

## **A History of American Indians in California:** **INTRODUCTION**

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The history of California Indians is a different story from that of other ethnic groups who came in the last few centuries as immigrants to an already populated land. For Indians, this is their homeland, and their history spans more than 10,000 years of occupation. Unlike other groups who came to California to gain wealth or to escape undesirable conditions, California Indians lived in a land of plenty. Their material technology reflected what was necessary to meet their needs.

While people often write about how Indians developed a means of living in harmony with their environment, this cultural lifestyle was more a reflection of numbers, the carrying capacity of the land, and personal needs. What might have happened if Europeans had not arrived cannot be determined. However, just as in the case of many other societies, we can assume that, as their numbers and needs increased, greater pressure would have been put on the environment. Indians would have adapted or ceased to exist.

California Indians, like American Indians in general, have been the subject of many books and studies. The written record shows that in California alone there were hundreds of small groups, speaking more than 100 languages. Unlike the present population of California, the Indians lived well within the capacity of their environment. They developed religious systems and social norms, and they traded with their neighbors for goods or services not available in their own communities. They did what was necessary to survive.

A number of good source books have been written about California Indian life before the coming of European people and culture. Books that offer a wealth of information include the following:

**Alfred Louis Kroeber**, *Handbook of the Indians of California*

**Robert F. Heizer, et al.**, *Handbook of North American Indians: Vol. 8*

**Robert F. Heizer and M. A. Whipple**, *The California Indians; A Source Book*

But this report is not about the prehistory of California Indians, nor is it the story of any one Indian group. Rather, it is a commentary on those events, procedures, laws, and situations that confronted and greatly affected California Indians and their ability to survive once Europeans arrived. The reason it is important to tell this aspect of Indian history, rather than the more romantic story of how Indians lived in harmony with nature, is the same reason it is important to tell the history of any people — so we can learn from the mistakes of the past and try not to make those same mistakes in the future. Finally, we tell this history so that Indian people and non-Indian people might better understand why Indians have evolved as they have — why they are people attempting to retain their cultural identity while surviving in the modern world.

## **A History of American Indians in California:** **PRE-1769**

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Most historians agree that Portuguese-born Juan Rodriquez Cabrillo was the first European to explore California. Sailing under the Spanish flag in 1542, Cabrillo hoped to find the northwest passage;

instead, he found the California coast and claimed the new-found land for Spain. With his entrance into California, the course of California Indian history changed drastically.

"Traditionally, California Indians have been portrayed in history as a docile primitive people, who openly embraced the invading Spaniards and were rapidly subdued. This simplistic contention adds little to a realistic understanding of native history in California and undoubtedly is derived from crude feelings of racial superiority on the part of its advocates." (Heizer, 1978:99) The relationship between the Spanish and the Indians was not a peaceful co-existence. Rather, the history of California Indians is the story of an attempt to survive a series of invasions and the hardships that ensued.

In 1579, an Englishman, Sir Francis Drake, sailed into California. While much discussion has occurred as to exactly where Drake anchored, it is known that he spent five weeks among the California natives. Before leaving, he claimed the whole territory for the English Crown. He based his claim on the "right of discovery." Thus, within the first 40 years of European influence in California, two countries had claimed the land, and neither had acknowledged the rights of the natives who had resided on it for thousands of years.

Other explorers of early California included Pedro de Unamuno in 1587, Sebastian Rodriguez Cermeno in 1595, and Sebastian Vizcaino in 1602-1603. While none of these early explorers stayed very long or developed any framework for the establishment of permanent settlements, their visits had a lasting effect.

The theoretical question of land ownership brought about by Spanish and English claims to California and by non-acknowledgment of the rights of the Indians was overshadowed in practical reality by the introduction of disease. It cannot be determined at this time exactly what effects early explorers and the introduction of their diseases had on California Indians during the early exploration periods, It is certain, however, is that European diseases eventually devastated the Indian population.



*Manchester Round House, Mendocino County*

## **A History of American Indians in California: 1769-1848**

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On July 16, 1769, the Spanish founded the first mission in California. It has been estimated that there were about 310,000 Indians living in California at the time. (Cook, 1962:92) However, over the next 80 years, this number was to change drastically, along with the lifestyle and culture of the Indians.

"Spain's Indian policy at the time of the invasion of California was a mixture of economic, military, political, and religious motives. Indians were regarded by the Spanish government as subjects of the Crown and human beings capable of receiving the sacraments of Christianity." (Heizer, 1978:100) "It was essential under 'missionization' that California Indians be 'reduced' into settled and stable communities where they would become good subjects of the King and children of God. Missionization required a brutal lifestyle akin in several respects to the forced movement of black people from Africa to the American South." (Archibold, 1978:172) Thus, "it should be clear, then, that the missions of California were not solely religious institutions. They were, on the contrary, instruments designed to bring about a total change in culture in a brief period of time." (Forbes, 1969:29)

The missions were built with Indian labor. This seems ironic given the devastating effect the mission system had on Indian population and culture, but it must be remembered that the Spanish saw the Indian neophytes (a neophyte is a new religious convert) as "little more than an energy source which cost nothing to acquire and nothing to maintain — they were an expendable resource. If the mission system had been progressive, if the priests (and the Mexican Presidents) had been able to learn from observation and experience, and thus allow changes to occur which would have been accommodations to problems of managing the neophyte populations, then there could have developed an operation which would have become more humane, and more consistent with doctrinal theory." (Banning, 1978:136)

From 1769 to 1800, the California coast was under Spanish control from as far north as San Francisco to San Diego in the south. However, this was not accomplished without a certain amount of resistance. Within a month after establishment of the San Diego mission in 1769, the Indians "attacked the Spanish camp, attempting to drive the invaders from their territory. But the Spanish soldiers, using guns, defended their settlement and an uneasy peace ensued. Yet, it would be another two years before Mission San Diego could record its first baptism." (Heizer, 1978:101)

Throughout the mission period, Indians resisted Spanish rule. "One of the earliest and most successful demonstrations of native resistance to colonization was the destruction of Mission San Diego on November 4, 1775. Under the leadership of the neophyte Francisco of the Cuiamac Rancheria, the Ipai-Tipai organized nine villages into a force of about 800 men who not only completely destroyed the mission but also killed three Hispanos including Padre Jaime." (Heizer, 1978:103)

Not every resistance effort was violent. "The natives, Christian and gentile, caused more trouble in the region of San Francisco than in any other part of California. . . . In September of the same year 1795 over two hundred natives deserted from San Francisco, different parties in different directions, the number including many old neophytes who had always been faithful before." (Bancroft, 1963:708-709) Resistance occurred throughout the mission period, but the clerico-military administration did not tolerate even non-violent resistance. They responded by attempting to prevent escapes, sending out armed parties to capture runaways, and punishing recaptured runaways.

When Indians did resist, they did not go unpunished; in many instances, it was punishment that caused the resistance. "Perhaps the most spectacular Indian rebellion in California during this era was the 1824 revolt at Missions La Purisima and Santa Barbara. The reason for the revolt was ill treatment and forced labor imposed by the soldiers and priests upon neophytes in the area, but the immediate cause was a fight that broke out at the flogging of a La Purisima neophyte at Santa Ynez in February. Apparently no one was killed but a large part of the mission buildings was destroyed by fire. That same afternoon as many as 2,000 Indians attacked and captured Mission La Purisima. . . . It was not

until March 16 that the Spanish soldiers attacked the 400 defenders at La Purisima with hundreds of armed and mounted men and four pounder guns." (Heizer, 1978:103) The Indians who led the rebellion were punished. Seven Indians were put to death, while many others were imprisoned and required to do hard labor.

