

SUTTER COUNTY HISTORICAL SOCIETY

NEWS BULLETIN

Vol. X, No. 3

July, 1971

EDITORIAL STAFF

James Barr

Earl Ramey

Jessica Bird

Erminna Palmer

William Dawson

Helen Schepman

Winifred Greene

Avis Strawhun

Typist - Peggy Schnabel

COVER PICTURE

A portion of the first official plat of Township 13 North, 4 East based on a survey made during the years 1854 - 1860 and issued by the Surveyor General in 1864. In section 13 can be seen the marks which the surveyors labeled "Holloway's H. and Negroes H." This half section 13 is now a part of Bear River Garden Subdivision No. 3 and is occupied by seventeen different owners.

Map courtesy of Western Title Insurance Company

Joe Benatar, Title Examiner

The NEWS BULLETIN is published quarterly by the Society at Yuba City, California 95991. Annual membership dues of 2.00 include receiving the NEWS BULLETIN. Life membership is \$25.00. Your remittance should be sent to Lola Case, Treasurer, P. O. Box 1266, Yuba City, California.

THE SOCIETY'S SUMMER MEETING

The Quarterly Membership Meeting of the Society will be held in the Walton Fire Department meeting hall, 211 South Walton Avenue, Yuba City on Tuesday, July 20. The meeting will be called to order at 7:30 P.M. The program for the session is to be announced later by President Randolph A. Schnabel.

The Society welcomes guests to its meetings.

INTRODUCING OUR GUEST CONTRIBUTOR

We are pleased to welcome to our pages Mrs. Doris Holloway Sleath of Santa Maria who is a great-granddaughter of the subjects of our feature article. We found that she has gathered a great deal of family history, both traditional and documentary, and that she has compiled a comprehensive genealogy. Mr. Ramey has consulted documents in the Sutter County archives. We have arranged for them to combine their material and produce this family history which we consider pertinent to our county history.

Editorial Staff

An index and file of all the past issues of the NEWS BULLETIN may be found in the Sutter County Library and in the Marysville City Library.

THE HOLLOWAY FAMILY
PIONEERS OF SUTTER COUNTY

by

Doris Holloway Sleath and Earl Ramey

Our interest in this family was aroused locally by the accidental discovery of the following document:

"Know all men by these presents, that we, Nancy Holloway, Milly Ann Holloway, Thomas Holloway, James Holloway, William Holloway, of the county of Sutter, and State of California, for and in consideration of the faithful services and good conduct rendered to us, have emancipated manumitted and set free and by these presents do emancipate manumit and set free a certain Negro man slave, named Ben or Benjamin Berry, aged about 48 years of a black complexion and a slave for life, being the same Negro man slave who was brought from the State of Missouri by the late John Holloway, deceased, in the summer of 1850, hereby giving and granting to said slave Ben or Benjamin or whatsoever name he may be known, his freedom for life, so that we will not and our executors and administrators shall not at any time thereafter have or claim to have any right or title to the services of said slave or any control over him as a slave and so that he shall be in all respects a free man for the remainder of his life."¹ Filed for record December 27, 1853.

This document serves to introduce the first and second generations of the family of which there are now living in

California members of the sixth generation. Nancy, mentioned above, was the widow of John Holloway, deceased, and mother of the four children named. The relation of Ben to the family is explained only partially. We shall give further information about him later.

The story of the Holloway family could serve as a case history in the study of two general topics of United States history -- the westward migration and the distribution of the public domain.

