

**The lone Band of Miwok Indians**  
**of**  
**Amador County, California**

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**A Report prepared for Amador County, California,  
as comment to the National Indian Gaming Commission on a  
request for land determination from the lone Band of Miwok**

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## Historical Overview

The tribal antecedents of the Lone Band are undocumented. In May 1929, when Indians in Amador County filed affidavits for enrollment to participate in the anticipated California Indian Judgment Fund, few could identify their tribe and none of the modern Lone Band ancestors could identify their tribe. While most could name their father and mother, many had no knowledge of the names or tribal affiliations of their grandparents [See narrative “1915 Census of Lone and vicinity [sic] Indians’ Compared to 1929 Affidavits, Enrollment of Indians of California, part of this report].

## Linguistic Identity

Amador County is bisected from east to west by the watersheds of the Mokelumne River, a system joined by Jackson Creek, Sutter Creek, and the Cosumnes Rivers. The Indians who occupied this area at the time of Euro-American contact in the nineteenth century are identified as “Plains Miwok” on the west and Northern Sierra Miwok in the higher elevation of the Sierras to the east. The five groups of Eastern Miwok were the following:

- Bay Miwok or Saclan “occupied the eastern portions of Contra Costa County extending from Walnut Creek eastward to the Sacramento-San Joaquin delta.”

- Plains Miwok “inhabited the lower reaches of the Mokelumne and Cosumnes rivers and both banks of the Sacramento River from Rio Vista to Freeport.”

- Northern Sierra Miwok “occupied the foothill and mountain portions of the Stanislaus and Tuolumne drainages.”

- Central Sierra Miwok “occupied the foothill and mountain portions of the Stanislaus and Tuolumne drainages.”

- Southern Sierra Miwok territory “embraced the upper drainages of the Merced and Chowchilla rivers” (Levy 1978[8]:398).

Linguists classify Miwok as a Utian Language. Using phonological history and structural and lexical similarities, they have identified three, distinct Miwok language groups:

- (1) Plains Miwok
- (2) Bay Miwok
- (3) Sierra Miwok (Northern, Central and Southern)

The linguistic differentiation included, as well, two dialects of Central Sierra Miwok: Western Central Miwok and East Central Miwok. The linguistic distinctions developed over a long period of time with Plains and Sierra Miwok separating about 2,000 years before the present (Levy 1978[8]:398).

The Nisenan (or Southern Maidu) lived in the watersheds of the Yuba, Bear, and American rivers and in the lower drainage of the Feather River. Nisenan, Maidu, and Konkow area subgroup of California Penutian languages and are in no way related to Miwok. Norman L. Wilson and Arlean H. Towne identified the aboriginal homeland of the Nisenan-speakers:

The Nisenan territory was the drainages of the Yuba, Bear, and American rivers and the lower drainages of the Feather River. The western boundary was at the west bank of the Sacramento River, a few miles upstream from the mouth of the Feather River southward to a few miles below the confluence of the American River. The northern boundary has not been clearly established due to the similarity of language to the neighboring groups. The first true Nisenan was spoken in the drainage of the Yuba. The eastern boundary was the crest of the Sierra Nevada. The southern boundary was probably a few miles south of the American River with a large area between the American and Cosumnes rivers occupied by the Miwok to the south (Wilson and Towne 1978[8]:387).

The language differences between Northern Sierra Miwok and Nisenan were immense. The languages were from entirely different language families and were clearly not mutually-intelligible means of communication. In short, the linguistic differences were so great that the Northern Sierra Miwok and Nisenan could not have talked to each other. There could not have been a historic "tribe" made up of Indians from both groups.

## **Political Structure**

Among the Miwok the "tribe" was best identified as the tribelet or the lineage. Richard Levy, author of "Eastern Miwok" for the Smithsonian's *Handbook of North American Indians*, described this situation:

The foremost political unit of the Miwok was the tribelet. Each tribelet was an independent and sovereign nation that embraced a defined and bounded territory exercising control over the natural resources contained therein. The nationality of a Miwok, then, was a statement of his tribelet membership. Within each tribelet were several more or less permanently inhabited settlements and a larger number of seasonally occupied campsites used at various times and during the seasonal round of hunting, fishing, and gathering activities.

The only other unit of political significance to the Miwok was the lineage. Lineages were localized and named for a specific geographical locality. In most cases these lineage localities were the permanently inhabited settlements of the tribelet. Each tribelet, then, included a number of lineage settlements. Among the Sierra Miwok the population of these settlements was probably no more than about 25 persons on the average. Plains and Bay Miwok lineage settlements were probably larger (Levy 1978[8]:398-399).

Although information is fragmentary on the Eastern Miwok tribelets, Levy, using the fieldnotes of C. Hart Merriam who worked among Miwok informants a century ago, identified the following (from west to east) in the watershed of the Mokelumne River:

- Tauquimne
- Locolomne
- Seguamne
- Muquelemne
- Lelamne
- Tusealemne
- Noypumne
- Sakayakumne

Meager information partially documents the ethnogeography of the Sierra Miwok. Levy attempted a reconstruction of tribelets based on field data collected by C. Hart Merriam, Alfred Louis Kroeber, and Edward W. Gifford. "All Miwok tribelets," he noted, "had the same name as their principal or capital lineage settlement. Capital lineage settlements have been identified by references in ethnographic literature to the presence of a chief in the community or the presence of an assembly house in the community" (Levy 1978[8]:399).

The "reconstructed" tribelets in the watershed of Sutter and Jackson Creeks, Mokelumne River, and parts of the Calaveras River included:

- Upüsüni, Jackson Area
- Chakanesü
- Yuloni
- Seweusu, Buena Vista Area
- Tukupesü
- Plasü
- Ta-woo-muz'-ze
- Yu'-yut-to, Westpoint Area
- Tumuti
- Sopocho
- Heina

- Künüsü
  - Penkensü, Railroad Flat Area
  - Ketina
  - Monasü
  - Apautawilü
  - Kaitimü
  - Hechenü
  - Hutasü
- (Levy 1978[8]:399-400)

No historical or anthropological documentation submitted by the Lone Band of Miwok to the National Indian Gaming Commission in support of its request for land determination traces any individual on the current roll or on the "1915 Census of lone and vicinity [sic] Indians" to these tribelets. Little historical or anthropological record connects any of the tribelets or lineages with a named village location at Lone, California. C. E. Kelsey of the Bureau of Indian Affairs compiled a "Census of Non-Reservation California Indians, 1905-1906." Kelsey identified the following Indians in Amador County who also appeared on the Terrell List of 1915:

Maidu-Nishinam Stock

Gilbert District

Burris, Frank	1
Howdy, Newton, wife, 3 children	5
Howdy, Isaac	1
Howdy, Ida, 2 children, husband	4
Dick Edwards	1

Buena Vista

Jimmison, Allen	1
Jimmison, Andy	1
Jimmison, Jeff, 2 children	3
Rey, Allie, 1 child	2
Clifford, Mrs. Mamie	1

These people of Maidu language, Nisenan Tribe, not of Miwok ancestry by this record, are nevertheless considered ancestors of the modern Lone Band of Miwok solely because they were enumerated on the Terrell list of 1915.

The 1929 affidavits wherein individuals listed their parents' names and tribal affiliations, and their grandparents' names and tribal affiliations likewise recorded no information to link the Indians of Amador County on the Terrell list of

1915 with any of these tribelets. (As discussed below, these affidavits were executed by the Indians when they were seeking to establish their entitlement to share in any land claims awards resulting from United States Claims Court litigation for the taking of aboriginal lands without compensation.) Dorothy Theodoratus' ethnohistorical study of the lone Band is largely silent on the matter of tribelet antecedents and on the existence of lineages that connect the modern lone Band with the Miwok or Nisenan peoples of the Sierra foothills.

Thus crucial measures of tribal identity and claims of the lone Band to be the political successor in interest to aboriginal Miwok are completely missing.

(1) There is no link of the present tribal enrollment through ancestors to any specific tribelet.

(2) The present lone Band and its ethnohistorian vaguely suggest that the lone Band is made up of people of both Miwok (a vague and undefined affiliation) and Nisenan, speakers of a totally different language. This is confirmed by the Kelsey list (1905-06) and the Terrell list (1915).

(3) The present lone Band has not documented its connection to a single lineage unit of the aboriginal Miwok. Indeed, the vast majority of the Indians residing in Amador County in 1929 could not identify the tribal affiliation of their grandparents. When they provided data, they gave the vague term "Digger," a perjorative collective noun applied generically to Indians through California and the Great Basin of the American West.

## **History of Euro-American Relations**

The Miwok first encountered Spanish exploring parties in the late eighteenth century. When coastal Indians died, the Spanish came to the valleys of the Sacramento and San Joaquin to round up potential converts, some of whom were taken to Mission San Jose. By the 1820s the Miwok and Yokuts resisted removal and missionization by warfare. Major disruption of these people's lifeways and tenure occurred with the discovery of gold in the Sierra foothills in 1848 on the American Fork of the Sacramento River (Levy 1978:400-401).