Another form of resistance involved the retention of native religious activities. "In general, the natives did their best to secretly preserve their ancient religion in the missions, although it became increasingly difficult to do so. Native revivals are known to have occurred as in the Santa Barbara area in 1801." (Forbes, 1969:35)

In looking at the mission system, it is easy to understand why the Indians resisted. In 1786, Jean Francois Galaup de La Perouse, a French navigator, made the following report. On the way into church, he passed a place where Indians were seated in rows by sex. "We repassed, on going out of church, the same row of male and female Indians, who had never quitted their post during Te Deum; the children only had removed a little. . . . On the right stands the Indian Village, consisting of about fifty cabins, which serve as dwelling places to seven hundred and forty persons of both sexes, comprising their children, which compose the mission. . . . These cabins are the most miserable that are to be met among any people; they are round, six feet in diameter by four in height. . . . The men and women are assembled by the sound of the bell. One of the religious conducts them to their work, to church, and to all their other exercises. We mention it with pain, the resemblance so perfect, that we saw men and women loaded with irons, others in the stocks; and at length the noise of the strokes of a whip struck our ears, this punishment being also admitted, but not exercised with much severity." (Fehrenbacher, 1964:100-101) Whether or not the flogging was exercised with "severity" is not the point, but rather, was this form of punishment necessary?

In 1799, Padre Antonio de la Concepcion Horra of Mission San Miguel enraged his contemporaries by reporting to the viceroy in Mexico, "'The treatment shown to the Indians is the most cruel I have ever read in history. For the slightest things, they receive heavy flogging, are shackled and put in the stocks, and treated with so much cruelty that they are kept whole days without water.' The unfortunate padre was quickly isolated, declared insane, and taken under armed guard out of California." (Heizer, 1978:102) Other conditions that made the mission intolerable to the Indians included overcrowding, lack of native foods, and the weather (especially for inland Indians who were required to live on the coast for the entire year).

During the mission period, disease played a significant role in the reduction of the native population. Three major epidemics broke out during the Spanish period. In 1777, there was a respiratory epidemic; in 1802, a pneumonia and diphtheria epidemic; and in 1806, a measles epidemic. However, diseases were not the only cause for the rapid decline of the Indian population while under mission rule. Much of the decline can be attributed to changes in diet and inadequate nutrition. (Heizer, 1978:102-103) In 1818, Governor Vicente de Sola reported that 64,000 Indians had been baptized, and that 41,000 were dead. (Forbes, 1969:37)

Not everything was negative under Spanish and Mexican rule. In 1824, the constitution guaranteed citizenship to "all persons." While neither the Spanish nor the Mexicans acknowledged Indian land ownership, they did provide the natives with the right to continue to occupy their villages. Indians were also introduced to farming, and although both farming and cattle grazing had a devastating effect on the native habitat, the farming experience itself provided Indians with the skills necessary to survive in

the upcoming years. During this period, many native people also learned crafts that helped them find employment once the Americans arrived.

Following Mexico's independence from Spain in 1821, there was a shift in the entire approach to Indian policy taken by the government. "In 1825 Lt. Col. Jose Maria Echeandia was appointed in Mexico to be governor of California and when he came north he brought with him new ideas of Mexican republicanism. . . . He also wished to abolish the missions. . . . In 1834-1836 Governor Jose Figueroa was finally forced by the Mexican government . . . to commence the formal secularization of the missions." (Forbes, 1969:39) The process of secularization provided that one half of the mission property would go to support the Indians, and half to support the priests and other officials. During this time, "the entire economy of the Mexican colony now shifted from the missions to the large landed estates of wealthy Mexicans." (Heizer, 1978:105)

As government emphasis changed from a mission approach to private enterprise, large land grants were given to Mexican citizens. This was necessary in order to put additional lands under Mexican rule. Naturalized citizens including John Marsh, John Sutter, John Bidwell, and others were awarded large land grants to settle for Mexico. "During the years 1830 to 1846 the interior native population suffered more extensively from brutality and violence than might perhaps be anticipated. Violence was a critical factor among tribes that resisted. . . One such filibustering expedition was led by Jose Maria Amador in 1837. . . According to Amador, his party:

*' . . . invited the wild Indians and their Christian companions to come and have a feast of pinole and dried meat . . . the troops, the civilians, and the auxiliaries surrounded them and tied them up . . . we separated 100 Christians. At every half mile or mile we put six of them on their knees to say their prayers, making them understand that they were about to die. Each one was shot with four arrows. . . . Those who refused to die immediately were killed with spears. . . . We baptized all the Indians (non-Christians) and afterward they were shot in the back.'"* (Heizer, 1978:105-106)

However, disease had a much greater effect on Indians than any act of violence. During this period, smallpox and scarlet fever had a devastating effect on the native population, killing thousands.

With the ranchos came a need for a labor force. Much like the missions, the ranchos used Indians to meet this need. Major landowners took advantage of the lack of unity among Indian groups. For example, they would make pacts with one Indian group, then require them to bring in other Indians to serve as laborers. Once the landowners had organized their labor force, they would exchange labor with other ranchers. Thus developed a system of labor that was virtually cost-free.

Another example of how Mexican landowners worked this labor system to their advantage is the case of Charles Weber. In 1845, Weber purchased William Gulnac's interest in a ranch in the area now known as Stockton. For 200 pesos, Weber purchased the land which Gulnac could not settle because of Indian resistance. On his arrival, he employed the same system John Sutter had used and made a pact with an Indian leader, Jose Jesus, an ex-mission neophyte. Jesus provided Weber with labor in exchange for goods. This type of arrangement became increasingly advantageous to Indians, because if they did not enter into a pact, the landowners would raid their villages and take the labor they needed anyway.

In February 1848, the Treaty of Guadalupe Hidalgo ceded sovereignty of Mexican lands, including California, to the United States. However, before the constitutional ideology of the American

government could take effect here, the discovery of gold turned California into a land of confusion. After James Marshall's initial discovery, John Sutter and Charles Weber used Indians to mine the precious ore. As news of the discovery spread and more Europeans arrived in California, the Indians were soon forced out of mining. Initially, a group of men from Oregon ran the Indians out of the mines because they believed the jobs rightfully belonged to White men. With the miners' search for gold, the Sierra and other remote areas where Indians had retreated became prime locations for establishing claims. The dramatic rise in the White population during this era all but ensured the end of the claim to California by the Indians.

In summary, this era saw the beginning and the end of the mission period. Because of disease, homicide, and loss of their native environment and food sources, the Indian population in California decreased from 310,000 to approximately 100,000. With the secularization of the missions, the Indians were confronted with new problems of private ownership. In 1848, California came under the authority of the United States, and just as the Indians were becoming accustomed to the rancho system, the gold rush brought about a new era of Indian-settler relations.



*Sierra Mono Museum, Madera County*

## **A History of American Indians in California: 1849-1879**

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Before 1845, the Spanish/Mexican population of California numbered only a few thousand. But by 1849, during the gold rush, the non-Indian population of California had grown to 100,000. The Indian population was already in a weakened condition, suffering from disease and lack of food, and from violent confrontations with the new landowners. Once the Americans arrived, California Indians were at an even greater disadvantage. With the lure of instant wealth in front of them, the new settlers wanted little to do with the Indians. The American approach to dealing with the Indians was summed up best by California historian Hubert Howe Bancroft:

*That part of the early intercourse between aboriginal Americans and European which belongs to history may be briefly given, short work was made of it in California. The savages were in the way; the miners and settlers were arrogant and impatient; there were no missionaries or others present with even the poor pretense of soul saving or civilizing. It was one of the last human hunts of civilization, and the basest and most brutal of them all. (Bancroft, 1963a:474)*

"The Indians had a precisely balanced relationship with their food supply. Soon after the arrival of the Americans serious depletion of that supply began to occur: mining operations adversely affected salmon fishing and destroyed fish dams." (Heizer, 1978:108) On the Americans' arrival, the large ranchos were broken up, and the new, more numerous landowners on smaller parcels of land were less tolerant of Indians. The small ranchos were farmed and grazed more intensively, and this caused an even greater reduction in the Indians' natural food supply. Jobs once belonging to Indians, especially skilled jobs, were taken by Whites.

We need only look at the early record of the California Legislature to understand the relationship of the Americans to the native population during this era. At the first State Constitutional Convention, those assembled voted to eliminate the Indians' right to vote because they feared the control Indians might exercise. In 1850, An Act for the Government and Protection of Indians was enacted by the first session of the State Legislature. This law set the tone for Indian-White relations to come.

