



GRASS VALLEY

Historical Commission Meeting

Tuesday, September 09, 2025 at 3:00 PM

Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California

Telephone: (530) 274-4310 - Fax: (530) 274-4399

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

AGENDA

Any person with a disability who requires accommodations to participate in this meeting should telephone the City Clerk's office at (530)274-4390, at least 48 hours prior to the meeting to make a request for a disability related modification or accommodation.

MEETING NOTICE

Historical Commission welcomes you to attend the meetings electronically or in person at the City Hall Council Chambers, located at 125 E. Main St., Grass Valley, CA 95945. Regular Meetings are scheduled at 4:00 p.m. on the 2nd Tuesday of each month. Your interest is encouraged and appreciated.

Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 9 am. Comments received after that will be addressed during the item and/or at the end of the meeting. The commission will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.

Agenda materials, staff reports, and background information related to regular agenda items are available on the City's website: www.cityofgrassvalley.com. Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet will be made available on the City of Grass Valley website at www.cityofgrassvalley.com, subject to City staff's ability to post the documents before the meeting.

Please note, individuals who disrupt, disturb, impede, or render infeasible the orderly conduct of a meeting will receive one warning that, if they do not cease such behavior, they may be removed from the meeting. The chair has authority to order individuals removed if they do not cease their disruptive behavior following this warning. No warning is required before an individual is removed if that individual engages in a use of force or makes a true threat of force. (Gov. Code, § 54957.95.)

Council Chambers are wheelchair accessible and listening devices are available. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting by calling (530) 274-4390, we are happy to accommodate.

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of the minutes of August 12th

PUBLIC COMMENT - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 3pm. Comments received after 3pm will be addressed during the item and/or at the end of the meeting. Historical Commission will have the option to modify their action on items based on comments received. Action may be taken on any agenda item. There is a time limitation of three minutes per person for all emailed, voicemail, or in person comments, and only one type of public comment per person. For any items not on the agenda, and within the jurisdiction or interest of the City, please come to the podium at this time. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item is announced. When recognized, please begin by providing your name and address for the record (optional).*

ANNOUNCEMENTS

STAFF AGENDA ITEMS

COMMISSION AGENDA ITEMS

2. Approval of date change for the November 11th meeting
3. Recommendation to City Council regarding development within the 1872 townsite
4. Audio Walking Tours-- Guests: Lisa Redfern and Rose Murphy
5. Update on Walking Tour
6. Update on History Day
7. Update on Lake Olympia Property
8. Submittal of Historical Award Nominee
9. Finalization of Citizen Star QR Information
10. Further discussion on East Main St. Roundabout Art
11. Recommendation for Historic Art at the So. Auburn Roundabout
12. Final Selection of Mill St. Banner Names and Places for Recommendation to City Council
13. Update on Railroad Trestle in Loma Rica
14. October report to City Council

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a meeting of a Historical Commission, scheduled for Tuesday, September 9, 2025, at 3:00 p.m., was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, September 5, 2025.

Taylor Whittingslow, City Clerk

Grass Valley Historical Commission

Minutes of Tuesday, August 12, 2025

Commissioners Present: Savelli, McAteer, Reilly and Poston

The meeting was called to order by Chair McAteer at 3:00 pm

Approval of the July 8th minutes: Poston moved and Reilly seconded. Unanimously adopted.

Public Comment: none

Discussion portion of the agenda:

1. McAteer and Poston attended the recent Landmarks Commission meeting and discussed that they are willing to co-host the History Day event. Kathy Hillis is heading-up the project.
2. McAteer noted the July walking tour had 38 in attendance and raised \$99. McAteer will be leading the September tour.
3. The Lake Olympia project is in the hands of Mr. Kiser who is calling a meeting with all parties to be present in the near future.
4. The Commission discussed our application for the new Historic Award guidelines and the completion of the application to be submitted in September.
5. The Citizen's Star Award area is going to be included in the QR code portion of the walking tour.
6. Banner Project: Commissioners agreed to a homework assignment of identifying additional people and additional sites for our banner project. Completion of the banner list will be completed at our September meeting. A public member, Jeanne, urged us to seek more diversity in our selection.
7. Commissioners spent a good deal of time on the walking tour. Commissioners Poston and Reilly met multiple times to narrow down the list of sites. Commissioners are asked to narrow the selection to 18 sites. Furthermore, the Commission chatted about constructing kiosks to "advertise" history and especially, the walking tour.
8. The Commissioners agreed to seek Council approval for recognizing the art installation on the roundabout on East Main St. The Commission will help solidify the plan at the September meeting. Commissioners also suggested the "Miner" statue from downtown be placed in the planned roundabout at South Auburn St.

