

Handwritten: [unclear]

CALIFORNIA HISTORICAL LANDMARKS SERIES

Edited by Vernon Aubrey Neasham

FORT DEFIANCE (ROOP'S CABIN)

Registered Landmark #76

by

George Walcott Ames, Jr.

for

State of California, Department of Natural Resources

Division of Parks

Berkeley, 1936

Written under auspices of Works Progress Administration
District #8, Project #65-3-3218, Symbol #1873

FORT DEFIANCE (ROOP'S CABIN)

For many events in history it is almost impossible to predict the course of occurrences or the ends which will result. From an insignificant beginning, a national tragedy may come about or from an auspicious start the reverberations may be almost negligible. Such a case in point was the Sagebrush War or the Boundary-line War in northeast California during the early 1860's. In the events which led up to it a new short-lived territory was formed and died. Then inter-county politics evolved into a state of armed conflict. From the fact that several men were wounded, a feud might have grown which would have resulted in dozens of casualties. Happily, however, the armistice agreed upon not only settled the fight but apparently, since no trouble ensued, soothed all personal feelings. The events were lost sight of in the holocaust caused by the Civil War then raging, and hardly reached the dignity of print except locally. At present, few of the descendants of the men who took part and few of the residents know of this exciting period in this country's history.

The scene of action was the Honey Lake Valley region on the eastern side of the Sierra Nevada mountains. Owing to the peculiar construction of that range, with its steep

and abrupt eastern side and its comparatively gentle sloping western side, Honey Lake Valley might almost be said to be, geographically, a part of the Great Basin of Utah and Nevada. The first white travelers who entered the valley are unknown although various claims are made, such as that for Peter Lassen and Paul Richeson who were surveying their new "cut-off" to the immigrant trail. These two were in the country but it is uncertain whether they actually set foot in the valley.

Authentic accounts begin in 1852 with the party sent by Shasta merchants to survey a shorter route across the mountains. The group, led by a Mr. Noble, was to blaze a trail which would tap the main immigration trail east of the Sierra Nevadas. Noble probably had been through the valley because it had been he who interested the business men in the new route; he dwelt on the advantages which would accrue to them from the trade of the immigrants who came in over the trail. When the party reached the Humboldt, they met a part of the yearly traffic. But so much were "cut-offs" - particularly Lassen's - in disrepute that when they suggested to the travelers that the new trail be used for the rest of the journey, they were not only laughed at but threatened. However, a few agreed and followed Noble's party. They went through with singular ease. Once the trail's worth had been tested, the Shasta merchants kept agents at the turn-off to

induce emigrants to use it. When, during the next year, the route was improved and considerably shortened, traffic through Honey Lake Valley increased greatly.¹

In 1853, Isaac N. Roop, postmaster at Shasta, decided with a few companions to found a way station for trading with the overland traffic. The choice fell upon Honey Lake Valley. Roop decided to locate a claim that very year, and posted his notice on a tract one mile square at the head of the valley. His companions did not locate that season and the party soon returned to Shasta.

As soon as the snow melted the following year, Roop with his brother and a small group of companions returned to the valley with a wagon-load of supplies and trade stuff. They immediately set to work to build a habitation which would serve as a store and as a dwelling place. They also began to cultivate some land, though in a small way. The construction scale of the house was not of magnificent proportions for it was rough, with only one story, and made of logs. It measured about twenty feet by thirty in size. The roof was of shakes.

1. Of the authorities who give accounts of the early history of the section, probably the two best are A. M. Fairfield, Fairfield's pioneer history of Lassen County, California... 16-20; Illustrated history of Plumas, Lassen and Sierra counties, with California from 1513 to 1850, 337-340.