The act provided for the following:

1. The Justice of the Peace would have jurisdiction over all complaints between Indians and Whites; "but in no case shall a white man be convicted of any offense upon the testimony of an Indian or Indians."
2. Landowners would permit Indians who were peaceably residing on their land to continue to do so.
3. Whites would be able to obtain control of Indian children. (This section would eventually be used to justify and provide for Indian slavery.)
4. If any Indian was convicted of a crime, any White person could come before the court and contract for the Indian's services, and in return, would pay the Indian's fine.
5. It would be illegal to sell or administer alcohol to Indians.
6. Indians convicted of stealing a horse, mule, cow, or any other valuable could receive any number of lashes not to exceed 25, and fines not to exceed \$200. (It should be noted that the law provided that abusing an Indian child by Whites was to be punished by no more than a \$10 fine. It is hard to compare the penalty with the crime.)
7. Finally, an Indian found strolling, loitering where alcohol was sold, begging, or leading a profligate course of life would be liable for arrest. The justice, mayor, or recorder would make out a warrant. Within 24 hours, the services of the Indian in question could be sold to the highest bidder. The term of service would not exceed four months.

This law was widely abused with regard to the use of Indians as laborers, though it did allow Indians to reside on private land.

During 1851 and 1852, the California Legislature authorized payment of \$1,100,000 for the "suppression of Indian hostilities. Again, in 1857, the Legislature issued bonds for \$410,000 for the same purpose." (Heizer, 1978:108) While theoretically attempting to resolve White-Indian conflicts, these payments only encouraged Whites to form volunteer companies and try to eliminate all the Indians in California.

In 1860, the law of 1850 was amended to state that Indian children and any vagrant Indian could be put under the custody of Whites for the purpose of employment and training. Under the law, it was possible to retain the service of Indians until 40 years of age for men and 35 years of age for women.

This continued the practice of Indian slavery and made it legal for Indians to be retained for a longer period of time and be taken at a younger age.

In 1862, the *Alta California* reported: "Little more than a hundred miles from San Francisco, in Mendocino County, the practice of Indian stealing is still extensively carried out. Only recently, George H. Woodman was caught near Ukiah with sixteen Indian children, as he was about to take them out of the county for sale. It is well known that a number of men in that region have for years made it their profession to capture and sell unfortunate juveniles, the price ranging from \$30 to \$150 depending on their quality." (Harrison, 1966:4)

This was not an isolated situation. U.S. Agent George Hanson reported: "A band of desperate men have carried on a system of kidnapping for two years past. Indian children were seized and carried into lower counties and sold into virtual slavery. . . . The kidnapers follow at the heels of the soldiers to seize these children when their parents are murdered to sell them at the best advantage." (Balin, 1971:18) When there was no other way, there was "a class of whites who systematically killed adults to get their children." (*Ibid.*, p. 19)

The other practice that provided much of the labor force, especially in southern California, was to have city officials pick up Indians as vagrants. These officials would then turn the Indians over to the ranchers and other people who needed laborers. This was all done under the provisions of the 1850 law. After four months or some other term of service, the employer would return the Indians to the city, usually to a place where alcohol was served. Shortly after their return, the Indians would be picked up once again as vagrants, and returned to the labor force.

These types of activities occurred until 1866, when, to comply with the 14th Amendment of the United States Constitution, the State Legislature repealed the law. The 14th Amendment provides that no state should infringe on any citizen's "privileges or immunities" nor "deprive any person of life, liberty, or property without due process of law," nor deny to any person "the equal protection of the law."

While the state was enslaving and eliminating California natives, the federal government, in 1851, appointed three commissioners to negotiate treaties with California Indians. By 1852, 18 treaties had been negotiated with 139 tribes. The treaties were negotiated because the federal government perceived Indian tribes as foreign nations, and treaties were the legal means for developing an agreement and ensuring peace with them. The 18 treaties set aside 7,488,000 acres of land, or approximately one-third of California, for Indian use. This land settlement was similar to that negotiated with other tribes in other states. The treaties also provided funds for materials and food to allow the Indians to become self-sufficient. The treaties met with hostility in California. On January 16 and February 11, 1852, the State Senate concluded that the treaties "committed an error in assigning large portions of the richest mineral and agricultural lands to the Indians, who did not appreciate the land's value." (Ellison, 1925:4-5) The legislature instructed the United States senators from California to oppose ratification of the treaties, and called for the government to remove the Indians from the state as they had done in other states.

In February 1852, President Millard Fillmore submitted the 18 treaties to the United States Senate for ratification. The California senators were recognized and the Senate went into secret session to discuss the treaties. During this session, the Senate failed to ratify the treaties, and by order, they were placed in secret files, where they remained for the next 53 years. In 1871, the United States Congress declared that it would no longer negotiate treaties with American Indians.

Although the United States Government failed to ratify the treaties, it did continue the policy of setting up reservations and moving the Indians to them. However, no attempt was made to negotiate new treaties. In 1852, while not acknowledging any claims of California Indians to the land, the United States appointed Edward F. Beale as the first Superintendent of Indian Affairs in California. Beale's plan was to establish five reserves on which the Indians would reside. Congress appropriated \$250,000, and in September 1853, Beale gathered some 2,000 Indians and established the 50,000-acre Tejon Reserve. By focusing all his effort at Tejon, Beale neglected some 61,000 hungry natives. "Beale declared that humanity must yield to necessity, they are not dangerous, therefore they must be neglected." (Heizer, 1978:110) In 1854, Beale was removed from his post. However, based on the information he acquired as superintendent, Beale eventually gained control of the reservation land.

Congress appointed Col. Thomas J. Henley as the new superintendent in 1854. Henley, following Beale's original plan, established the Nome Lackee Reservation; Nome Cult, Mendocino; Fresno Indian Farm; and Kings River Indian Farm. However, Henley did not act in the best interest of California Indians. The reservations suffered from lack of water. Squatters grazed their cattle on the unfenced land and destroyed crops that were being raised to support the Indians. "Most of these squatters were business partners or relatives of Henley and, therefore, impossible to remove." (Heizer, 1978:110) It is important to note that all of these early reserves eventually left federal ownership, and the Indians who resided on them were once again forced to move to other lands to make new homes. Every time Indians were removed, the commissioners prospered.

In 1870, in an attempt to get away from corrupt superintendents and to convert the Indians to Christianity, the federal government turned over operation of the reservations to the Quaker Church. In California, the Methodists, Baptists, and other churches eventually took on management of the reservations. While the new management was not corrupt and was far better for the general welfare of the Indians, the church was less tolerant of Indians continuing their traditional beliefs. Thus, the reservations became missions and the first tools under American control to be used in assimilating Indians into the general population. Once again, California Indians were confronted with change and forced to adapt from being prisoners-of-war to being wards of the church.

The 1870s saw two other important events in California Indian history. The first event centered on a Nevada Indian prophet who proclaimed that the end of the world was near. "The most consistent manifestation of this resurgence of native religion was the belief the end of the world was near and that the dead would return with the disappearance of the whites." (Heizer, 1978:113) Part of the effort in the attempt to eliminate the Whites was to sing and dance the traditional songs. While the prophet's dreams were never realized, the Ghost Dance, as it was called, spread throughout much of California. While the return to religious activities did not result in the return of the dead, it did encourage traditional activities among the California Indians. The second event was the Modoc War of 1872-73. A group of Modoc Indians, led by Captain Jack, fought the United States Army from a lava bed stronghold. Even though the Modocs were greatly outnumbered, it took the army more than a year to squash the rebellion. This was the last armed resistance by California Indians.

In 1872, the California Constitution was amended to allow Indians to testify in courts of law. Up to this point "his testimony was not admissible in evidence. Not being a reservation Indian, he could not appeal to the United States courts, and, [was] ignored by both State and Nation. . . ." (Northern California Indian Association, 1906)

In summary, this period saw the establishment of California as a state. With statehood, laws were passed that infringed on the rights of Indian people to occupy their homelands, and caused them to be used much like slaves. It was not until the enactment of the 14th Amendment that these rights were restored. Treaties were negotiated and rejected; reservations established, dissolved, and reinstated; and Indians were still in a period of unrest.



*Kindergarten class at play [circa 1900]*

## **A History of American Indians in California: 1880-1904**

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In the 1880s, there was increased public awareness of the problems California Indians were confronting. While the problems were rarely analyzed, many people helped to improve the quality of life for Indians. There was an effort to improve the education of Indians through schools, and to provide them with land to better their economic conditions so that Indians could become full citizens of the United States of America.