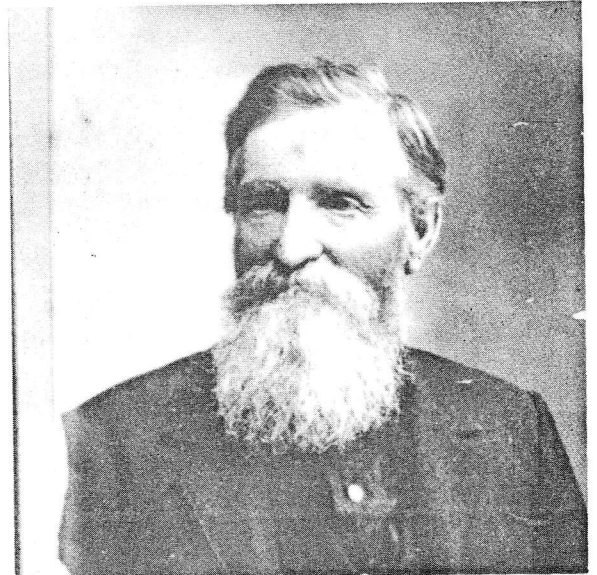
The name Holloway is just common. enough. in America to make uncertain an attempt to trace many generations back. Those genealogical records available indicate that the father of Captain John Holloway (as the husband of Nancy was known), had lived in Virginia during colonial times. but had joined the westward movement by going to Kentucky where Captain John was born in 1809. The next move of the family was to Morgan County, Illinois where the Captain was married to Nancy Kemp Foster in 1830.²

Nancy Foster also was a product of the westward trek. She was born in North Carolina in 1809 but was taken to Tennessee when a child and later to Illinois where she was married).³

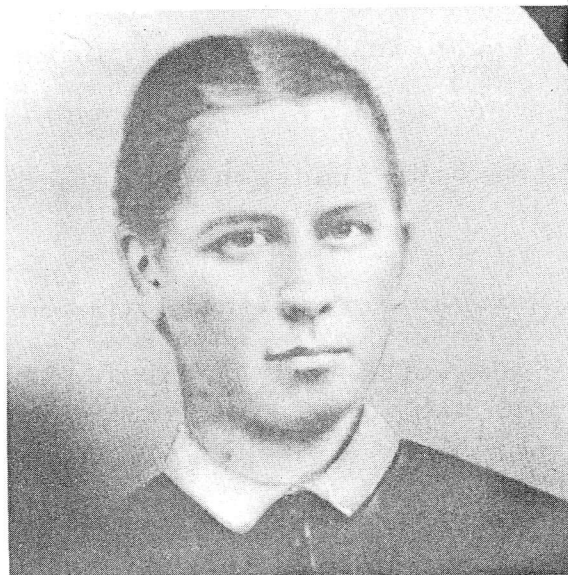
In 1832 Captain John and Nancy made the next move westward to Benton County, Missouri where they settled on a farm and where the four children named above were born -- Milly Ann in 1833, Thomas Jefferson in 1836, John James in 1839 and



Nancy Kemp Foster Holloway
Wife of Captain John Holloway



John James Holloway
Son of Captain John Holloway



Rebecca Tress Miller Holloway
First wife of John James Holloway



Sarah Elizabeth Miller Holloway
Second wife of John James Holloway

William Houston in 1844. Two other children died when very young.⁴

Captain Holloway is remembered in Missouri as a farmer and producer of thorough-bred cattle and horses, an interest he had acquired in Kentucky. He is also remembered as the contractor for the construction of a stone and wooden bridge over the Pomme de Terre river in Benton County. But he is remembered especially for his military activities.⁵

Many overland immigrants to California enjoyed the title of captain for years after, which title was based on their service as wagon train loader. But captain John Holloway's title was a real one, based on military service. While yet a young man in Illinois he had seen service in the Black Hawk War. Later in Missouri he became commander of a company of militia which was called into action during the "Slicker war." Then when the Mexican War began in 1846, he organized and commanded Company E of the Second Regiment of the Mounted Volunteers going to New Mexico under the leadership of General Price.⁶

As all wars have done, the Mexican War agitated the movement of population. in April, 1850, Captain Holloway fitted out two wagons drawn by oxen and joined a train for California with his wife and four children. The oldest boy, Thomas, was only fourteen, so he needed some mature help. In addition to the draft oxen he was bringing a number of thorough-bred

cattle and horses. He borrowed Ben from an owner in Missouri agreeing to return the slave within a stated time. The train, having the advantage of a well established route in 1850, arrived at Hangtown in August.⁷

There is no evidence that John Holloway came to California to mine for gold or that he spent any time in the diggings. Rather, the evidence indicates that he came with plans to establish a farm and stock ranch. Stock to him meant more than wild Spanish cattle on a range. He wanted to produce blooded beef and dairy cattle and trotting horses for the luxury market.