The Miwok, along with many other Indians of California, participated in 1851 in negotiations of land cession with the California Indian Treaty Commission. The peoples of Amador County participated in the Cosumnes River treaty council of September 18, 1851. Commissioner O. M. Wozencraft dealt with four bands—identified as the Cu-lu, Yas-si, Wo-pum-nes, and Loc-lum-ne—who became signatories. This treaty and all others negotiated by the Commission failed to gain Senate ratification. The California Reservation Act of

1864 limited the number of reservations in the state to no more than four, and the four created pursuant to that authority were Round Valley, Hoopa Valley, Tule River and "Mission." (See *Mattz v. Arnett*, 412 U.S. 481, 489-91 (1973).) Due to the fact that scores of Mission Indian sites were already inhabited by Mission Indians, Congress twice enacted special provisions (in 1891 and 1907) for the relief of the "Mission Indians" which expanded the authorization for the Mission Reservation to include tracts acquired to serve as reservations for those Indians. However, Congress has never legislated authority for any reservations in the Sacramento and San Joaquin valleys, other than those identified above and a specific authorization only a few years ago for a reservation in Placer County east of Sacramento to be acquired by the Auburn Tribe.

The Miowk, Nisenan, and Yokuts of the Sierra foothills endured ecological calamity, warfare, and enslavement. The gold miners drove them from their villages on riverine terraces, flooded the streams with muddy debris that choked out the runs of fish, and decimated the game animals of the region. Their hogs ate the acorns and their cattle, horses, goats, and sheep grazed off the seed and bulb crops that had provided subsistence to the native people. The surviving Indians, also decimated by new diseases, became refugees in their old homelands. Under An Act for the Government and Protection of the Indians, passed by the California legislature on April 22, 1850, and amended on April 18, 1869, thousands of Indians were enslaved or indentured as "vagrants" (California Legislature 1850). Subsequent to 1850 many of the Indians of the Sierra foothills were thus bound by state law and worked as slaves on farms or in the mines. This law was invalidated by the Thirteenth Amendment (1865) that prohibited slavery.

The surviving Indians of the Sierra foothills lived an impoverished, difficult existence in the latter half of the nineteenth and the first half of the twentieth century. Almost all were landless. They moved to places where they could live, for a time, without a local land owner demanding that they move on. They worked as agricultural laborers. Some persisted in their traditional seasonal round, following food resources from lower to higher elevation with the course of the year and then returning to the lowlands with the advent of winter (Levy 1978[8]:401-402).

In 1900 122 Indians were enumerated on the "Indian Schedule" of the federal decennial census in Amador County. This population was scattered in eight different enumeration districts, townships, or precincts, but twenty people resided at what the enumerator identified the "Digger Reservation" at Jackson, California. None of these twenty Indians, however, appeared on the 1915 list developed by John J. Terrell that became the reference point for membership in the modern Lone Band of Miwok (Bureau of the Census 1900; Terrell 1915).

In 1910 132 Indians were enumerated on the "Indian Schedule" of the federal decennial census in Amador County. This population was scattered in

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six different enumeration districts, precincts, or townships. Thirty-seven people resided at the "Digger Reservation" at Jackson. Of these, only Joe Bacagalupi (Castalupe) was enumerated five years later on the 1915 list developed by John J. Terrell (Bureau of the Census 1910; Terrell 1915).

In 1910 the enumerator identified the following Indians of Amador County as "Ration Indian," presumably meaning they received some assistance from the Bureau of Indian Affairs. All lived on land identified as the "Digger Reservation," at Jackson, California:

Evans, Alvira  
Evans, Birtie  
Evans, Winnie  
Evans, Edward  
Evans, Minnie  
Evans, Carrie  
Evans, Sadie

Porter, Susie  
Porter, Johnson  
Porter, Lydia  
Porter, Willie  
Porter, James  
Porter, Grant

Charlee, Topsy

Clark, Mary

None of these Indians was listed in the Terrell census of 1915 (Bureau of the Census 1910).

In 1920 ninety-three Indians were enumerated on the federal decennial census in Amador County. This population was scattered in eight different enumeration districts, precincts, or townships. Four families resided at Plymouth and five at lone. The enumerators, going from household to household, found no concentration of Indian population greater than this (Bureau of the Census 1920).

In 1915 John J. Terrell, Special Indian Agent, began the effort to secure lands for the Indians residing in the vicinity of lone. He noted: "Of all the Indians I have visited these have stronger claims to their ancient Village than any others. They have better and more extensive improvements, more especially in the erection of their large 'Sweat-House.'" Terrell referred to the residency site as an "ancient Village," but he provided no name for the site and its location is unknown today. Terrell expressed hope that the Bureau of Indian Affairs could

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draw on a congressional appropriation to purchase lands for the Indians living at lone (Terrell 1915a).

In August, 1915, Terrell met with Vanderlynn Stow, president of the lone Coal and & Company, owner of the land occupied by the Indians at lone. Terrell could not secure a price of less than \$50 per acre and thus recommended acquisition of forty, rather than eighty acres, or an expenditure of \$2,000 (Terrell 1915b).

In a letter of February 10, 1916, Terrell identified Charley Maximo as "recently elected Chief of the band" (Terrell 1915, 1916a). In 1900, Maximo, having no wife, lived in the household of Jim and Pauline Nye in Amador County (Census of 1900). When Agent C. E. Kelsey compiled a list of "Non-Reservation Indians" in Amador County in 1905-06, Charley Maximo was not on it. Presumably he was not living in the county in those years (Kelsey 1905-06). In 1910 Maximo identified his birthplace and that of his parents at Lockeford, San Joaquin County, CA., a site on the lower Mokelumne River. His wife, Marie, stated that she and her parents were born "near lone" (Bureau of the Census 1910). Terrell noted that in 1915 Maximo said: "Sir, my wife's people have lived here every since that sun came up in the east the first time." Maximo did not claim to have come from the vicinity of lone (Terrell 1917). Maximo was identified in May, 1929, as a brother of Mary Mattinas, a widow born in 1843 in San Joaquin County, CA. Maximo himself was born in 1861, also in San Joaquin County, and he was not identified as a chief in 1910. When asked about chiefs and headmen of her tribe in 1929, Charlie Maximo's sister, Mary (Maximo) Mattinas, was unable to identify any – including her own brother identified by Terrell as an "elected chief" only 13 years before (Bureau of Indian Affairs 1928-33a, 1928-33b). This discrepancy is at odds with the historic leadership and tribal government claims of the lone Band.

The land acquisition program at lone foundered on the question of title research. The projected land purchase for the Indians was part of Rancho Arroyo Seco, a tract of 48,000 acres. The Bureau of Indian Affairs found the task of title research nearly insuperable (Warwick 1917). By 1918 the Bureau of Indian Affairs was negotiating with the McKessick Cattle Company of Reno, Nevada, for forty acres as a home for the Indians in the vicinity of lone (Moffatt 1918). Again title issues intervened and caused the failure of the purchase (Miller 1923).

Unable to resolve title issues for the forty acres at lone, the Bureau of Indian Affairs curtailed further consideration of the land purchase in 1925. There is no evidence in the records of the Central California Agency or the Sacramento Agency files that under the administration of Commissioner John Collier the BIA attempted in the 1930s to acquire land for Indians at lone. The 1930s were a decade when the government purchased several properties that became federal fee land (not reservation) rancherias in California. Instead of seeking land at

lone, the Bureau of Indian Affairs purchased federal fee rancherías at Buena Vista (70 acres) and at Jackson (330 acres) in Amador County. Federal fee status ended in 1978 at termination of rancherías owned in fee and transfer of the fee title to individuals residing thereon (Stewart 1978[8]:711). However, this did not apply to the “lone residential site” because it was never owned by the federal government.

In spite of the fact that they did not have title to the land, Indians and others continued to reside on the property near lone. In January, 1972, Robert J. Donovan, director of the California Rural Indian Land Project, requested that the Bureau of Indian Affairs accept title to a forty acre tract near lone and take the land into trust. Continuing correspondence over decades evidence that land ownership issue remained unresolved and, as a result, the United States was unable to acquire the land title. Ultimately, seven individuals claiming membership in the lone Band filed a state court lawsuit for partition of the property in their favor against other individuals claiming membership in the lone Band. The court ultimately ordered that the seven plaintiffs and nine of the individual defendants were tenants in common of the land. The judgment in that case is Exhibit E to the lone expert report authorized by Dorothea Theodoratus and Kathleen McBride submitted to the NIGC as part of its request for land determination. The court ruled that there was unpartitioned individual and not tribal ownership of the land; the lone Band was excluded from any ownership determination of the land.

The lone Band has never owned, and still does not own, the land which it claims was historic tribal land.

## **Conclusions:**

1. The ethnohistorical report of Dorothea J. Theodoratus and Kathleen McBride submitted to the NIGC in support of the lone request for land determination asserts that the lone Band of Miwok consists of individuals descended from the Miwok and Nisenan tribes. At no place does this report explain:
  - How peoples of completely different languages merged and became one tribe.
  - How the lone Band of Miwok is the political successor in interest to any Miwok tribelet or lineage group in Amador County or to Nisenan Indians who lived to the north in other watersheds.
  - How the lone Band of Miwok has maintained a social community in light of the documented dispersed living locations of its antecedents listed by John T. Terrell in 1915.
  - How the lone Band of Miwok exercised political authority over its members at any time during the twentieth century.

