

The New York Times
Opinionator

APRIL 29, 2013, 12:54 PM

Freedom for California's Indians

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On April 27, 1863, nearly five months after President Abraham Lincoln issued the Emancipation Proclamation, California abolished its system of forced apprenticeship for American Indians. Under the apprenticeship provisions of the state's Act for the Government and Protection of Indians, several thousand California Indians, mostly children, had suffered kidnapping, sale and involuntary servitude for over a decade.

Newly elected California Republicans, eager to bring California in line with the national march toward emancipation, agitated for two years in the early 1860s to repeal Indian apprenticeship. And yet those Republicans' limited vision of Indian freedom — one in which Indians would be free to reap the fruits of their labor, but not free from the duty to labor altogether — made for an incomplete Indian Emancipation Proclamation. Although California was distant from the battlefields of the Civil War, the state endured its own struggle over freedom that paralleled that of the North and the South.

The Republican campaign to abolish Indian servitude ran up against nearly a century of coerced Indian labor in California. Under Spanish and Mexican rule, thousands of California Indians worked on missions and ranches, bound to their employment through a combination of economic necessity, captivity, physical compulsion and debt.

With the United States' conquest of California in 1847, the discovery of gold in 1848 and the formation of a state government in 1849, new American lawmakers expanded and formalized Indian servitude to meet growing demands for labor. The 1850 Act for the Government and Protection of Indians authorized whites to hold Indian children as wards until they reached adulthood. Indian adults convicted of vagrancy or other crimes could be forced to work for whites who paid their bail.

Skyrocketing demand for farmworkers and domestic servants, combined with violence between Indians and invading whites in the northwestern part of the state, left Democrats in war-torn counties clamoring for the expansion of the 1850 Indian act. A "general system of peonage or apprenticeship" was the only way to quell Indian wars, one Democrat argued. A stint of involuntary labor would civilize Indians, establish them in "permanent and comfortable homes," and provide white settlers with "profitable and convenient servants." In 1860, Democrats proposed new amendments to the Act for the Government and Protection of Indians that allowed whites to bind Indian children as apprentices until they reached their mid-20s. Indian adults accused of being vagrants without steady

employment, or taken as captives of war, could be apprenticed for 10-year terms. The amendments passed with little debate.

As the nation hurtled toward a war over slavery, Californians watched as their own state became a battleground over the future of human bondage. Apprenticeship laws aimed at “civilizing” the state’s Indians encouraged a robust and horrific slave trade in the northwestern counties. Frontier whites eagerly paid from \$50 to \$100 for Indian children to apprentice. Groups of kidnappers, dubbed “baby hunters” in the California press, supplied this market by attacking isolated Indian villages and snatching up children in the chaos of battle. Some assailants murdered Indian parents who refused to give up their children.

Once deposited in white homes, captive apprentices often suffered abuse and neglect. The death of Rosa, a 10-year-old apprentice from either the Yuki or Pomo tribes, provides a grim case in point. Just two weeks before the repeal of Indian apprenticeship, the Mendocino County coroner found the dead girl “nearly naked, lying in a box out of doors” next to the home of her mistress, a Mrs. Bassett of Ukiah. Neighbors testified that the child was sick and restless and that Bassett shut her out of the house in the middle of a raging snowstorm. Huge bruises on Rosa’s abdomen suggested that Bassett had mercilessly beaten the ill child before tossing her out into the blizzard. Mendocino officials never brought charges in the case.

The horrors of kidnapping and apprenticeship filled the state’s newspapers just as antislavery California Republicans swept into power in 1861-2. Republicans assailed the apprentice system and blamed Democrats for the “abominable system of Indian apprenticeship, which has been used as a means of introducing actual slavery into our free State.” George Hanson, an Illinois Republican whose close relationship with Abraham Lincoln earned him an appointment as Northern California’s superintendent of Indian affairs, vowed to eliminate the state’s “unholy traffic in human blood and souls.” He tracked down and prosecuted kidnappers in the northwestern counties (with mixed success) and petitioned the State Legislature to abolish the apprenticeship system.

In 1862, Republican legislators proposed two new measures to overturn the 1860 apprenticeship amendments. Democrats blocked these bills and insisted that apprenticeship “embodied one of the most important measures” for Indians’ “improvement and civilization.” Indian servitude lived on.

By the time the legislature met again in the spring of 1863, however, all signs pointed to the destruction of the apprenticeship system. Republicans won firm majorities in both houses of the State Legislature, and in January California became the first state to endorse Lincoln’s Emancipation Proclamation. Republicans again proposed to repeal the apprenticeship amendments, and this time they achieved their goal with no debate or dissent. Involuntary labor for American Indians died quietly.

Or did it? Republicans had eliminated all the 1860 amendments authorizing the forced apprenticeship of American Indians. But they had left intact sections of the original 1850

act that mandated the forcible binding out of Indian convicts and vagrants. Moreover, repeal only prevented future apprenticeships; Republican legislation did not liberate Indians already legally apprenticed. After repeal, as many as 6,000 Indian children remained servants in white homes.

The incomplete nature of Indian emancipation in California reflected Republicans' own ambivalence toward Indian freedom. Most Republicans opposed the kidnapping and enslavement of Indians. They believed that Indians, like former African-American slaves, should be entitled to reap the economic rewards of their own work. On the other hand, they asserted that the key to "civilizing" Indians was to force them to participate in the California labor market. They could not be free to support themselves through traditional mobile hunting and gathering practices that removed their labor from white supervision and tied up valuable natural resources. Such a lifestyle was, in Republicans' minds, little more than idle vagrancy. Just as their Republican colleagues on the East Coast argued that ex-slaves should be schooled to labor by being bound to plantation wage work through long-term contracts, California Republicans began to advocate compulsory labor as the only way to cure Indian vagrancy.

The Republican vision for Indian freedom quickly took shape after the Civil War. Republican appointees who oversaw California's Indian reservations compelled all able-bodied Indians to work on the reservation farms. Those who refused, or who pursued native food-gathering practices, forfeited the meager federal rations allotted to reservation Indians. By 1867, one Republican agent declared that "the hoe and the broadaxe will sooner civilize and Christianize than the spelling book and the Bible." He advocated forcing Indians to work until they had been "humanized by systematic labor." These policies persisted long after the war. At Round Valley Reservation, one critic observed in 1874 that "compulsion is used to keep the Indians and to drive them to work." Indian workers received no payment for "labor and no opportunity to accumulate individual property."

The ambiguous postwar liberty of California Indians reveals that the Civil War was a transcontinental conflict that reached west to the Pacific. The freedoms won in wartime, and the unfulfilled promises of emancipation, encompassed not only black and white, free and slave, but also American Indian peoples who suffered from distinctly Western systems of unfree labor. The Civil War and Reconstruction are best understood as truly national struggles over the meaning and limits of freedom, north, south and west.

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*Sources: "An Act for the Government and Protection of Indians, April 22, 1850"; Michael Magliari, "Free Soil, Unfree Labor," *Pacific Historical Review* 73 (August 2004); "Minority Report of the Special Joint Committee on the Mendocino War," in *Appendix to the Journals of the California Senate (1860)*; "An Act Amendatory of an Act entitled 'An Act for the Government and Protection of Indians,' April 16, 1860"; *Mendocino Herald*, April 10, 1863; George Hanson to William P. Dole, July 15, 1861, *Office of Indian Affairs*,*

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