton. Our intercourse upon that occasion was brief and reserved, and his conference with the aborigines unintelligible to any of the whites present.

After his departure, this singular personage was the theme of conversation and comment, from which I learned that he had been the companion of Indians since his boyhood, having commenced his experience of their romantic life on the other side of the mountains, and was by some persons supposed to have a streak of their blood in his veins, an absurdity flatly contradicted by his hair, which was as fair as the golden locks of Achilles. I am unable to say how long it was since he had transferred his affections from the tawny lords of the eastern plains to their humbler prototypes on the Pacific slopes, but think I am correct in my recollection that he was one of the earliest emigrants thither, possibly, before the discovery of gold. He exercised over the tribes with whom he was in contact a magnetic and almost mysterious influence. His habits and nature were externally consonant with his name. He excelled the Indians in every athletic exercise and skilful accomplishment, and was their equal in his powers of abstinence and endurance, being competent to subsist upon roots and seeds and to perform those long dog trot journeys on foot for which that race is celebrated. I was told that,
in his mountain home, he was as much of a polygamist as the meagreness of the Circassian market would allow,18 and it was added that he often indulged on the Fresno in the luxury of native buff, with only the hiatus of a clout; a delicate piece of flattery to which Indian vanity was not unsusceptible.

This episode had flashed a new light upon my hitherto misty perceptions of Indian character. They were, it appeared, alive to other and deeper emotions than the superficial enjoyments of clothing and finery and the internal felicity of gratified appetites. The first step to their confidence was a knowledge of their language, which I felt an increasing desire to acquire when I listened to the wonder and admiration with which my messmates commented upon that Mezzofantinell19 feature in Major Savage’s accomplishments.

My plans were soon formed to approach, if not to rival, the white Savage in this particular influence over the red.20 My relations with Bau-tis-ta had softened from polite reserve into growing cordiality. He spoke tolerable Spanish, and would thus serve me as the black stone of Rosetta did Champollion. So I invited his Highness to breakfast on the following morning, and after having made him too much of a Bologna sausage to feel inclined for the rough work of river washing, got him into my sanctum, placed before him a bundle of cigaritos, a tumbler of claret sangaree and, with pencil and note-book in hand, asked him to repeat to me the Potoyensee numerals. Not having Mr. Ellis’21 phonetic alphabet at hand, I contrived a system of my own to express, now with Greek, now with German, and occasionally with Latin characters, the vocal value of such sounds as were foreign to our own language. From the numerals I proceeded to the human family . . . . and thence to human anatomy; next, to the wants of man . . . . next, the cardinal points; then their measures of time—yesterday, to-day, to-morrow, etc.22

These lessons were continued as soon as I was able to digest their predecessors; in a few days I was trying my new wings in the air of the ranchería, exciting with my note-book the surprise and often the laughter of the crones and children who staid at home to keep the dogs from devouring the family stores.

The Nation, however, seemed flattered by this tribute to the beauties of their vernacular, and often when I was stalled for a word half a score would crowd around with eager good nature to help me out of the mire. In my walks, the urchins would follow me and impress upon my attention the names of flowers, pebbles, grasses, squirrels, birds, etc., that we encountered; so that I resembled Élie de Beaumont in one of those delightful excursions he used to make with his class, botanizing and geologizing in the environs of Paris,23 save that, in my case, the instructions were imparted by my pupils. It was not merely to rival the Fresno trader in their savage affections that I undertook and accomplished the task of acquiring this new tongue; it was in itself a wholesome and entertaining species of mental gymnastics, excellent practice for mind and memory, neither of which can become utterly dissipated so long as their forces are centered even upon the humblest pursuit. . . . Moreover, I had at times entertained the idea, if successful in acquiring the languages of that region, of making it my future business to possess myself, so far as practicable, with the other Indian tongues of the state, and contemplated with a certain glow of prospective pride the honor which might hereafter be paid to me as the “Old Mortality” of a race which seemed already reduced to the limits of their own graveyards . . . .

1 George Frederick Ruxton (1820-1848), a British officer whose travels in the West have not received all the attention they deserve, described this sojourn in chapter xxviii of his Adventures in Mexico and the Rocky Mountains (London, 1847).

2 On March 19, 1851, near the end of the Mariposa “war,” six tribes signed a treaty—which, along with seventeen similar California treaties, the United States Senate never ratified and kept secret for decades. The treaty granted the six tribes a reservation between the Merced and the Tuolumne, as shown in the map on the end papers of this book. In the treaty the names of the tribes appeared as Si-yan-te, Po-to-yun-te, Co-co-noon, Aplache, A-wal-a-che. They acknowledged United States jurisdiction and gave up all right to the land of California outside the reservation. The government agreed to protect them and teach them useful arts. Instead of annual gifts of money in perpetuity as in many earlier treaties made to the east, the government promised that during 1851 and 1852 it would give the six tribes jointly a hundred head of beef and a hundred sacks of flour each year.