2. C. E. Kelsey's "Census of Non-Reservation California Indians, 1905-1906" included Indians in two categories: "Maidu-Nishinam Stock" and "Miwok Stock." People on the Terrell list of 1915 come from both of these different language and tribal groups. The lone Band of Miwok bases its membership on a list that includes people who were not Miwok by tribe or by language.
3. Charley Maximo, an Indian man from Lockeport in San Joaquin County, lived in Amador County in 1900, was not there in 1905-06, but was resident between 1910 and 1929. He was identified as chief of the Indians in the vicinity of lone in 1915 by Terrell but his own sister had no knowledge that he had been given that title. Subsequent to his death, no one was identified as chief, headman, chairman, or president of the Indians at lone until Harold Burris was listed as chairman in March, 1974 (Burcell 1974b).
4. Although the Bureau of Indian Affairs attempted to purchase land for the Indians in the vicinity of lone, California, between 1915 and 1925, it did not do so. There is no record of any effort to purchase lands for a federal fee rancheria at lone in the 1930s.
5. There are no organizational documents – constitution or bylaws – nor minutes of any meetings of the Indians at lone, California, until the 1970s. On December 11, 1973, for example, Frank L. Haggerty, Jr., acting superintendent of the Sacramento Area Office, reported "no listing of services provided to the lone group." He added: "An attorney from California Rural Indian Land Project, assisted them in drafting a Constitution and Bylaws. However this has not been approved" (Haggerty 1973).
6. When California rancherias were terminated in 1978, the lone Rancheria was not included. It had never possessed as government-to-government relationship with the United States. There was nothing to terminate in a relationship that never existed.
7. John T. Terrell's "1915 Census of lone and vicinity [sic] Indians" is merely a list of Indians living at three different locations in Amador County and not a tribal roll. It is important to note:
  - The list is not a record of BIA enrollment. It traces none of the Indians to a specific tribe, tribelet, or lineage.
  - Many of the Indians on this list were not resident in Amador County at the time of other enumerations. They were not listed on the "Indian Schedules" of 1900 and 1910 or on the "Population Schedule" of 1920. This suggests that the list included a transient population who moved from place to place.

- None of the Indians on the 1915 list was identified as a "Relief Indian," receiving BIA support as documented in Amador County in 1910.
- None of the Indians on the 1915 list lived on "trust land," a situation documented in their application affidavits for enrollment in 1929 for the California Indian Judgment Fund.

## Indian Population, Amador County, 1900

In 1900 enumerators of the Twelfth Census of the United States filled out Schedule 1, Indian Population, forms for Amador County. The census confirms a dispersed Indian population residing in several townships and precincts. The Indian Schedule included thirty-eight categories of information. These included:

- 30. Tribe of the Indian
- 31. Tribe of Father of this Indian
- 32. Tribe of Mother of this Indian

This information was based on self-identification and was recorded by the enumerator. It is revealing data.

### Township 1, District 3, Center Jackson Precinct

Name	Birth	30	31	32
Yellowjacket, Sally    Head?		Digger	Digger	Digger
Yellowjacket, Rosie    Dau	Dec., 1875	Digger	White	Digger
Howard, Georgiana    Partner	?	Digger	White	Digger
McMahon, Dora        Gdau	?, 1895	Digger	White	Digger
McMahon, Maud        Gdau	?, 1898	Digger	White	Digger

### North Jackson Precinct, Digger Indian Reservation

Charley, Indian        Head	1822	Digger	Digger	Digger
Lolla, Charley        Wife	1820	?	?	?
Jim, Ike                Head	1855	?	?	?
Ike, Louise            Wife	1868	?	?	?
Ike, Macy              Dau	1890	?	?	?
Ike, Harry             Son	1892	?	?	?
Ike, Phema             Dau	1895	?	?	?
Ike, Ernest            Son	1899	?	?	?
Ike, Daisy              Dau	1897	?	?	?
Ike, Mabel             Dau	1900	?	?	?
Evans, Louis            Head	July, 1871	?	?	?
Evans, Alvina          Wife	1878	?	?	?
Evans, Bista            Son	1892	?	?	?
Evans, Winnie         Dau	1894	?	?	?
Evans, Eddie          Son	1897	?	?	?

Evans, Minnie	Dau	1899	?	?	?
Sam, Indian	Head	1815	?	?	?
Sam, Mary	Wife	1825	?	?	?
Mary	Head	1825	?	?	?
Sallie	Head	1840	?	?	?

#### Oleta Precinct, Oleta Village

Burris, James	Head	Oct., 1843	Digger	White	Digger
Burris,	Wife	?	Digger	Digger	Digger
Beaver, Rosy	Adopt.Dau	May, 1884	Digger	White	Digger
Bradigan, Louise	Adopt.Dau	Apr., 1885	Digger	White	Digger
Bradigan, Johnnie	Adopt.Son	Feb., 1888	Digger	White	Digger
Banjo, James	Head	Apr., 1859	Digger	Digger	Digger
Banjo, Mary	Sister	Jan., 1862	Digger	Digger	Digger
Putt, Joseph	Head	Mar., 1872	Digger	?	Digger
Putt, Martha	Wife	May, 1865	Digger	Digger	Digger
Putt, Carrie	Dau	July, 1884	Digger	Digger	Digger
Putt, Nellie	Dau	June, 1886	Digger	Digger	Digger
Putt, Linda	Dau	June, 1890	Digger	Digger	Digger
Putt, Josephine	Dau	Aug, 1892	Digger	Digger	Digger
Putt, Ellen	Dau	July, 1896	Digger	Digger	Digger
Putt, Ida	Dau	May, 1882	Digger	Digger	Digger
Putt, Birdie	Dau-in-law	Feb., 1879	Digger	Digger	Digger
Taylor, Lewis	Cousin	1887	Digger	White	Digger
Cutlick, John	Cousin	1889	Digger	White	Digger

#### Township 2, District 4

Nye, Jim	Head	1855	Digger	White	Digger
Nye, Pauline	Wife	1876	?	?	?
Nye, Jimmie	Son	1892	?	?	?
Nye, Bertha	Dau	1894	?	?	?
Nye, Justine	Dau	1896	?	?	?
Nye, Florence	Dau	1898	?	?	?
Chandler, John	Stepson	1892	?	?	?
Chandler, Andrew	Son	1895	?	?	?
Chandler, Mac	Son	1898	?	?	?
Maximo	Chief	1850	Digger	Digger	Digger

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Smith, Jack	Head	1878	?	?	?
Miller, Amick	?	1875	?	?	?
Miller, Oscar	?	1880	?	?	?
Miller, Toby	?	1880	?	?	?
Miller, Lizzie	?	1880	?	?	?
West, Charley	Head	1850	?	?	?
West, Mary	Wife	1860	?	?	?
West, Lena	Dau	1894	?	?	?
West, Andy	Son	1896	?	?	?
West, Teresa	Dau	1886	?	?	?
Miller, Mahaly	Head	1840	Digger	Digger	Digger
Miller, Henry	Son	July, 1880	Digger	White	Digger
Miller, Frank	Son	June, 1884	Digger	White	Digger
Chandler, Ida	Stepdau	1875	Digger	White	Digger
Ho[w]dy, Queenie [wife of Henry Miller]	Wife	1882	Digger	?	?
Birdie	Dau	1899	?	?	?
Alcalde, Lewy	Head	1875	Digger	White	Digger
Alcalde, Minnie	Wife	1882	Digger	Digger	Halfbr
Jesse	Brother	1893	Digger	Digger	Halfbr
Cleveland, Albert	Brother	1888	Digger	Digger	Halfbr
Jim	Father 1855		Digger	?	Digger
Sealim	Stepson	1878	Digger	?	Halfbr
George	Brother	1875	Digger	?	Halfbr
Aleck	Head	1855	Digger	Digger	Digger
Cow Cow Eliza	Wife	1850	Digger	Digger	Digger
Frank	?	1879	Digger	Digger	Digger
Dan	Head	1870	Digger	Digger	Digger
Powell, Frank	Head	1870	Digger	Mexican	Digger
Powell, Mary	Wife	1865	Digger	Digger	Digger
Powell, John	Father	1840	Digger	Digger	Digger

### Township 3, Volcano Precinct

Aleck, Joe	Head	?	Digger	Digger	Digger
Aleck, Ellen	Wife	?	Digger	Digger	Digger
Aleck, Wiley	Son	?	Digger	Digger	Digger
Aleck, Nat	Son	?	Digger	Digger	Digger

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Aleck, Riley	Son	?	Digger	Digger	Digger
Aleck, Wilson	Son	?	Digger	Digger	Digger
Aleck, Clarence	Son	?	Digger	Digger	Digger
Aleck, Wilson	Son	?	Digger	Digger	Digger
Jack	Head	?	Digger	Digger	Digger
Julia	Boarder	?	Digger	Digger	Digger