The Captain brought along his military papers with which to establish his right to receive the customary bounty certificate which he planned to submit in payment for 160 acres of public land. He applied for the certificate in Sacramento on July 7, 1851 and appointed H. G. Fant as his attorney to receive the certificate from the appropriate government agency. We have no record to let us know whether or not he ever received the certificate or whether his widow received it after his death.⁸

The settler of 1850 learned the location of public land in California just as the miner learned where the diggings were. He had to be directed by someone who had been at the location or had heard from those who knew. There were no official agencies to which the immigrant could apply.

Someone directed the Holloways to the land along the south bank of Bear river where the Captain staked off a claim fronting on the stream.⁹

These settlers from the Mississippi Valley and their families before them had had much experience in acquiring and improving public land. They had a very simple test for public land. It was unimproved and unoccupied land. They had known nothing similar to the Mexican grant and they did not accept as plausible the ownership of 5,000 or more acres by a claimant who had never occupied or improved the land which had not even been surveyed. Some of them knew that the treaty of 1848 with Mexico obligated the United States to honor valid titles held by Mexican citizens, but no one knew which titles were valid.¹⁰

In 1851 congress established a commission to examine and approve or reject titles which had been issued by the Mexican government. Before this agency could act thousands of settlers had come to California and were demanding land. Many of them settled on unoccupied land as the Holloways and others did on Bear river.¹¹

There is no record available to tell us the exact location of the Holloway claim because there were no section or township lines established in 1850. Indirect evidence indicates that the west boundary intersected Bear river a short distance east of the mouth of Dry Creek. The south line was

a little more than a half mile from the river. Therefore, the claim probably included a half mile of river front to enclose the customary 160 acres of a square tract of one half mile on a side.

The first official township plat of this Bear river district was issued in 1864 and was based on a survey which had been made during the years 1854 to 1860. On this plat the surveyors made a mark which they had labeled "Holloway's House". This house was in the northwest quarter of section 13 of township 13 north, 4 east, but the original claim probably included a portion of section 14 to the west.

In the spring of 1852 Captain Holloway returned to Missouri in order to secure more stock which he would drive across the plain to his farm in California. He took Ben along to return him to his owner as he had agreed to do. Ben begged to be allowed to remain in California with the family, but the Captain felt bound to return him. However, after they were back in Missouri he was able to arrange the purchase of Ben and promptly gave him his freedom.

Family tradition and certain records declare that Captain Holloway was strongly opposed to slavery. He is credited with denouncing the institution before public meetings, a practice which in slave country demonstrates a conviction as strong as that of the average abolitionist of New England. So here we

have a relationship between the Captain and Ben which allows some dramatic inferences. There was a reciprocal respect and confidence. Ben respected the Captain's obligation to return him to his owner and was confident that the Captain would do the best he could to secure his freedom. The Captain respected Ben as a worthy human being and was confident that he would not try to escape as he could easily have done. Then there was a common sorrow -- of Ben of the prospect of going back to bondage and of the Captain at having to fulfill his agreement to return the slave to bondage. Finally, there was the shared joy -- for Ben upon being rescued from bondage by the purchase and for the Captain upon being relieved of the burden of guilt and responsibility.

After purchasing the required stock the Captain and Ben began the drive across the continent during the summer of 1852. The Captain never got back to his farm and family in California.

