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THE CHILEAN WAR OF CALAVERAS COUNTY, CALIFORNIA DECEMBER 1849 – JANUARY 1850

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It was not a ‘war’ but any international dispute or conflict in the Diggings seems to have been thought of as such. The Chilean War which occurred at Chili Gulch – a two to three mile stretch of land south of Mokelumne Hill - was brief and had little or no long term effect on the area.

In 1849, a flood of men deemed undesirable American men came to the Diggings, men who wanted to make money without working for it – not digging for gold. These sowed the seeds of the conflict with the foreigners.

Americans resented the presence of the thousands of foreign gold hunters, especially from Chile and Mexico. Those from Chile were mostly parties of peons who had been hired to work for a patron. Americans saw this as the equivalent of a Southern man bringing slaves to California – a free state - to dig gold. Although there was talk of barring foreigners from the diggings, there was no practical way to do this. In 1849 and 1850, Mexicans came to mine during the summer and went home during the winter, taking their gold with them. Americans

resented the loss of ‘American’ gold to the Mexicans, Chileans and others who were from other countries.

The story of the Chilean War is best told by three accounts:

The diary account of Ramon Gil Navarro, a 27 year old Argentine merchant at Calaveritas, tells the story from the Chilean side. He knew the men involved and was sometimes directly involved.

Chilean captive, James Ayers, just 19 years old at the time, was trained as a printer and spent his whole life working in printing and publishing. He was one of the captives of the Chileans. Many years later he wrote his account.

And finally, the three newspaper accounts by Robert Wilson in the San Francisco *Daily Alta California*, which mostly agree with Navarro and Ayers, but are more general. Wilson was a newspaper man from Louisiana and was in Stockton to gather information of those coming from Calaveras, and witnessed those events which took place in Stockton. Taken together, these three accounts provide a story that has not previously been told in detail.

In 1853, Ramon Navarro also wrote an account of the Chilean War that was published in a Chilean newspaper. In that article he is so partisan, so pro-Chilean and anti-American, that his objectivity is compromised. It appears that his almost daily diary entries are of more value than his later article (Beilharz & Lopez 1976:101-149).

In late 1849, some American miners had built huts in which to spend the winter at a location known as Iowa Log Cabins. This place was north of the Calaveras River and perhaps 2 or 3 miles northwest of the present town of San Andreas. The Chilean miners were organized into companies located in Chili Gulch. The Chilean and American camps were 2 or 3 miles apart.

The initial steps which led to this conflict apparently were taken in late November or early December 1849 when American miners complained to the local alcalde, Lewis A. Collier of Double Springs, that whenever they located a rich area, a group of Chileans moved into it and dispossessed them. The judge called a mass meeting of the Americans of the district and it was decided that the Chileans must leave the area. The Americans marched to the Chilean settlement and presented them with an order to leave the district by 25 December (Ayers 1922:47-48).

On 10 December Ramon Navarro noted that Chileans came to his camp in the Calaveritas district, 7 or 8 miles southeast of Iowa Log Cabins, saying "...that a band of Americans came by to evict them on the order of a judge that only Americans had chosen...the 100 or so Chileans who are there and who have their winter houses, their supplies, and their companies..." refused to leave. The next day five Americans went into Chili Gulch to work and were thrown out by the Chileans, who then barricaded themselves in. The displaced Americans sounded the alarm and asked for help from all over. Any movement by the Americans or Chileans was then halted due to a heavy cold rain (Navarro 2000:68-69). The Americans were outraged that foreigners resisted them and refused to relinquish their mining grounds due to threats from the Americans.

Things remained quiet for a few days. On 15 December, 22 Americans went to the Chilean camp professing friendship and had coffee with them. While there the Americans quietly collected all the weapons of the Chileans. "When they were fully

disarmed, [the Americans] surrounded them all and tied up the owners of the companies." "One of the Chileans...grabbed the fellow who acted as alcalde and threatened to stab him with..." his dagger. He was disarmed. "The Chileans were taken to the house of the judge [Col. Lewis A. Collier], who extorted 150 ounces of gold from them" by charging each one an ounce of gold. The Chileans were again ordered to leave the area by 25 December. Judge Collier quietly pocketed the gold for his own use. "While this was happening, other Americans were sacking the tents [of the Chileans]..., leaving nothing untouched" (Navarro 2000:70).