When three United States commissioners arrived to treat with the Indians, George Belt visited them and made such a good impression that they named their next camp after him. Later, in May 1851, as Belt & Company, he received an exclusive license to trade with the six tribes living on the Merced-Tuolumne reservation. Belt & Company later contracted to furnish to those tribes the beef and flour stipulated in the treaty.

The first two tribes listed above set up their ranchería on Belt & Company’s land, just across the Merced River from their reservation; the other four settled on the Tuolumne at the store managed for the company by William J. Howard, one of the partners.

3 This is presumably a reference to Antoine César Becquerel, although at the time Ward wrote the French physicist was still alive, aged seventy-three.

4 Belt & Company were perhaps fairly honest, but some of the other contractors were not. In 1853 the reliable Edward Fitzgerald Beale, by then Superintendent of Indian Affairs in California, presented evidence that one of the three treaty-making commissioners had been involved in a dishonest contract for 2,500 head of cattle, and that one contractor had taken for himself a third to a half of the cattle due the Indians.

5 A. G. Stakes (1818?—1873) came to California from Virginia by way of Texas and was one of Colonel Thomas Thorn’s friends. He served one term as Judge of San Joaquin County. Even the San Joaquin Republican, while supporting his political opponent for the judgeschip, conceded that Stakes was “a gentleman in every sense of the word.”

6 Johnston was appointed Sub-Indian Agent in April 1849; he arrived in California at the end of that year and was stationed in the San Joaquin Valley. He was a good agent, quarreling only with the men he should have quarreled with and giving real attention to the Indians until his disgust with the situation made him inefficient.
Because of the plight of the Indians on their nearly sterile reservations, Johnston supplied them with more beef and flour than the treaties stipulated. His action in thus increasing the Indians’ subsistence—as well as his arranging, without authority, for the vaccination of those under his care—received the complete approval of the acting Indian commissioner in Washington. But Congress did not appropriate money to pay the debts. Johnston was discharged early in 1852.

7 The government refused to pay Belt & Company for all of the beef and flour delivered to the Indians under authority from Adam Johnston. By the time Sam Ward was writing this memoir, the claim for $7,826 had gone to trial, in 1855, and had been rejected by the Court of Claims, in 1859. Later the widow of George Belt renewed the petition. The case had ground along for twenty-seven years when the court reversed itself in 1879 and finally allowed payment after hearing new evidence, part of which was a lengthy deposition by Sam Ward, and after being carefully reminded that Frémont had been paid, in a similar case, a quarter of a century earlier.

8 It is a little surprising that Sam Ward, writing this in 1861, should attack the lobby. Although he is usually considered not to have become a lobbyist until after the Civil War, and although he certainly was not yet known as “King of the Lobby,” he was active behind the Washington scenes as early as 1860. Milton S. Latham, Senator from California, kept a “Day Journal,” in which he described several intimate Washington social-political gatherings involving Sam Ward, the earliest being on March 4, 1860. At one dinner that Sam Ward gave in 1860, Latham, Senator Gwinn, and Baron Rothschild were guests. Latham said it was a “party evidently for a purpose,” and added in a footnote: “Purpose! Desirous of ‘hieving’!!”

9 As with most California Indians, the name of these appeared in many forms, ranging through Potoyanti, Poto-yan-to, Poto-yau-tee, Po-to-yun-te, Poto-ancies, Po-toy-en-tre. They were sometimes referred to as Keeches, from the name of their chief. Frederick W. Hodge lists them as “probably Moqueliman, formerly living about headwaters of the Tuolumne, Merced, and Mariposa” rivers. At the end of January 1852, Adam Johnston estimated that they and the other tribe living in the rancheria at Belt’s store numbered five hundred; by 1857, because of the influx of whites and the failure of the government to meet its promises, the larger tribe was said by an agent to have shrunk to eighty and to have been forced to some extent into “peddling their women” to subsist.

10 Franciscans, not Jesuits, operated the upper California Missions in Bautista’s time. Bautista had been attached to Dolores Mission.

11 Bautista, Baptiste, or Baptiste was this chief’s “Mission name”; his Indian name was variously spelled Keeche, Ke-chee, and Ceeche. In March 1851 the commissioners who were to treat with the California Indians reported that after “waiting several days, the chiefs Tiposcy and Baptiste (both hostile), with portions of their respective tribes, came in” and agreed to go into the Merced River Reservation.