There are two contradicting versions of this fateful trip across the plain. According to family tradition Captain Holloway was drowned in Green river in Utah while moving his stock across the stream on a ferry. As a result of negligence by some person, the ferry was capsized in the rapid part of the river and the Captain and his animals were thrown into the current. Ben tried but was unable to rescue him.¹²

The other version appears in a history of Benton County, Missouri. A lawless character of the County named Hogue Howser made the trip with the train of which Captain Holloway and Ben were a part. On the bank of Green river Howser killed the Captain, presumably to get possession of money, papers and stock.¹³

It is impossible to reconcile these two versions. There are many questions and inferences which arise. We know that Ben made his way back to the family on Bear river. His report must have been the basis for the family tradition. If the Captain was murdered, why would Ben not have reported it? Obviously, one of these versions is wrong, but we do not know which one is correct. Also, we do not know how much, if any, of the stock Ben was able to bring back to the farm.

The agonizing grief of the family caused by the loss of their father and husband, and the painful duty of Ben to carry back the sad news are beyond comprehension. Furthermore, the terrifying future which the widow faced with her young family and unimproved, isolated farm would appear beyond solution. of the few blessings she could count at the time, the sixteen year old Thomas and the loyal ex-slave would have been at the top of the list.

The process of distributing the public domain to private owners was a changing and turbulent one beginning with independence. Settlers invariably anticipated surveys and public

sales and were known as squatters. Laws were enacted to prevent occupation of unsurveyed land, but these laws could not be enforced. When land was opened for sale, much of it would already be occupied and improved. The land agents were required to sell to the highest bidder at auction. Speculators would bid against occupants and drive up the price or extract tribute to refrain from bidding and allow the settler to purchase his improved farm at the minimum price of \$1.25 per acre.

To correct this abuse congress passed the Pre-emption Act of 1841. It provided that the squatter could file his claim to the land he was improving before the land was opened for sale. When the time of sale came, he was allowed to purchase at the minimum price with no competitive bidding. This Act had to be extended separately to those states where public land existed. It was extended to California in march, 1853. The Holloways, naturally, were well acquainted with the operation of the Act as a result of their experience in Illinois and Missouri, but they could not observe its provisions until it was applied in California.¹⁴

It is an interesting fact in our narrative that the first member of the Holloway family to file a pre-emption claim was "Uncle Ben", as the children called him. Obviously, the family encouraged and helped him in filing his claim.

The several other claims which can be found on record were described in terms of lands of neighbors, but Ben's land had only one neighbor. There was no room for him on the river, so he had to settle to the south of other claims. A surveyor was engaged to locate and describe Ben's land. The reference started at the river opposite the mouth of Dry Creek and went to a point about three quarters of a mile south-east on the south line of Captain Holloway's claim. Bearings were taken from this point on the frame house of Holloway and a large oak tree. Then with Holloway's south line as Ben's north line a square of 40 chains on a side was staked off to include 160 acres. Ben then declared under oath that the land had not been claimed by others and that he had taken no other claim.¹⁵

There are several significant items in Ben's declaration. The surveyor refers to him as Benjamin Holloway (colored). Berry was probably the name of the owner from whom the Captain purchased him, but in 1853 he evidently preferred the name Holloway. Later he changed to Berry.

Ben's signature to his oath is written Benjamin
his
X
mark
Holloway. He had his claim recorded in the Sutter County Recorder's Office on February 24, 1853, a few days ahead of the extension to come in March.

We can infer from this document that Ben considered

himself a free citizen qualified to pre-empt land. Had he yet been a slave, he would not have been eligible.

Therefore, it follows that the Captain must have given him his freedom in Missouri. The apparent contradiction in the manumission document which was signed by the family in December, 1853 can be explained. During the 1850's there were several notorious cases of villainous white men seizing free Negroes in California and claiming ownership of them as slaves. Slavery was prohibited in California, but California was by no means a free state. The state legislature had enacted a law which gave courts and law officers power to seize and hold fugitive slaves and to facilitate the forcible removal by an owner to states where slavery was legal. So the manumission document was intended to serve as security for Ben.¹⁶

