

Dr. Michelle Shover, “The 1851 Indian Treaty at Rancho Chico: Crisis or Opportunity.”

Introduction by Dr. Charles Turner – Chair, CSU, Chico Political Science Department

Well, good afternoon, and welcome to our emeritus faculty forum from the Department of Political Science. I'm Charlie Turner, I'm the chair of the Department of Political Science, and I'm very happy that you all could join us this afternoon. You know, soon they may not let us go into this house [Bidwell Mansion] any more. We can still learn some things about John Bidwell. So I'm very pleased to introduce to you Dr. Michele Shover, who is professor emeritus of political science, where she taught courses in American government and American political thought from 1968 until 2005. And served as department chair from 1978 to 1984. In 2011, our Retired Faculty Association recognized her as one of its legacy educators.

Dr. Shover began her explorations of the Sacramento Valley area's history in the late 1970's. During the 1980's, she published several articles on Chico's virulent anti-Chinese movement and on the town's small black population. She also published an account of roles, problems, and accomplishments of the communities [Inaudible]. In the 1980's, Professor Shover began her as-yet-incomplete biography of Chico leader Augustus H. Chapman, which doubles as a history of Chico's development as a town throughout the 19th century. It was her research for this work that led her to focus on 19th century society, economics, and politics in northern Butte County. While that is a narrow geographic area on which to concentrate a complete professional focus, she has found that her close work in micro films, microfiche, ledgers, and original documents of many kinds has rewarded her labor with complex, rich, evocative results. Her work, which has appeared in state and local publications, also appears in “Exploring Chico's Past,” a collection of that work up to 1990, when her focus shifted to Indian and settler relations.

In the present account, Dr. Shover has fixed on a tangle of issues that drove Indian and settler conflicts in Northern Butte County. As she has pursued this focus, which also entailed consideration of related conditions in Tehama County, she has been struck by the degree to which the northeastern Sacramento Valley and its adjoining area were not only representative of rural California towns but were a microcosm of the broader American experience. In some respects, with regard to Indian and settler relationships, however, she has also found that the area presented a special case. Michele Shover's remarks today will give an example of interest group conflict, decision-making dynamics, and power plays that apply to the Maidu and settler communities alike, right here in Chico in 1851. Dr. Michele Shover. Thank you.

[Applause]

Dr. Michelle Shover

I'd like to thank the department for hosting me in this presentation. I had a lot of colleagues here for a long time, and they haven't always known what I've been up to. So now they'll find out. It's too late to fire me. So -- and -- I'd like to thank Sharon Barrios for all her arrangements here, and Bob Stanley for years back getting me launched on this particular aspect of the subject, which is the earliest one. My subject, again, is “The 1851 Indian Treaty at Rancho Chico: Crisis or Opportunity.”

In 1851, which was, as you know, the year California became a state, the Indian Affairs Department -- excuse me -- the Indian Affairs section of the Department of the Interior had just taken over

responsibility for all American Indians from the Army. Its first big new responsibility focused on California because it would suddenly be responsible for a huge area of Indians, about which people in the East knew virtually nothing. They had a few Army reports, but other than that they were into foreign waters, certainly. The first responsibility, the treaty, had a purpose which was to legitimize the government seizure of Indian lands following the conquest of Mexico. Now the conventional way of compensation, of course, is financial. They could not pay Indians for this land, because Indians had no concept of money in our sense. And they knew that if money were transferred to the Indians that the people handling the money, the settlers handling it – the bureaucrats – would be fraudulent, and the money would be siphoned off.

So they believed that the imperfect but best possible solution was a reservation system throughout the state. With reservations, they believed that they could protect the “sort-of-helpless” Indians who were simply trying to adjust and make their way. They could control or contain the dangerous Indians, who were determined to affect vengeance for their losses. They could open more land to settlement, secure settlement, and of course they hoped to acculturate Indians on the reservations.

