THE SACRAMENTO TROUBLES.

A History of the Riots at Sacramento City, by one of the Squatters—The Case of Mr. Allen.

Correspondence of The Tribune.

SACRAMENTO CITY, Friday, Aug. 30, 1850.

GENTLEMEN: This mail will carry you exciting news. Much of evil or of good has transpired lately, rumors of which have perhaps reached you by the previous mail. This County has been, according to the proclamation of Brig. Gen. A. M. Winn, under martial law, but according to the City Council it has not. I will endeavor to state the *whole* facts, and perhaps you at a distance may be able to decide. It is already known to you at the East that there existed here some little feeling between the large land claimants, under legal or illegal Spanish or Mexican grants, and those who pretended to no such claims, but who believed that much of the Valley was the property of the United States. This bitterness has "grown with our growth and strengthened with our strength," until it brought about the sad circumstances I am about to relate.

Many persons had settled on lots in this city, and still continued to do so, when the Mayor drew up an ordinance for the relief of the large claimants, (himself being one,) and requested the Common Council to pass it. This they did in part, but the City Attorney and City Recorder refused to act under it, as they considered it illegal. Then the land claimants brought their suits in the Court of a Justice of the Peace, under the State law of forcible entry and unlawful detainer, which suits were always decided against the settler, and from which he always appealed to the next higher court, hoping to carry it to the Supreme Court of the State, and thence to the United States.

On Saturday, the 10th inst. the first of these cases came up in the County Court and was decided against the settler. The defense then asked for an appeal to the Supreme Court of the State, but the Court decided that it could not allow it—The question before the Court was not who was the owner of the land, but who was in possession. The defendant, Mr. Madden, proved that he was in actual possession, having fenced it in and built a house on it, in which he still resided—that when he took possession it was a wilderness, no improvements ever having been made upon it. The Plaintiff asked the liberty to introduce his deed from Capt. Sutter, for the premises. This was objected to, but overruled by the Court, for said he, "how can he (the Plaintiff) prove his possession, unless I admit the deeds to be introduced." "With a deed which the maker had no right to execute, give legal or constructive possession as in opposition to actual possession." "I don't know that it will, but I will admit the deed in evidence." Capt. Sutter's grant from the Governor of California was then introduced, together with a map of "New Helvetia." The Judge decided that the map and grant could not be reconciled by him, but that as the grant was for New Helvetia, and as this was that place and once in possession of Capt. Sutter, and less much as no one else had for a long number of years disputed it, and his cattle no doubt grazed over it as well as other lands near the fort, therefore he had a right to transmit his right of possession.

The settlers said they could not see the justice of the Judge in admitting deeds and titles, which the law says shall not be done in such cases, and then deciding on possession when nothing more than a *paper* one *was* shown by the plaintiff. Beside, this same State law declares it will not protect any one in the *possession of more than* 160 *acres*; therefore J. A. Sutter could not under that law claim by *possession* 30 miles on the river and back to the mountains. Yet he does, and *our* Judges decide that it's all right. On the afternoon of the day when the judgment was given, the settlers gathered to the number of twenty, or perhaps more, on the "disputed territory," with the intention, it is said, of resisting the Sheriff. He did not go to take possession that day, but said he would on Monday. The settlers soon dispersed to attend and prepare for a meeting, which they called by the following bill:

"Outrage!! Shall Judge Willis be Dictator? Squatters and all other Republicans are invited to come to the Levee, this evening, at 6 o'clock, and hear the details."

This was the largest meeting ever held in Sacramento. Resolutions were passed condemning the decision of Judge Willis and declaring that if any persons, Sheriff, or others, injured the property or person of a squatter under that decree of the Court, they would hold them responsible as private citizens. Sam Brannan, Col. Kewen, the Attorney General, and Judge Wilson, spoke in opposition.—This meeting was on Saturday evening. In the morning papers of Monday the following address appeared. It was also posted over the city in handbills.

TO THE PEOPLE OF SACRAMENTO CITY.

It is well known that a few individuals have seized upon nearly all the arable public lands in this County, and the following are some of the means they have resorted to, in order to retain the property thus taken:

First—They have used brute force and torn down the buildings of the settlers, and driven them from their homes by riotous mobs.

Second—They have used threats of violence, even to the taking of life, if the occupant or settler persisted in defending his property, and thus extorted from the hand their rightful possessions.

Third—They have passed or procured the passage of certain rules in the so-called Legislature of California, for the purpose, as their attorneys admit, of protecting themselves and removing the settlers from the land they may occupy, whether right or wrong—thus settling the question of title in an *unsound legislative* body, which question can alone be settled by the Supreme Government of the United States.

