

Peninsula Diary Mayo Hayes O'Donnell

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No Liquor for the Indians

Members of the Book Club of California are most fortunate to have in their possession a series of facsimile reproductions of 12 rare California broadcasts or posters, with explanatory comment by various authorities – the keepsakes for 1952. Oscar Lewis was the editor in charge of the series, officially called "Attention, Pioneers!"

Number twelve in the series is of special interest to Monterey because it is a reproduction of a "Proclamation," printed in both English and Spanish and issued by R.B. Mason, Governor of California, and issued from his office in the Old Cuartel in Monterey.

Robert G. Cleland, a member of the research staff of the Huntington Library, was invited by Oscar Lewis to write the explanatory comment for Col. Mason's proclamation, dated Nov. 29, 1847, which deals with the sale of liquor to Indians.

Dr. Cleland explains that the establishment of a civil government in California after the American conquest, like many other phases of the state's history, was a highly complicated and involved undertaking. The military government which Polk established in 1846 after the occupation of the province by the American forces, was neither adequate for the needs of the new California nor an acceptable substitute for the civil government. There were three rival claimants – Stockton, Kearny, and Fremont – and each signed himself: "Governor and Commander-in-Chief of California."

"Upon Kearny's departure from California in May of 1847, [1847?] Col. Mason became Military Commander of the province. A Virginian by birth, a soldier by profession, appointed colonel of the First Dragoons (the first regiment of cavalry in the United States Army) shortly after the outbreak of the Mexican War, Mason had served under Kearny in the occupation of New Mexico and California by the Army of the West before taking over the civil and military command in California," wrote Dr. Cleland.

Anyone familiar with the lot of the California Indian after American occupation will recognize the compelling need of Mason's objective and will even more clearly

recognize the tragic futility of this and all decrees of similar intent.

The original of the proclamation is in the collection of the California Historical Society in San Francisco.

Col. Mason decreed: "From and after this first day of January, 1847, if any person shall sell, exchange, or give, barter or dispose of, or in any way connive at selling, exchanging, bartering, or disposing of, any spirituous liquor or wine, to an Indian, such person shall, upon conviction before an Alcalde, forfeit and pay the sum of not less than 50, nor more than 100 dollars, and be imprisoned for not less than three, or more than six months. One half of all fines recovered under this proclamation, shall go to the benefit of the informer, and the other half to the benefit of the town, or jurisdiction where the prisoner may be confined; and in all prosecutions arising under this proclamation, Indians shall be competent witnesses.

"Done at Monterey, the Capital of California, this 29th day of November, A.D. 1847, and of the 72nd of the Independence of the United States."