A key figure in this here was Dr. Oliver Wozencraft, who is seated in the middle in this picture, to the right. Dr. Wozencraft was a California Indian agent, a rather new one, who was shifted into the treaty commissioner position. He was an Ohio-born, Kentucky-educated physician. He had dealt with a large epidemic in New Orleans, moved to Texas, followed the Gold Rush here, was a signatory to the first original state constitution. Planning for this treaty meant that treaty commissioners had to meet with every tribe. They wanted their signs affixed to documents, accepting the treaty stipulations. When he arrived here, when Wozencraft came in roughly May, as I recall, of that year, he and Bidwell's superintendent wrote out -- Bidwell's superintendent was a man named Alex Barber who is the man on the left in the front. Let's see, it's your left in the front. They designed a reservation boundary that started at the foothills east of here, continued north east around Magalia, cycled south short of Oroville, came back along the foothills. And these were all straight lines until it comes to Bidwell's ranch. So everybody else's ranch had to go, but Bidwell's was going to be safe. It's one reason he was very attentive to federal officials, always, because he always trusted them to treat him well. And he did the best he could for them as well. He had no choice about the treaty. It wasn't necessarily a good thing for him. It could offer opportunities to have more Indian labor available. It could infringe on his authority in the area. He was kind of the “big cheese.” Not the only one, but one of them. And he had great ambitions to sort of stand alone in that position.

I'd like to first talk about his contributions to demonstrate that he made a large commitment to this treaty meeting. In the first place, he – in a sense – shut down his ranch to give it over to the treaty meeting. It involved hundreds of people at his place, his Indians would have no interest in any other work, and so that was the major contribution. His agents in the mountains were charged with approaching the mountain Indians there, persuading them to come down to the valley, talk about this new arrangement. They knew nothing about treaties, but they did have a natural interest in wanting to come to the valley. One reason was that they were going to be offered all the food they could eat. And food was in short supply; there was a shortage of acorns that year. And they also loved to go to the valley. Ordinarily, they were never just invited to the valley. Any time they wanted to go to the valley, they had to negotiate with the valley Indians. There had to be terms laid, they'd have to agree to leave at a certain time and absolutely be out of there. And they were never to cross those boundaries. Now they could just saunter down to the valley and look around, first hand, to see the Bidwell place. They could talk to the valley Indians, get their fix on it. So it was for them seemed to be a pretty large

opportunity. And some were so pleased just to have the chance to go to the valley and relax and eat well, that they arrived at Bidwell's place three weeks early. I'm sure he was delighted. [laughter]

Bidwell also made other contributions of a smaller character, but one of his was to have a carpenter build a podium. So Wozencraft could be organized, lay out his papers. He could be a focal point for the Indians who were not accustomed to this kind of meeting. He also set out, of course, a conference area in the, I assume, across The Esplanade, the Oroville-Shasta road, in the trees there. The food was commissioned by the government. Cattle was bought under contract, it was lodged across the creek, on this side of the creek, in the foothills. It was killed for their major meals. Actually, they prefer the taste of horses, but they got cattle. There was more money to be made in cattle, and nobody wanted to kill horses. Bidwell also provided translators. This was an important contribution. Of course, they were 9 years old and 12 years old, so they were somewhat limited. But they knew, they had a sense of, the Maidu dialects and of course English. Maidu's language was so complicated that many of them couldn't speak to one another. The Maidu tribe was divided into triblets, which were little communities set from here up into the mountains. They didn't travel very much. And so each triblet developed its own vocabulary, syntax, grammar. They had to translate among one another, often. This was an important contribution.

Now the meeting confronted serious obstacles. A major one was that there was an entrenched, deep rivalry between mountain and valley Maidus. Today we think – in so much as we think about Maidus – we think of them as one thing. The thing we think of them is as having the characteristics of valley Maidus. I have found it's extremely important to understand that Maidus were a divided tribe. The mountain Maidus lived very differently from the valley Maidus. Their land, you all know, it's spare. To live there off the land would be harsh. It was not a productive area. They -- their culture in the mountains made them lean, very quick. They were aggressive, they were adversaries to one another, they were adversaries to the valley Indians. It was a rough life they lived and they developed characteristics that were suited to that kind of environment. The valley Indians were afraid of them. They in fact were terrified of them. That's why they didn't want them in their territory, because they felt always at risk in their presence. So it was an unusual thing for the valley Indians here to have these mountain Indians invited down into their territory. They didn't really have a say about it this time. So you can imagine there was a certain amount of tension, a great deal of curiosity between the two groups.