A year later in February and March of 1854, Mrs. Holloway and Thomas filed pre-emption claims on 160 acres each. Both of these land descriptions are in terms of corners and boundaries of neighboring claims and are impossible of exact location. There is reference to "Widow Holloway's" land, but it is not clear whether reference is made to the original claim of the Captain or to the claim she made in her own name. As we shall see later, it makes no difference where the preempted land was located because the claims were never "proved up."¹⁷

At this point we must review some of the earlier history of this Bear river land on which the Holloways settled. The first claimant was a French sailor named Theodore Sicard who had resided in California since 1833 when he had jumped ship. His main industry was producing planks with a whip saw. He had produced much of the lumber used by Sutter at the Fort and at Hock Farm. While working at the latter place, he became acquainted with the land along the Bear and secured a grant of four leagues in 1844. This was one of the several floating grants described only as existing within generous limits. His land could be selected along the south bank anywhere between Sutter's land on the west and the mountains on the east. This grant became known as the Nemshas.

In 1845 Sicard was working with William Martin in the Santa Clara district getting out redwood timber. He sold Martin a league and a half on the west end of his grant (nearly 6,500 acres) for \$350. Later, in 1851, William Martin gift deeded to his son, Dennis Martin, the extreme west portion of the Nemshas grant, two miles and a half on the river and one league (2.6 miles) deep or about 4,160 acres. This tract included the Holloway claims as well as those of the several neighbors.¹⁸

The land commission was unreasonably slow in reaching decisions regarding the validity of the claims submitted.

Even after a decision was given, either the claimant or the government could appeal to the courts. By 1859 no final decision had been reached for the Nemshas grant.

It is unfortunate that we are unable to give a detailed account of the heroic feat of Mrs. Nancy Holloway in rearing her family and managing the frontier farm. One very critical problem she had to solve was that of schooling for the two younger boys. Milly Ann and Thomas had been in Missouri long enough to get the average grade school instruction before coming to California, but John James was eleven and William was six when they arrived. There was no school accessible to these children in the early 1850's. These boys were sent away some of the time where they could receive schooling -- William to Sacramento and John James to a private academy to continue above the grades he had attended in Missouri. This additional schooling was to serve him well later in his career.

The Holloways must have become convinced that Martin's claim would be approved. In March, 1859, Dennis Martin deeded to T. J. Holloway and James R. Poynter for \$12,000 part of the land he had received from his father in 1851. This was a portion of a mile and a half on the river and one league (2.6 miles) deep or about 2,500 acres. The next month, April, 1859, Holloway and Poynter deeded to James H. Hudson 160 acres for \$800.¹⁹

We are totally unable to account for this partner, Poynter. He was either a friend of the family or a speculator with some money to invest. However, he did not remain long in the partnership. In February, 1860, he deeded all of his interest in the remaining tract for \$5,000 to Mrs. Nancy and John J. Holloway, giving the three Holloways full ownership. At this point Thomas was evidently getting dissatisfied because in April, 1861 he deeded his interest to John James for \$2,000.²⁰

The amounts of money quoted above confirm a condition we know to have been developing. Hydraulic mining on the upper Bear was depositing debris which raised the channel and caused overflow into farm land nearer the mouth of the river. Land values were declining because farming in the river bottom was more uncertain and less profitable.

The great flood of 1861-1862 was the straw that broke the spirit of the settlers on the Bear. Hydraulic mining had been underway since 1856 and during the five years not only had deposited debris on the land along the river, but had accumulated great masses of sand and slickings in the channel and ravines. This greatest of all floods scoured out the accumulation and dumped it on the fields. The Holloways resolved to leave; so in May, 1862, Mrs. Holloway and John James deeded their land and improvements to

James H. Keys for \$9,000. A few years later Keys was to despair of his bargain.²¹

The history from 1862 to 1912 of the land occupied by the Holloways is so much involved in larger phases of California history that we cannot do it justice in the limited space of this article. Shortly after 1862 the land commission and courts rejected Martin's claim to this portion of the Nemshas grant. when the Holloways learned this fact, they must have felt vindicated. The squatter on public land in early days was not held in low esteem as is believed by many persons today. It was the jumper who was detested -- the one who would jump a claim in absence of the original claimant and try to hold possession by force or technicality. The Holloways cleared themselves of the stigma of jumper when they paid Martin for the land. But the irony of the matter is that they were legitimate squatters or pre-emptors in the beginning.²²