### Township No. 3, Part of, Pine Grove Precinct

Jack	Head	?	Digger	Digger	Digger
Monday	Wife	?	Digger	Digger	Digger
Mary	Sister	?	Digger	Digger	Digger
Wilson, George	Head	1867	Digger	Digger	Digger
Wilson, Mary	Wife	1865	Digger	Digger	Digger
Wilson, Lillie	Dau	1885	Digger	Digger	Digger
Wilson, Teda	Dau	1888	Digger	Digger	Digger
Wilson, Minnie	Dau	1890	Digger	Digger	Digger
Wilson, Sallie	Mother	1830	Digger	Digger	Digger

### Township No. 3, Part of, Volcano Precinct

Howdy, Newton	Head	1860	1/2	White	Digger
Howdy, Annie	Wife	?	1/2	White	Digger
Howdy, Walter	Son	May, 1885	1/2	1/2	1/2
Howdy, Jamie	Son	Nov., 1888	1/2	1/2	1/2
Howdy, Emma	Dau	Nov., 1890	1/2	1/2	1/2
Howdy, Lorena	Dau	Apr., 1894	1/2	1/2	1/2
Howdy, Frances	Dau	Feb., 1897	1/2	1/2	1/2
Howdy, Samuel	Head	1861	1/2	White	Digger
Howdy, Bettie	Wife	?	Digger	Digger	Digger
Howdy, Isaac	Son	1882	1/4	1/2	Digger
Howdy, Johnnie	Son	1888	1/4	1/2	Digger
Howdy, Lula	Dau	1892	1/4	1/2	Digger
Howdy, Emma	Dau	1894	1/4	1/2	Digger
Pollie, Old	Mother	?	Digger	Digger	Digger
Peter, Old	Boarder	?	Digger	Digger	Digger

### Township No. 5

Jameson, Bob	Head	June, 1874	Digger	Digger	Digger
Jameson, Bessie	Wife	Mar., 1873	Digger	Digger	Digger

{S0309687.1}



Mollie	Head	Jan., 1875	Digger	Digger	Digger
Samson	Son	Mar., 1897	Digger	?	?
Maly	Dau	Feb., 1899	Digger	?	?
Mohala, Malily	Mother	1820	Digger	?	?

(Bureau of the Census 1900)

**Observation:**

In 1900, the Bureau of the Census enumerated 122 Indians residing in seven different enumeration districts or precincts in Amador County. None of the individuals either self-identified, or was identified as, "Miwok," "Nisenan," or "lone Band." Eighty-four people were identified as "Digger," "½ Digger," or "1/4 Digger." Although thirty-eight people were unable to identify any Indian identity, they still were enumerated on the Indian Schedule without further explanation.

## 1915 Census of Ione and Vicinity Indians

On May 11, 1915, Special Indian Agent John J. Terrell compiled a "Census of Ione and vicinity [sic] Indians" in Amador County, California. These individuals and families resided in three different communities: Ione, Jackson, and Richey [Ritchie], California. The Terrell census is now cited as the base roll for the modern membership of the Ione Band of Miwok, supplemented by individuals who were beneficiaries to the quit-claim deed ruling of the Superior Court of Amador County, California, in litigation in the 1990s over ownership of the lands comprising what is commonly referred to as "the Ione Rancheria."

The following enumeration is that compiled by Terrell with bracketed annotations relevant to history and residency, 1900, 1910, and 1920 as documented in the "Indian Schedules" of the 1900 and 1910 decennial census and the "Population Schedule" of the 1920 census.

### Ione and Vicinity, California

Blue, Alex  
Blue, [wife]

[This family did not appear on the 1900 or 1910 Indian Schedules, Amador County, CA., or in the 1920 Population Schedule, Amador County, CA. This family was listed on the Kelsey census of Amador County Indians, 1905-06.]

Casteno, John  
Casteno, Andrew

[John Custino and Andrew Cantello, ages 16 and 15, were enumerated in 1910 as nephews of Frank Miller, Township 2, Ione, CA. Neither appeared in the 1900 census of Amador County, CA. John Lustini [possibly Casteno], age 26, was enumerated with a wife and three children in the 1920 Population Schedule of Amador County, CA. These men are not on the Kelsey census of Amador County Indians, 1905-06.]

Castino, Ruby, age 9

[Ruby Ray, age 6, was enumerated in 1910 as a niece of Frank Miller, Township 2, Ione, CA. This woman was not enumerated in the 1920 Population Schedule, Amador County, CA.]

Clifford, Albert  
Clifford, [wife]  
Clifford, Jess, age 25

[This family was not enumerated on the Indian Schedules of 1900 or 1910 in Amador County, CA. These people did not appear on the 1920 Population Schedule, Amador County, CA.]

{S0309688.1}

Clifford, George  
Clifford, [wife]  
Clifford, Cl[a]rence, age 13  
Clifford, Harry, age 13  
Clifford, Mable, age 12

[George and Lizzie Clifford, daughter Mabel (age 5), stepsons Clarence Burris (age 9) and Harry Burris (age 9) were enumerated in 1910 in Amador County, CA. None of these people was enumerated on the Population Schedule of 1920 for Amador County, CA.]

Clifford, Jess, age 25

[Jess Clifford was not enumerated in 1900 or 1910 in Amador County, CA., nor did he appear on the Population Schedule of 1920, Amador County, CA.]

Dony, William

[William Dony was not enumerated in 1900 or 1910 in Amador County, CA. He was not enumerated on the Population Schedule of 1920 for Amador County, CA. This man was not on the Kelsey census of Amador County Indians, 1905-06.]

Dony, Young  
Dony, [wife]  
Dony, son age 5

[This family was not enumerated in 1900 or 1910 in Amador County, CA. None of these people was enumerated on the Population Schedule of 1920 for Amador County, CA. This family was not on the Kelsey census of Amador County Indians, 1905-06.]

[Six children of William Frank]  
Frank, William, age 31  
Frank, Fenice, age 17  
Frank, Frank, age 29  
Frank, Johnny, age 19  
Frank, Mary, age 21  
Frank, William, age 31

[This family was not enumerated in 1900 or 1910 in Amador County, CA. None of these people was enumerated on the Population Schedule of 1920, Amador County, CA.]

Howdy, Isaac  
Howdy, [wife]  
Howdy, [8 years old]

[Isaac Howdy was enumerated in 1900, age 18, and in 1910, age 25, in the family of Sam Howdy, Amador County, CA. Isaac Howdy was not enumerated on the Population Schedule of 1920, Amador County, CA., however, Annie Howdy, age 52, and Frances Howdy, age 22, were enumerated and may be

{S0309688.1}

the wife and daughter on the 1915 roll. Isaac Howdy was identified as a Maidu-Nishinam Indian on the Kelsey Census, Amador County, 1905-06.]

Howdy, Sam  
Howdy, [wife, Bettie]  
Howdy,  
Howdy,  
Howdy,

[This family was enumerated in 1900 and 1910 in Amador County, CA. Sam Howdy, an unnamed wife, and son Charles Howdy were enumerated on the Population Schedule, 1920, Amador County, CA. The Howdy family was identified as Maidu-Nishinam on the Kelsey Census of Indians of Amador County, 1905-06.]

Ione, Alex  
Ione, Pearl [child of Alex Ione]

[This family was not enumerated in 1900 or 1910 in Amador County, CA. These people were not enumerated on the Population Schedule, 1920, Amador County, CA.]

Joe, Billie  
Joe, [wife]  
Joe, female  
Joe, female  
Joe, female  
Orphan child

[This family was not enumerated in 1900 or 1910 in Amador County, CA. These people were not enumerated on the Population Schedule, 1920, Amador County, CA.]

John, Alex  
John, [wife]  
John, Billy  
John, Mary  
John, Lucy

[This family was not enumerated in 1900 or 1910 in Amador County, CA. These people were not enumerated on the Population Schedule, 1920, Amador County, CA.]

Kellog, Charley  
Kellog, [wife]  
Kellog,

[This family was not enumerated in 1900 or 1910 in Amador County, CA. These people were not enumerated on the Population Schedule, Amador County, CA.]

Maximo, Capt. Charlie, recently elected chief of the band  
Maximo, Mrs., wife of Capt. Charlie Maximo  
{S0309688.1}

? [Orphan girl living with Capt. Charlie, aged 14 years]

[This family was not enumerated in 1900 in Amador County, CA. In 1910, Charley Maximo, age 55, and his wife, Marie Maximo, age 60, were enumerated in Amador County, CA. None of these people was enumerated on the Population Schedule, 1920, Amador County, CA. This family was listed on the Kelsey Census of the Indians of Amador County, 1905-06.]

Capt. Charlie's [Maximo] sister [Mary Mattinas] and 3 grandchildren]

? [Grandchild]

? [Grandchild]

? [Grandchild]

[Mary (Maximo) Mattinas was not enumerated in the 1900 or 1910 census of Amador County, CA. This woman was not enumerated on the Population Schedule, 1920, Amador County, CA. This woman was not listed on the Kelsey Census of the Indians of Amador County, 1905-06.]

Miller, Henry

Miller, [wife]

Miller, Frank, age 15

[Henry Miller was enumerated in the 1900 census, age 20, and in 1910, age 29, in the census of Amador County, CA., with his wife, Queenie, age 28. This family was not enumerated on the Population Schedule, 1920, Amador County, CA. This family was listed on the Kelsey Census of Amador County, 1905-06.]