The meeting was adjourned at 4:50 pm

Next scheduled meeting is Tuesday, September 12th at 3 pm.



Terence McAteer <termcateer@gmail.com>

Fw: Letter to Grass Valley Historical Commission

2 messages

Gage McKinney <gagemckinney@sbcglobal.net>

Sun, Aug 24, 2025
at 11:39 AM

To: "termcateer@gmail.com" <termcateer@gmail.com>

Dear Terry, below is a list of Grass Valley people I sent to Teresa. This is a great initiative. Let me know how I can support it. Best,
Gage

----- Forwarded Message -----

From: Gage McKinney <gagemckinney@sbcglobal.net>

To: Chauncey & Teresa Poston <poston-poston@sbcglobal.net>

Sent: Sunday, August 24, 2025 at 11:29:43 AM PDT

Subject: Re: Letter to Grass Valley Historical Commission

Hi, Teresa

I think Terry has a good approach in wanting to recognize Grass Valley folks. Everyone on my list lives or lived in Grass Valley, with the exception of Dave Comstock, who lived in You Bet. Please let me know if I can be of any help in this project. Best to you, Gage

David A. Comstock (lived in You Bet and now Santa Rosa. All others below lived in Grass Valley)

Philanthropist Bernice Glasson

Archivist Pat Chesnut

Singer & music director Eliza Prisk

Cornish choir director Harold J. George

Item # 12.

- ✕ Writer & humorist Alonzo Delano (A)
- ✕ Newspaper editor Edmund Kinyon (3)
- ✕ Miner & assayer Melville Attwood (C)
- ✕ Miner and philanthropist Errol MacBoyle (D)
- ✕ Gold mining genius George Starr (E)

Thank you all for your service to our community and best wishes for your ongoing efforts. You can count on my support.

Very truly yours, Gage

Charles Cully

(F)

Chauncey & Teresa Poston <poston-poston@sbcglobal.net>

Sun, Aug 24, 2025 at 11:46 AM

Reply-To: Chauncey & Teresa Poston <poston-poston@sbcglobal.net>

To: Terence McAteer <termcateer@gmail.com>

Hi Terry,
Please see Gage's note regarding GV residency.
Teresa

[Quoted text hidden]



WIKIPEDIA
The Free Encyclopedia

Item # 12.



Alonzo Delano

Alonzo Delano



Born

July 2, 1806

Aurora, New York U.S.

Died

September 8, 1874 (aged 68)

Grass Valley, California, U.S.

| | |
|----------------------|---|
| Pen name | Old Block |
| Occupation | Humorist |
| Nationality | American |
| Genre | Historical fiction, <u>travel literature</u> , satire, <u>social commentary</u> , <u>newspaper column</u> |
| Notable works | <i>Life on the Plains and Among the Diggings</i> |
| Spouse | Mary Burt; Maria Harmon |
| Children | Fred; Harriet |

Alonzo Delano (July 2, 1806 - September 8, 1874), who went by the pen name "Old Block", was an American humorist, pioneer town city father, and a California Gold Rush Forty-niner. Delano's sketches of gold rush camp life rivaled Bret Harte and Mark Twain in popularity.^[1]

Early life

Delano was born in Aurora, New York. His father, Dr. Frederick Delano, a physician, was an early settler of the town.^[2] Delano had ten siblings.^[3] The family descended

from French Huguenots. His great-great-grandfat^{Item # 12.} Phillipe de la Noye, was also the great-great-great-great-grandfather of U.S. President Franklin Delano Roosevelt.

Career

He left school when he was young, and started working at age fifteen. His work as an itinerant merchant took him to frontier communities in Ohio and Indiana. By 1848, Delano had relocated his family to Ottawa, Illinois where he worked as a merchant selling bank stocks, flour, lard, silk, and whiskey,^[4] while becoming a well-respected community leader.^[3]

He became ill that year with consumption, and following his physician's orders for a change of residence and more exertion, Delano decided to head west to California. Before departing, he made arrangements to send correspondence to the publishers of two newspapers, the *Ottawa Free Trader* and *True Delta* in New Orleans. At the age of 42, and being sick, he shipped his belongings, including cattle, to join the Dayton Company of travelers in St. Joseph, Missouri, the rendezvous point. His first week traveling was spent delirious with fever. He did not see his family again for six years.^[3]

Kinyon's style developed over a long life and writing career. He was born in Minnesota in 1864, the year The Union began publishing and Sherman's army slashed across Georgia. He lived to describe the dropping of the atomic bomb and ponder its meaning.

