



1-17-1853

Claim of Patrick Ford for Losses by Klamath Indians, 1853

Patrick Ford

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Recommended Citation

Ford, Patrick, "Claim of Patrick Ford for Losses by Klamath Indians, 1853" (1853). *Gold Rush Life*. 43.
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State of California
County of San Francisco

Before me Alexander
G. Abell, a Notary Public duly commissioned
and sworn in and for the above named County
and authorised to administer oaths, this day per-
-sonally appeared Patrick Ford, who being sworn
according to law, declares and says that the
statement subscribed by him and hereto
annexed by a blue ribbon which was made by
him before an acting Justice of the Peace in the
County of Klamath or Shasta is true and
correct in all its important particulars.

Witness my hand and Notarial
seal at the City of San Francisco
County and State aforesaid, this
seventeenth day of January A.
One thousand Eight hundred
and fifty three

Signed Alex^r. G. Abell
Notary Public

Seal

A.

Schedule of the property lost by Ford Penny
and Howard on or about the 17th day of June
A. D. 1851

Money in Gold dust		800.00
8 mules Value 160 each		1280.00
1200 lbs Flour	1¢	1200.00
300 lbs Pork	"	300.00
250 " Beans	"	250.00
50 " Salt	"	50.00
8 " Tea	3¢	24.00
200 " Sugar	1¢	200.00
25 " Coffee	1¢	25.00
50 " Rice	1¢	50.00
4 " Saleratus	2¢	8.00
5 " Pepper	3¢	15.00
30 " d. Apples	1 1/2¢	75.00
10 " Nails	2¢	20.00
6 papers tacks	1 1/2¢	10.00
6 fine 4 Riding Corubs		10.00
6 Buckets	5¢	30.00
1 Axe		16.00
13 lbs Soap	1 1/2¢	22.50
32 " Candles	1 1/2¢	48.00
Carpenters Tools plain saw &c		32.00
2 pr Blankets	16¢	32.00
3 " " "	"	48.00
3 " " "	"	48.00
3 " Pants	10¢	30.00

9 Shirts	4¢	36.00
3 Coats	25	75.00
3 pr Shoes	8¢	24.00
6 " Socks	2¢	12.00
2 Rifles	50¢	100.00
1 large Colts Revolver		100.00
Saddles lash ropes &c		200.00
8 lbs lead	2¢	16.00
4 " Powder	8	32.00
800 pr Caps.	2¢	16.00
3 gold washing machines	50¢	150.00
7 Shovels	16¢	112.00
8 Picks	8	64.00
8 Washing pans	5¢	40.00
Trawl for long Tom		30.00
1 set gold scales and Wts		30.00
1 pr Balances		8.00
Cooking Utensils knives forks &c		76.00
1 large wall Tent		80.00
		<hr/>
		\$6064.00

(signed) Patrick Ford & Co

Sworn and subscribed to before me an acting justice
of the peace in and for the County of Shasta this
18th day of November A. D. 1851

(signed) W. H. Appleton, J. P.

Department of the Interior
Office Indian Affairs

June 2nd 1839.

I, A. B. Greenwood, Commissioner of Indian Affairs, do hereby certify that the foregoing petition and Schedule marked (A) signed each by Patrick Ford & Co., together with the certificate of W. H. Appleton, J. P. are true copies of the originals now on file in this Office.

A. B. Greenwood
Commissioner

I, Moses Kelly, Acting Secretary of the Interior do hereby certify that A. B. Greenwood, who signed the above certificate was at the date thereof Commissioner of Indian Affairs, and that his acts as such, are entitled to full credit.

Given under my hand and the Seal of the Department of the Interior of U. S. of America, this 2^d day of June A. D. One thousand eight hundred and fifty nine.

Moses Kelly
Acting Secretary of the Interior.






Exhibit A

To the Honorable the Superintendent of Indian
Affairs for the United States and through him
to the Congress of the United States of America.