Morman [Moman], Mrs. Cornus

Moman,

Moman,

[This family was not enumerated in the 1900 or 1910 census of Amador County, CA. This family was not enumerated on the Population Schedule, 1920, Amador County, CA.]

West, Mrs. ?

West, Andy

West, Lizzie

[Andy West was enumerated, age 4, in the 1900 census with Charley and Mary West, his parents, in Amador County, CA. He did not appear in the 1910 census of this county. None of the West family appeared on the Population Schedule, 1920, Amador County, CA.]

## **Jackson, California**

Castatupe, Joe

Castatupe, [Wife]

[Joe Castalupe did not appear in the 1900 census of Amador County, CA. In 1910 Joe Bacagalupi, age 42, was enumerated as the Meewok-Italian son-in-

{S0309688.1}

law of Sally Yellowjacket, Amador County, CA. Joe and Georgianna Bacigalupi were enumerated on the Population Schedule, 1920, Amador County, CA.]

Jack, John  
Jack, [wife]  
Jack,  
Jack,  
Jack,  
Jack,

[The Jack family did not appear in the 1900 or 1910 census of Amador County, CA. None of this family was enumerated on the Population Schedule, 1920, Amador County, CA.]

Jackson, Sallie  
[Sister]

[This person may be Sallie Yellowjacket who lived at Jackson, Digger Reservation, in 1900 and 1910, Amador County, CA. Sallie Jackson was not enumerated on the Population Schedule, 1920, Amador County, CA. Sallie Yellowjacket was listed on the Kelsey Census of 1905-06, Amador County.]

## **Richey, California**

Brown, C.

[This person was not enumerated in the 1900 or 1910 census of Amador County, CA. This person was not enumerated on the Population Schedule, 1920, Amador County, CA. Caesar Brown was listed by Agent Kelsey on the 1905-06 Census of Amador County Indians.]

Cain, Dan  
[Mother]

[This person was not enumerated in the 1900 or 1910 census of Amador County, CA. This person was not enumerated on the Population Schedule, 1920, Amador County, CA.]

Clifford, Mrs. Mamie

[This person was not enumerated in the 1900 or 1910 census of Amador County, CA. This person was not enumerated on the Population Schedule, 1920, Amador County, CA. This woman was listed as Maidu-Nishinam on the Kelsey Census of 1905-06 of the Indians of Amador County.]

Jimison, Allen  
Jimison, Andy

[Bob Jameson was enumerated in the census of 1900, but no Allen or Andy Jameson appeared on the 1900 or 1910 schedules of Amador County, CA. Andrew Jameson appeared on the Population Schedule, 1920, in the household of his sister, Martha Wilson, Amador County, CA. These men were  
{S0309688.1}]

identified as Maidu-Nishinam on the Kelsey Census of 1905-06 of the Indians of Amador County.]

Jimison, Jeff  
Jimison, Gladys  
Jimison, Enis

[This family was not enumerated in the census of 1900 or 1910 in Amador County, CA. This family was not enumerated on the Population Schedule, 1920, Amador County, CA. Jeff Jimison and two children were identified as Maidu-Nishnam Indians by Kelsey in 1905-06.]

Oliver, Casus  
Oliver, [wife]

[This family was not enumerated in the census of 1900 or 1910 in Amador County, CA. This family was not enumerated on the Population Schedule, 1920, Amador County, CA. This family was listed on the Kelsey Census of 1905-06, Amador County.]

Oliver, John  
Oliver, [wife]  
Oliver,  
Oliver,  
Oliver,

[This family was not enumerated in the census of 1900 or 1910 in Amador County, CA. This family was not enumerated on the Population Schedule, 1920, Amador County, CA. This family was listed on the Kelsey Census of 1905-06, Amador County.]

Oliver, Lucy  
Oliver, Joseph

[This family was not enumerated in the census of 1900 or 1910 in Amador County, CA. These people were not enumerated on the Population Schedule, 1920, Amador County, CA.]

Powell, Frank  
Powell, [wife]  
? [stepchild]  
? [stepchild]  
? [stepchild]

[Frank and Mary Powell, ages 30 and 35, appeared in the census of 1900 in Amador County, CA.; in 1910 they appeared in the Amador County census aged 39 and 40, with a daughter, Pauline Powell and two of Frank Powell's stepchildren, Jannice and Annie Powell, and two nephews, Gus Mellow and Billy Jones. Frank and Mary Powell and Stella Powell, age 6, were enumerated on the Population Schedule, 1920, Amador County, CA. This family was listed on the 1905-06 Kelsey Census, Amador County, CA.]

Powell, John  
{S0309688.1}

Powell, [wife]  
Powell,  
Powell,

[This family was not enumerated in the census of 1900 or 1910 in Amador County, CA. This family was not enumerated on the Population Schedule, 1920, Amador County, CA. This family was listed on the Kelsey Census, 1905-06, Amador County, CA.]

Ray, Allie  
Ray, Cleveland, age 10

[This family was not enumerated in the census of 1900 or 1910 in Amador County, CA. Cleveland Ray, age 32, wife and five children, were enumerated on the Population Schedule, 1920, Amador County, CA.]

(Bureau of the Census 1900, 1910, 1920; Terrell 1915)

### **Observation:**

In 1915, Special Indian Agent John Terrell enumerated 103 individuals in the "Census of the lone and vicinity [sic] Indians." These were ancestors of the modern lone Band living in 1915 at lone, Jackson, and Richey [Ritchie], California. Comparison of this roll with the 1900 and 1910 "Indian Schedules" of the federal decennial census and with "Population Schedule" of the 1920 census confirms the following:

1900: Only 14 individuals out of 101 on the 1915 Census (14%) were resident in Amador County.

1910: Only 21 individuals out of 101 on the 1915 Census (21%) were resident in Amador County.

1920: Only 14 individuals out of 101 on the 1915 Census (14%) were resident in Amador County.

The ability of a tribe to maintain social relations or to exercise political authority over its members when fewer than 21 percent were resident in Amador County in 1900, 1910, and 1920 is doubtful, if not, impossible. Furthermore, this population was dispersed. In 1900, the Indian population in Amador County lived as follows:

- Township 1, District 3, Center Jackson Precinct
- North Jackson Precinct, Digger Indian Reservation
- Oleta Precinct, Oleta Village
- Township 2, District 4
- Township 3, Volcano Precinct



- Township 3, Pine Grove Precinct
- Township 3, Part of Volcano Precinct

In 1910 the Indian population in Amador County lived as follows:

- Township 1, District 2, Jackson, Digger Reservation
- Township 2, District 5, lone
- Township 3, District 5
- Township 3, District 7
- Township 3, District 6
- Township 3

In 1920 the Indian population in Amador County lived as follows:

- South lone, District 4 [East lone]
- Township 1, District 2
- Township 3, District 6
- Township 5, District 9
- Township 5, District 10
- West lone, District 5
- Plymouth, District 9

(Bureau of the Census 1900, 1910, 1920)

The historical record of 1900-20 documents that twenty-one percent or fewer of the ancestors of the lone Band on the Terrell Census of 1915 resided in Amador County. Those who resided in the county lived in dispersed areas and did not constitute a discrete Indian community. A number of these individuals were Maidu-speaking Nisenan. They came a totally different language stock than that of the Sierra Miwok (Kelsey 1905-06).

## **John J. Terrell "1915 Census of lone and vicinity Indians" Compared to 1929 Affidavits, Enrollment of the Indians of California**

In 1915 John J. Terrell visited Amador County and compiled a census of Indians residing at "lone and vacinity [sic]," "Jackson," and "Richey" [Ritchie], California. Fourteen years later the Bureau of Indian Affairs secured affidavits from a number of these people, seeking to benefit from the pending litigation for the value of California Indian lands before the United States Claims Court. The following notes are drawn from the index and applications for that enrollment (primarily in May 1929), connect to the "1915 Census of lone and vicinity Indians," and include notes as to whether these people were resident in Amador County in 1900, 1910, or 1920.

The sources consulted for this discussion included:

### **Bureau of the Census**

1900 Twelfth Census of the United States. Microcopy T-623, Rolls 83-84, RG 29: Records of the Bureau of the Census, National Archives, San Bruno, CA.

1910 Thirteenth Census of the United States. Microcopy T-624, Roll 73. RG 29: Records of the Bureau of the Census, National Archives, San Bruno, CA.

1920 Fourteenth Census of the United States. Microcopy T-625, Roll 93. RG 29: Records of the Bureau of the Census, National Archives, San Bruno, CA.

### **Bureau of Indian Affairs**

1928-33a Census Roll of the Indians of California Under the Act of May 18, 1928 (45 Stat. P. 602). Index, Microfilm 1853. RG 75: Records of the Bureau of Indian Affairs, National Archives, San Bruno, CA.

1928-33b Applications for Enrollment of the Indians of California Under the Act of May 18, 1928 (45 Stat. P. 602), Microfilm. RG 75: Records of the Bureau of Indian Affairs, National Archives, San Bruno, CA.