This long-lived man had been educated in a country schoolhouse and through books he borrowed from his Sunday school teacher. When his family migrated to Kansas, his father and older brothers drove the wagon and livestock while he shepherded the sheep across the prairie.

After his family settled in Kansas, Edmund escaped what he called “the hard-bitten farm.” He was among the last generation of boys who got a higher education in a country newspaper office. As a printer’s devil he sat on a high stool learning to set type. Later he gathered news and wrote stories.

Like other boys in print shops, Kinyon aspired to own a newspaper. By age 30 he was editor-publisher of the Gypsum, Kan. Advocate. He wanted more and took a job with the Salina Times, where he rose to the city editor’s desk in a prospering town at a crossroads on the plains.

Having achieved position he looked for a wife. He married Margaret May Pitzer, a graduate of Wesleyan College, a cultivated girl with a soprano voice. The Kinyons had two children, and a third who died at birth. They settled in Yates Center, Kan., a county seat with a courthouse square, where Kinyon purchased the newspaper. But that paper failed and Kinyon left his family to find work.

He spent the next decade in the Southwest as an itinerant journalist and freelance writer. He had a succession of interim jobs, editing newspapers from El Paso to Tucson. He described the region in articles for national

magazines, including Scientific American. He filed stories for the Associated Press. He tried fiction, writing adventure stories for boys.

While working in El Paso, Kinyon received a tip that a man who planned to become the next president of Mexico was secluded in a nearby hotel. "Straight away I sought him out," Kinyon wrote. He interviewed Francisco Madero in his room, surrounded by a contingent of armed and desperate-looking men. What followed was the earliest account of Madero's dream to bring American-style democracy to Mexico, by the ballot if possible or by force if necessary. Later, with Poncha Villa by his side, Madero rode into Mexico

City to claim the reins of power, setting off events that convulsed Mexico for years and led to an American invasion.

When Kinyon's article appeared on front pages across the country, it drew the attention of two newspapermen in California. William and Charles Prisk were brothers who had begun their careers as paperboys for The Union. Eventually they owned The Union as well as daily papers in Pasadena and Long Beach. They offered Kinyon an editor's job in Grass Valley and he accepted, having never seen the place.

From his years in the Southwest Kinyon knew mining camps. So in early 1911 when he stepped down from the Nevada County

Narrow Gauge Railroad and walked into town, he was surprised. He had never seen so prosperous a mining camp with schools, churches and well-stocked stores. Here was a place where his wife could rejoin him, and she did.

Kinyon regularly called Grass Valley “this glorified mining camp.” “Soon after my arrival here in 1911,” he recalled, “I was disturbed by the rumor that the local gold mines were ‘on their last legs.’ Later I was in a measure reassured by learning from the files that 50 years previously ‘Old Block’ (A. Delano, an early literary figure) had hired a hall to deliver a lecture in refutation of the same rumor.”

Kinyon arrived in California in the Progressive Era and reported Hiram Johnson's election as governor. He wrote about the local impact of the First World War when the families of servicemen hung stars in their windows. He honestly reported the 1918-19 flu epidemic when other papers didn't for fear of causing panic. He wrote about Prohibition and the excitement of the 1920s when a young generation abandoned the foothills for the cities.

Throughout his tenure Kinyon was never content to sit in an editor's chair. He ranged widely as a reporter himself, wrote regional stories and traveled to every corner of the

county. He would return late to the office, a solitary figure, pounding out a story on his loved old typewriter with its bent keys.

Yet he had a rapport with his readers that was evident in 1930 when he began writing a weekly column, "Observations ... and ... Experiences." It was his way of countering "the interminable depression complex which has fastened itself upon the people." He wrote about topics that interested him and his readers, such as the Forest Service's work in the Sierra, irrigation projects in Nevada County and the 1934 waterfront strike in San Francisco.

The column his readers loved best showed Kinyon's historical bent. He often left the editorial room to saunter down some trail where he could find an old timer who knew about a shooting or a gold strike that almost everyone else had forgotten. He liked to talk to old men who had served in the Civil War and wrote about one who remembered hearing Lincoln at Gettysburg.