The valley Indians lived here. You can tell that this was a rich, moderate area, where they had all the food they wanted without huge amounts of labor. They had extensive amounts of leisure time. They were kind of the aristocracies, I think, of the tribe. They had elegant ceremonies with beautiful costumes. So you can imagine why the mountain Maidus were fascinated by them, and they were very protective of their territory. I think there's a flaw in some of the thinking about the valley Maidus. They're always talked about as if they were passive and kind of wimpish people. But I do not believe they could have fended off mountain Maidus for a thousand years if they couldn't rally to the moment. So I think they had the capacity to be tough. And we'll see an example where they did that with regard to John Bidwell. Now they were Maidus; that is, they had a tribe in common.

In common, they were distrustful people, they had to be shown, they didn't take peace for granted. They were protective of themselves, they were quick to respond to aggressions. They had a long memory for offenses that they had suffered at the hands of others. And a vital part of their belief system relied on the idea of vengeance. Justice was an eye for an eye, it didn't have to be the exact victim, the victim did not have to be the perpetrator. There had to be some relationship to the perpetrator

suffering an equal offense. Now all of this was complicated by intermarriage. So they were – they were hostile, they were tense, but they also were related. So you can imagine it was not as simple a life as we sometimes think.

On July 21, 1851, then, you can kind of imagine them lining the road – the Oroville-Shasta road in front of Bidwell's house, which was in front of the mansion now. It was a log house. They were seeing Oliver Wozencraft ride up with a captain, two lieutenants, and 50 infantrymen, guiding large, heavily-packed freight wagons. Wozencraft was very impressed to see that Bidwell had brought in about 300 Indians. He knew that there was acrimony between the two tribal sections, and he was surprised that so many came in. So he thought it got off to a good start. He counseled with Bidwell and the immediately agreed that they should move ahead immediately, they shouldn't lose any time. Because Bidwell was already concerned that the valley Indians were getting closer to the mountain Indians. There was now more interchange between them. And the fear was that the valley Indians would be tempted in the direction of standing up to the settlers, which the mountain Indians wanted to do and believed was the right thing to do.

The first thing Wozencraft did was to get out a dozen or so dark red jackets, army officer's jackets with lace at the sleeve. And the Indian on the very far right, you can see that he has brass buttons that go down. It's open at the top. So I think it was a dark red from that picture. In any case, the point of that was to coax them in the direction, all of the Indian headmen, in the direction of a more elite notion of representation. They wanted – the Indian Department wanted – to be able to deal with the leader or a couple of leaders. They didn't want to have to meet with the whole tribal unit. This was very popular with the headmen. They thought this was just right. Of course the headmen were those that the agents of Bidwell sort of thought were the headmen, they couldn't really tell. And this created a lot of bad feeling by those who didn't get red jackets. So they were upset they were excluded, they felt they ought to be as well dressed as the others.

So what Wozencraft did was to divert them and move directly to the treaty discussion. He worked from the podium, explaining how the treaty was going to work. The Indians were to live together, mountain Indians and valley Indians. This would be possible because on the reservation there would be superintendents who would guarantee their security. It's assumed that the Army is at their disposal somehow. There would be teachers, herdsman, other staff who would educate the Indians in livestock, crop-raising, and various trades. As he continued, Bidwell began to become uneasy because he noticed that the Indians were restless. They became distracted, they started to walk around, they started to chat among themselves -- you know how it is in a classroom when it's not going well, we all know that one. So Bidwell went to the front of the "classroom" and suggested to Wozencraft that the Indians were having a hard time following the translators. He needed to slow way down. He was glad for the advice, he did that.

And the Indians did now start to pick up on what he was saying. What they particularly liked was that the federal government was going to hand over to them on the reservation all kinds of provisions that were appealing, that made up for losses they had felt since miners had degraded their streams and taken over their best camp sites. So they listened and listened to this, and at one point they decide okay, well we've got the point. Now give us the stuff. They had a different concept of time, of course. Their notion was if you're going to have something, you get it when you're told about it. You don't wait, you know, months and months – what are months? Until it goes through the approval of five other levels, and then maybe it comes back after it gets well organized. You know how that goes. Well, they just could not grasp that notion. And they were all the more put off by the situation because they thought

those big wagons that the Army had brought into town were full of those provisions for the Indians. So they thought they were being deprived of what was their due immediately. Wozencraft, I am sure, tried to explain over and over again that what was happening. But Wozencraft gave them nothing from the wagons. And the mountain Maidus simply turned around and walked away and rode home. They weren't going to put up with any of this stuff.