In the early 1880s, Helen Hunt Jackson wrote *A Century of Dishonor* and sent a copy of her book to each United States congressman. She was then appointed to a commission to examine the condition of Indians in Southern California. Her visits resulted in *The Report on the Condition and Needs of the Mission Indians of California*, by special agents Helen Jackson and Abbot Kinney. The report summarized the problems and concerns of Southern California Indians; many of the conditions outlined in the report, however, were applicable to all California Indians. The report noted that Indians had been continually displaced from their land. She also noted that while many Indians had taken "immoral" paths, others had chosen the responsibilities of herding animals and raising crops. In her report, she also noted that the United States government had done little to right the wrongs of the past. While Jackson did not solve all the problems of Southern California Indians, her work did bring their concerns to the attention of the American public and Congress.

One recurring concern was the lack of education and training necessary for survival in American society. The government, as well as Jackson, saw education as a way of assimilating Indians into the mainstream of United States society. Reports from the Secretary of the Interior and the Bureau of Indian Affairs at that time expressed the goals of the government in relation to the educational process. In 1908, one report stated, "the rooms held three or four each and it was arranged that no two tribes were placed in the same room. This not only helped in the acquirement of English, but broke up tribal and race clannishness, a most important victory in getting Indians toward real citizens." (Spicer,

1969:235) An earlier report stated, "I can see no reason why a strong government like ours should not govern and control them [Indians] and compel each one to settle down and stay in one place, his own homestead, wear the white man's clothing, labor for his own support, and send his children to school." (Spicer, 1969:236) Other people had even stronger ideas. For instance, George Ellis, in his book, *The Red Man and the White Man in North America*, wrote, "The Indian must be made to feel he is in the grasp of a superior." (Ellis 1882:572) In opposition to this view, the Indian Rights Association was formed in 1882. This Indian advocate group would play a powerful role in formulating Indian policy in upcoming years.

While the approaches differed, all agreed that education was necessary. "In California, three types of educational programs were established for native peoples. The first was the Federal Government reservation day school. The second type was the boarding school, fashioned after Carlisle. And finally, the nearby public school that allowed Indians to attend began a slow, though steady, increase in popularity among policy makers." (Heizer, 1978:115) While the public schools seemed the best alternative, most Indians did not have the right to attend these schools until the 1920s.

In 1881, an elementary school system for Indians was established in California. However, the Indians soon recognized that the schools were a threat to their culture, as well as to the tribe as a political unit. "As a result, considerable resistance to the schools developed. Native peoples destroyed the day school at Potrero in 1888, and burned the school at Tule River in 1890. At Pachanga, a Luiseno named Ventura Molido, burned the school and assassinated the school teacher in 1895." (Heizer, 1978:115) Much of the destruction and violence could have been avoided if the school system and the government had recognized the great importance the Indians placed on being able to maintain their cultural beliefs. In 1891, school attendance was made mandatory. But while attendance was mandatory, there were still Indian children who did not attend.

In 1901, the first Indian hospital in California was established at Sherman Institute in Riverside. Sherman later became a boarding school for Indian children. While hospitals and other facilities improved conditions for California Indians, most Indians were still without homes.

During this period, another major focus was on the acquisition of land for Indians. Probably the most interesting example of the way land was acquired is evidenced by the Yokayo Pomo in 1881: "After collecting nearly \$1,000 from their people, the head man selected a 120-acre site near the Russian River and made the down payment. The Yokayo groups prospered; they paid the entire balance owed on their land, and even saved enough to purchase farm machinery shortly thereafter." (Heizer, 1978:118)

A major tool the government used in trying to assimilate Indians during this time was the General Allotment Act of 1887, also known as the Dawes Act, which appeared to be generally advantageous to Indians. However, the major intent of the act was to break down the role of tribal government. The act itself provided that each Indian living on a reservation would receive a 160-acre allotment of land per family unit, and each single man would receive 80 acres if the reservation had enough land. If there was not enough land, other provisions were made. Indians not residing on a reservation would be entitled to settle on any surveyed or unsurveyed government lands not appropriated. The lands allotted would be held in trust for 25 years by the Bureau of Indian Affairs. If all other provisions of the act were met, that is, if the Indians made use of the lands for agriculture and became self-sufficient, then the land would become the property of the individual. "Native people understood full well the implications of allotment and offered considerable resistance. Nevertheless, the Bureau of Indian

Affairs began ordering allotments of various sizes at Rincon, Morongo, and Pala Reservations in 1893. . . . The next year, allotments were begun at Round Valley Reservation. By the turn of the century, 1,614 individual allotments were made among eight reservations in the state." (Heizer, 1978:117)

Long before the passage of the Dawes Act, people recognized that problems would occur from its implementation. In 1881, Senator Henry Moore Teller of Colorado spoke in opposition to an earlier form of the Allotment Act. Senator Teller concluded, "If I stand alone in the Senate, I want to put upon the record my prophecy in this matter, that when 30 or 40 years shall have passed and these Indians shall have parted with their title, they will curse the hand that was raised professedly in their defense to secure this kind of legislation, and if the people who are clamoring for it understood Indian character and Indian laws, and Indian morals, and Indian religion, they would not be here clamoring for this at all." (Spicer, 1969:234) The senator would soon be proven correct.

Other Indians, such as the Cupenos from Warner Springs, chose to fight for their lands in the courts. With the assistance of the Indian Rights Association, they began a suit to stop their eviction from their home at the Warner Ranch. In 1888, they won a favorable decision which temporarily stopped their eviction. However, the case was appealed to the United States Supreme Court, and in 1903, the Cupenos were evicted from their home.

Still other Indians chose to purchase land which was once theirs and reside on it. However, not every transaction was fair. In 1904, the *San Francisco Chronicle* reported that Indians who bought land from Whites were being dispossessed by the heirs of the granters, who gave no valid titles. "The Northern California Indian Association reported that about 10,000 Indians lived on land to which whites hold title. They were subject to eviction 'at any time.' The Indians are recognized for what they are not, usually competent to compete with white men in economic struggle. . . . Congress should buy lands for Indians in locations where they now are and allot them small farms in severalty. . . . It is also asked that their status as to citizenship be satisfactorily established. This petition is now before congress. It should be granted for justice and honesty. . . ." (*San Francisco Chronicle*, 1904).

The struggle for homes would continue.



*Smith River Shaker Church, Del Norte County*

## A History of American Indians in California: 1905-1933

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In 1905, Indians became more involved in matters concerning them. With the rediscovery of the 18 lost treaties, Indians and their supporters began a drive for land, better education, the rights of citizenship, and settlement of the unfulfilled treaty conditions. This period held victories for Indians as well as the beginning of many battles that would take a long time to resolve.

"Senate action on the treaties was secret. And thus the matter rested, gathering dust in the archives of the government until clerks working in the secret Senate files found the slumbering treaties. That was in 1905." (Footnight, 1954:24) Thus the California land claims case began. As early as 1909, the Commonwealth Club of San Francisco was looking into the matter of Indian rights under the 18 treaties. "And in 1924 a special section on Indian Affairs was formed for the purpose of making a complete study of the rights, wrongs, and present condition of California Indians." (Johnson, 1966:36)

"Another group that was active in this area was the Native Sons of the Golden West. Study committees were formed and publicity as to the needs of the California Indians appeared in its magazine, *The California Grizzly Bear*. In 1922 and again in 1925, there were articles of real importance in arousing public opinion. There were many other groups active in the cause of the California Indians: among them were the Indian Welfare Committee of the Federated Women's Clubs, the California Indian Rights Association, Inc., the Northern California Indian Association, the Mission Indian Federation, and the Women's Christian Temperance Union." (Johnson, 1966:36)

"The early 1920s witnessed the evolution of the powerful Mission Indian Federation in southern California. The Federation was headed by a White man, Jonathan Tibbets of Riverside, but like the Indian Board of Cooperation, the Federation had a large body of Indian members. Non-Indians dominated many meetings and urged the membership to follow their advice. However, the Bureau of Indian Affairs soon grew intolerant of all these Indian concern groups and provoked an incident that persuaded many people that Indian grievances were indeed legitimate. 'At the Federal meetings expressions of ill will or hostility to the government were occasionally heard. Grievances were aired and complaints, both legitimate and trivial, were uttered. As a result and under orders of the Department of Justice, some 57 Indians were placed under arrest on the charge of conspiracy against the government. Upon arraignment they were dismissed without bail.' " (Heizer, 1978:715)

