

Peninsula Diary Mayo Hayes O'Donnell

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### **Trail Of The Chumash Indians**

A Letter from Miss Linda Levine of the University of California, Los Angeles, will take a bit of Research before I can answer her interesting question. It is about a case that came up in the California court system in 1846. The following note"

While collection data on our research project on the Chumash Indians of Santa Barbara, I came across particular reference to a court case in Walter Colton's diary, "Three Years in California."

"The case involved Capt. Mervine and his capture of a group of Indians accused of stealing horses in the vicinity of Monterey. Subsequently this group who were not originally from the Monterey area, were tried on August 14, 1846 but, later acquitted. It is hoped that you may have information regarding this and the appearance of Chumash Indians in Monterey or at Carmel Mission.

Looking up Aug. 14, I found this reference to the Chumash Indians and their visit to Monterey: "Sixty of a tribe of wild Indians, who live in the mountains, about 200 miles distance, made a descent a few days ago upon a farm within thirty miles of Monterey and carried off a hundred horses.

"Twenty of the tribe with the chief, remained behind to secure further booty. Intelligence of this having reached Captain Mervine, he dispatched a mounted force, apprehended them in their ambush, and brought them to Monterey, and delivered them over to the court for trail.

"They were a wild set of fellows as ever entered a civil tribunal. The chief was over 7 feet high, with an enormous blanket wrapped around him and thrown over he should like a Spanish cloak, which set forth his towering form to the best of advantage.

"His long black hair streamed in darkness down to his waist. His features strikingly resembled those of General Jackson. His forehead was high, his eyes full of fire, and his mouth betrayed great decision. His step was firm; his age must have been about fifty.

"He entered the court with a civil but undaunted air. When asked why he permitted the men of his tribe to steal horses, he replied that the men who took the

horses were not properly members of his tribe, that they had recently attached themselves to him, and now he found them horse-thieves, he should cut them off.

"I could get at no satisfactory evidence and he, or the twenty with him, had actively assisted those who took the horses. I delivered him over to Capt. Mervine, who commanded the military occupation of the town.

"The United States troops were formed into a hollow square, and they were marched into the center where they expected to be shot, and still no a muscle shook, and the features of each as set as if chiseled from marble.

"What must have been their unbetrayed surprise, when Capt. Mervine told them they were acquitted by the tribunal? He then told the chief he should recognize him of the tribe—and he must not permit any of his men to commit the slightest depredations on the citizens, that he should hold him responsible for the conduct of his tribe, and that he must come and report himself and the condition of his tribe every two moons. To all this the chief fully assented.

"They were then taken aboard a frigate, where the crew had been mustered for the occasion. Here they were told how many ships, men and guns we had at our command; so much to inspire them with awe; and now for their good will.

"The whole party was rigged out with fresh blankets, and red handkerchiefs for each, which they used as turbans.

"The chief was attired in a uniform of one of our tallest and stoutest officers: many buttons, epaulettes, sword, cap with a gold band, boots, and spurs; and a silver chain was put about his neck, to which a medal was attached, recognizing him as the high chief of the tribe.

"He looked every inch a chief. The band struck up Hail Columbia, and they departed, vowing allegiance to the Americans. The sailors were delighted with these savages, and half envied them their wild life."