### **Terrell, John J.**

1915 Census of lone and vacinity [sic] Indians. Bureau of Indian Affairs 1951-75 Central California Agency, Tribal Group Files, 103.3, Buena Vista, Termination, 1951-[1975], Box 2. RG 75: Records of

the Bureau of Indian Affairs, National Archives, San Bruno, CA.

### Results of Research

Final App

Roll	No.	Name	Relationship	Sex/Age	Birth	Blood
1755	7291	Blue, Aleck	Head	M 71	3-31-1857	1/2
		Tribe unknown, Amador County Never allotted, Sac. Agency, RFD A, Box 642, Galt, Sac. Co., CA. Widower				
1756	7291	Matthews, Antoinette	Gdau.	F 15	10-15-1913	3/8
		Tribe unknown, Amador County Never allotted, Sac. Agency, RFD A, Box 642, Galt, Sac. Co., CA.				

- Aleck Blue was born in Amador County; his granddaughter was born in Sacramento County.
- Aleck Blue was married to Bertha who died about 1886; she was 4/4 Indian of Alameda County.
- Aleck Blue was a member of an unknown tribe, Amador County. His mother was named Susan. His father and all grandparents were unknown to him, except his maternal grandmother, Maria, 4/4 of an unknown tribe.

[NOTE: Aleck Blue did not appear in the 1900, 1910, or 1920 census of Amador County]

2256	3005	Brown, Luvella	Head	F	6-17-1907	5/8
		Tribe unknown, Eldorado and Amador County Never allotted Sloughhouse, Sacramento Co., CA. Husband is a white man.				
2257	3005	Brown, Marjorie	Dau	F	3-29-1926	5/16
		Tribe unknown (same as above)				
2258	3005	Brown, George	Son	M	2-19-1928	5/16
		Tribe unknown (same as above)				

- Luvella had married Percy Brown, 7-11-1905, white man.
- Ancestry:

Father: Walter Howdy, Amador County Indian tribe, unknown  
Mother: Ada, Eldorado County Indian, tribe unknown

Paternal grandfather: Newt Howdy, ½  
Paternal grandmother: Annie Howdy, ½  
Maternal grandfather: William Wallupe, 4/4  
Maternal grandmother: Mammie Wallupe, ½  
She identified her grandparents from Amador and Eldorado  
counties, tribes not named.

[NOTE: Louvella (Howdy) Brown was probably the "Sullen Howdy," age 2,  
enumerated in the household of Walter and Ada Howdy, 1910 census,  
Amador County, CA.]

12242	2939	Mattinas, Mary	Widow	F 85	5-19-1843	4/4
		Tribe unknown, San Joaquin County, CA. Never allotted Box 37-A, Lone, Amador County, CA.				
12243	2939	Maximo, Charlie	Brother	M 67	5-19-1861	4/4
		Tribe unknown, San Joaquin County, CA. Never allotted				
12244	2939	Brown, Caeser	Step-son	M 42	4-21-1886	4/4
		Tribe unknown, San Joaquin County, CA. Never allotted ["Stepson of Charlie Maximo"]				

- These three people lived in this household on May 20, 1928, Box 37A,  
Lone, Amador County, CA. Affidavit dated: May 19, 1929
- Mary Mattinas said that she was born in San Joaquin County, CA.; that  
she and her children had resided in San Joaquin and Amador  
Counties, CA.; that her maiden name was Mary Maximo; that "all of  
my husbands are dead"; they were not of Indian blood, "They were  
from Mexico"; degree of blood, "4/4"; Home of tribe, San Joaquin  
County, CA.
- Mary (Maximo) Mattinas identified her ancestry as follows:
  - Father's name: I-yah-po (Charley Maximo), 4/4, born San Joaquin  
County, CA.
  - Father's tribe: unknown tribe, San Joaquin County, California
  - Mother's name: Uh-lah, 4/4, born San Joaquin County, CA.
  - Mothers' tribe: unknown tribe, San Joaquin County, California
  - After her parents were married, they resided in San Joaquin  
County, CA.
  - She was unable to identify her grandparents but said they resided  
in San Joaquin County, CA.
- Mary Mattinas could not identify the chiefs, captains, or headmen of her  
tribe.

- Mary Mattinas alleged that the lands taken from her ancestors were in San Joaquin, Amador, Sacramento, and Calaveras Counties, CA. [NOTE: Mary Mattinas and Caesar Brown did not appear in the 1900, 1910, or 1920 Census, Amador County]

3625	7410	Clifford, Albert	Single	M 41	5-25-1889	3/4
		Tribe unknown, Amador County			Never allotted	
		Newcastle, Placer County, CA.				
3626	7410	Clifford, Jess	Brother	M 37	5-25-1891	3/4
		Tribe unknown, Amador County			Never allotted	
		Newcastle, Placer County, CA.				

[NOTE: Albert and Jess Clifford did not appear in the 1900 or 1910 Census, Amador County]

3627	7411	Clifford, George	Head	M 56	10-19-1872	4/4
		Tribe unknown, Amador County			Never allotted	
		Carbondale, Amador County, CA.				
3628	7411	Clifford, Lizzie	Wife	F 54	5-19-1874	1/2
		Tribe unknown, Sacramento and San Joaquin Counties				

[NOTE: George and Lizzie Clifford did not appear in the 1900 Census, Amador County. George and Lizzie Clifford were enumerated in the 1910 Census, Lone, CA.]

4266	2927	Custino, John	Head	M 35	10-29-1893	1/4
		Tribe unknown, Amador County			Never allotted	
		Lone, Amador County			House, lot, automobile	
		\$800				
4267	2928	Custino, Nancy	Wife	F 34	5-19-1894	3/4
		Tribe unknown, Amador County			Never allotted	
		[Note: App. 2928 not on microfilm]				
4268	2927	Custino, Sarah	Dau	F 16	3-26-1912	1/2
		Tribe unknown, Amador County			Never allotted	
4269	2927	Custino, Dolores	Dau	F 13	9-27-1915	1/2
		Tribe unknown, Amador County			Never allotted	
4270	2927	Custino, Irene	Dau	F 11	9-24-1917	1/2
		Tribe unknown, Amador County			Never allotted	
4271	2927	Custino, John, Jr.	Son	M 8	3-14-1920	1/2
		Tribe unknown, Amador County			Never allotted	
4272	2927	Custino, Ardine	Dau	F 6	5-31-1922	1/2
		Tribe unknown, Amador County			Never allotted	

4273	2927	Custino, William	Son	M 4	11-23-1924	½
		Tribe unknown, Amador County		Never allotted		
4274	2927	Custino, June	Dau	F 1	6-5-1927	½
		Tribe unknown, Amador County		Never allotted		

- This family resided on May 19, 1929, at Lone, Amador County, CA.;  
"Does not live on trust land."
- John Custino said that he and his children were born in Amador County, CA.
- Custino did not know the name of his tribe or the treaty. [Written in by the recorder as "Probably "Taiksasklu Cosumnes River, Sept. 18, 1851"); he did not know of any chiefs; he claimed that his tribe's lands were in Eldorado, Calaveras, Amador, and Tuolumne counties, CA.

- John Custino identified his ancestry:

Father: unknown white man born in Portugal  
 Mother: Ida (Chandler) Custino ["also Rey"], Amador County Tribe,  
 ½ Indian, born in Amador County, CA.; died 1909.  
 Stated that his parents were married by Catholic ceremony.

[John Custino, age 16, was enumerated in the 1910 Census living the household of his uncle, Frank Miller. John Lustini [probably Custino] was enumerated living in East Lone in the 1920 Census, Amador County, CA.]

8506	2969	Howdy, Annie	Widow	F 59	11-18-1869	½
		Tribe unknown, Amador County		Never allotted		
		Oleta, Amador County				

- Married Newt Howdy, died in 1915
- Father: John Williams, white man from Norway  
 Mother: Sallie, 4/4, tribe unknown

[Annie Howdy, birthdate unknown, wife of Newton Howdy, was enumerated living in Pine Grove Precinct, 1900, Amador County, CA. In 1910 she was enumerated living in the household of her son, Walter Howdy, in Amador County, CA.]

8507	2931	Howdy, Sam	Widower	M 70	5-19-1858	½
		Tribe unknown, Amador County		Never allotted		

{S0309689.1}

						lone, Amador County, CA. Land value \$800.00	
8508	2931	Howdy, Lulu	Dau	F 37	5-19-1891	3/4	
							Tribe unknown, Amador County Never allotted
							lone, Amador County, CA.
8509	2931	Howdy, Richard	Gson	M 5	9-10-1923	3/4	
							Tribe unknown, Amador County Never allotted
8510	2931	Howdy, Ray	Gson	M 1	2-10-1927	3/4	
							Tribe unknown, Amador County Never allotted

- The household of Sam Howdy resided on May 19, 1929, at lone, CA.; "does not live on trust land."
- Sam Howdy said that he and his family were born in Amador County. He stated that his wife, Bettie Howdy, died about 1922 and that she was of Indian descent. He was unable to name any chiefs or headmen of his tribe.
- Sam Howdy gave his ancestry as follows:

Father: a white man, name unknown, birthplace unknown, died "long ago"

Mother: Polly, tribe from Amador County, name unknown, born in Amador County, died "long ago"

[In 1900, 1910, and 1920 Samuel and Bettie Howdy and their family were enumerated on the "Indian Schedule," Amador County, CA.]