Wozencraft, one of the commissioners, later commended Bautista for his shrewdness, and told of taking him to Stockton and San Francisco in March 1851, to impress him with the power of the whites. Wozencraft said that the chief’s father had been “tied up and executed” by a United States Army patrol in 1848 and as he died had “told his son to revenge his death.” Wozencraft went on to express the unsupported opinion that “this led to the Mariposa war.” The Stockton Times of March 26, 1851, reported: “The Indian Chief, Baptiste (Ke-chee) . . . . one of the first who made an open declaration of war to [Major] Savage, arrived in this city on Friday, in company with Dr. Wozencraft. . . . He is about five feet six inches in height, is of stout proportions, and is reputed to be a chief of great courage and influence.”

12 When this chief signed the treaty of March 1851, he was identified as Trai-pax-e. His name appeared elsewhere as Typoxi, Tipose, and Tiposey, in addition to Sam Ward’s spelling. His tribe sometimes was identified by various forms of his name, but it was more properly called Si-yan-te, Segante, or Se-an-tre.

13 The text spelled this name “Mervin” but referred to John G. Marvin (1815-1857), who was Superintendent of Public Instruction in California from 1851 to 1853 and was well acquainted with Major Savage.

Marvin apparently had considerable influence with the Indians, for in 1850 when they began actively to resent the mistreatment they were getting from the whites, a San Francisco newspaper thought him a good man to station among them.

14 About sixty years after Sam Ward set down this reminiscence, William J. Howard, by then more than ninety, told his biographer that, as he remembered it, Kit Carson, Sam Ward, Adam Johnston, and he were in Belt’s store on the Merced when the three United States commissioners who had come to California to treat with the Indians entered the store accompanied by Major Savage, whom they introduced.

15 A newspaper of 1851 said: “Major Savage is a small but sinewy man, and probably does not weigh over 138 lbs. He has regular features, round face, light blue eyes, and his long yellow hair hangs down in ringlets like a young girl’s.”

16 There seems always to be controversy over the integrity of Major Savage’s relationship with the Indians. There is evidence that he was by no means always honest with them or fair, but most of the California Indians seem to have regarded him with much the same interest and respect that Sam Ward’s tribe showed here. At his death in 1852, according to a letter sent to a San Francisco paper, “the Indians threw themselves upon his body, uttering the most terrific cries, bathing their hands and faces in his blood, and even stooping and drinking it as it gushed from his wounds. It was with difficulty his remains could be interred. The chiefs clung to his body, and swore they would die with their father.” A letter by the same writer, sent four months earlier to a Stockton paper from “Head Waters of the San Joaquin,” suggested some of the reasons for the Indians’ attachment to Savage: “Major Savage has just come over with a large number of Indians, and has given new life to everything in the neighborhood. He brought his wagons, ploughs, seeds, provisions &c; and the quantity of work he has gone through with in a few days has astonished everybody, . . . . He has proved that these tribes may be taught agriculture and civilization as effectively as any on this continent. The Indians all love him, to all appearance, and still he manages them in such a manner that they also fear him as much.”

17 James Savage when very young left home to live with the Sac and the Fox. In 1846 he crossed to California and in the middle of October joined Frémont’s Battalion, in which he became the friend of two influential Indians with whom he went to live in the San Joaquin Valley after the Battalion disbanded. With the discovery of gold he went to the Southern Mines, employed Indians as miners, and soon established Indian trading stations on the Tuolumne and the Merced. By 1850 he had built stations on the Mariposa and the Fresno, still far in advance of settlement. In August 1852, when he was about twenty-nine years old, he was killed in a quarrel that had its start in his resentment of a senseless slaughter of Indian women and children on Kings River.
18 Much attention has been given Savage’s squaws, their number being variously estimated from two to seven. These wives increased his influence with their tribes.

19 Giuseppe Mezzofanti (1774—1849) was said to have spoken more than fifty languages.

20 Sam Ward was unlikely to rival him in one regard: it was said that Savage had learned, to their awe, a secret language known only to the major chiefs. How he learned it, if it existed and if he did, was never explained.

21 Alexander John Ellis (1814-1890), English phoenetician.

22 In a letter from the “Mercedes Indian Reservation,” February 7, 1852, Sam Ward told his sister, Julia Ward Howe, that he had made a grammar and a vocabulary of Bautista’s language. These do not seem to be among his papers today, but in that 1852 letter he recorded the following, here quoted verbatim.

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23 Élie de Beaumont (1798—1875) became professor of geology at the Collège de France in 1832.