Sir & Gentlemen

Your Petitioners
Patrick Ford formerly of the State of New York
Alexander Penny formerly of the State of New
Jersey Deceased by his Agent & Partner Patrick
Ford and Chas. _____ formerly of Long Island
State of New York would respectfully repre-
sent to your Honor and Honorable body that
whilst pursuing their avocation of Miners &
Packers peaceably and on a new Rout up the
Klamath River to the Mining Regions of
Scotts River and Shasta Plains they were
surprised and attacked by a party of Klamath
Indians of about Thirty in number and all the
property that they had amounting to the gross
sum of Six Thousand Dollars or thereabouts
as will more fully appear by reference to a
schedule herewith attached and marked A and
as will further appear by reference to the
written evidences in the hands of Col. W. C.
McCree U.S. Indian Agent or Commissioner
in the State of California and that three of

of the party were killed at the same time thereby rendering the situation of the remaining portion of the party perilous in the extreme, and also taking all the property that had been earned by their toil and sufferings in a wild and unknown region of Country leaving them destitute of all resources save that Physical power to labour granted them by Natures God much reduced by want of the provision Stolen from them by those Indians.

And they would further state that they were an Exploring party looking out for a suitable location in the Mining District to employ the men that were in their employ. And that by the loss of the property they sustained in loss and damages a large amount of money beyond that which would be reasonably supposed in any other Country or State save that of California but to be as near a reasonable amount as they can they place the whole amount of loss and damage at the sum of Ten Thousand dollars.

And whereas a treaty of peace has within a short time been made with the said Indians by Col. R. M. ^c Kee U.S. & C. for California your petitioners would Respectfully

and formerly ask you to consider and weigh well the whole of Statements set forth in this petition and in your judgment and justice allow their claim previous to the Ratification of said Treaty thereby rendering due justice to your petitioners and in no wise injuring our common Country but only taking (in the final adjustment of the Treaty) from those that wish us by retaliation might do but as Citizens of the United States and Law Abiding men we are not willing to do.

And would further state that this Depredation was committed on the Klamath River near the mouth of Indian Creek on or about the 17th day of June A.D. 1851 whilst there were only three persons killed in Camp and the balance of the party seven in number were at work some two or three miles below.

And further your petitioners would firmly but respectfully demand that justice be meted out to them.

And as in duty bound will ever pray and demand

Attest
W. O. Clarkson
Gov. M. H. Sur

Patrick Ford for
Self Penny & Homan

October "B"

State of California
County of Klamath }
Shasta } W.

Patrick Ford formerly of the City of New York, and for the last four years and seven months a resident of California, doth depose and say as follows, viz: That on or about the 14th day of June A.D. 1851 Alexander Perry, Charles Roman and myself were associated together as companions in carrying on mining operations on the Klamath River and other portions of the State of California. - That at that time we had in our employ seven hired men, to assist us in working the mines. - Their names as far as I can recollect were Barney Ray, Thomas Moore, John Harrison, George Wardell, Manuel Canuto and Andrew (Mexicans) and a Peruvian.

That having worked out the Bar called "Red Bar" on the Klamath River, about 25 miles above the mouth of Salmon Creek, we proceeded up the River in search of other diggings. - And that on about the 17th day of June 1851 we arrived at the mouth of Indian Creek, where we concluded to encamp for the day. - It was about 10 O'Clock in the morning when we commenced unloading our animals, consisting of eight mules and one mare. - After pitching our tent and unloading the animals, I told Ray, Moore & Perry to stay in camp, while I would go down on the other side of the river and with the other seven men prospect a bar that I thought would pay us to work it. - Eight Indians followed us down. - After crossing the river one of the Indians left the others, and went on ahead of us, the balance of them still followed us. - We came to the bar in a short time, and I set the men to work digging