8511	2970	Howdy, Walter	Head	M 43	5-15-1885	1/2	
							Tribe unknown, Amador County Never allotted
							Oleta, Amador County, CA. House and lot \$100
8512	2970	Howdy, Ada	Wife	F 46	12-17-1882	3/4	
							Tribe unknown, Eldorado County Never allotted
1813	2970	Howdy, Minerva	Dau	F 19	6-22-1909	3/4	
							Tribe unknown, Eldorado County Never allotted
1814	2970	Howdy, James	Son	M 17	5-13-1911	3/4	
							Tribe unknown, Eldorado County Never allotted

? ? Howdy, Marvin [Enrolled with below]  
2922 Alcalde, Katherine

[Walter Howdy was enumerated in 1900 in the household of his parents, Newton and Annie Howdy, Amador County, CA. In 1910 Walter and Ada Howdy and their family, including his parents, were enumerated on the Indian Schedule, Amador County, CA.]

8840	274	Jack, John	Head	M 54	2-27-1874	4/4
		No tribe	Allotted, Shasta Agency			
		Dunlop, Fresno County, CA.	Land, livestock, buildings			
		\$1,200				
8841	274	Jack, Jodie	Wife	F 50	2-27-1878	4/4
		No tribe	Never allotted			
8842	274	Jack, Sam	Son	M 19	12-27-1909	4/4
		No tribe	Never allotted			
8843	274	Jack, Ray	Son	M 8	8-14-1920	4/4
		No tribe	Never allotted			

[NOTE: John and Jodie Jack did not appear in the 1900, 1910, or 1920 Census, Amador County]

9393	2932	John, Alec	Head	M 67	5-18-1861	4/4
		Tribes unknown, Amador County, CA.	Never allotted			
		lone, Amador County, CA.	Automobile, personal			
		property \$150.00				
9394	2933	John, Sallie	Wife	F 73	5-18-1855	4/4
		Tribes unknown, Amador County, CA.	Never allotted			
9395	2933	Moman, Violet	Gdau	F 16	9-22-1912	3/4
		Tribes unknown, Amador County, CA.				
		["Auburn Rancheria Plan" stamped entry with name]				
9396	2033	Moman, Elmer	Gson	M 15	5-10-1913	3/4
		Tribes unknown, Amador County, CA.				
9397	2033	Moman, Carl	Gson	M 13	5-1-1915	3/4
		["Auburn Rancheria Plan" stamped entry with name]				

- The family of Alec John resided on May 18, 1929, at lone, CA.; "Does not live on trust land." Alec John reported that since birth he and his children had resided in Eldorado and Amador Counties.
- Alec John reported the following spouses:
  - Emma, "deceased 12 years ago, Amador Co., Calif."; 4/4
  - Sallie We-luck-me; born 5-18-73 [index reads 1855, as does her application No, 2933], 4/4
- Alex John identified his ancestry as follows:
  - Father: Hunter John, Eldorado County, CA., tribe, born Eldorado County, 4/4, died 1898
  - Mother: Jennie, Eldorado County, CA., born Eldorado County, tribe, 4/4, died 1901
  - Paternal grandfather: Whispering John, tribe unknown, 4/4



Paternal grandmother: unknown, Eldorado County  
Maternal grandfather: unknown, Eldorado County  
Maternal grandmother: unknown, Eldorado County

- Sallie (We-luck-me) John had three grandchildren residing with her in this household: Violet, Elmer, and Carl Moman, children of her son Comos Moman (deceased) and Martha West, 1/4 Indian (also deceased). "Cosmos was a full blood California Indian. They both died fourteen years ago."
- Sallie stated that she had first married Billy, "deceased forty years ago, Amador County," and that he was 4/4 Indian

Sallie identified her ancestry as follows:

Father: Charlie of an Amador County tribe, 4/4, died 1898  
Mother: Jennie of an Amador County tribe, 4/4, died 1900  
Grandparents: unable to identify them.

[Note: The John family was not enumerated in the 1900, 1910, or 1920 census of Amador County, CA.]

9171 7282 Jameson, Jeff Widower M 57 1-17-1871 1/2  
Tribe unknown, Eldorado County, CA. Never allotted  
Box 375, RFD, Sheldon, Sacramento Co., CA.

- Note: "Does not live on trust lands"; born in Eldorado County.
- Widower: wife was Nancy (Craig) Jameson, 1/2, tribe unknown, Eldorado County, CA.
- Jameson identified his ancestry:

Mother: Mandy Win Jameson, "Tribal Name unknown, Eldorado County, Calif.," 4/4, d. 1924 about age 80  
Father: Jess Jameson, white man from Kentucky, d. 1892  
Paternal grandparents: white people  
Maternal grandfather: John Win, 4/4, tribe unknown  
Maternal grandmother: unknown  
[Maternal grandparents from "near Gold Hill, Placerville, El Dorado County"]

- Relatives"

Andy Jameson, brother, near Auburn, Placer County, CA.

Mrs. Martha Lemay, sister, P.O. Auburn, CA.

[Note: Jeff Jameson did not appear in the 1900, 1910, or 1920 census of Amador County, CA.]

9970	2937	Kellogg, Charlie	Head	M 30	5-18-1898	1/4
		Tribe unknown, Amador and Eldorado Counties, CA. Never allotted Wilton, Sacramento County, CA.				
9971	2934	Kellogg, Mary	Wife	F 27	5-18-1881	4/4
		Tribe unknown, Amador and Eldorado Counties, CA. lone, CA.				
9972	2934	Kellogg, Verna E.	Dau	F 14	10-1-1914	5/8
		Tribe unknown, Amador and Eldorado Counties, CA.				

- Mary Kellogg resided on May 18, 1929, near lone, CA., "Does not live on trust land." Her husband, Charlie Kellogg, resided at Wilton, California.
  - Mary (Fred) Kellogg stated that she was born in Amador County; Verna Kellogg was born in Sacramento County. She said she had the following husbands:
    - 1) Jack Smith, deceased twenty years, 1/2 Indian, San Joaquin County
    - 2) Charlie Kellogg, 1/4 Indian, Eldorado County
- She noted that she was of a tribe from Amador County, name not given.
- Mary Kellogg identified her ancestry as follows:

Father: Billy Fred, of a tribe from Amador County, 4/4, died 1888  
Mother: Sallie (or Wa-luck-me) of a tribe from Amador County, 4/4,  
living in 1929 [wife of Alec John]  
Paternal grandparents: unknown  
Maternal grandfather: Charlie, 4/4, of Amador County  
Material grandmother: Jennie, 4/4, of Amador County
  - Charlie Kellogg resided at Wilton, Sacramento County, CA., "Does not live on trust land." Stated that he was born in Eldorado County, CA.
  - Charlie Kellogg claimed he was a tribe (unnamed) from Amador County, CA., and gave his ancestry as follows:

Father: Jeff Kellogg, a white man born in Amador County, CA.,  
living in 1928

Mother: Mary Kellogg, of a tribe from Eldorado County, CA., where  
she was born; she died about 1908

Paternal grandfather: Jack Kellogg, a white man

Paternal grandmother: unknown

Maternal grandfather: white man, unknown

Maternal grandmother: unknown Indian

[NOTE: Charley and Mary Kellogg did not appear in the 1900, 1910, or  
1920 Census of Amador County, CA.]

13084 2942 Miller, Henry            Head            M 48            7-4-1880    1/2  
Tribe unknown, Amador County, CA.    Never allotted  
RFD, Box 10, Lone, Amador County, CA. Home, land,  
furniture, \$1,500

13085 2943 Miller, Queenie        Wife            F 48            5-19-1880   3/4  
Tribe unknown, Amador County, CA.    Never allotted

- Henry and Queenie (Howdy) Miller lived at Lone, CA., on May 19, 1929.  
"Does not live on trust land."

- Henry Miller identified his ancestry as follows:

Father: Unknown white man, died "long ago"

Mother: Mary, an Indian from Amador County, CA., died 1910

Paternal grandparents: unknown

Maternal grandparents: unknown

- Queenie Miller identified her ancestry as follows:

Father: Sam Howdy, Amador County tribe, 1/2, living in 1929

Mother: Bettie Howdy, Amador County tribe, 4/4, died in 1922

Paternal grandfather: ? Howdy, a white man

Paternal grandmother: Polly Howdy, 4/4 Indian, tribe unknown

Maternal grandfather: Peter, 4/4, tribe unknown

Paternal grandmother: Mallie or Mollie, 4/4, tribe unknown

[Note: Henry and Queenie (Howdy) Miller were enumerated on the 1900  
Census in the household of Mahaly Miller, his mother. In 1910 they were  
living in Amador County and had a daughter, Birdie, age 11. They were

not enumerated on the 1920 Census of Amador County, CA.]