When the United States entered World War II, Kinyon put off retirement. As his young reporters left for the service, he stayed at his desk. He saw his readers through another perilous time, reminding them that the country had come through harrowing times before.

discovered in the area. I may, however, recall attention to the Merton Boulder, which lies on the estate of Lord Walsingham, at Merton, in Norfolk. This boulder is regarded by Mr. Whitaker as Neocomian Sandstone, and it measures 12×5 feet, but being partly under water its thickness could not be ascertained. (See F. J. Bennett, "Geology of Attleborough, Watton, and Wymondham," Geol. Survey Memoir, p. 10.) A more particular account of the Spilsby Sandstone has been given by Mr. A. Strahan, who refers to its tendency to weather into a loose sand in which great blocks of the unweathered rock remain here and there. Hence during the Glacial Period a number of ready-made boulders could have been obtained from the formation. Such blocks have, indeed, been recorded from the Drift in various parts of Suffolk, and some of them have yielded Brachiopoda regarded as Neocomian by W. Keeping and Davidson. (See Strahan, in "Geology of the Country around Lincoln," p. 88.)

H. B. WOODWARD.

THE LLANBERIS UNCONFORMITY.

SIR,—The courteous letter, which you publish from Professor Bonney in your June number, calls for only two remarks. (1) I am not aware that Professor Bonney has in any case tried to find out *for himself* whether any stratigraphical statement of mine is fact or fancy. (2) To have once silenced a gun is not to take the fort. How many of the ship's guns are still in action?

J. F. BLAKE.

OBITUARY.

MELVILLE ATTWOOD, F.G.S.

BORN JULY 31, 1812.

DIED APRIL 23, 1898.

MELVILLE ATTWOOD was born at Prescott Hall, Old Swinford, Worcestershire, on July 31, 1812, and educated at Mathew Gibson's Academy, Tranmere, Cheshire, and afterwards studied at the Chemical Laboratory of Messrs. Watson and Pim, of Liverpool.

When quite a young man he was sent out to the Gold and Diamond Mines in Brazil, where he remained some years; on his return to England he leased and worked the celebrated Old Ecton Copper Mine in Derbyshire, and was engaged in mining and metallurgical works in the North of England and Staffordshire, and in 1843 he gave zinc a commercial value by successfully rolling the first English spelter. On the 15th October, 1839, he married Jane Alice Forbes, the sister of the late Professor Edward Forbes and of David Forbes, F.R.S., but in 1852, his wife's health becoming critical, he disposed of his interests and sailed for California, hoping that the change might benefit her; at the same time he accepted the position of manager to the Agua Fria Gold Quartz Company (in California), and in 1853 constructed at Grass Valley the first gold-mill in that country, for which he received a vote of thanks and a medal from the State of California.

He invented many appliances for the extraction of gold, also scientific instruments, and the "Attwood amalgamator" has been in general use in California and elsewhere for more than forty years.

In 1859 he made the first assays and analyses of the ores from the celebrated Comstock Gold and Silver Vein; and it was through him that the great riches of the above vein were made known to the world.

For the last twenty-five years nearly all his spare moments were given to microscopic work; he prepared his own specimens, and he leaves behind him a most valuable collection of minerals and microscopic slides. He was an intimate and esteemed friend of the late Sir Warrington Smyth, Dr. John Percy, John Arthur Phillips, F.R.S., and other well-known scientific men.

He was able to practise his profession of consulting mining engineer until within a few weeks of his death, which took place at Berkeley, near San Francisco, California, on April 23, 1898, in his eighty-sixth year. His practical experience in gold-mining extended for a period of seventy years, as he was in the Brazilian gold-mines before he reached the age of seventeen.

He was a Fellow of the Geological Society, a Member of the Academy of Sciences (California), California State Geological Society, and the San Francisco Microscopical Society. The members of the last-mentioned Society attended in a body the funeral on April 26, with numerous old-time friends.