and setting the cradles. - The seven Indians seated themselves on the ground in the vicinity of the place where we were at work. - While we were at work two white men named George Woods and Frank Munday came on the Bar followed by one or more Indians. - These two men asked us what our prospects were, meaning I suppose how much gold we were taking out, I told them to wait until I had washed ten buckets of dirt, which they did, and after seeing our gold they said they would go further up the river and prospect. I then told them to go to the Indian Rancheria, cross the river and go to my camp, where they would find three men Ray, Penny and Moore, and if they would stop all night with us, I would be glad to have them do so. - they then left the Bar all the Indians following them. - About two hours after this, Woods and Munday came back and told us that they believed something was wrong, and that they were afraid that the men we had left in Camp had been killed. - I told them that I did not think so, as they were all well armed and were very cautious men. - A few minutes after this conversation took place, an Indian unarmed came down on the bar and informed us by signs that some Indians had rode off with our animals and killed some of the men that I had left in Camp. - Mr. Woods wanted me to take this Indian prisoner, until I could ascertain whether he told the truth or not, I concluded to do so. - I then asked Mr. Woods to accompany me as far as my camp. - he consented. - The Indian and myself then started ahead of the others and when we got to the small creek he forded it much quicker than I did, and when I got up the bank on the other side of the creek the Indian was running very fast

and was then about one hundred yards ahead of me). I then stopped and waited for the balance of the men to come up, thinking it unsafe to approach the Rancheria alone, when the other men came up we went straight to the Rancheria and found it deserted, we could not find any canoe there, and we went further up the river until we came directly opposite to my Camp. I saw a canoe on the other side of the river, and I stripped off my clothes to swim across. I plunged into the water and was about half way across when I heard Penny cry out is that you boys; I then asked him if he was hurt, "he said yes I am all shot to pieces". I told him to wait a minute and I would be over, I swam the river and found Penny concealed in the brush at the waters edge, he had just crawled out of the water, where he told me he had been concealed about five hours, he was covered with blood and was unable to stand from the number of wounds on his head and other parts of his body, I set him down on the bank of the river and ran across the creek and went to the Camp. The tent was gone and all our provisions were strewn about the ground in the greatest confusion. Not finding either of the other two men (Ray or Moore) in Camp I ran down to the mouth of Indian Creek where I found a canoe alongside the bank, I took the canoe, crossed the Klamath River and brought all the men over on this side of the river, I then crossed Indian Creek and brought over Penny and placed him on the ground, I then enquired of Penny how the Camp was attacked, he gave the following account of it.

Immediately after you had left the Camp said he Ray, Moore & myself commenced scaling up our provisions and pitching in the tents, and

after we had got through this Moore took a pick,
pan and a shovel and said that he would go to
the lower end of the bar and prospect it. He started
off and that was the last I saw of Moore, Whilst
Ray and myself were resting ourselves after piling
up our provisions, four Indians came into the
tent and quite a number remained outside.
They seemed to be friendly at first, but after a while
one of those inside commenced talking in a
loud voice to those outside, I then thought there
was something wrong going on and started to go
outside, when one of the Indians from behind
struck me on the head with a hatchet, I did
not fall but staggered back a short distance.
Ray then seized a rifle and shot the Indian
who made the attack on me ^{through} the body, the
Indian fell dead across the door of the tent. Ray
then jumped out of the tent and commenced
beating the Indians with the butt of his gun.
While Ray was doing this I was unable to
assist him, from the pain of the severe wound
in my head which partially took away my
senses. I recovered sufficiently however to
seize a rifle from the tent and as I stepped
out of it to fire on the Indians, I received a
gun shot wound in the right thigh. Almost
at the same time an arrow passed through
my nose and I pulled it out on the other side
of my face just above the lower jaw bone. I
then called out to Ray but did not receive any
answer from him. I never saw him after-
wards. I had my rifle with me and I
staggered towards the creek, ran up the bank
on the other side and down through the bushes
to the Klammath river, where I remained until
I saw you about to swim across the river.