Fourth—Under said legislative regulations, by them called *laws*, they have continually harrassed the settler with suits, and in many instances compelled him to abandon his home for want of the means to pay the costs of their Courts. Many others have paid these costs with the hope of carrying their cause through these so called Courts to the proper tribunal for final decision, viz: the Supreme Court of the United States.

But these hopes were vain, for Judge Willis, so-called has decided just from *his decision* there is *no appeal*.

And now, inasmuch as these so-called legislators are not recognized by Congress, and their rules and regulations not approved, and are therefore of no binding force upon the citizens of the United States, but simply *oppressive*, and inasmuch as the so-called law of "Forcible Entry and Detainer," if passed for the purpose affirmed by their Counsel, namely, to drive off settlers, with or without title, is unconstitutional, and would be in any State. The people in this community called settlers, and others who are friends of justice and humanity, in consideration of the above, have determined to disregard all decisions of our Courts in land cases and all summonses or executions by the sheriff, constable, or other officer of the present county or city touching this matter.

They will regard the said officers as private citizens, as in the eyes of the constitution they are, and hold them accountable accordingly. And, moreover, if there is no other appeal from Judge Willis, the settlers and others, on the first show of violence to their persons or property, either by the sheriff or other person, under color of any execution or writ of restitution based on any judgment or decree of any court in this county in an action to recover possession of land, have *deliberately resolved to appeal to Arms* and protect their sacred rights, if need be, with their lives.

Should such be rendered necessary by the acts of the sheriff or others, the settlers will be governed by martial law. All property and the persons of such as do not engage in the contest, will be sacredly regarded, and protected by them, whether landholders or otherwise, but the property and lives of those who take the field against them will share the fate of war.

This, of course, created some excitement. The settlers to the number of 50 were on the ground by 8 o'clock, some armed and some not. Many citizens kept going toward them and coming from them until near 10 o'clock, when the Mayor rode up and advised them to disperse, as it would be a disgrace to the community to have any riotous assemblages in the city. Dr. Robinson answered that they were not there for riotous purposes, but came there on their own property, and that they would molest no one so long as they were unmolested themselves. The Mayor replied that for his own part he would rather see this question (of land titles) set alone until the United States should decide, and that for his own part he would sue no one who took possession of his land until such decision was given, and that he would use his influence as a private individual to get others to do the same. Dr. Robinson said that was all that was asked—a decision from the proper tribunal. The Mayor then left, and immediately a Committee was appointed to wait on the Mayor to fully explain the position the Settlers had taken.

The Mayor told this Committee that the Sheriff had informed him that he had been requested by the plaintiffs not to attempt to execute at present. On the return of the Committee the Settlers returned peaceably to their homes. That evening at the instigation of the Mayor, a writ was issued for the apprehension of Dr. Robinson, James McClatchy, John C. Edwards and Michael Moran, for attempting to resist the Sheriff in the legal discharge of his duties. Mr. McClatchy gave himself up the next morning, was examined, and held to bail in $2,000 to stand his trial at the next term of the District Court. This McClatchy refused to give although many in the Court offered without being asked to be his bondsmen.

Mr. Moran was held to the same amount of bail, and both were conducted to the prisoners' dock. While the examination of Mr. Clate was going on the young man who owned the house on the disputed territory being in the Court room, advantage was taken and the Sheriff broke open the door and put the plaintiff in possession. The next day (Wednesday 11th) the settlers went to the house and rescued the settler together with several others who had been dispossessed under the same direction of the County Court. When they had got through and were returning home, the Mayor, with a large number of citizens, followed them, hooting and yelling, and the squatter leader ordered a halt to inquire of the Mayor why it was they were followed so?

When the Mayor came up, he ordered them to deliver up their arms, and give themselves up—this Maloy said they could not afford to do, that they had performed their object and would now return to their homes if allowed—whereon the Mayor fired his revolver at the squatters, and they fired back at him, shooting him in three places on the first fire. J. W. Woodland, city assessor, then rushed towards the squatters, and was instantly shot, and the firing was kept up on both sides until the squatters had discharged their guns, and many of them their pistols;—they then took to their heels in different directions, the citizens firing away at them as they ran. Maloy, the leader, who was on horseback, and had only his sword, seeing the Sheriff dying at a running man, galloped up with his drawn sword, and would, perhaps, have killed the Sheriff had not his horse been shot that instant. Maloy was then a target for the crowd, and "fore-most, fighting, fell," after the *seventh* ball had pierced him.