Another organization which has already been mentioned was the Indian Board of Cooperation. The board was founded in 1910 by a Methodist minister, Fredrick Collett. "The policy of the Board is to encourage the Indians to do for themselves everything that they can, and to assist them in the doing of these things that they can not do without help." The Board's objectives included organizing Indians, obtaining passage of a bill so Indians could present their claims to the United States Court of Claims, obtaining legal services, ensuring funds appropriated for Indians be used for the Indians' best interest, and promoting all movements intended to enhance the welfare of Indians. (*California Indian Herald*, Vol. 1, No. 1, 1923:11) In 1919, the board established auxiliaries which were small Indian organizations that acted on the local level and raised funds for the board through memberships and special events. The Indian Board of Cooperation assisted Indians on many issues over the next decades. By May 1924, the board boasted 88 auxiliaries, with a membership of 10,400. (*California Indian Herald*, 1924:2) While Indians could belong to the auxiliaries, the board was made up of Whites. Most of the funds the board used for operation were obtained from Indians who paid between

four and six dollars each to be members. Thus, much of the cost of financing the early land claims case came from Indians themselves.

California Indians obtained the opportunity to file in the United States Court of Claims when the Indian Board of Cooperation assisted in filing what came to be known as the "Test Case." "The suit is brought as a test case to establish the rights of all tribes and bands of California Indians whose lands were taken from them without fair compensation." (*California Indian Herald*, 1923:4) The case involved 1,008 square miles located in the Klamath National Forest, in Humboldt and Siskiyou counties. The case asked what legal rights the government had to the land. While the Indians never won back the land in question, the case did raise an important question: Did Indians have a right to redress for the lands lost?

In 1927, the California Legislature enacted "An act to authorize the attorney general to bring suit against the United States in the court of claims in behalf of the Indians of the State of California in the event that the Congress of the United States authorizes the same." (Johnson, 1966:37) For the first time, California Indians had the support of the California Legislature in their effort to seek redress for the settlements made in the 18 treaties that were not ratified.

In 1928, the United States Congress passed the California Indian Jurisdictional Act, also known as the Lea Act. The law provided that ". . . by defining California Indians as those who resided in the state on June 1, 1852 and their descendants now living in the state. . . . All claims of whatsoever nature of the Indians . . . be submitted to the Court of Claims by the Attorney General of the State of California acting for and on behalf of said Indians . . . with the right of either party to appeal to the Supreme Court of the United States. . . . It is hereby declared that the loss to said Indians on account of their failure to secure the lands and compensation provided for in the eighteen unratified treaties is sufficient ground for equitable relief . . . the value of any lands so granted could not be in excess of \$1.25 per acre. (Johnson, 1966:37) The law signified the legal beginning of the land claims case. "While the Lea Act had, as indicated, some undesirable features, it was a step forward, as it was the first act of Congress of this nature after twenty years of effort." (Johnson, 1966:35)

"With the rediscovery, in 1905, of the 'lost' treaties of 1851, public opinion began to favor the Indians. Between 1906 and 1910, legislation was passed appropriating funds which were used to purchase many small tracts of land in central and north central California for the landless Indians of those areas. These tracts today are the bulk of those Indian lands known as 'rancherias.'" (Bureau of Indian Affairs, 1966:13) While the act provided lands for many Indians, still others had to go to the legislature to ask for help. A 77-year-old Pit River man stated: "My people are homeless. They are driven from place to place by the white men on whose property they seek refuge. The Washington Government does not aid us. Our children are not wanted in the schools. We have no medical aid for our sick. We have no implements, nor lands for farming. My people are willing to work. Give us a place in the desert and we will be happy." (*California Indian Herald*, 1923:13) So even in the 1920s, the problem of homeless Indians continued though the issue of land was at last being addressed.

The lack of land was not the only problem confronting Indians. "General conditions in the Far West were far from good in 1919-1920, after more than a half-century of conquest. McDowell wrote in 1919 of the majority of California Indians 'that more than all else, they have for generations been treated by their white neighbors as an inferior people and have been accepting that appraisal quite as a matter of course. . . . They get their own living with the work of their own hands. . . . With apparently few exceptions, the California Indians are seasonal, or casual, work people. The earning time for the great

majority is the growing seasons. . . . [Others] of them find employment in sawmills, on the surface of mines, in logging camps, and on railroads and public roads. During sheep shearing season these Indians are in demand. . . . They herd cattle, milk cows, and do general farm labor. The women who live near cities and towns go out by day as domestics and laundresses.' " (Forbes, 1969:74) The general welfare of California Indians continued to be poor, but they resumed their efforts to gain civil rights.

Indians began to view education differently in this era. Much of this change in attitude may have derived from the support groups that assisted them. While many Indians continued to attend boarding schools and day schools, more Indians began to attend public school in California. "In 1915 only 316 Indian pupils were attending public school in California but by 1919 this number had increased to 2199." (Forbes, 1967:73) In 1917, the federal government decided to have Indians attend public schools. Even after this policy was adopted, however, the right to attend public school was not granted to every Indian child. "Between the 1920's and early 1940's, the Bureau of Indian Affairs ceased to have any appreciable role in California-Nevada Indian education, thanks in great measure to Indian efforts to establish local public schools or to gain admittance to existing schools. The latter was facilitated by the case of Piper vs. Big Pine School District (1924) in which Indians won the right to attend public schools." (Forbes, 1969:118)

In 1917, a major victory for Indians occurred when the California Supreme Court decided that California Indians were citizens. In 1922, 50 Hoopa Indians took advantage of citizenship and voted in the general election. They had to travel 24 miles to do so, but "for the first time in their history voted as free-born American citizens." (*California Indian Herald*, 1923:14). While California Indians had been acknowledged as citizens, it was not until June 2, 1924 that the Indian Citizenship Act was passed. Among other things the Indian Citizenship Act contained one provision of special interest to California Indians: "That the granting of such citizenship shall not in any manner impair or otherwise affect the right of any to tribal or other property." The granting of citizenship came 100 years after the Indians were first granted citizenship by the Mexican government. It also came after more than 10,000 Indians had fought in the First World War.

The granting of citizenship in 1924 should have guaranteed Indians their First Amendment right of religious freedom. However, as late as the 1920s, the Bureau of Indian Affairs made a deliberate effort to control and in some cases eliminate the Indians' ability to practice their religious beliefs. "On April 26, 1921, during the Secretaryship of Albert B. Fall, Commissioner Charles H. Burke of the Bureau of Indian Affairs addressed to all Indian Superintendents (Indian Agents) a document called Circular 1665. He stated: 'The sundance and all other similar dances and so called religious ceremonies are considered 'Indian Offenses' under existing regulations and corrective penalties are provided. I regard such restrictions as applicable to any (religious) dance which involves . . . the reckless giving away of property . . . frequent and prolonged periods of celebration . . . in fact, any disorderly or plainly excessive performance that promotes superstitions, cruelty, licentiousness, idleness, danger of health, and shiftless indifference of family welfare. In all such instance, the regulations should be enforced.'" (Indian Defense Association of Central and Northern California)

On February 14, 1923, a supplement to Circular 1665 was issued. Some of the main features of the amendment were that "Indian dances be limited to one day in the midweek and at one center of each district; the months of March, April, June, July and August being exempted (no dances in these months). That none take part in the dances or be present who are under 50 years of age. That a careful propaganda be undertaken to educate public opinion against the (Indian religious) dance." (*Ibid.*)

"Then on February 24, 1923, the Commissioner broadcasted a 'Message to All Indians.' It read: 'I could issue an order against these useless and harmful performances, but I would rather have you give them up of your own free will, and, therefore, I ask you in this letter to do so. If at the end of one year the reports which I receive show that you are doing as requested, I shall be glad, for I shall know that you are making progress — but if the reports show that you reject this plea, then some other course will have to be taken.'" (*Ibid.*)

The restriction on religion led John Collier to write: "Now today, this late date, the Indian Bureau has commenced a new onslaught. The Indians are deeply and universally religious. They still know how as tribes to follow ancient paths leading to the water of heaven. United in this life of religion, they can still stand up together as men, and they can still cling to their coveted remnants of soil. They can resist the efforts to turn them into drifting social half-breeds slave-driven by 6,000 Indian Bureau job holders who make their living 'civilizing' the Indians. Therefore, an actual inquisition shall be elaborated against their adult worship. Their treasure of the soul which no man yet has known enough to be able to estimate shall be forcibly thrown away; their last liberty and last dignity and their end of life, which they know to be God, shall be denied." (*Ibid.*)

So the passing of the Citizenship Act in 1924 meant much more than the right to vote; it meant that all constitutional guarantees would be afforded to this country's first inhabitants. While freedom of religion is one of those rights, it was more than 50 years before the Indians' constitutional right of religion would be guaranteed.