Keys was the tragic victim of the blundering land management of the government. When Martin's claim was rejected, the land automatically became a part of the public domain -- some of it federal and certain sections state school land. In 1866 Keys repurchased some of his land at the federal office in Marysville and some at the state office in Sacramento. Former neighbors of the Holloways, Brewer, Hudson, Warren, Ruckles and others did the same.²³

A more serious burden on Keys was the increasing quantity of hydraulic debris. It was not only overflow which damaged the land. As the river channel was filled, the stream ran at a higher elevation than the fields. Seepage damaged crops more than overflow. He and Brewer, the neighbor to the east, had to make a sizeable lake by means of a circular levee to catch and hold the seepage water off sore of their fields.

In 1877 Keys was the plaintiff in one of the injunction suits to stop the mining. He got judgment in form of the injunction, but it was riot enforced. In the famous suit before the federal court in 1883, a witness testified that much of Keys' land was overgrown by brush as a result of floods. It was difficult to reach his house, presumably the house he had purchased from the Holloways.²⁴ Nearly all of this river bottom land lay overgrown and idle for twenty years until a levee district was formed after 1900. By 1912, under the leadership of the Natomas Consolidated Company, a good levee had been erected from the foothills to the Feather and most of the area reclaimed.²⁵

The history of the Holloway family in Sutter County ends in 1862, but had just begun in the state. It would require several articles of this kind to give even a partial account of their affairs from 1862 to the present time. Besides, such articles properly belong to the history of other counties.

We can do no more than to note briefly the direction taken by the six members with whom we have been concerned.

Milly Ann was married in 1854 while the family were yet living in Sutter County. She and her husband, Calloway Heath, went back to Missouri and lived on the Holloway farm where she had been born. They had nine children, some of whom made their way later to California.

Thomas Jefferson went to Sacramento in 1858 where he was married to Esther A. Walton. Later, with his wife and children he moved to southern California.

After leaving the Bear, John James spent the next six years on a sort of sojourn looking for a new location where they might continue the stock raising. They evidently retained possession of horses and cattle when they sold the land to Keys. John James worked around Gridley for a while and moved as far north as Modoc County, but was not able to find the desired location.

During these years Mrs. Holloway and William lived in Sacramento. In 1868 she and the two boys moved to the Santa Maria Valley in Santa Barbara County and later settled in Cat Canyon where they were successful by means of pre-emption and homestead in acquiring 320 acres of land. They are credited with introducing the first full-blooded Durham cattle seen in the district. John James became a prominent civic and political leader in the county. William settled later in the Bakersfield area.²⁶

We have already noted that Ben was the first member of the family to file a pre-emption claim. It is of further interest to note that he was the only member to prove up on his claim. He evidently did not follow the family when they left. We know he stayed with his land. In June, 1872 President Grant issued a patent to Benjamin Berry for the south-west quarter of section 13, township 13 north, 4 east. On the township plat referred to in note 22 the surveyors marked what they labeled "Negro's House" in the same section designated in the patent. He purchased his land at the federal office in Marysville. Then in August, 1872 he deeded his land for \$2,000 to J. H. Keys. He was identified as a resident of Sutter County and again signed with his mark. "Uncle Ben" was 67 years of age in 1872 -- about the limit of endurance for a hard working man. In those days old unattached men just faded away leaving little or no record. We regret not being able to follow him to the end. He played a leading role in our saga. He was a valuable person and deserves a better final accounting.²⁷

The descendants of Captain John and Mrs. Nancy Holloway have been quite numerous in our population, and the greater number have resided in California. Beginning with this couple as the first generation and the four children as the second, there have been 36 grandchildren in the third; 51 great-grandchildren in the fourth; 66 great-great-grandchildren in the

fifth; and 53 great-great-great-grandchildren in the sixth. And this sixth generation is not finished. But a strange fact is that as far as we know, not one of these descendants lives in Sutter County today.²⁸