He had four balls in the body and three in the head. Dr. T. J. Wells, the celebrated correspondent of the "Missouri Republican," did claim the honor of firing the balls which killed him instantly, but now he only claims the honor of shooting the horse. So the mantle has fallen on the shoulders of B. F. Washington, Esq. City Recorder, who wears it with all the grace imaginable. Mr. Morgan was also killed on the squatter side, and Dr. Robinson, of Fishburg, Mass. severely wounded. On the anti-squatter side, Mr. Woodland was killed, and the Mayor severely if not fatally wounded, and Mr. Harper slightly. Dr. Robinson, Henry Caulfield, and John Pusker were taken, and are now in prison awaiting their trial. The citizens were called to arms, and Gen. Winn proclaimed martial law.

All Wednesday night patrols paced the streets, demanding the password from all persons by—so on Thursday night and on Friday morning, the troops or rather a military and a fire company in San Francisco, arrived. On Thursday after the funeral of Mr. Woodland, the Sheriff and a posse of thirty, went to the Five Mile House, on the American Fork, to arrest Mr. Allen for being with the party on Monday, when it is said resistance to the Sheriff was contemplated. The Sheriff divided his company into four parts and surrounded the house. The Sheriff led one party—rode up to the door, dismounted, and said, "Come boys, let's go in and take a drink." Mr. Allen, standing behind the counter, said "I allow no armed men to come in here." "You are my prisoner," said the Sheriff, "don't offer any resistance." The Sheriff then fired his revolver at Mr. Allen, when Allen took up a gun which was standing by him and shot the Sheriff, who died almost immediately. While this was passing, two young men—one an adopted son of Mr. Allen's, went behind the counter, the son took up a gun and fired, the other, a boarder, then lay down under the counter to save himself from the murderous fire of thirty revolvers, which the "Law and order" party kept firing through the window and door, for none of them dare enter, both of whom were killed, and Allen had five wounds on him. When those outside supposed all were killed inside, they entered and found the two dead men, Mrs. Allen who had been sick for some weeks, her adopted daughter, who was by her bedside, a negro servant, and a man who had not been able to leave his bed for some days before, all of whom save the females and the dead, were made prisoners. They then looked around for Allen, but he was no where to be found. But they got five other persons, men who had just come over the plains, and who were stopping there for the time, all of whom have since been released save the sick man who was not able to go.

Allen was traced to the river side by his blood, but could not be found, and was supposed to be drowned in attempting to escape. Dr. Wakeman Bryarly says that he placed his pistol to Allen's side and fired, but few believe this, from the fact that none of them entered until after the firing, and from the additional fact that Allen, unaided and alone escaped *from thirty of them*, who had the house surrounded, none of them knowing until they traced the blood, which way he had gone.—That night a watch was kept in the house and the country scoured the next day in search of Allen or any other squatter. In the meantime the tents of Dr. Robinson and Maloney were searched for papers, &c. and the houses of Caulfield and Mr. John Plumbe were broken open for the same object.—The latter was the Surveyor of the Settlers, but had gone to the States on business some two months previous. All that has come to light yet from this search, is the letter of Dr. R. and one found in Maloney's from Robert Tyler to President Polk, in reference to the appointment of Maloney to a Lieutenancy in the Mexican Army of invasion.

It was said by the "*Transcript*" that Maloney was a deserter from the Americans, and fought against them under Riley, but this was contradicted the next day in an article headed "Justice to the Dead." Mrs. Allen died shortly after this sad occurrence, which no doubt hastened very much the moments of her departure. After Allen was shot he made his way to the river in the rear of his house, and stood with his head just above water.—His pursuers were within a few feet of him, but did not see him, as it was then dark. After they left he crossed the river and went toward the mountains. One of his arms was broken, and he had three balls in his body, yet he swam the river three times that night before arriving at Placerville. There the people were aroused and said they would not give him up but with their lives.—He then went to Hangtown, where he now is, and from which place the Sheriff, with all the posse he can raise, is not able to take him.

The Sheriff went up in company with some others to see him, and got a third party to communicate with him and return for answer to the Sheriff's questions that after he got well, if he thought he could get a *fair* trial out of the county, he would not be tried in it. It is said that a guard is kept every night by the miners at Hangtown and that 1,500 are ready to defend Allen at the shortest warning. The number may be exaggerated, but the fact is true.

James McClatchy who was put in prison before the fight because he refused to give bail to stand his trial for an alleged breach of the peace, gave in the required security on Saturday, the 17th, and got his release, but he was not twenty minutes out when six armed men entered the *Transcript* office—three by the front door and three by the rear, their revolvers drawn and inquired for him. He was not there, but they found him walking up J. st. and took him into custody—went for his surety, whom they threatened to imprison if he would not withdraw the bonds, which he did, being frightened and McClatchy was sent back to prison, with the consoling assurance that they put him in again for his own good, for that if he were out an hour longer he would certainly have been shot. Cool, was'nt it?