*Old School House at Ft. Bidwell, Modoc County*

## **A History of American Indians in California: 1934-1964**

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During the next three decades, California Indians continued to experience ups and downs. In 1934, two major pieces of legislation were enacted that affected California Indians: the Indian Reorganization Act and the Johnson-O'Malley Act. Of these, the Indian Reorganization Act probably had the more far-reaching effects. First, the act provided for keeping Indian land in trust; it returned to the tribe reservation land that remained surplus after allotments; and it restricted the granting of rights-of-way over reservation lands, restricted release of lands, and provided for the Secretary of the Interior to purchase inholdings in the reservation for Indian use. The act also ordered that forests on Indian lands be managed on a sustained-yield basis, authorized \$250,000 to defray the expenses of organizing Indian-chartered corporations or other organizations under the act, and provided \$10,000,000 for a revolving fund to promote economic development. Finally, the act provided for loans to Indians to attend trade or vocational schools.

"The viewpoint underlying the Indian Reorganization Act of 1934 was most fully and clearly expressed by John Collier, as in this memorandum written while he was Commissioner of Indian Affairs in 1943: 'I see the broad function of Indian policy and Indian administration to be the development of Indian democracy and equality within the framework of American and world democracy. . . . The most significant clue to achieving full Indian democracy with and as a part of American democracy, is the continued survival, through all historical change and disaster, of the Indian Tribal group, both as a real entity and a legal entity. I suspect the reason we do not always give this fact the recognition it deserves is that we do not want to recognize it. . . . Congress through the Indian Reorganization Act, invoked the tribe as a democratic operational mechanism. . . . We can divest ourselves of the lingering fear that tribalism is a regression, and we can look upon it as a most important single step in assimilating Indians to modern democratic life. . . . Indians have the right of self-determination. . . . The Indian office is moving from guardian to advisor from administrator to friend in court (Spicer, 1969:247-248)

The Indian Reorganization Act was based on the assumption that the way to assimilate Indians into American society was to have tribal government work as a democracy, much as the United States government operates. This was a reversal in attitude from the Dawes Act of 1887, which attempted to disband Indian tribal organization. However, both acts sought in different ways the goal of Indian self-determination.

Another important piece of legislation was "the Johnson O'Malley Act which provided federal funding to local school districts to pay costs for reservation residents in lieu of local taxes." (Heizer, 1978:125) This act removed the only remaining argument against Indian children attending public schools. It also provided that Indian children no longer needed to be moved long distances from their homes and families to attend school, even though some still chose to do so.

Toward the end of World War II and immediately thereafter, Indians began to establish organizations. The major difference between these organizations and earlier ones was that Indians governed them. Three important organizations that were established were the Native American Church, the National Congress of American Indians, and the Federated Indians of California.

The Congress of American Indians was established "to enlighten the public toward a better understanding of the Indian people; to preserve Indian cultural values; to seek an equitable adjustment to tribal affairs and tribal claims; to secure and to preserve rights under Indian treaties or agreements with the United States; to promote the common welfare of the American Indian; and to foster the continued loyalty and allegiance of the American Indians to the flag of the United States. . . ." (Spicer, 1969:290)

The Native American Church was established for a much different purpose, the advancement of Native American religion. The reasons for its establishment are found in the church's preamble and articles of incorporation, which state, "Whereas, The 'human rights' of all citizens of our country are guaranteed and protected by amendment 1 to the Constitution of our country . . . this corporation is formed to foster and promote religious believers in Almighty God and the customs of the several Tribes of Indians throughout the United States in the worship of a Heavenly Father and to promote morality, sobriety, industry, charity, and the right living and cultivate a spirit of self-respect and brotherly love and union among the members (Spicer, 1969:288)

Finally, the Federated Indians of California was established for a very specific reason. "In 1944 the Court of Claims awarded the California Indian their first substantial judgment, netting them approximately \$5,000,000." (Bureau of Indian Affairs, 1966:13) However, in establishing the \$5,000,000 amount, the court followed the mandate of the Lea Act, which provided ". . . a gross recovery, the benefits which were to have been paid to only 1/3 to 1/2 of them under the 18 unratified treaties of 1851-1852. By this proposed settlement this figure is now established at \$17,816,624.48. From this figure must be deducted . . . the subsequent specific benefits granted by the government to all of the Indians . . . this amount is fixed at \$12,650,761.02." (Kenny, 1944:44) Benefits granted to the Indians included items such as thread, thimbles, needles, hoes, etc. However, the vast majority of the \$12,000,000 covered administrative costs of running the Bureau of Indian Affairs in California. Add to this those funds misspent early on, and it is easy to see that Indians actually received very little benefit from the \$12,000,000.

The proposed \$5,000,000 settlement caused an uproar. In response to the controversy, the government established the Indian Land Claims Commission in 1946. Because Indians were no longer willing to allow non-Indians to push the Indian cause, in 1947 the Federal Indians of California was founded. The group submitted an \$88,000,000 claim as a proposed settlement above and beyond the \$5,000,000 already awarded. The 100 delegates present adopted a resolution granting the executive committee the power to hire legal counsel and press the claim. (Bureau of Indian Affairs, 1966:13)

Much of the activity occurring after World War II was the result of Indians being introduced to a wider perspective. "Now, war as we know it is a horrible thing, but the war did one thing for our Indian people as it did for so many representatives of many ethnic groups. It took them out of their environment, and it scattered them all over the world, as well as the United States, and they saw how the other half lived." (Harrison, 1966:11) Many Indians returned from the war more aware of the way in which governments worked. The war had shown them how the rest of the world lived, and they were no longer satisfied with what was previously theirs. Some returned to their groups with this newly developed knowledge, while others ventured out on their own.

Following World War II, a movement called "termination" began. Termination was to be a process of removing Indians and their land from federal trust. "After the war, as the United States spent millions of dollars rebuilding Germany and Japan, the government hoped to rid itself of its embarrassing failure

to 'rebuild' Indian nations by simply withdrawing government aid to Indian people. This philosophy was expressed in the Hoover Commission survey of 1948." (Heizer, 1978:122)

The 1950s saw the beginning of the Hoover Commission's recommendation to initiate termination. "California Indian tribes were to be among the first targets for termination. The commissioner of Indian affairs who inaugurated this policy, Dillon Meyer, was principally known as the man responsible for administering Japanese-American concentration camps during World War II. In 1952, the Bureau of Indian Affairs began to energetically push termination: the Indian Service introduced to Congress several termination bills specifically for California, and in anticipation of that policy, the government ended all Indian Service welfare payments to pauper Indians in the state." (Heizer, 1978:122)

Also in 1950, the first \$5,000,000 settlement was distributed to Indians in California. "Congress finally adopted legislation providing \$150 for each California Indian (leaving a portion of the award still in the U.S. Treasury)." (Forbes, 1969:106) However, by 1951, 23 separate claims had been filed with the Indian Land Claims Commission for additional relief.

The first law that actually initiated termination was in the field of criminal justice. "In 1953 Congress passed Public Law 280, which brought California Indian Reservations under the criminal and civil jurisdiction of the state." (Heizer, 1978:122) Crime occurring on the reservation was no longer the responsibility of the United States government. This new law caused much confusion and resulted in poor protection for Indians on reservations. It was frequently reported that many county sheriffs would arrive three or four days late for emergency situations. In 1957, California Indians called unsuccessfully for repeal of the act.