The consensus of our readers must surely be that the heroine of our story is Nancy Kemp Foster Holloway. We do not need direct and verbatim testimony to establish her heroism. Circumstantial evidence is sufficient. She was remembered as a very religious person, a lifelong member of the Baptist Church. She died January 24, 1885 in Santa Maria at the age of seventy-five. In an obituary her last words are quoted as being "I have fought the good fight and I have kept the faith". An understatement by a superior woman.²⁹

* * * * *

ACKNOWLEDGMENT -- We are very much indebted to Mr. James H. Barr of the Western Title Guaranty Company of Yuba City for some professional help. He called our attention to the township plat which contains evidence of the rejection. of the Nemshas grant and the exact location of the Holloway's house and of Ben's house. He also furnished us from his files the information we needed to describe the present status of the land on which these pioneers settled.

REFERENCES

1. Book D of Deeds, p. 127, Sutter County Recorder's Office. All deeds, patents, and pre-emptions cited are recorded in Sutter County.
2. Marriage Bond recorded in Morgan County, Illinois. History of Cole and other counties, Missouri. Goodspeed Publishing Company, 1889, p. 492.
3. Obituary, Santa Maria Times, January 25, 1885.
4. Genealogy of the Holloway Family prepared by Doris Holloway Sleath. A copy of this document can be seen in the Marysville City Library.
5. History of Benton County, Missouri by White and Miles, p. 40.
6. An extensive file of Captain Holloway's military papers is in possession of the family.
7. San Luis Obispo Company by Morrison and Haydon, 1917. This work contains a biographical sketch of John James Holloway including family history.
8. Military papers.
9. Pre-emptions A, pp. 154-55.
10. W. W. Robinson, Land in California, p. 163.
11. Ibid., pp. 253-58.
12. History of Benton County, Missouri, 1876 by Lay, pp. 17-18.
13. White and Miles, Benton County, p. 2C.
14. Everett Dick, Lure of the Land, pp. 50-69. Robinson, p. 167.
15. Pre-emptions A, pp. 15 ▶ -55•
16. Memoirs of Cornelius Cole, pp. 92-96; Sacramento Transcript, June 1, 1850; Sacramento Union, April 2, and 4 1851.
17. Pre-emptions A., p. 256 and pp. 262-63.
18. Thompson and West, Sutter County, p. 23; Bancroft, California, v.6, p.6; Deeds C, p. 67 and p. 71.

19. Deeds F, p. 87 and pp. 102-104.
20. Deeds F., p. 297 and p. 516.
21. Deeds F, p. 669.
22. U. S. Government Plat of Township 13 North, 4 East, 1864.
23. Patents A, p. 99; B, pp. 41-42; D, p. 30 and p. 176.
24. Transcript of Woodruff - Bloomfield Hearing, 1883, v. 12 p. 4585; v. 18, p. 7081; v. 22, pp. 8005-cf. p. 8955, p. 8822.
25. Report of Levee District 1001, Marysville Appeal, July 28, 1912.
26. Morrison and Haydon, Biography of John James Holloway.
27. Patents D, pp. 33-34; Deeds K, p. 274.
28. Holloway Genealogy.
29. Santa Maria Times, January 25, 1885.