On 16 December a group of Chileans led by M. Maturano and Dr. J. Concha went to Stockton to file a complaint with the San Joaquin district alcalde. At first, they were concerned about the "American bandits" who had threatened them and stole their belongs. While passing through Double Springs they took Judge Collier prisoner and took him with them. At Stockton, instead of complaining about the "bandits," they filed a complaint against Collier for treating them unfairly. Collier was to be tried by a jury at Stockton. He vowed "...that if he is acquitted...he will exact a painful price from those who brought him in." Navarro felt that the "... poor Chileans are going to lose more because of the way they lodged the complaint" (Navarro 2000:72). Despite the narrative above, there would have been no need to issue a warrant for the arrest of Collier if the Chileans had taken him to Stockton. There is no evidence that Collier was with them. Much about this story does not neatly fit together.

This is where the incident became more serious. Chileans appealing to the American authorities was the step that led to the later fighting. On 22 December "W. Dickenson, G. Belt" issued an order for the arrest of "...all of the individuals residing in Calaveras who have defied the legal authority of this subprefecture and who have recognized Mr. Collier [sic] as a judge" The document also authorized the arrest of all those "...who took part in the robbery, violence, and expulsion carried out against the aliens living in Chile Gulch" (Beilharz & Lopez, 1976:125). The governor, General Bennet Riley, had appointed Gallant D. Dickenson the prefect for San Joaquin District (US Government, House Exec. Doc. 17, 1850:827). Dickenson and his family had spent the winter of 1848-49 at Mokelumne Hill.

George G. Belt, the former quartermaster sergeant in Stevenson's Regiment, was probably also in Calaveras district during the winter of 1848-49. At this time he was a merchant in Stockton serving as Judge of the First Instance. Ayers incorrectly stated that the order had been issued by "Judge Reynolds of Stockton and the sheriff" (Ayers 1922:51, 57 &60).

There was much rain and river flooding that delayed the return of the Chileans to the Calaveras diggings. The order that they took with them was for all district judges [alcaldes] to help the Chilean men to take the American bandits dead or alive, and to provide the Chileans with whatever they needed, such as weapons and horses (Navarro 2000:74). It was as if the men in Stockton had given the Chileans a bomb and lit the fuse.

These Chileans, none of whom spoke English, went to Navarro's tent in the Calaveritas area for help and advice. Navarro called on the alcalde of Calaveritas, John Scollan, who had a tent store over the next ridge, to come and meet with the Chileans. Scollan was alarmed when he read the order from Stockton. His concern was that "American citizens can never be arrested by foreigners" (Navarro 2000:74). An attempt to arrest them was sure to lead to conflict. Navarro translated the warrant for the Chileans. Scollan and the three Chileans went "... to try to arrest the bandits, who replied that 'they are not subject to the authority of Stockton or that of anyone else in California. They say they are the people...' [That is, the people are paramount in the US Constitution over the government.]. Scollan... [was] frightened by the entire affair" (Navarro 2000:74). The bandits were the local miners who had plundered the Chilean camp while they were away.

That night, 27 December, at about 8 o'clock, the Chileans descended upon the American camp known as Iowa Log Cabins. "...About eighty armed Chileans, [sic]...went from cabin to cabin, seizing the inmates, most of whom were in bed, and binding them with ropes." Some were tied to trees and left under guard. The other Chileans proceeded to other cabins and tents in the neighborhood. In one a card game was underway. The Chileans "broke open the door, and attacked the inmates with pistols, guns and knives, killing two Americans, one of their own party, and wounding four others" (*Daily Alta California*, 2 January 1850). The Americans who were shot and later died were older men named Starr and Endicott.

Starr was said to be from Texas but no further information is given for either man except they had wives and children back in the States. Tirante, who had killed Endicott, gloated over his body because he thought he was Judge Collier. Ayers "assured him it was not [and "Tirante"] seemed greatly disappointed" (Ayers 1922:49). The Chilean who was shot was Joaquin Jara. The leaders of the Chileans were Juan del Carmen "Tirante" Teran, M. Maturano, and Dr. J. Concha. The latter two had gone to Stockton to get the warrant.

James Ayers was one of the men captured by the Chileans and, at first, tied to a tree. Ayers could speak Spanish so was made an interpreter for the Chileans. The American captives numbered 13 per Ayers (Ayers 2000: 50), 16 per Wilson (*Daily Alta California*, 2 January 1850), and 20 per Navarro (Navarro 2000:76). Now the leaders of the Chileans, realizing the enormity of what they had done and their, now, great peril, conferred as to their next move. They were fearful that all the Americans in the district would be out in force. They took their captives, all with their arms bound, to the Calaveritas diggings to have alcalde Scollan verify that the Chileans had acted legally based on the warrant from Stockton. Scollan refused to take any part in the affair, advised them to release their captives, and that they would be held responsible for their acts (Ayers 1922:51). Wilson states that "This Alcalde [Scollan] refused to see them, or to have anything to do with them..." (*Daily Alta California*, 2 January 1850). Ramon Navarro said that Maturano brought the American captives to him and asked for his advice. Navarro replied that they should take them to Stockton (Navarro 2000:76). John Scollan was so concerned about the growing violence in the diggings that he had left before the fall of 1850.