In late 1952, another issue was brought to the attention of the public. "Twenty-two young Indians, veterans of World War II and Korea, claimed they cannot buy shaving lotion because it contains alcohol. They have formed an Indian Right Organization to fight what they call 'this new menace to the Indian.'" (*Sacramento Bee*, Dec. 29, 1952, p. 1) However, this was not the first time that the problem had been brought to the attention of the government. In 1946, Indians, in a hearing in Eureka, requested that the prohibition against the sale of alcohol to Indians be lifted. In April 1953, Governor Earl Warren signed into law Senate Bill 344, which for the first time in 81 years made it legal for "full blooded Indians" to purchase alcohol. (*Sacramento Bee*, Apr. 9, 1953, p. 10)

In 1954, the process of termination moved closer to reality through House Resolution 108 the intent of which was "as rapidly as possible to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States. . . . Indian tribes and the individual members thereof, located within the States of California [and other states] . . . should be freed from Federal supervision and control and from all disabilities and limitations specially applicable to Indians (Spicer, 1969:218)

"The California Legislature had endorsed the idea of termination in 1953 but during 1954 made an abrupt change, largely as a result of the hearings conducted by the State Senate Interim Committee on Indian Affairs. The committee found that most reservations were simply unprepared for termination, with a multitude of problems often including undefined boundaries, no roads, no water, no sanitation, substandard housing, and 2,600 complicated heirship cases. The state was unwilling to accept the financial responsibility for correcting the failures of bureau management and opposed the BIA [Bureau of Indian Affairs] termination legislation." (Forbes, 1969:112)

"In 1954, a conference of social scientists, mainly anthropologists, met under the chairmanship of former Assistant Commissioner of Indian Affairs John H. Provinse for the purpose of pooling their knowledge and bringing it to bear on federal Indian policy. A portion of the statement they produced follows. 'An assumption which seems to underlie the basic philosophy of much of the United States approach centers about the idea that assimilation of the American Indian into the normal stream of American life is inevitable, that Indian tribes and communities will disappear. There was complete agreement on the part of the discussants that this prediction is unwarranted. . . . Group feeling and group integrity among the American Indian are as likely to gain strength in the decades ahead as they are to lose it.'" (Spicer, 1969:249-250)

Again in 1957, the process of termination was initiated. "In 1957-58, the State Senate Interim Committee conducted another investigation and found that 'with minor exceptions . . . very little has been done to carry out the recommendations set forth in the [1954-55] report' to prepare Indian reserves for termination. In spite of that fact, the committee in 1957 recommended termination legislation. . . ." (Forbes, 1969:112-113)

In 1958, the Rancheria Termination Act was enacted. "The law provides for the distribution of all rancheria land and assets and directs that a plan be prepared for each rancheria outlining to whom and how the assets shall be distributed. Such a plan, when approved by the Commissioner of Indian Affairs, and accepted by the participant, becomes the operating program under which title is transferred from the Government to the Indians." (Bureau of Indian Affairs, 1966:16) While plans were developed and termination proceeded, many of the plans were not implemented. However, "In response to the pressures of termination, the land claims case, and other issues, on May 3, 1958, Inter Tribal Council of California (ITCC) was founded. The Council was the successor to the California Indian Congress, which was disbanded at the formation of the new group. The purpose of ITCC is to protect Indian land ownership, preserve established privileges and immunities, and promote understanding and unity and preserve cultural values." (*Los Angeles Times*, May 5, 1958, pp. 4, 9)

In 1959, the problems with termination were temporarily forgotten. "In that year, the Indian Claims Commission issued an order stating that the Indians of California had aboriginal title, as of 1853, to approximately 64 million acres of California land west of the Sierra Nevada." (Bureau of Indian Affairs, 1966:20) A settlement of \$29,100,000 was awarded as redress. This amounted to approximately 47 cents per acre. The Indian Claims Commission approved the settlement in 1964, and Congress appropriated the funds that same year.



*Indian Grinding Rock State Historic Park, Amador County*

## A History of American Indians in California: 1965-1980

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A new era for Indians was about to begin, and just as the social scientists had predicted in 1954, tribal governments and tribal identity did play an important role. "Nationally the civil rights movement ushered in an era of social consciousness among White Americans. In conjunction with the end of the claims and termination issues among native leadership, the climate was again ripe for reform in Indian affairs." (Heizer, 1978:716)

As previously mentioned, the Indian Claims Commission awarded California Indians \$29,100,000 as redress for land from which they had been evicted. While most California Indians eventually would accept the payment, some would not. Members of the Pit River and Feather River groups opposed the settlement. So, when the settlement was awarded, many Indian people were not satisfied with the 47 cents per acre they were to receive.

During the 1960s and 1970s, people who had not previously identified themselves as Indians began to do so. A new awareness was rising, and with this came an increase in the number of Indians listed in the census. However, another program that had an effect on the number of Indians in California was the Bureau of Indian Affairs (BIA) program of relocation. "During the war about 23,000 Indian men and 800 Indian women served in the armed forces, and an estimated 46,000 Indians left the reservation to find employment. Many remained to make California their home. Then, in 1950, the BIA established a job-placement program . . . [and] the program to assimilate Indians into the mainstream expanded from that point. Strangely, the BIA didn't keep records of its relocation program, but nearly 100,000 Indians were relocated to California between 1952-1968 to find employment lacking on reservations. . . ." (*Sacramento Bee*, Sept. 6, 1982, p. 23) Indian people who had lived on reservations were now faced with the new problems of living in an urban environment and the inability to find services. Many were just not ready to live in a city.

In 1964, a monumental case concerning Indian religion occurred in California. On April 28, 1962, a group of Navajos met in Needles to perform a religious ceremony in which peyote was used. Peyote is a drug derived from the buttons of the mescal cactus. The Indians were arrested and tried for violating the law which prohibited unauthorized possession of the drug. Judge Mathew O. Tobriner of the California Supreme Court issued the court's decision. In responding to a lower court's verdict, Tobriner wrote, "The court ruled to deny Indian use of peyote was a violation of their religious freedom. 'We preserve a greater value than an ancient tradition when we protect the rights of the Indian who honestly practices an old religion. . . .'" (35 CAL Reporter, 1964:708) At this point, public consciousness began to recognize Indian religion and the value it had to the Indian people.

The year 1964 also saw the formation of the American Indian Historical Society by Rupert Costo, a Southern California Indian. "The AIHS was especially concerned with bringing an Indian viewpoint to bear upon historical writing but it also became concerned with many related issues including the white biases of school textbooks and the non-Indian orientation of school curricula." (Forbes, 1969:120) Since its formation, the society has published *The Indian Historian*, and from 1973 until recently, it published the *Wassaja*, an Indian newspaper.

The 1960s and 1970s brought the concept of Indian self determination to reality. Indian Self Determination is a program in which Indians determine their future through the development of

policies that meet their needs as they have defined them. It is too early to say if the program is a success. However, an early example of Indians having control over their lives was evidenced in the California Indian Health Demonstration Project. "This project originated in the State Department of Public Health, Bureau of Maternal and Child Health in 1967. Nine projects were set up among reservation communities throughout the state. Funded by state and federal health departments, these pilot projects stressed Indian participation and control and have acted as a catalyst for community cooperation in bringing medical and dental services to rural and reservation Indians. . . . By 1973, sixteen projects had been set up. . . ." (Heizer, 1978:124) With the formation of the California Rural Indian Health Board in 1969, an Indian-controlled coordinating body took charge.

In 1967, the California Indian Education Association was founded. In October of that year, a conference in North Fork, California ". . . brought together about 200 Indians who thoroughly analyzed the problems involved in Indian education. . . . Basically, the North Fork Conference called for increased Indian involvement at all levels of the education process. It especially emphasized the role of the Indian family and community in the education of children and advocated the development of Indian-directed out-of-school educational projects. Stress was placed upon the value of the native heritage. The North Fork Conference also called for the restoration of Johnson O'Malley funds. . . ." (Forbes, 1969:121) With the formation of the California Rural Indian Health Board, the American Indian Historical Society, and the California Indian Education Association, California Indians were involved in the process of controlling their past, present, and future.