14320	2944	Oliver, John	Head	M 45	8-28-1883	4/4
					Tribe unknown, Amador County, CA. lone, Amador County, CA.	Never allotted
14321	2944	Oliver, Ethel	dau	F 19	2-8-1909	4/4
					Tribe unknown, Amador County, CA.	Never allotted
14322	2944	Oliver, Louis L.	Son	M 16	12-25-1912	4/4
					Tribe unknown, Amador County, CA.	Never allotted
14323	2944	Oliver, Lester	Son	M 14	2-12-1914	4/4
					Tribe unknown, Amador County, CA.	Never allotted

- John Oliver and his children resided near lone, California, in May, 1929, "not on trust land."
- John said: "I was born in Amador County and all the children excepting Ethel who was born in Sacramento Co., Calif."
- John said he was separated from his wife, Lena (West) Oliver who was born May 18, 1881, a woman 1/4 Indian.
- John Oliver gave his ancestry as follows:

Father: Kau-se, tribe from San Joaquin County, CA., 4/4, died 1916  
 Mother: Lizzie, tribe from Amador County, CA., 4/4, died 1899

Paternal grandparents: unknown, from Eldorado County, CA.  
 Maternal grandfather: Charlie, 4/4, from Amador County, CA.  
 Maternal grandmother: Susie, 4/4, from Amador County, CA.

[ Note: The Oliver family did not appear on the 1900, 1910, or 1920 census of Amador County, CA.]

15796	2950	Powell, Frank	Head	M 56	2-20-1872	4/4
					Tribe unknown, Amador County, CA. lone, Amador County, CA.	Never allotted
15797	2951	Powell, Mary	Wife	F 74	5-19-1854	4/4
					Tribe unknown, Amador County, CA.	Never allotted
15798	2950	Lee, Stella	Gdau	F 15	3-5-1913	½
					Tribe unknown, Amador County, CA.	Never allotted

- Frank Powell and his family resided at lone, CA., on May 19, 1929, "Does not live on trust land."
- Frank identified his wife, Mary, as born 5-19-1854, 4/4, of an Amador

County tribe

- Frank Powell identified his ancestry as follows:

Father: John Powell, Amador County tribe, 4/4, died "long ago"

Mother: Mary, Amador County tribe, 4/4, died "long ago"

Grandparents: unknown

- Mary Powell identified her father as Jim; she did not know her mother's name. She could not identify her grandparents.

[Note: Frank and Mary Powell were enumerated on the 1900 and the 1920 Census of Amador County, CA.]

[Note: Terrell listed "Casus Oliver," undoubtedly Louis Oliver below]

14324	2945	Oliver, Louis	Head	M 39	4-30-1889	4/4
		Tribe unknown, Amador County, CA. Never allotted lone, Amador County, CA. [Stamped "Buena Vista Rancheria Plan" by name]				
14325	2946	Oliver, Annie	Wife	F 31	12-18-1897	3/4
		Tribe unknown, Amador County, CA. Never allotted				
14326	2945	Oliver, Lucille	Dau	F 9	1-29-1897	7/8
		Tribe unknown, Amador County, CA. Never allotted				
14327	2945	Oliver, Eleanor	Dau	F 7	1-23-1921	7/8
		Tribe unknown, Amador County, CA. Never allotted				
14328	2945	Oliver, Mace	Son	M 5	9-8-1923	7/8
		Tribe unknown, Amador County, CA. Never allotted				
14329	2945	Oliver, Marie	Dau	F 3	8-7-1925	7/8
		Tribe unknown, Amador County, CA.				

- Louis Oliver identified his ancestry as follows:

Father: Kau-se, tribe from San Joaquin County, CA., 4/4

Mother: Lizzie, tribe from Amador County, CA., 4/4

Paternal grandparents: unknown, from Eldorado County, CA.

Maternal grandfather: Charlie, 4/4, from Amador County, CA.

Maternal grandmother: Susie, 4/4, from Amador County, CA.

- Annie (Howdy) Oliver identified her ancestry as follows:

Father: Sam Howdy, tribe of Amador County, CA., 1/2

Mother: Betty Howdy, tribe of Amador County, CA., 4/4

Paternal grandfather: Peter Howdy, white man  
 Paternal grandmother: unknown  
 Maternal grandfather: Peter, 4/4  
 Maternal grandmother: Mollie, 4/4

[Note: Louis Oliver did not appear on the 1900, 1910, or 1920 Census of Amador County, CA. His wife, Annie (Howdy) Oliver's parents apparend on the 1900 Census of Amador County, CA.]

?	2957	Bacigalupe, Joseph Head	M 55	5-19-1873	1/2
		Jackson, CA., "Does not live on trust land."			
	2958	Bacigalupe, Georgianna Wife	F 57	3-15-1871	1/2
	2958	Daneils, Virgil	Adopted son M 20	12-19-1908	3/4

- Joseph Bacigalupe lived in May, 1929, at Jackson, CA.
- Bacigalupe's wife's maiden name was Georgianna Howard, 3-15-1871, Amador County tribe
- Bacilagupe gave his ancestry as follows:

Father: Paul Bacigalupe, Italian, died long ago  
 Mother: Sallie, Calavaras County, CA., tribe, 4/4, died long ago

- Georgianna Bacigalupe gave her ancestry as follows:

Father: George Howard, white, died long ago  
 Mother: Mollie, 4/4, unknown tribe, died long ago  
 Paternal grandparents: unknown  
 Maternal grandmother: Eunie ? 4/4

- Georgianna adopted Virgil Daniels, son of Louis Daniels and son of Ida Blackwell, 4/4 Indian, deceased. He is no-relation but has been raised since age 6.

[Note: Joe Bacagalupi, age 42, was enumerated in 1910 as the son-in-law of Sally Yellowjacket, at Jackson, Amador County, CA. In 1920 Joe and Georgiana Baciagalupi lived in Township 1, Amador County, CA.]

16338	7303	Rey, Cleve	Head	M 41	2-28-1887	1/2
		Tribe unknown, Eldorado County, CA. Never allotted RFD, Box 152, Elk Grove, Sacramento County, CA.				
		[This family stamped "Auburn Rancheria Plan" by names]				
16339	7304	Rey, Josephine	Wife	F 33	9-28-1895	4/4
		Tribe unknown, Amador County, CA.				

16340	7303	Rey, Audrey L. ["Taylor"]	Dau	F	16	11-7-1912	3/4
		Tribe unknown, Amador County, CA.					
16341	7303	Rey, Cecil B.	Son	M	14	8-7-1914	3/4
		Tribe unknown, Amador County, CA.					
16342	7303	Rey, Agnes B. ["Williams"]	Dau	F	12	2-23-1916	3/4
		Tribe unknown, Amador County, CA.					
16343	7303	Rey, Eunice B. ["Jordan"]	Dau	F	10	5-24-1918	3/4
		Tribe unknown, Amador County, CA.					
16344	7303	Rey, Blanche E. ["Leggett"]	Dau	F	9	11-20-1919	3/4
		Tribe unknown, Amador County, CA.					
16345	7303	Rey, Loraine I. ["Rey"]	Dau	F	5	8-24-1923	3/4
		Tribe unknown, Amador County, CA.					
16346	7303	Rey, Donald S.	Son	M	2	6-29-1926	3/4
		Tribe unknown, Amador County, CA.					

[Note: Cleveland Ray was not enumerated in Amador County in 1900 or 1910, but he and his family appeared on the Population Schedule in 1920, Amador County, CA.]

**Observations:**

When executing affidavits in May, 1929, to participate in the California Indian land claims judgment fund, these Indians of Amador County were unable to identify the names of the tribes from which they were descended, the names chiefs or headmen of the tribes, or the unratified treaty of 1851 for the lands subject to the litigation that was of potential benefit to them.

The affidavits state over and over that the tribe of mother, father, and grandparents was "unknown." These affidavits thus confirm that there was no sense of tribal political or social community in 1929. These people, of Indian descent, did not know their tribal identity. Yet, this population is identified as a continuing lone Band maintaining a tribal government-to-government with the United States. In fact, it was a population of diverse Indian descent which was unable to identify in affidavits any elements of tribal existence upon which some claim to historic ownership of tribal lands could be based. Absent such evidence, there can be no historical lands and, thus, nothing to restore to the modern lone Band.

These observations in no way are intended to challenge the current tribal recognition of the lone Band. There are provisions in the Indian Reorganization Act of 1934 which permit recognition of Indian groups under certain circumstances even though they might not otherwise qualify as a "tribe" in the ethnohistoric sense of that word. However, an IRA recognition after enactment of the IRA in 1934 does not necessarily equate to recognition of a tribe which can claim previous ownership of "tribal" lands. That would pertain only to a tribe

which existed historically as a functioning tribe.

The 1929 affidavits—linked to the “1915 Census of Lone and Vicinity”—further confirm the dispersed residency of this population. The following were listed as places of residency:

- Elk Grove, Sacramento County, CA.
- Galt, Sacramento County, CA.
- Sheldon, Sacramento County, CA.
- Wilton, Sacramento County, CA.
- Dunlop, Fresno County, CA.
- Newcastle, Placer County, CA.
- Carbondale, Amador County, CA.
- lone, Amador County, CA.
- Oleta, Amador County, CA.

There was no single tribal place identification. Again, the facts of historic residency confirm that the Indians of Amador County in 1915 were homeless Indians without any tribal structure or identification.



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