Meanwhile, the valley Indians had been -- remained in the treaty meeting. The Indians who probably understood English the very best were the Mechoopdas, right here, Bidwell's ranch workers. They had not only worked for -- we have the impression that Bidwell started this whole area. But there was an established ranch where we're sitting when Bidwell came and started the ranch across the creek. So some of these Indians had worked for this other rancher, John Potter, who was a very crude kind of fellow and people didn't really like to consort with him, and he didn't invite much attention. But in any case, that's another story. But I'm just saying that these Indians did have a history of exposure to English. So they could hear Wozencraft, then, giving this enthusiastic spin on the benefits of going to the reservation. They listened to this, and he convinced them.

The Bidwell Ranch Indians decided that they would rather go to the reservation. Well, why would they want to do that? I'm sure Bidwell was thinking this when he heard them. He had been providing for them every need that he could conceive that they would want. He did isolate the young men in a bunk house for their training as *vacaros*. But other than that, he was pretty respectful of their culture. Nevertheless, for them, their perspective was that this was not a fun job, this work as a rancher. It meant harder labor than they had ever known in their own culture -- remember, valley Indians, the Mechoopdas, were relatively privileged Indians, given their more bountiful circumstances. They had never had to labor dusk till dawn, day after day, in the heat of the summer. And now they were having to work with animals that were dangerous. For example, when harvesting wheat took place, the wheat was strewn in a huge circle, and then the wheat was separated from the chaff by having huge herds of horses just race around on top of the wheat. And the way they stopped the horses was they sent the Indians out in front of them. You see? So if you have to put up with that kind of thing, a reservation looks like a resort, probably. Well, the reservation, then, was a Bidwell-free environment. It was one of people like themselves, and it represented an opportunity to have the benefit of what they did in their work. When they expressed their preference for the reservation -- well, I don't have evidence about his reaction, but you can imagine that it was shock, a feeling of resentment that they were ungrateful, and embarrassment in front of Wozencraft, who was relying on him as the world expert on local Indians.

What to do? Well, one of Bidwell's strongest characteristics was his resilience, his quickness to address problems, and to work something out. And in this case, that did not fail him. According to Mechoopda moral -- oral, I was going to say moral history -- oral history, he promised them everything the treaty offered if they would stay. And by staying they would stay on the ranch, which is their historic Indian land. So they agreed, "All right, if you do that, then we'll do this." I might add that the Mechoopdas, the valley Indians in general, their headmen were not chosen because of their heavy authority. They were chosen as capable negotiators. So they had a good chance there with Bidwell, and they felt they came out all right. And Bidwell did get his labor force back. So he was feeling all right about it.

On the signature day, which was September 1, it was not Wozencraft who called the Indians up, but it was Bidwell. And I think that was because Bidwell -- I think Wozencraft deferred to Bidwell, because Bidwell needed to keep his image of authority with Indians in the area. He couldn't be looked at as second best, you know? All the valley Indian headmen came up and signed. The Mechoopda signed and Bidwell signed. Bidwell's signature is odd on there, in that I thought -- I wondered why his signature was

there before I knew this other information. I thought he was just like an honorary witness. But I believe now that he was signing the treaty with the Mechoopdas. The meeting was very successful in the eyes of Wozencraft, who was disappointed by the disappearance of the mountain Indians, I mean very. But he knew Bidwell had done all he did. So he gave Bidwell an Indian trading post license. Bidwell appreciated this material reward. It was something that evidently he wanted. And he sent a young man, Nelson Blake, on the right, who was a Massachusetts, sort of an intern at the ranch, and very personable and eager. So he sent Nelson Blake up to run a trading post in mining country, probably around Butte Creek.