The acknowledgment of Indians continued in 1968 when Governor Ronald Reagan signed a resolution calling for the fourth Friday of each September to be American Indian Day in California. This acknowledgment has done much to inform the general public about Indian heritage and the problems that are confronted by Indians in California.

"Another important development since the 1960s was the creation of Native American studies departments at major universities in California. In the fall of 1969, Indian students at the University of California at Berkeley, Los Angeles, and Davis and at Sacramento State University demanded that these institutions begin programs and offer courses in Indian culture and history." (Heizer, 1967:125) Today, much valuable information has come from these programs. They have also assisted Indian students by providing them with needed services, and have promoted a better Indian self-image.

"Indian land issues became international news in November 1969 when a group called Indians of All Tribes occupied Alcatraz Island in San Francisco Bay and held the site for nearly two years." (Heizer, 1967:716) "Within two months, the Pit River Tribe learned the lesson of Alcatraz." (Balin, 1971) On June 5, 1970, the Pit River Tribe issued a proclamation that stated: "We are the rightful and legal owner of the land. . . . No amount of money can buy the Mother Earth; therefore, the California Indian Land Claims Commission has no meaning. The Earth is our Mother and we cannot sell her." (*Ibid.*) Since then, the Pit Rivers have successfully reoccupied a number of pieces of land.

By 1970, the census showed that there were 91,018 Indians in California. This number did not differentiate between California Indians and Indians who came here from other states. In 1972, 120 years after the Indians signed the 18 lost treaties, 60,000 California Indians received \$633 each as compensation for land covered by the treaties. Some Indians refused the payment, and some failed to cash the check, but others who had waited for generations and had spent much time and money trying to resolve the issue accepted the payment. The land claims case was finally over.

Ten of the original terminated rancherias left Indian ownership by 1974. The same year, California reservation Indians filed and won a class action suit known as the Rincon decision. The suit charged that the Indian Health Service had not provided California Indians with health care comparable to that provided in other states. The U.S. District Court in San Francisco agreed. The State of California began to supplement federal Indian Health money in 1975, the first state to do so. (Heizer, 1978:126; *Sacramento Bee*, Sept. 6-7, 1981) In 1982, California Indians received most of the \$8,700,000 supplemental funds from the Rincon ruling award.

In 1976, the California Native American Heritage Commission was established. Since that time, the commission has assisted Indians in preserving cultural and religious sites important to them. By 1980, the number of Indians in California had grown to more than 201,000, more Indians than in any other state. Probably a little more than half of these are the descendents of aboriginal Californians. Their population is still far below the approximately 310,000 Indians living in California when Europeans first arrived on these shores.



*Ya-Ka-Ama Indian School, Sonoma County*

## **A History of American Indians in California:** **HISTORIC SITES**

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Underlined sites are links to more detailed reports.

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1. [Ahwahnee](#), Mariposa County
  2. [Alcatraz](#), San Francisco
  3. **Anderson Marsh**, Lake County
  4. **Angel Island**, Marin County
  5. **Anoyum**, San Diego County
  6. **Bald Rock Dome**, Butte County
  7. **Black Mountain**, San Luis Obispo County
  8. [Bloody Island](#), Lake County
  9. **Bryte Memorial Building**, Yolo County
  10. **Camp Hill**, San Luis Obispo County
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11. **Captain Jack's Stronghold**, Modoc County
  12. **Channel Islands**, Los Angeles, Santa Barbara, and Ventura counties
  13. **Chaw'se/Indian Grinding Rock State Historic Park**, Amador County
  14. **Cherokee**, Butte County
  15. **Chimney Rock**, San Luis Obispo County
  16. **Cho-Lollo**, Tulare County
  17. **Cupa**, San Diego County
  18. **D-Q University**, Yolo County
  19. **Dana Point**, Orange County
  20. **Dry Creek Valley**, Sonoma County
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21. **El Scorpion Ranch**, Los Angeles County
  22. **Estens and Kuvuny**, Ventura County
  23. **Ferndale Ranch**, Ventura County
  24. **Foresta Big Meadow**, Mariposa County
  25. **Fort Bidwell Boarding School**, Modoc County
  26. **Fort Bidwell School**, Modoc County
  27. **Fort Gaston**, Humboldt County
  28. **Frank Day's Home**, Butte County
  29. **Gabriel's Grave**, Monterey County
  30. **Glen Eden Springs**, Riverside County
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31. **Greenville Meeting Hall**, Plumas County
  32. **Gunther Island**, Humboldt County
  33. **Helo/Mescalitan Island**, Santa Barbara Island
  34. **Herbert Young's Residence**, Butte County
  35. **Hilltop Tavern**, Alameda County
  36. **Hopland High School**, Mendocino County
  37. **Humqaq**, Santa Barbara County
  38. **Hunting Blinds**, Modoc County
  39. **Ishi's Hiding Place**, Butte County
  40. **Knights Ferry**, Stanislaus County
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41. **La Casa Grande**, Sonoma County
  42. **La Jolla Village**, San Diego County
  43. **Lake County Courthouse**, Lake County
  44. **Las Viejas Mission**, San Diego County
  45. **Madonna Mountain**, San Luis Obispo County
  46. **Malki Museum**, Riverside County
  47. **Manchester Reservation School**, Mendocino County
  48. **Manchester Round House**, Mendocino County
  49. **Mankins Ranch**, Plumas County
  50. **Marie Potts' Home**, Sacramento County
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51. **Mechoopda Indian Rancheria**, Butte County
52. **Mutamai**, San Diego County
53. **Mesa Grande Street**, San Diego County
54. **Mount Diablo**, Contra Costa County

55. **Nome Lackee Indian Reservation**, Tehama County
  56. **North Fork School**, Madera County
  57. **Old Kashia Elementary School**, Sonoma County
  58. **Old Spanish Town**, Santa Barbara County
  59. **Old Tule Reservation**, Tulare County
  60. **Onomyo**, Santa Barbara County
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61. **Painted Cave**, Monterey County
  62. **Painted Caves**, San Luis Obispo County
  63. **Pate Valley**, Tuolumne County
  64. **Pete's Adobe**, San Diego County
  65. **Place Where They Burnt the Digger**, Amador County
  66. **Port San Luis**, San Luis Obispo County
  67. **Quechla**, San Diego County
  68. **Ramona Bowl**, Riverside County
  69. **Rancho Canada Larga**, Ventura County
  70. **Re-kwoi**, Del Norte County
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71. **Rice Canyon Petroglyph Area**, Lassen County
  72. **Roberts House**, El Dorado County
  73. **Rogério's Rancho**, Los Angeles County
  74. **Round Valley Commissary**, Mendocino County
  75. **Round Valley Flour Mill**, Mendocino County
  76. **Round Valley Methodist Church**, Mendocino County
  77. **Rust's Cemetery**, Mariposa County
  78. **San Pasqual Battlefield State Historic Park**, San Diego County
  79. **San Pasqual Cemetery**, San Diego County
  80. **Santa Lucia Peak**, Monterey County
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81. **Santa Rosa Rancheria**, Kings County
  82. **Sherman Institute**, Riverside County
  83. **Shisholop**, Ventura County
  84. **Sloughhouse**, Sacramento County
  85. **Paauw/Smith**, San Diego County
  86. **Smith River Shaker Church**, Del Norte County
  87. **Sonoma Barracks, Sonoma State Historic Park**, Sonoma County
  88. **Squem**, Monterey County
  89. **State Capitol**, Sacramento County
  90. **Sutter's Fort**, Sacramento County
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91. **Takimildin**, Humboldt County
92. **Tejon Indian Reservation**, Kern County
93. **Tischler Rock**, Orange County
94. **Tommy Merino's Home**, Plumas County
95. **Toro Creek**, San Luis Obispo County
96. **Trabuco Adobe**, Orange County
97. **Tulapop**, Los Angeles County
98. **Viejas V.F.W.**, San Diego County

99. **Wilson Cemetery**, Mariposa County  
100. **Wilton Baseball Field**, Sacramento County
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101. **Ya-Ka-Ama**, Sonoma County  
102. **Yosemite Rancheria**, Mariposa County
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