I then crawled up the bank where you found me." I then asked Perry if he knew where Barney Ray was. He said no but I think you will find him within one hundred yards of the Camp. - dead. - if you do not find him within that distance he may be still alive. - I then with the other men spread out on the bar to look for Ray, in three or four minutes George Woods and Wardell found Rays body about 60 or 70 paces from the Camp. We concluded to take Perry down to Woods's camp and then return and bury Ray. I borrowed a blanket of Mr. Munday and with some poles made a hand barrow on which we placed Perry and started for Mr. Woods's camp, about fourteen miles below on the river. - after we had got a mile or so from camp Messrs Woods and Munday said that they would go ahead and notify their companions below that we were coming. Mr. Woods said that he would send out a party on the following day to meet us, he advised us to encamp in the brush off the trail, we traveled until nine O'Clock and encamped that night in the brush, on the following morning we started pretty early and when within about four or five miles of Mr. Woods's Camp we met Mr. George Woods Mr. Charles Woods Messrs Southard Jeffries and Munday and two colored men two of the white men and the two colored men took hold of the barrow and carried Mr. Perry into Mr. Woods's camp. - we made Mr. Perry as comfortable as we could and left him in charge of Mr. Charles Woods. - I think one or two other persons remained to assist Mr. Woods all the other men returned with me to look after Mr. Moore and to bury Barney Ray. - we buried

Ray, but after searching some time for Moore we returned to Mr Woods camp that night, I remained with Penny until he died, which occurred on the ninth day after the attack. -

I have since seen the grave of Mr. Moore, his body was found by a party of miners, some time in the latter part of June, and they buried him on the spot where they found him. -

Alexander Penny was a native of Scotland he was a naturalized citizen of the United States and has a father residing in Elizabeth Port New Jersey. -

Barney Ray was an Irishman by birth he was a resident of California for seven or eight years and has a family living in Providence Rhode Island. -

Thomas Moore was a native of Belfast Ireland. a naturalized Citizen of the United States, his friends reside in the State of Mississippi, Ray was about 32 years of age, Moore about 30 and Penny about 25 years old. -

(Signed) Patrick C Ford.

Sworn and subscribed to }
before me an acting Justice }
of the Peace in and for Shasta }
County the 19th day of Feb'y A.D. 1852 }
(Signed) Whipple J. P.

To the honorable Thos Findley
Mabony and N. C. Kilbe. Board
of Examiners for the adjustment of Claims
against the State of California for losses
sustained, by the depredations of the
Indians in the County of Klamath &

Your petitioner Patrick Ford begs leave
to represent unto your honorable
Board that in the year 1851 himself
& partners Alex Percy and Chas
suffered heavy losses to wit:
about the sum of 10064\$ in consequence
of an attack made upon them in said
County of Klamath. For the full particu-
lars of which & of the losses sustained
he begs leave to refer you to his petition
to the Superintendent of Indian Affairs
at Washington City, and now on
file in his office, a copy of which
properly certified by that Department
is herewith filed marked exhibit A
and asked to be made a part of this
his petition. Your petitioner further
represents that he is justly entitled to
said sum of money under the Statute of
this State and asks that he may be
allowed to lay before your honorable
Board the proofs to sustain the same
and that upon said hearing he may
have justice done him in the pre-
miss & he will ever pray &c

Patrick Ford

Exhibit A

To the Honorable Superintendent of Indian Affairs for the United States and through him to the Congress of the United States of America.

Sir & Gentlemen,

Your petitioners Patrick Ford formerly of the State of New York Alexander Penny formerly of the State of New Jersey Deceased by his agent & Partner Patrick Ford and Chas. formerly of Long Island State of New York would respectfully represent to your Honor and Honorable body that whilst pursuing the avocation of Miners & Packers peaceably and on a new Rout up the Klamath River to the Mining Regions of Scotts River and Shasta Plains they were surprised and attacked by a party of Klamath Indians of about thirty in number and all the property that they had amounting to the gross sum of Six Thousand Dollars or there abouts as will more fully appear by reference to a schedule herewith attached and marked A and will further appear by reference to the written evidence in the hands of Col. R. McKee U.S. Indian Agent or Commissioner for the State of California and that three of the party were killed at the same time thereby rendering the situation of the remaining portion of the party perilous in the extreme, and also taking all the property that had been earned by their toil and sufferings in a wild and unknown region of Country leaving them destitute of all resources save the Physical power to labour granted them by Nature's God much reduced by want of the provisions Stolen from them by those Indians...