Bidwell thought, well, that was a bit rough, but it's working pretty well. And I see that there's one person around here making a lot of money on this, and it's the guy who's selling the cattle to the federal official. And I want that contract. So he hooked up some other things he could do for Wozencraft's next treaty meeting, which was going to be in Yuba County. He approached Wozencraft and he said I can get those mountain Indians back. He said, I'll bring them back, you can meet with them and deal with them without anybody else around. And Wozencraft thought that was super, and said he would definitely come back for that meeting. And just to top it off, Bidwell sent another interpreter down for him to use in Yuba County. While Wozencraft was away, he had gone, he (Bidwell) and Wozencraft stayed in touch. And Bidwell wrote to him that the mountain Maidus had come in. They were at the ranch, and evidently, they were not – they were giving him some attitude. So he asked Wozencraft to send him some of those jackets. Apparently, they had not got jackets the first round, and this is one of their stipulations. So he also, in finishing that letter, he told Wozencraft that he would like to have the cattle contract. That he would handle this well. You know, I think he thought it would be pretty easy. Wozencraft's response was awkward. You could tell this in his phrasing. But he turned Bidwell down. He had already made that arrangement with Samuel Norris, the previous owner of the contract, and he explained to Bidwell that Norris had offered to move his whole cattle operation onto the reservation, and this would be to the advantage of the Indians. And so that's why he was standing with that choice. Samuel Norris, by the way, was a major rancher here when Bidwell started. Bidwell's ranch was there, Potter's ranch was here, Henley's ranch was just across Little Chico Creek, and then down where the Compton Patrick ranch is, that was the Norris place. So Norris was a big rancher. And we don't often get a sense that this was such an established place in those early years for Bidwell. Well, this was disappointing for Bidwell. He was not someone who was accustomed to losing. And -- but his bad luck did not turn. The trading post failed. Nelson Blake wrote him that while he had sold plenty of beads to the Indians and needed more, the Indians were not interested in more expensive items. In addition, the miners had told him that they would not be coming in the store if there were going to be Indians in the store. That they blamed the Indians' grooming. The Indians were very clean, in they were constantly washing in the creeks. They loved that. But they didn't have, like settlers didn't have, a sense of germs and, you know, clean clothing and clean habitats. And I think they all probably smelled pretty rotten. I think that was an excuse. They didn't want to mix, I think, with Indians. I think it was a racial problem. And they were also afraid of Indians. They didn't want Indians to know them too well, to pick them out, you know, to follow them, to be right close to them. Many were killed by Indians, and of course they exacted vengeance in return.

The treaty had been, then, a disaster for Bidwell. He almost lost his workforce. The trading post had failed, and his neighbor had re-won the big cattle contract. This left Bidwell in a bitter mood. He decided almost immediately, within a month, that he would do everything possible to defeat the treaty's passage by the United States Senate. Until the Senate, however, approved the treaties or turned them down, the government was obliged to keep supplying food to the Indians. That meant that the cattle stayed on the Potter ranch, the mountain Maidus still kept streaming down at their will, hanging out as they felt like it. And so this was a matter that concerned him. Bidwell probably got some income from this because he had a store and among the provisions that they gave the Indians were flour or wheat.

Now in this time very fast after the signing of the treaty, the Mechoopda's here, on the ranch over there, they were ready for their payoff, for their deal. They had gone back to work, that was what they were supposed to do. Now where was the stuff, you know, where was their land? Where was their independent supply of food? Where was the cattle that supposed to be theirs? And Bidwell had resumed operations as normal. He was still feeding them, still taking care of their needs, so he figured, "That's part of what I was saying I would do." And he had actually a pre-existing commitment to transfer land to them, which was part of his Spanish land grant purchase. So he always knew from the very beginning knew that they had to do this. But there was never any timeline. And he didn't intend to place a timeline on it now. He intended to do that some day in the future, but he had no intention of giving it to the Indians immediately. They did not like that. They felt betrayed. And they turned on him. They began to ignore his orders, they began to treat him with disrespect, they began to take off the ranch, wherever they felt like at their own will. This meant they were going to the property of neighboring ranchers, stirring up attitude among the ranchers' Indians along the valley. The neighbors were turning on Bidwell. So this is a moment where his Indians didn't like him, the mountain Indians hated him, his neighbors resented him. He was really, you know, alone at this time. And he wanted that treaty dead.

He had good contacts in the state legislature, which had to make a recommendation. Charles Lotte of Oroville was just about to take Bidwell's position as a state senator. And Lotte would go on the Indian Affairs Committee in the State Senate. Bidwell's ideas opposing the treaties were influential in the State Senate's denial of recommendation for the treaties, because – I say that because the phrasing in the recommendation comes out of correspondence that Bidwell made during that time on the issue. They just transferred the wording.