This was done in opposition to law and by men without authority, save that which might give.—Nor was there Martial law, for the Common Council repudiated with silent contempt the Proclamation of the Brigadier General.

On the 23d, McClatchy again gave in bonds, and is now at large in our streets. He was told, he says, on board the prison ship by those who profess to know, that the principal charge they have against him, is for making a speech some three weeks previous!

The troops were sent home after being here for two days doing nothing, but a guard of fifteen is kept on board the the prison ship every night for fear of a rescue. To sum up, there are killed on the anti-squatter side two, the Sheriff and City Assessor and the Mayor so severely wounded that his life is this day doubtful. The thumb of his right hand had to be amputated. On the squatter side one Mr. Maloney, the leader; Mr. Morgan of Holmes County, Ohio, had just arrived, and whether he was with the squatters or not I cannot learn. The two that were killed at Allen's were not with the squatters, and one of them was very sick at the time and had been for a week previous, and Allen is seriously but not fatally wounded.

Now, the cause of all this, is nothing more or less than land monopoly. The *Transcript* says, "the squatter question is at the bottom of the whole," very true, but the papers in Sacramento as influenced by the Mayor and other speculators in the soil have been the means of bringing about this sad catastrophy. Whatever vilifying, abuse and false misrepresentation could do, these papers have done on the one side, and whatever sycophantic praise and egotistical laudation could do these papers have done on the other.

They are all one sided. But perhaps they could not avoid this unrighteous course, for Mr. Pickett, who came here during the excitement, to report for the *Pacific News*, of San Francisco, was made a prisoner for expressing his opinion of the course taken by the land claimants, and another man at the Tenmile House, was told that he cannot speak those sentiments (against the speculators) in Sacramento. He was met with the prison ship, and then Mr. Gelston drew his revolver on him because he would not agree with Mr. G's opinion on the subject. This is a published and uncontradicted fact.

Will not Congress or the proper authorities at Washington look closely and quickly into the matter and see that justice is done? D. E. F.

PROPOSALS.

PROPOSALS FOR INDIAN GOODS.

DEPARTMENT OF THE INTERIOR, Office of Indian Affairs, September 21, 1850.

SEALED PROPOSALS will be received at the office of the Commissioner of Indian Affairs, in Washington City, until 12 o'clock on the afternoon of the 15th day of November next, for furnishing the following goods, viz:

Class No. 1.—Blankets.

[illegible] pairs 4-point Mackinaw blankets, to measure 58 by 72 inches, and weigh 6 pounds.

[illegible] pairs 3½-point Mackinaw blankets, to measure 56 by 70 inches, and weigh 5½ pounds.

[illegible] pairs 3-point white Mackinaw blankets, to measure 54 by 68 inches, and weigh 5 pounds.

[illegible] pairs 2½-point white Mackinaw blankets, to measure 54 by 68 inches, and weigh 4½ pounds.

[illegible] pairs 2½-point green Mackinaw blankets, to measure 54 by 68 inches, and weigh 4½ pounds.

[illegible] pairs 2½-point scarlet Mackinaw blankets, to measure 54 by 68 inches, and weigh 4½ pounds.

[illegible] pairs 2½-point assorted color Mackinaw blankets, to measure 54 by 68 inches, and weigh 4½ pounds.

[illegible] pairs 2½-point assorted color Mackinaw blankets, to measure 60 by 76 inches, and weigh 6 pounds.

[illegible] pairs 2½-point assorted color Mackinaw blankets, to measure 60 by 76 inches, and weigh 6 pounds.

[illegible] pairs 2½-point assorted color Mackinaw blankets, to measure 54 by 70 inches, and weigh 4 pounds.

Class No. 2.—Dry Goods.

[illegible] yards fine cloth.

[illegible] yards blue cloth.

[illegible] yards fine satinet, [illegible] yards for chiefs, [illegible] yards common satinet, [illegible] yards for chiefs, [illegible] yards fine linsey, [illegible] yards common linsey, [illegible] yards fine flannel, [illegible] yards common flannel, [illegible] yards fine calico, [illegible] yards common calico, [illegible] pieces fine brown sheeting, bleached, [illegible] yards fine sheeting, unbleached, [illegible] yards common sheeting, unbleached, [illegible] pieces fine shirting calico, [illegible] pieces common shirting calico, [illegible] yards fine linen, [illegible] yards common linen, [illegible] yards fine linen, [illegible] yards common linen, [illegible] yards fine linen, [illegible] yards common linen