His contributions to the California Mining Bureau and scientific papers and magazines were numerous. The following is a list of some of his principal writings:—

- "On the Milling of Auriferous Vein Stones," August 1, 1878: California State Geological Society.
- "Mineralization of Gold," August 20, 1878: California State Geological Society.
- "On an Improved Form of Batéa," August 20, 1878: California State Geological Society.
- "Wall Rocks of the Bodie Auriferous Lodes," March 4, 1879: California State Geological Society.
- "Rough Notes on the Geology of Bodie, illustrating the two ages of Gold," June 13, 1881: San Francisco Microscopical Society.
- "On the Milling of Gold Quartz," August 20, 1881: California State Geological Society.
- "On the Milling of Gold Quartz," sequel to above paper, 1882: California State Mining Bureau.
- "A simple Working Test for determining the quantity of Gold mechanically combined with Auriferous Vein Matter": California State Mining Bureau.
- "Gongo Soco Mine," 1896: San Francisco Microscopical Society.
- "Macroscopical Examination," February 14, 1897: San Francisco Call.
- "Mineralogy," 1897: San Francisco Microscopical Society.

GEORGE ATTWOOD.

Errol MacBoyle (1880–1949) put magic in the name “Loma Rica.” He was a University of California at Berkeley-trained mining engineer who took over the Idaho-Maryland Mine in 1925 and became very wealthy when a rich vein of gold was discovered. Just in time for the Great Depression of the 1930s, he created more than 1,000 mining jobs. He also created jobs for migrants and high school and college students. He eventually owned the mine’s surface property, including the Loma Rica Ranch and adjacent orchards, ranches and timberland.

The Loma Rica name grew famous after MacBoyle’s draft horses, short-horned cattle and wines won ribbons at county, state and

world fairs. His thoroughbred horses, with “gold” in their names and wearing Loma Rica blue-and-gold, won on every professional track in California.

The real story of Errol MacBoyle is a story of giving. MacBoyle worked with state agencies to make Loma Rica a model of conservation. He outfitted a Lockheed Electra to serve as an air ambulance and founded our local Nevada County Airport. With his friend, Dr. Carl P. Jones, he founded the hospital now known as the Sierra Nevada Memorial Hospital. He gave the hospital its original land in the midst of a pear orchard, and after his death, his widow gave the hospital its present location on Spring Hill Drive.

Many miners in MacBoyle's Idaho-Maryland Mine were sons and grandsons of Cornish immigrants to Nevada County during the Gold Rush. The 40-member Grass Valley Male Voice Choir is the direct descendant of Cornish miners men's choirs that sang in Grass Valley for more than 90 years.

An effort is underway locally to honor MacBoyle's contributions to Nevada County. To support that remembrance, a free will donation basket will be passed at the concert.

[Learn more about your privacy options](#)