SUTTERANA

INDIAN FESTIVITIES AT HOCK FARM

On Monday the 9th the tribes of Indians who are dependent of Captain Sutter and others, met in council for the purpose of welcoming the great chief of a neighboring powerful tribe and to offer up a sacrifice to the Devil whom they suppose to be making inroads upon their hunting grounds in the form of white faces. Having met in a grove on the bank of the Feather River and smoked the calumet of peace in silence for a few minutes, the great chief arose to address the brethren to the effect that the Great Spirit had hidden his face from his

children, the red faces; that their natural enemy the white man had come among them, was building cities on the sites of their hunting grounds... had driven with his infernal smoke-ships the fish from their rivers... that the red race was fading away before the advancing footsteps of the palefaces; that an offering of value must be made in order that the Spirit of Evil may be satisfied and his anger appeased. Accordingly, they collected blankets, bows and arrows and trinkets of value, put them in a pile and burned them to ashes dancing and singing... and set up a most unearthly howl... In the afternoon Captain Sutter had a wild bull killed and roasted for their feast... After the feast was concluded the Chief honored Captain Sutter with his august presence, telling him that he (the Captain) had been good to the red faces and in case the Great Spirit should create a rupture between the red and white nations he and his should be safe from tomahawk and scalping knife.

In the evening the council fire was lighted and sapient resolutions passed... fire water was drunk... and attempts at dancing and singing were made... About midnight they separated or fell asleep... Thus ended the great council of the red nation at Hock Farm.

Sacramento Union, June 18, 1851.

GLEANINGS

Marysville Daily Appeal

April 28, 1911

SLAVE SET FREE IN SUTTER COUNTY

Yuba City, April 27 -- In one of the old deed books which was saved from the fires that destroyed the courthouse of this County on two occasions is recorded a document which takes one back "Befo' de War." It is an agreement or declaration on the part of several members of the Holloway family, who resided in the County near Nicolaus in the early fifties, setting free and emancipating a Negro slave who was brought to this state from Missouri. The deed was filed for record December 27, 1853.

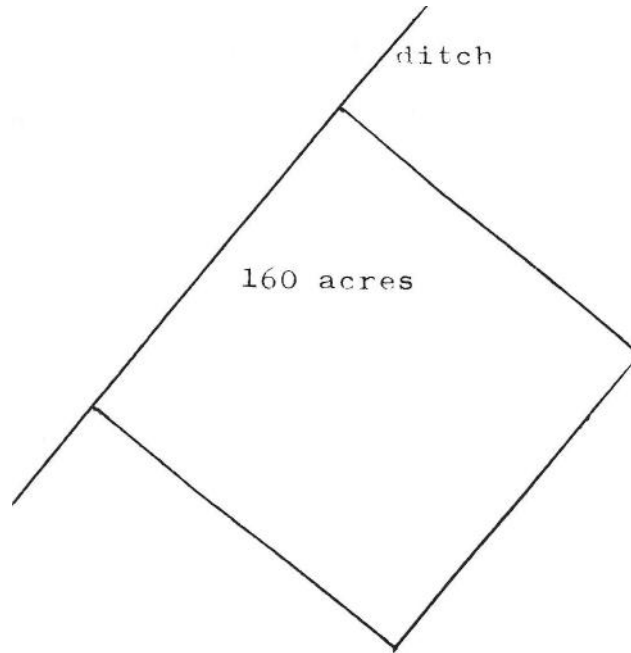
FROM BOOK A OF PREEMPTIONS FOUND IN THE RECORDER'S OFFICE, SUTTER COUNTY. Pages 154-155.

Know all men that I have this day surveyed for Benjamin Holloway (colored) a certain tract of land embracing one hundred and sixty acres located about three quarters of a mile South East of Dry Creek's junction with Bear River Sutter County State of California, Bounded as follows, Commencing at a stake on the Southern Boundry of Capt Holloways claim from which the Eastern angle of Holloways Frame House, Bears N 53. W distant 7.36 links and a White Oak 40 Inches diameter. Bear N 6230 W distant 684 links. The bearing with a course S 36° E 40 chains to a stake in mound Thence S 54. W 40.00

chains to a stake mound. Thence N 36° 40.00 chains to a stake from which a White Oak 38 inches diameter. Bear S 55. W distant 1078 links. Thence N $54.^{\circ}$ E 40.00 chains to the place of Beginning - Varenⁿ 13° E A diagram of which is annexed on opposing page.

July 12th 1853

B V Stepvenson
Surveyor



Scale of 20-ch to
the inch