He also immediately started to shape how the United States Senate would look at the California treaty. In this, he did it circuitously. A comrade of his, a friend from the Bidwell Bar days of mining, was Joseph McCorkle. He wrote McCorkle a letter that he wanted McCorkle to take with him to Washington. He wrote actually on this letter "private," but then at the end he says show this to Senator Glynn [Assumed spelling]. And the letter is not really to McCorkle, it's to Glynn. It was a two-page letter. It was a plea to forget about reservations and to leave California's settlers and Indians alone. Let them work this problem out for themselves. Bizarre recommendation, I would say. His letter was a targeted appeal of the moment, and it's very unlike Bidwell in its approach. And I've always felt somewhat uneasy about it.

It took me a long time to figure out what he was doing in this letter, but I think I have figured it out and you can judge for yourselves. In this letter he warmly praised Indians as a general people. But in all of his references to them the context says he's only talking about ranch Indians. He went on and on, enlarging about their warranted trust in the farmers, the dotting farmers who made every effort to care for any need they had. These Indians did not need a reservation, and the government should stay out of this fine, functioning relationship. If you read these words, and this is what made me think it's so un-Bidwell. It's very sensitive, very warm. You know, and Bidwell usually didn't write in those terms. I mean, he was a -- he was a businessman. Everything was business as usual, and so there's something odd about that. He threw in straw man arguments that make him sound very progressive. And some people reading that letter have read it as a document showing how progressive and forward-thinking Bidwell was. But these were arguments for policies that had already been totally rejected. They had no possibility of ever coming into place. I look at now the article differently, and if I look at it this way, I see it as really very savvy. And so I'd like to explain that I see this letter as a political ploy. Something he was trying. And it's a little bit cynical of me, but I'm a political scientist.

So the terms that Bidwell used to describe the Indians and relationship of the farmers to the Indians is very similar to the terms used by Senator John C. Calhoun, a couple of years later, in describing the relationship between masters to their slaves. Basically, Calhoun went on about how the helpless, child-like slaves come to their masters for any of their needs, and their masters will take care of any need they have. In both cases, the writers are trying to protect a labor force against people who are raising questions about it. Bidwell, of course, was not pro slavery. I think this was just a gimmick he was using. Glynn was a California Senator, but he was at the time a Mississippi plantation owner. And he wanted California to become a slave state, which would use Indians as slaves. I think he wanted Glynn to think that he might have an ally. And it was a way for Glynn to read this letter, recognize the similar, *simpatico* fellow, and possible supporter. Which Bidwell would never have done. But that's why I have more respect, actually, for using the letter this way than any other reading I've had of it. And another thing about this letter is that, you know, it's so sentimental, but at the point he's writing this letter he is not in a sentimental mood. I mean, his Indians are in revolt. The Indians outside his doorstep had held off mountain Indians for a thousand years. They still had spine and they still had spirit, and they were not coming to his door begging. They were telling him what he needed to do. So he was in a real corner. And he tried to find a political solution. He found many allies in other farmers. He was certainly not the reason the treaty failed. Farmers at large resented it. But he had a great deal of influence, he was well known in the state, and he was well known in Washington. So he did have clout, and he was willing to use it to protect his operation.

There's one other observation about that letter that I'd just like to make as well. And that is, again, that all that he said only applied to valley Indians. The ranch Indians. He made no mention of the mountain Indians. And these were people whose entire territory was in the hands of a wandering array of gold miners and traders. They were becoming a lost people. They were wandering around homeless, angry, frustrated, and they were dangerous. And they were ready to be dangerous. They didn't have anything to lose. Now, the man he [Bidwell] wrote this to, you remember, was Joseph McCorkle, the new congressman. And when McCorkle got his letter, McCorkle wrote back and said you know, you're my best constituent, I'll do whatever you want. But at the end of the letter he said, but what about the mountain Indians? McCorkle knew from his own experience that the mountain Indians were a different story. Because he had opened his first law practice in Bidwell Bar. And so he was quite familiar. And then he had a ranch down there. So he knew both types of Maidu and their different situations. Well, the United States Senate did defeat the treaty. It was literally lost. Nobody could find it who wanted to find it until the files turned up by accident, somewhere out of archives, in 1905.