The Chileans saw no alternative but to take the captives to Stockton. They first returned to their camp in Chile Gulch and then were on their way to Stockton. They somehow avoided Double Springs, where Judge Collier resided and where it was said that there were many Americans. "At about 7 or 8 o'clock next morning [29 December], they arrived at the six mile tent, ten miles [west] of Double Springs." "They then marched twelve miles farther towards Stockton, and at the tent, late Lemon's, had a biscuit each and some cheese" (*Daily Alta California*, 2 January 1850). Lemon had recently sold his ranch.

Ayers concurs: "When we got to Frank Lemon's tent at the lower crossing of the Calaveras, we were allowed to get some coffee and food" (Ayers 1922:51-52). Here, Ayers met McKee Raney, who, with David F. Douglass, had a ranch on the road just to the west. When Raney heard what had happened he said that he would ride into Stockton and bring out a rescue party.

Further down the road to Stockton, "at about three o'clock, an American rode by with a gun, who remarked, 'take care of yourselves, boys.' Although the Chileans did not understand English they were now on the alert and left the road (*Daily Alta California*, 2 January 1850). James Ayers says that as they had passed Douglass and Raney's ranch:

...we could see [Raney] and several others loading their guns in full sight of our wary captors, who lost no time in taking us away from the main road, and marching us across the plains... The Chileans were not at all at their ease. They acted like men who felt that they might at any moment be confronted with most serious difficulties (Ayers 1922:52).

As the group continued on its way toward Stockton, Ayers noticed that the number of Chileans was diminishing. The Chilean peons were dropping out either due to exhaustion or fear of what was to come. It was intermittently raining and everyone was tired and wet. Late in the afternoon they came to a grove of large oaks and stopped to rest. One of their scouts came there and said that there was an armed party of Americans on the road looking for them. Tirante and the other leaders discussed what to do. Ayers could hear them and heard that Tirante suggested that they kill their captives and they would return to Calaveras. Another of them, Maturano, replied that he "...opposed the proposition not only as cruel and inhuman, but as one that would surely bring upon them the vengeance of the whole American people." After a debate they all voted against Tirante's plan (Ayers 1922:53). Ayers kept in mind Maturano's position.

The march to Stockton was resumed in the rain. Ayers thought that only about half of the original contingent of Chileans was still with them. It rained heavily and became dark. A sheltered location was found; they stopped, built a fire, and all stretched out to rest. Late in the night the guards fell asleep. The Americans helped each other untie the ropes from

their wrists. Slowly they collected the weapons of the sleeping Chileans and then rushed the leaders and took them. The leaders were bound and the peons made no move to help them.

The morning of 30 December was approaching and it appeared to be a clear day. They only knew that they were somewhere south of the Stockton road. Now the Americans with their Chilean prisoners started northwesterly to intercept the road. They reached the road at O'Neal's ranch [tent], about ten miles from Stockton. Coincidentally, the armed party, called the Stockton Rangers, that had been searching for them, had spent the night at that tent and were preparing to continue the hunt. The two groups came together and a meal was prepared for the American and Chilean party. Ayers appreciated that Maturano had counseled the other Chileans to not harm the American captives. While others were distracted, Ayers told Maturano to escape. They walked away from the tent to the edge of the overgrown plain and Maturano melted into the landscape (Ayers 1922:56-57).

Back at Calaveritas on 30 December, Ramon Navarro and John Scollan wondered what was happening with the Chileans and their American captives. A Chilean came to camp and reported that the Americans around the Iowa Log Cabins area were burying their dead. Also, that ten men had left to follow the Chileans and their captives. When they had learned that he was a Chilean, their first impulse was to kill him. But he knew English and convinced them that he was just learning of all that had happened (Navarro 2000:77-78).

At noon, Navarro and Scollan decided that they should take two men and go to Stockton to learn what had transpired. They also thought to get another warrant to capture any of the American "bandits" who were still in the area. They left Calaveritas 31 December at midnight with just one man, "Jim," and detoured to avoid the areas where the Americans camped, which probably means Double Springs. Weeks later, they learned that two hours after they left Calaveritas, Americans had come looking for Scollan. "Later they returned two or three times with an order from [Judge Collier] to take him as the sole guilty party for everything that happened that night" (Navarro 2000:88). One alcalde ordering the arrest of another alcalde appears to be a very odd situation.