But the worth of the cabin is attested to by the fact that it still exists.²

Within the next year, 1855, more and more people began to come into the valley to settle permanently. Among them was Peter Lassen, who first located a mining claim and then a ranch. By 1856 there were enough residents so that they had to begin thinking about some form of government. Since they were cut off so completely from California, especially in the winter time when snow blocked all roads and passes, and since the boundary line of California had never been run, they did not think that their valley was included within the State's limits. Therefore they decided to form a new territory of their own.³

Pursuant to previous notice, the citizens of Honey Lake Valley met April 26, A. D., 1856, in mass convention, at the Roop House (the old fort), for the purpose of forming such laws, rules, and regulations as are deemed necessary and advisable in view of the settlement of said valley.

So ran the first paragraph of the constitution of the new territory of Nataqua (woman).

The constitution embodied a set of laws which were set forth in twenty sections. Matters taken up in the document were: delimitation of the boundaries; provisions for

-
2. Illustrated history, 341; E. G. Beckwith, Report of explorations for a route for the Pacific railroad, of the line of the forty-first parallel of north latitude, 46.
3. Illustrated history, 344.

making land claims, their filing and improvement; treatment of Indians; officers (of whom there were only two, recorder and surveyor); public roads; and election of Isaac Roop as recorder and Peter Lassen as surveyor. Twenty names were signed to the "fundamental law."⁴ There is one thing which is worth noticing in that constitution, the boundaries and size of the territory. The clause reads:

Sec. 1:- Inasmuch as Honey Lake is not within the limits of California, the same is hereby declared a new territory, and the boundaries thereof shall be as follows, viz: Beginning at a point where the $38\frac{1}{2}$ deg. of North Latitude crosses the East line of California; thence East to the 117 deg. West Longitude; thence North to the 42nd deg. North Latitude; thence running West to the 120 deg. West Longitude (N. E. corner of California); thence south to the beginning....

The twenty men were modestly fixing the size of their territory at about 50,000 square miles. The total number of people residing in the valley were many times outnumbered by the inhabitants of Washoe and Carson counties. (these counties are included in Nevada today), Utah territory, which were included in the boundaries set forth. The latter, of course, were not consulted as to their desires in the matter - it is doubtful if the Honey Lake men in drafting their document even thought

4. The constitution is copied in extenso in the Illustrated history, 345-346.

of other persons dwelling within the boundaries.

New people continued to be attracted to the valley and the population increased quite rapidly. In 1857 there were enough inhabitants to catch the attention of the officials of Plumas County, California, who up until this time had seen no cause for extending their authority over the little community. But with the chance to collect a sizeable amount of taxes, interest increased. On August 4, the board of supervisors of Plumas showed their stand on the matter of boundary lines by creating the township of Honey Lake and appointing constables and justices.⁵

Feeling that such action was an unwarranted assumption of authority on the part of the Plumas County administrators, the people of Honey Lake held an indignation meeting August 29. Several resolutions were adopted which stated in no uncertain terms that the residents did not consider themselves a part of Plumas County or of California. A "committee of safety" was formed which was to "correspond" with the Plumas County officials and to take general charge of relations with that county. It was also plainly stated that they unite with the citizens of Carson Valley in their attempt to form a

5. H. L. Wells, "The sagebrush rebellion," Overland monthly, XIII, new series, 255.

new territory. Thirty-two signatures were signed to the paper.⁶

Reference to the attempt in Carson Valley to form a new territory, which was going on at the same time as the meeting in Honey Lake Valley and which was attended by a delegation of "Honey Lakers," showed the state of evolution in Nataqua politics.⁷ That ephemeral territory had lasted little more than a year and then had died a very quiet, natural death. There were several reasons for this, of which two will suffice, the principal one being that when the people of Honey Lake came to realize the numbers of persons which the other settlements included, they suspected their precipitate action would not be appreciated; in addition the conviction began to grow that if the valley were not in California, it was very close to the border and the new settlers did not