And I'd just like to make a more current kind of commentary here. We regret, of course, that reservations ever existed. And regret the nature of the treaties that were made in most every case. But it is also important to understand that modern Indians have been able to use those treaties and to make successful claims on their terms. California Indians were always at a disadvantage because they never had a treaty where they could demand or hold the government to any standard, could make any demands of the government, until the late 20th century. There have been efforts to reconcile this problem, to resolve this problem. At the present time, here in Butte County today, the board of supervisors is paying out of our limited budgets money to consultants and lawyers to deny the Mechoopdas the standing of tribes. So they are in danger of not having the same right as other Maidu tribelets in this area. This is an open question at the present time.

Now I'd like to say just two more things. This incident, the Bidwell Indian treaty, would never have surfaced at all for us to talk about and think about but for Indian oral history. An elder, a woman named Emma Cooper would was in her 80's when she was interviewed by an historian in 1957, had been the

last person in the tribe to have this information. She related it to Anna Curry. And so that's the only reason we know what happened. The information I've given you today comes from the National Archives Correspondence in the Interior Department of Indian Affairs Divisio., Wozencraft wrote very newsy, current letters of these things happening. And Ms. Cooper, the Indian woman, also related elements – she remembered through having been told about the podium. Apparently that made a big impression.

So there were quite a few first-hand observations of these events that were just, you know, they've been there all this time and it was my pleasure to dig them out and reconstruct all this, putting it together. It's been a wonderful experience for me to find this data. To reconstruct it all, and then it's made a good take-off point for my book. My husband swears I'll never get it out, because I never seem to get it done. But I am going to -- I am finishing it next year. Famous words, next year. So if you have any questions I'd be happy to take them. Yes?

[Inaudible audience comment]

Dr. Shover: Do you know, I don't think so. I think that was another Barber. I think – actually, I think he left the ranch in the late 1850's. But I haven't done a genealogy. These people do reappear. So it is a question that could be pursued. It is? Okay. Thank you.

[Inaudible audience comment]

Dr. Shover: Yeah, this was the treaty -- it wasn't Bidwell -- well, all the treaties were opposed. There were treaties with every tribe. There were three treaty commissioners, and they each had a section of the state. To get treaties signed. So they did that. And they did get treaties signed by Indians. But it was turned down through the influence mostly of farmers. They were using their labor, and they were very resentful of Indians getting food from the government, because then they didn't have any reason to work. One of the best sources of this is kind of a tragic one, in a sense, I think. It was an 1859 deposition that John Bidwell made in a legal case. And in it, he had turned on not only the treaty, of course, but Wozencraft. He was trying to destroy Wozencraft and also Samuel Norris, the cattle seller. And he said things in this deposition that were actually not true. He said that the Indians had plenty of food, they didn't need any food when they came into the treaty meeting. He said there had been no problems with the Indians. He had just ridden out himself in an Indian pursuit party, because mountain Indians had killed one of his valley Indian workers. So the farmers had a story and they all kind of told the same story. In fact, the funny thing about the depositions is that several of the farmers describe these Indians with attitudes as “saucy.” I thought that was kind of a funny description of angry Indians, “saucy.” Yeah?

[Inaudible audience comment]

Audience Member: I've been working on a project that was sensitized law enforcement to the Indians and we held a session up in Redding, and we talk about “saucy”. One of the Indian women accused the supervisor of being an Indian Tom, you're like an uncle Tom.

Dr. Shover: Is that right? Yeah.

Audience Member: They learned over the years [Inaudible] --

Dr. Shover: They figured it out very well, and they have very good lawyers now, fortunately.

[Inaudible audience comment]

Dr. Shover: Oh, well it's an open question right now. The federal government does acknowledge them as a tribe, right [Inaudible]? But the County is still challenging that in a late filing. The county is saying that they weren't really a tribe. And they hired a consultant. And what the consultant did is he really started talking about the Mechoopdas in 1860; he didn't go back to 1850. And so I'm hoping they can use this information to reinforce their standing. Well, the State – I don't think the state is important, but the federal government is the important entity on this. And the County has a -- the County is -- in allegiance with the mountain Indians, basically. The modern mountain Indians. And they're protecting the existing casinos, which are in the south county. So I mean it stands to reason, financially, that they are fearful, apparently, of competition, by having a casino near Chico. And even those of us who are somewhat hesitant about the value of casinos, you can't really tell Indians they shouldn't have one. I mean, they actually should have everything, I suppose. In addition, gambling was an incredibly important cultural activity to them. The valley Indians here, one of their patterns was to sleep most of the day and then gamble all night. And so they were very aggressive gamblers. I mean, they would gamble away sometimes their most important tools. So I think nothing could be more culturally correct for them to own than gambling casinos.