On the road, Navarro, Scollan and Jim came to a

tent where a large group of Americans were standing around a fire. These included the ten men who had left the Iowa Log Cabins to follow the Chileans. Navarro and the others were quickly surrounded by about 15 Americans. The leader asked them who they were. Jim answered "And who are you?" "Where are you going?" asked the leader. "None of your business," replied Jim, and he spurred on his mule. Navarro and the others followed Jim and were not molested. By 5 in the morning they were at the Indian rancheria near Lemon's Ranch at the first crossing of the Calaveras River.

After resting for a while, Navarro and his companions continued riding toward Stockton. When they arrived at O'Neal's ranch [tent] they found that the Americans who had stopped them on the road were there with the Chileans, who were now their captives. That morning, the Stockton Rangers had taken the Chileans and the freed Americans toward Stockton but within a few miles were overtaken by the Americans from Calaveras. The Chilean captives were turned over to the men from Calaveras, and the former American captives continued to Stockton. The Chileans, now just eleven men, were taken back to Double Springs.

At 4 o'clock on 31 December, Navarro and Scollan arrived at Stockton, where the people were greatly excited over the attack by the Chileans upon the Americans at the Iowa Log Cabins. According to Ayers, they also became angry when they learned that Judge Reynolds [Gallant Dickenson is not mentioned by Ayers] and the sheriff had given the warrant to the Chileans after no American had volunteered to take it to the Calaveras district. Ayers says the judge and sheriff took a boat for San Francisco (Ayers 1922:57).

On the night of 2 January a mass meeting was held in Stockton. A delegation of four prominent men of Calaveras had arrived in town to provide evidence of what had transpired in Calaveras. These men were "Robert Hart, Esq., of Virginia; Col J. C. Gilman, of Wisconsin; Dr. L. L. Battle, of Tennessee; and S[amuel] A. Booker, of Virginia" (*Daily Alta California*, 7 January 1850). How they personally knew of what had happened is not recorded. However, the resolution that was passed by the mass meeting suggests that the four gentlemen had come to Stockton to whitewash the role of the Americans in their treatment of the Chileans.

The resolution stated that the "American miners [in the Calaveras diggings] have acted with a high regard to the good order and welfare of this District." Also, that "...the Judicial Officers of [the Calaveras] District... [will take] prompt and energetic action as they may deem most conducive to the peace and welfare of the people of the District" (*Daily Alta California*, 7 January 1850). Ominously, the "judicial officer" who would mete out justice turned out to be Judge Collier, who had started the whole affair. On 16 December he had vowed that he would "exact a painful price from" the Chileans. It is also perhaps no coincidence that one of the four delegates from Calaveras, Samuel A. Booker, was a nephew of Judge Lewis Collier.

James Ayers and a Dr. Gill, both of whom had been prisoners of the Chileans, made affidavits in Stockton, describing the events that had transpired. They soon returned to the Calaveras district. When they arrived they found that:

...a large delegation of miners from Mokelumne Hill had organized a court to try the Chileans engaged in the recent lawless and murderous acts. Tirante and two others, to whom were traced directly the murder of Endicott and Starr, were sentenced to death; some four or five of the other most active participants in the affair were sentenced each to receive from fifty to one hundred lashes on the bare back; and two, whose culpability was held to have been exceptionally flagitious [guilty], were condemned to have their ears cut off (Ayers 1922:58).

Ramon Navarro learned on 8 January the results of some of the trials at Double Springs. "...Maturano is safe and sound, Herrera and Picarte had their heads shaved and were whipped, and some of the other men had their ears cut off..." "...another six or eight are to be tried tomorrow or the day after..." (Navarro 2000:82-83). On 12 January, while still in Stockton, Navarro was told that "some of the men were freed, but they were forced to witness the execution of the three condemned to be hanged. Two of those hanged were Chileans [Juan del Carmen "Tirante" Teran and Damian Ursua], and another was Mexican [Francisco Cardenas]" (Navarro 2000:84; Beilharz & Lopez 1976:140). In 1853 Navarro corrected this story of the executions. He said that the three men were used as "target practice." Prior to their burial it was noted that each man had been penetrated by about 15 bullets (Beilharz & Lopez

1976:148). Sam Prindle agreed with Navarro's story from 1853 on this point. Prindle noted in his diary on 6 January 1850 that "three Chileans have been shot. Others cropped and heads shaved, all ordered to quit the mines under penalty of death" (Zumwalt 1990:146). In early February, Robert Wilson, upon his return to Stockton from the Merced River, also stated that the Chileans were shot; "The ringleaders of the gang of Chileans who perpetrated the outrage upon the Americans of the Iowa Camp were shot..." (*Daily Alta California* 10 February 1850).