6. The document is quoted in full in both Illustrated history, 350-352, and Fairfield, History, 78-80. The men who signed were (quoted in Illustrated history, 351): M. Thompson, L. N. Breed, D. C. Jackson, Thomas Eaton, R. Hewitt, Thomas Mitchell, J. D. Sharp, L. M. Robertson, Joseph Lynch, I. E. Wick, W. N. Crawford, A. G. Epstine, H. Doney, Ireton Warp, Peter Lassen, A. F. Chapman, W. Hill, G. Lathrop, W. Dow, G. A. Williams, Henry Denny, W. C. Kingsbury, R. J. Scott, W. Weatherlow, M. W. Haviland, A. U. Sylvester, Stephen O'Laughlin, C. Arnold, Anthony Barlow, H. A. Wilmans, W. Powell, and Ralph Nedsham. This last name was transcribed improperly. Fairfield has it Niesham. The director of the California Historical Landmarks Series, Vernon Aubrey Neasham, who is the grandson of the pioneer, is authority for the proper spelling, which should be Neasham.

7. E. M. Mack, Nevada, a history of the state from the earliest times through the Civil War, 173-175.

have quite the independent attitude of the old members of the community. In fact some of the later land claims were filed in Quincy, the county seat of Plumas County. However, the very practical reason of being isolated for at least four months a year from the administrative center of the county - if no other - still militated against giving up a claim to separate government. And the plans of the people in Western Utah territory dovetailed with their desires nicely. Although a representative from the large convention was sent to Washington to attempt to have congress take action on the proposed territory and although there was set up a territorial government of which Roop was later elected governor, there was anarchy in the western part of the Great Basin. It was not until 1861, after the large increase in population due to the rush to the Comstock Lode, that the United States Congress finally formed the Nevada Territory. In the intervening years the people had to provide for their own government, Honey Lake among the rest.

The second draft of laws for Honey Lake, drawn up in 1858, was similar to the first in that most of the sections related to land claims. There was one difference which is worth noting and that was the embryonic judicial system formed. All legal difficulties - and others too - were to be

pleaded before a Board of Arbitrators.⁸ This set of laws sufficed until the beginning of 1862. It was true that the temporary territorial government tried to do something in the way of governing but no one paid the slightest attention to its efforts; so its actions were vitiated by lack of cooperation. It was during this period - from 1860 to 1862 - that a peculiar thing was happening in Honey Lake Valley. The justices of the peace were all filing their official bonds at Quincy.

In 1861, James W. Nye was named by the president of the United States as governor of Nevada Territory. He proceeded to take his office and immediately set about organizing the territory. Of the nine counties into which it was divided, Lake County included Honey Lake Valley, and in September, 1862, county officials were elected. Organization of that county did not really take place until after the legislature convened, when the name was changed to Reop County. At the beginning of the following year, the governor sent the officials their commissions and appointed John S. Ward probate judge.

Organization of the county by the governor of Nevada Territory was the result of a peculiar situation. When the territory was formed, it had, undoubtedly, been hoped that the

8. Fairfield , History, 105-106.

United States Congress would solve the boundary question, but it did not. In defining the limits of the new territory, it expressly excluded all those parts which might belong to the State of California until the latter would consent to being deprived of any of it.⁹ Nevada had been striving to have California relinquish her claim on the country east of the Sierra Nevada, and had even surveyed the line, but California would not agree.¹⁰ Finally Nevada went ahead organizing the county, and as a natural result the conflict of jurisdictions soon brought about the serious situation which was the direct cause for the Sagebrush War.

Action was begun by the Roop County side. Judge Ward issued an injunction restraining William J. Young, elected justice of the peace for Plumas County the year before, from exercising the duties of his office in Honey Lake Valley. When he paid no attention to the order, Ward fined him one hundred dollars for contempt of court. In response, a Plumas County judge issued a counter injunction restraining Ward and William Hill Naileigh, sheriff of Roop County, from acting in their official capacities. Both refused to obey the order and warrants were issued for their arrest. The next day, February 5, Sheriff E. H. Pierce of Plumas County and his deputy, J. D. Byers, started for Susanville,