[Inaudible audience comment]

Dr. Shover: I think they want to deny them wherever it is. Don't you -- that's my impression. You know, it's also interesting to me because that period from 1850 to 1900 is the period I really engaged in. And the north and south of the county have never been mutually supportive. And I mean, it's just interesting to me that still goes on. And it still goes on that mountain and valley Maidus have a tense relationship from time to time. So these are historical strains that go very deep on settler sides and Indian sides as well. Any other questions? Yeah?

Audience Member: [Inaudible] all the reservations in California, what's the legal history and authority of them, since apparently there's no --

Dr. Shover: Good point. Well, after the – I'm really glad you asked that, because after the treaties failed and the Indians were notified that all of their agreements were worth nothing, some of them had already moved. And they were counting on these reservations. It was just chaotic. And settlers thought – some of the more evil settlers thought – they were just easy to just sweep away now. They were just in such a hopeless position. But other Indians acted out. They were going to go on their own terms and take settlers with them, you know, that kind of thing. So what happened was that the California Indian Commissioner, working with the Army and with the permission back east, started up reservations in the state. Nomlaki was the one at Red Bluff. And initially, these worked out pretty well because the Army was there imposing order. The order not just on the Indians, but settlers were constantly trying to invade these reservations. They were trying to graze their cattle on Indian wheat. They were resentful that the land hadn't been theirs in the first place. After oh, not ten years, Nomlaki was in a desperate situation. It fell apart when the Army left. The Army never had enough funding to keep reservations going. And yet the federal government wouldn't fund reservations. Yet there had to be reservations because so many Indians were homeless and had nowhere else to go. And at Nomlaki at one point that they only had food for the men whom they had to feed because they were the workers. And women and children were told to go out and pick berries and pull out roots and survive that way. Which is curious too, shows ignorance of the culture, because women were the great gatherers, and they were the

workers who fed everybody. But they weren't to be fed. So it was a very harsh thing. This was just the beginning of a lot of problems. It's kind of ironic. It seems to me that the valley Maidus did consort with some of the mountain Indians when they were this unhappy about everything. And they really, as you can see, perplexed John Bidwell. But they didn't do enough against the settlers to please the mountain Indians. So the mountain Indians came down, in my next chapter, in 1852 and '53, and they attacked the valley Indians to punish them for collaborating with John Bidwell. Another time they came down and literally burned down Bidwell's buildings, probably a million dollar loss. I don't know how to calculate the difference, the funds over time, but that was a huge loss for Bidwell. And then another time they came down to assassinate him. And they would have managed, but they picked the wrong man. His miller looked like him, was about his size and coloring, and they all shot their arrows into this one man, and Bidwell didn't go down. So Bidwell had a lot on his hands at that time. And the mountain Indians, then, after they couldn't assassinate Bidwell – and they lost quite a few men in these encounters – they decided to move on and find easier targets. And so that's when they began to focus on, oh, I can't tell you the whole story, it's just too complicated. But it's pretty interesting. It's always pretty interesting what these Indians did. They were very smart, savvy people, and they were very formidable. They were never taken lightly. Anyway, any questions? You invite me again. Yeah. One more.

Audience Member: Was there any information about the numbers of how [Inaudible] around the [Inaudible] from the valley Maidu and the white settlers around that time?

Dr. Shover: Well, they were about -- when the treaty took place there were about a hundred Mechoopda, or so. That's generally thought to be about the case. But it's not easy to say, because there was no census.

[Inaudible audience comment]

Dr. Shover: He was --

[Inaudible audience comment]

Dr. Shover: I don't remember what he said about this area. But – did they? Well, that's about right, then. Maybe that's where I got the figure. Yeah, Adam Johnson was a captain who came out and made a report to the Interior Department following another Army captain, Hannibal Day, and they reached similar conclusions, which I kind of characterized to you in describing the valley and mountain Indians. All right. Well, I want to thank you for coming. I appreciate it.

[Applause]