Gold Miner's Biography Recounts Racism

by **Gage McKinney**

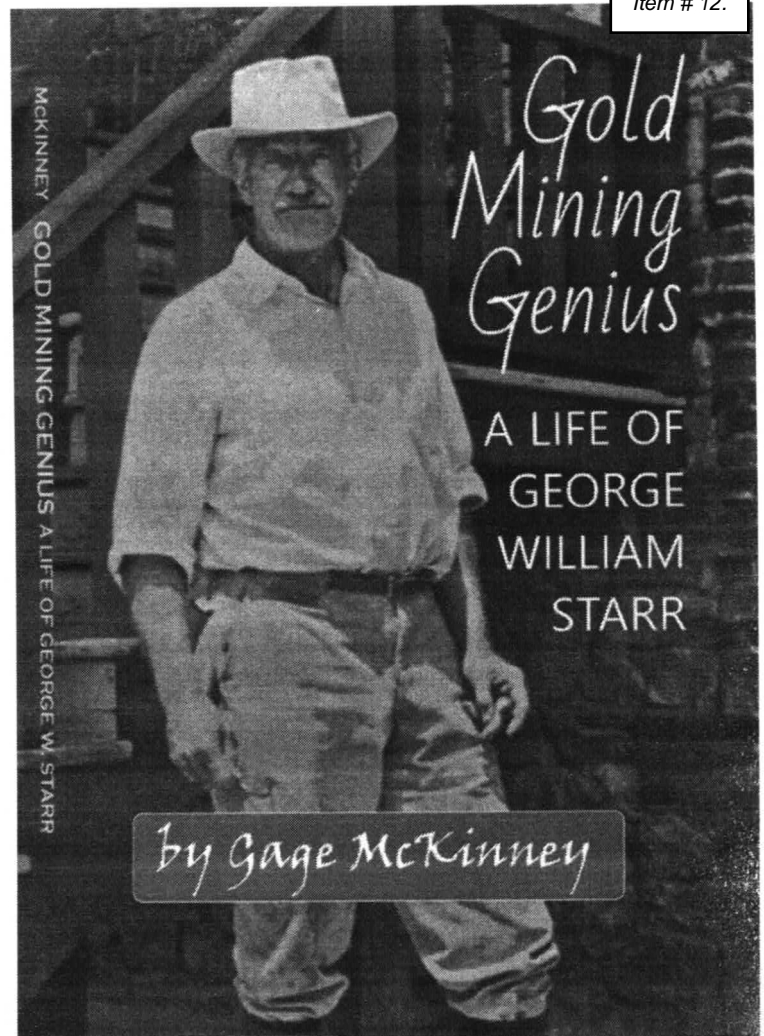
Published on: December 9, 2020

December 9, 2020 – *Gold Mining Genius: A Life of George W. Starr*, a new book by historian Gage McKinney, tells the story of a prominent gold miner and along the way reveals the relationship between labor relations and racism in the Nevada County gold mines.

In the book, McKinney describes the role played by Empire mine managing director George Starr during mining strikes in the early 20th century. McKinney details the conflicts between owners and workers and how each side accommodated the other in the interest of maintaining production. Both sides tacitly

agreed that Chinese and African Americans wouldn't work underground.

McKinney describes the experience of the Chinese in mining and construction, and explains how black miners worked certain local mines in the early years of industrialization. Later this experience counted for nothing. As a consequence of their exclusion from industrial mines, the Chinese and blacks sought other work and a once-thriving black community in Grass Valley disappeared.



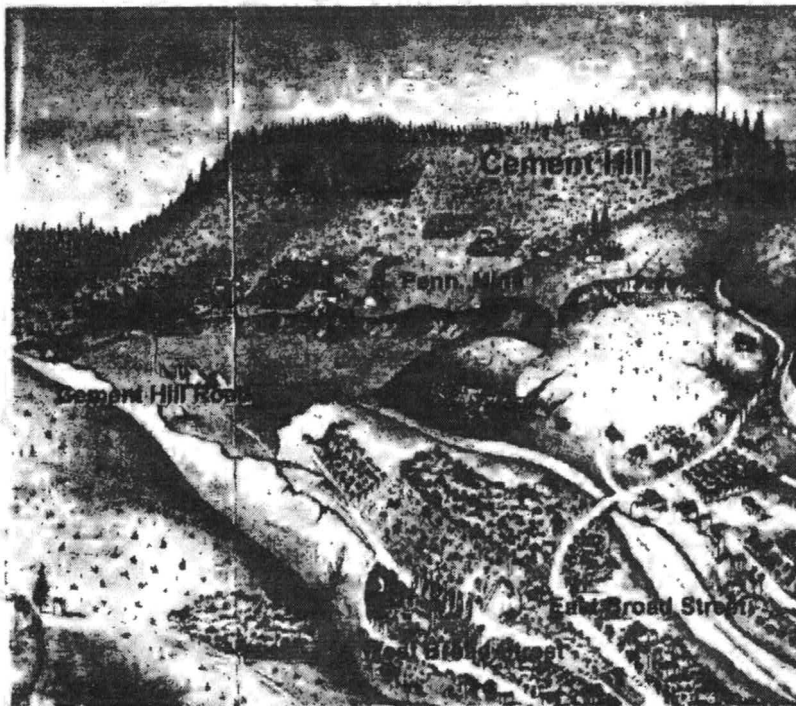
The book primarily describes the life of George Starr (1862 – 1940), who was orphaned at 11 after his father abandoned him and his mother died. After starting as a mucker, he rose to manage the Empire mine, owned by his wealthy cousin, William Bourn. During one period, Starr also managed a multi-racial workforce in the South Africa gold fields, including thousands

Federal Recognition of the Rancheria

The Cully Homestead Grant

Of these many Indian camps, only the Nisenan of Nevada City received federal recognition. The story of how this happened is curious, for the location of the rancheria was a heavily-mined area, honeycombed with tunnels for lode and placer mining and laced with legal claims for surface and subsurface rights. In 1891, an Indian named Charles Cully made a permanent claim to land below Cement Hill under the terms of the Dawes Act of 1887, which allowed homeless, non-reservation Indians to apply for homestead allotments.

During the 1860s, historical occupation of the "Indian Flat" area along Indian Flat road was made impossible by hydraulic mining as graphically revealed by the **1871 Birdseye view lithograph of Nevada City** (below): A roughly triangular area southwest of Sugar Loaf Mountain from Coyote Hill east through Wet Hill shows radical erosion.