9. Illustrated history, 356.
10. Ibid., 357.

the principal town of Honey Lake Valley, to serve the papers. On the sixth, they in turn were served with an injunction from Ward's court which forbade their exercising authority in Roop County. Refusing to pay any attention to it, Pierce on the following day arrested Naileigh and sent Byers to arrest Ward. Ward and Byers remained behind, waiting for a horse for the former, while Pierce and Naileigh went on ahead. Isaac Roop, in the meantime, had gathered seven armed men to prevent the arrest of his friends. Just as Ward and Byers were about to leave, Roop rode along and attempted to stop them. Finding that he alone could not prevent their departure, Roop went back for the rest of his party while Byers and Ward started. They were soon overtaken by their galloping pursuers and Byers was forced to submit as a prisoner. When they returned he sent a messenger post haste after his superior. Not until the next day would he release Ward as his prisoner, and then on parole. At the same time he was paroled to Miss Susan Roop and given the liberty of the town, where, visiting his friends he waited for the next move.

Pierce, as soon as he received his deputy's note, released Naileigh with the understanding that the latter would give himself up when demanded. Then Pierce turned to cross the mountains for reinforcements. It must have been a hard trip because of the deep new-fallen snow. He gathered a posse of about ninety men from American and Indian

valleys and returned to Honey Lake on Friday, February 13. Leaving his men encamped, he went on to Susanville where he again arrested both Naileigh and Ward but released them immediately on their promise to submit to re-arrest upon his demand.

When the news of Pierce's actions spread, the "Honey Lakers" began to gather although by the next day there were only about thirteen.¹¹ These took Ward and Naileigh into the log cabin which Roop had built, and in effect held them prisoners. When Pierce arrived in town with his men that morning he found drawn across the street a line over which he was warned not to pass or he would be fired on. Ward and Naileigh said that their friends would not allow them to surrender themselves - which was true - so that for that day matters were at an impasse. The entire day was occupied in parleying, with nothing accomplished. Matters were somewhat complicated by the fact that most of the men on the opposing sides were friends and acquaintances and in reality did not want to become involved in a combat. There seems to be fairly strong evidence to support the theory that each party was trying to overawe the other.

However, Saturday night the little party from Roop

11. The number of combatants from Roop County cannot be determined accurately; accounts usually say there was a "large body" but give no numbers; the numbers vary from about 50 to 200. The author follows Fairfield.

County sent out for reinforcements, which arrived before morning. In order to put the cabin into shape for defense, the floor was torn up and nailed to posts set a short distance from the walls; earth was then used to fill the space, altogether making a very fair breastwork. There the main group gathered, but a few men concealed themselves behind logs piled at the south end of the "fort." About sixteen feet to the south was another log cabin in which a small group took up their position.

On Sunday morning, Pierce with a party of his men took possession of a barn about 160 to 200 yards to the southwest of the "fort." Since the walls were not thick enough to stop bullets, the floor was pulled up and nailed against the side facing the cabins. In front of the barn were a few large timbers which were needed in the work; six men went out to drag them in. The men attached a rope to one log. The Roop County men considered that an act of aggression and warned the Plumas men to desist. After giving the warning three times without its being heeded, the "Honey Lakers" fired a volley. One of the timber gatherers, William Bradford, dropped with a shattered thigh bone. Then the firing became general.

For the next three or four hours the shooting from both sides was more or less continuous. Small damage was done, however. No more men in the Plumas County party were hurt and but two men in the Roop County force were wounded.

One was Judge Ward, who had a bullet wound in his shoulder, and the other was Charles White, who had a flesh wound in his leg. The extremely few casualties can be explained by the effectiveness of the barricades and by the spirit which seemed to inspire the men. Evidence shows that the guns were not always pointed as truly as they might have been.¹²

Citizens of Susanville and the valley who had not been involved in the fracas attempted several times during it to bring about a cessation of hostilities; about four or five o'clock in the afternoon they succeeded. The truce was to last until evening, but when no agreement had been reached by that time it was extended until the next morning.