The execution by firing squad appears to be unprecedented. During this period in the diggings hanging was the usual penalty for murder. The Americans used a firing squad as a not so subtle message to the Chileans and other Hispanics in the mines. It may have worked for a while, but many Chileans remained in the diggings.

Navarro was not known to be a Chilean and that protected him. He was a well-educated Argentine who had come to California with Chileans. He had many Chilean peons working for him. But he was fluent in French and had learned English during his time in California. After the events of the Chilean War he said at Stockton, "I have always passed as French. When I return there [to Calaveras] I will only speak French" (Navarro 2000:85).

The "court" that tried the Chileans was what we would now call a kangaroo court. All the Americans who were involved in the trials had wanted the removal of the Chileans from Calaveras. Since the county government was not yet organized, these local men could do whatever they wanted and there was no one to countermand their actions. On 26 January Navarro noted that "an American who was part of the Calaveras bandits came here and told us the details of the conflict with the Chileans." He did not realize who Navarro was. He thought the whole episode was funny (Navarro 2000:87).

James Ayers later described the punishment as "barbarous and inhumane." That "mutilation can at no time nor under any circumstances be justified" (Ayers 1922:59). Navarro said that "...seeing a man mutilated enrages you against those barbarians [the Americans] even more than seeing him hanged" (Navarro 2000:82). Many of the Americans who had arrived in California during 1849 were not the same class of men who had been there digging in the fall and winter of 1848-49. As the supply of gold

dwindled, violence became more common in the diggings, and chaos continued for two years until local government was well-established. Even then, men often fought, and duels were frequent.

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January-April 2020

Donations:

Pat Gulyas—Collection of 9 historic post cards from Calaveras County for the Post Card Collection in the Downtown Museum Archives

Jim Respass – High quality scanning of ECV artifact for future display purposes

Tim Spencer – 2 books about E. Clampus Vitus for the office library, written by Tim Spencer

Phil and Florence Alberts – Post Office artifacts and photographs from Mountain Ranch Post Office; on display at the Red Barn Museum

Marlynn Blake – Collection of photographs, including Parrotts Ferry Bridge dedication, Murphys Hotel, and unidentified mining photographs; 3 obsidian points found on Dogtown Rd; obsidian needles; 2 obsidian hand tools; grinding rock with pestle; to be displayed in the Downtown Museum Native American Display

Laurie Norfolk-Robertson – Modern print on canvas of the Hawver Ranch barn, along Hawver Road, San Andreas; on display at the Red Barn Museum

Vickie Stephens – Metsker's Calaveras County Map

Bill Wennhold—Postcard of Blewett's Café, San Andreas

Friends of Oakdale Heritage c/o Barbara Torres – Collection of letters and post cards related to Fred & Elizabeth Beal, and proof of purchase receipts for ads run in the Calaveras Weekly Citizen regarding claims made by Fred Beal, Fred Vogelgesang, Thomas Feldman and Archibald Campbell found in the collections at Oakdale Museum during an inventory (unknown source).

George Mencini – Fruit Crusher, used by Mencini for wine making in San Andreas, unknown date

Nakagawa Ranches – Livestock scale c. 1950, used at the Nakagawa Ranches in Acampo and Valley Springs areas for FFA show steer, livestock and even produce

Fred and Jacqueline Dennis – Cedar wood milled in Mountain Ranch for new wooden gates at the Red Barn Museum



Calaveras County Historical Society

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The Calaveras County Historical Society is a non-profit corporation. It meets on the fourth Thursday of each month in various communities throughout the County. Locations and scheduled programs are announced in advance. Some meetings include a dinner program, and visitors are always welcome.

The Society operates the Calaveras County Museum which is open daily from 10:00 to 4:00 in the historic County courthouse located at 30 Main Street in San Andreas; and the historic Red Barn Museum at 891 Mountain Ranch Road, also in San Andreas, which is open Thursday to Sunday, 10:00 to 4:00.

The Society's office is located in historic San Andreas, the Calaveras County seat. Visitors are always welcome to stop by the office for assistance with research, and are encouraged to visit the museums while in the area. The office is open Monday through Friday from 8:30 to 4:00, and the telephone number is (209) 754-1058, or contact us at: CCHS@goldrush.com; Red Barn Museum (209) 754-0800.

January–April 2020

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