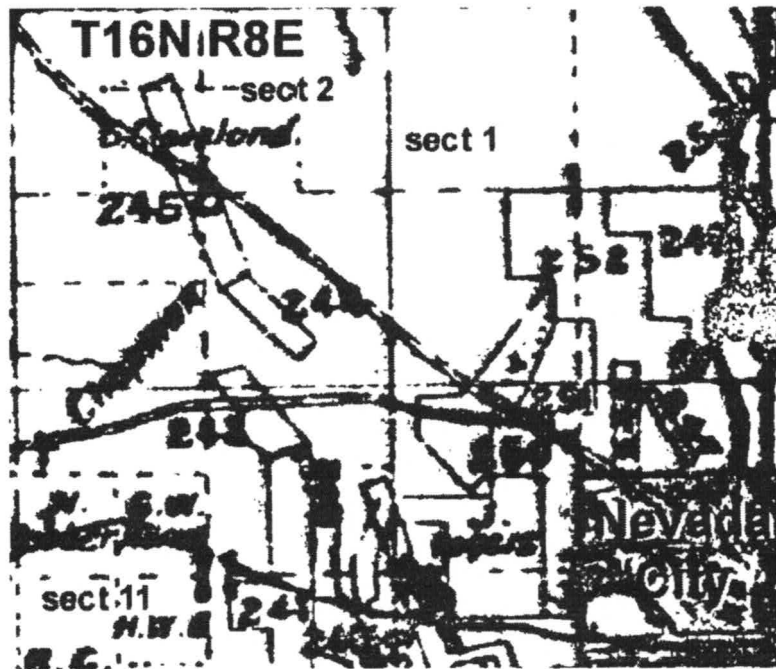


*1871
View
of
area
northwest
of
Nevada
City*

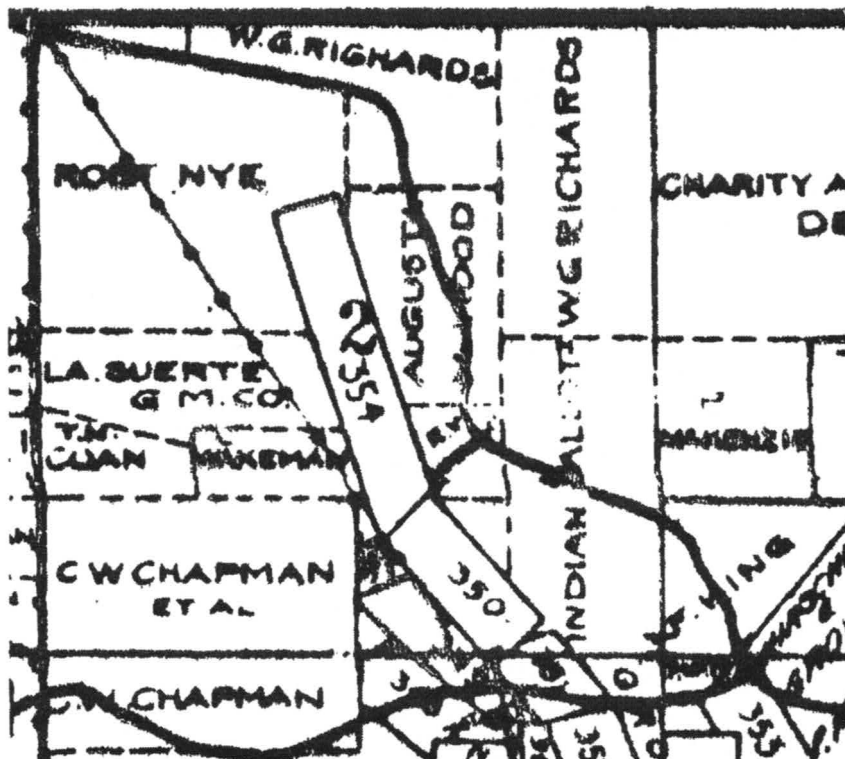
Massive amounts of earth were washed away, exposing granite boulders and quartz veins. Drift mining was another method by which miners reached gold-rich gravel of ancient river channels in this area. The simpler methods of pick and shovel of the 1850s had given way to heavily capitalized, corporate ventures for quartz mining, drift and hydraulic mining. For example, the Mount Auburn mine covering 40 acres (#245 on the 1880 Mineral Claims map on top of opposite page) had been developed to a depth of 600 feet by an inclined shaft. Incorporated in 1878, there were 30,000 shares issued and a capitalization of \$3,000,000. In 1880, there were two quartz mines, Mount Auburn and "Lord and Co." (#246) working the two to four foot wide Merrifield-Spanish vein containing gold, pyrite and granodiorite. To the southeast there were the Pennsylvania (#248) and the Eddy (#247) later called the Oustomah. A 1928 Nevada map of Section 2, T16 R8E; (bottom of opposite page) shows the Cully allotment bordered by a quartz mine (#350; #244 on the 1880 map) on the southwest corner and the McKenzie property on the east. Cully's 75½ acres abutted quartz mines and sat athwart the tunnels of the Golden Poppy Consolidated and the Knickerbockers Quartz Mines.