During the night, the men from Honey Lake made preparations for a serious battle, gathering food, ammunition and men, digging rifle pits, and the like. By morning a sizeable force was present and the prospects for a bloody encounter were very favorable. Pierce in the meantime received word that he could expect reinforcements in about ten days. A heavy responsibility lay on the shoulders of the leaders;

12. There are several good accounts of the fight and the preliminaries, and they all agree substantially. Fairfield, History, 311-320, has the most detailed account and was followed for many of the details here. Bancroft, Scraps, III, 875-881, has clippings from several California newspapers of the period and gives the complete story. Illustrated history, 358-362, contains Pierce's report to his superiors; the report gives a brief account of the entire affair. Mack, Nevada, has a very brief story of the action, taken, however, from documents in Carson City, Nevada, and gives the Roop County side of the affair.

happily they decided to hold a mass meeting and compromise. The compromise effected declared that neither party should exercise jurisdiction until the matter was taken before the governors of California and Nevada.¹³ With this agreement all were satisfied and returned to their duties and homes. On his way back, Pierce met a party bringing in a small cannon which had been sent to his aid.

Such was the history of the almost forgotten Sagebrush War, and the part taken in the gallant fray by Fort Defiance - as the cabin was called thereafter. No serious interstate complications resulted. When the boundary was run, as it was quite promptly, Honey Lake Valley was found to be in California. No resentment seems to have been felt, especially since the territory was organized into a separate county.

13. Document in Illustrated history, 358-359.

AUTHORITIES

Printed Material

I. Bibliographical Aids:

1. Cowan, Robert Ernest, and Cowan, Robert Gran-
niss. A bibliography of the history of
California, 1510-1930. 3v. San Fran-
cisco, 1933.

II. Documents:

2. Beckwith, E . G . "Reports of explora-
tions for a route for the Pacific railroad
of the line of the forty-first parallel of
north latitude," in United States War Dept.,
Reports of explorations and surveys.... II.
Washington, D. C., 1855. (33d congress,
2d session. Senate Executive Document No.
78.)

III. Periodical Literature:

3. Hutchings' California magazine. 5v. San Fran-
cisco, 1856-1861.
4. "A jaunt to Honey Lake Valley and the Noble's
Pass" in Hutchings' California magazine,
I. San Francisco, 1857.
5. Overland monthly. San Francisco, 1868-1875;
1883-.
6. Wells, H . L . "The Sage Brush rebellion,"
Overland monthly, XIII, new series. San
Francisco, 1889.

IV. General Works:

7. Angel, Myron, ed. History of Nevada with illustrations and biographical sketches of its prominent men and pioneers. Oakland, California, 1881.
8. Bancroft, Hubert Howe. History of California. 7v. San Francisco, 1884-1890.
9. Bancroft Scraps: California counties. III. Bancroft Library, Berkeley, California.
10. Drury, Aubrey. California: an intimate guide. New York and London, 1935.
11. Eldredge, Zoeth Skinner, ed. History of California. 5v. New York, 1915.
12. Fairfield, Asa Merrill. Fairfield's pioneer history of Lassen County.... San Francisco, 1915.
13. Hittell, Theodore Henry. History of California. 4v. San Francisco, 1885-1897.
14. Illustrated history of Plumas, Lassen and Sierra counties with California from 1513 to 1850. San Francisco, 1882.
15. Mack, Effie Mona. Nevada, a history of the state from the earliest times through the Civil War. Glendale, California, 1936.
16. Rensch, Hero Eugene, and Rensch, Ethel Grace, and Hoover, Mildred Brooke. Historic spots in California: Valley and Sierra counties. Stanford University and London, 1933.
17. Rider, Fremont, ed. Rider's California, a guide-book for travelers...., by Frederic Taber Cooper. New York and London, 1925.

MANUSCRIPTS

18. Forbes, Harrie Rebecca Piper (Mrs. A. S. C.).
Roop's Fort. Archives of State Park
Commission of California. San Francisco,
1934.

19. Sample, Ina Powers. The miners' movement for
statehood in Nevada. M.A. thesis. Uni-
versity of California, Berkeley, Califor-
nia, 1932.