Nevada City Campoodie

One can only conjecture why and when Charles Cully and other Nisenan chose this site as a **permanent and legal** home. What is known, however, is that hydraulic mining slackened in the 1880s due in part to the 1884 Sawyer decision banning this activity. Claims in the vicinity were being abandoned or were inactive. Cully's claim had numerous assets: it was close to town and close to jobs in mining and lumbering; it had a good spring, flat acreage, a southern exposure, and a nearby water ditch. If the mineral deposits at Cement Hill were no longer profitable to be worked commercially, the Nisenan may have seen these mines as a resource from which to eke out a small but dependable income from



1880 Nevada County Mineral Claims map



1928 Nevada County Recorder's Office Map of Section 2, T16N R8E

the tailings, gravel and quartz deposits. Charley Cully's wife, Josie, is said to have had a necklace of gold nuggets.

According to the oral history of the campoodie's last official "chief," Louis Kelly (recorded in the 1970s), the local Nisenan, then living in scattered camps, were eager to solidify a permanent land base and pooled resources to pay for the land survey. (The campoodie was originally called 'Pudnuse's camp,' because Pudnuse was chief.) Permanent land ownership promised tangible benefits: freedom from eviction, freedom from charges of trespass, and protection from harassment. The neighboring whites assisted and encouraged Cully in making the homestead application, including signing the necessary affidavits that the land *was non-mineral in nature*. Once the report of the surveyor was registered at the County courthouse and other requirements were met over a five-year period, on April 6, 1891 Cully gave Hamilton McCormick power of attorney to file papers in the Sacramento Land office. Meanwhile, many Indians at the other encampments moved to the Cement Hill campoodie. Charley Cully was chief of this village from approximately the 1890s to 1911.



Charles Cully

The Contested Claim

Only non-mineral land was open to homestead entry, and Cully's claim was immediately challenged by those with mining claims impinging on the allotment. Charles Cully formally relin-

quished all right to the allotment in an affidavit, September 7, 1891, saying he applied “under a misapprehension, in that he was not aware” the land was more valuable for mineral than for agricultural purposes. The clouded title of the allotment created confusion, animosity, and legal conflicts for decades to come. Louis Kelly, for example, stated in his memoir that the allotment deed was duly received. Those with mining interests, on the other hand, claimed the allotment had been revoked. However, the fact was that Department of the Interior *would not and could not* revoke the deed, as all proper procedures had been followed with requisite supporting documents in the application. The Sacramento Land Office in its investigation found no legal conflicts with *active* mineral claims. The Assistant Attorney General for the Department of the Interior therefore rendered an opinion November 28, 1891, that Cully *could not relinquish* his application for the allotment “without the consent of the Secretary of the Interior.”

Alerted to the threat to their property rights, the mines’ shareholders redoubled their efforts to invalidate Cully’s claim. One shareholder charged that the Secretary of the Interior was violating a law of Congress in giving “the Indian a patent to our mining land” and called for a hearing by the Sacramento land office as the best strategy to set aside the Indian claim. A hearing date was set for 1895, but Cully did not respond. A registered letter informing him of these legal proceedings remained unclaimed. The General Land Office in Sacramento subsequently decided on April 7, 1900 to cancel the homestead entry. However, the invalidation of the the allotment by the Land Office was in direct violation of the earlier judgment that *only the Secretary of the Interior* had the authority to relinquish the Indian’s homestead entry.

The Indian’s Nemesis: W.A. McKenzie

The Indians’ most aggressive adversary in the legal battle over title to the contested acreage was W. A. McKenzie. McKenzie