

“Chat Helm and the Indians”

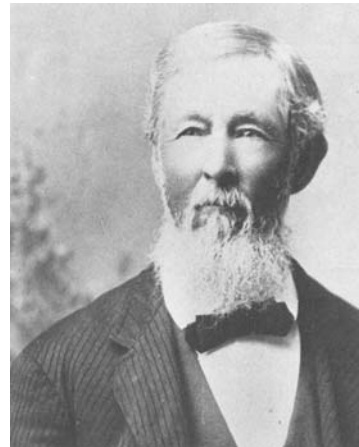
There has been some trouble with Pablo’s band of Indians, in Agua Caliente Township . . . a party of Indians, some 20 or 25 in number, appeared with the purpose of driving off Chatham Helms and other settlers. A house owned by Helms was set on fire and burned, and an Indian, named Francisco, was shot and killed.

--San Diego Union, August 18, 1877.

The Helm brothers of Missouri settled in the backcountry of San Diego in the late 1860s. Chatham, Daunt, Wid, and Turner laid out homesteads near Warner Springs, grew crops and raised cattle. “They were a turbulent bunch,” recalled one witness, “fond of whiskey and poker and Mexican monte, and they were reckless with gold and with lead.”

Toughest of the clan was Chatham. Born in 1824, Chat was 5 feet, 9 inches tall, with steely blue eyes, and a scarred right hand—slashed by a Sioux tomahawk on his way west, he would always claim. Around 1877, Chat settled in a canyon in the San Ysidro Mountains, west of Borrego Springs, and began running cattle.

It was poor land with little water and scarce arable farmland but it was home to about 75 Cupeño Indians, led by a chief named Pablo. Living downstream from Chat Helm, the Indians found themselves at the mercy of Helm for much of their water supply. A severe drought in 1877 would lead to suffering in the ranchería and problems with the prickly rancher.



Chat Helm

Angry and hungry, the Cupeños decided to talk to Helms. On the morning of August 4, 1877, Chief Pablo led “somewhere from twenty to thirty” Indians onto the rancher’s property. They were met by Helm and two hired hands, Arman Close and G. W. Cook.

According to thrilling newspaper reports, a running gun battle followed when the Indians, armed with guns and bows and arrows, attacked Helm and his men. The ranchers retreated for eight miles and then took refuge in an adobe house. After a three-day siege, in which seven Indians were killed and several wounded, the Indians called off the attack and asked to “parley.” “The pipe of peace was smoked” and the battle ended.

The actual incident was something less dramatic. But clearly there had been a fight between white settlers and Native Americans. A house used by Close and Cook had burned. And a young Cupeño named Francisco was shot to death by Chat Helm.

An investigation into the death of Francisco was dealt with quickly. Six neighbors of Helm gathered to form an inquest jury the day after the incident. The only witness heard—an Indian named Juan--testified that the Indians had approached the rancher, saying “we are friends and don’t want to fight.” Helm replied, “I want to kill an Indian today.” When one Indian moved toward the house carrying a rifle, Helm shot him dead.

The jury returned their verdict in minutes: “The deceased came to his death by a gun shot wound being inflicted by some party unknown.”

Vindicated in the homicide, Helm was determined to make the Indians pay for the fire on his ranch. Chief Pablo and two Indians known as Luis and Bill were arrested on charges of arson. In single day of testimony in a Justice Court hearing, several of Chat’s neighbors testified that the Indians had piled brush against a house about 14 feet square “built of poles and covered with boards” and set it on fire. The structure was completely destroyed.

The most remarkable testimony came from an Indian woman named Dolores. With the aid of an interpreter the woman was questioned by the defense attorney about her age and livelihood and then pressed about her religious beliefs:

Q: Do you believe in Jesus Christ?

A: She don’t know.

Q: Ask her if she knows the obligation of an oath.

A: No. [She does not]

Q: Ask her if she know the difference between truth and a lie.

A: She knows she will tell no lie.

At this point the prosecution objected to the witness, arguing that Dolores seemed “to be ignorant of a God, a Christ, the Obligation of an oath, and every other principal [sic] that binds & directs the conscience of a witness.” The judge permitted the testimony but told the jury to listen to the witness “with the greatest allowance as she being an indian can neither be made to understand any of the obligations binding on the Civilized race.”

Continuing, the defense attorney asked Dolores “did you see the house burn?” Pointing to Helm and his hired hands she said yes, she had: “The house burnt because them three men was shooting.”

With that comment the questioning of Dolores ended abruptly. The prosecutor declined to cross-examine “for the reason that the witness is entirely ignorant of a god, or a Saviour & is entirely ignorant of the moral religious or Civil obligations [and her answers] are entirely unintelligible, incoherent, & inappropriate in a judicial inquisition.”

Pablo was the final witness, though not “sworn in.” The chief denied setting any fire and testified he had come to the scene only when he “heard the boy was shot.”

Justice Court judge C. B. Dickerman concluded that Indian guilt had “been fully established by three competent witnesses: Chatham Helm, Arman Close, and G. W. Cook.” The Indians Pablo, Luis, and Bill were sent to San Diego and housed in the county jail at D (Broadway) and Front Streets. Eventually, the three would be convicted of arson in Superior Court.

The quarrelsome Chat Helm was free of the Indians but feuded instead with a neighboring rancher Bill Fain. The two fought over control of a road that provided access to both men’s property. When the dispute led to dueling Winchester rifles in 1887, both men landed in court on charges of attempted murder. The cases were quickly dismissed.

Two years later the feud took a bizarre turn when Fain found an Indian witness who agreed to testify against Helms for the shooting of Francisco, twelve years earlier. As the elected constable

of the region, Fain arrested Helm for murder. The charges were dropped before the case went to trial.

Finally tired of bickering with his neighbors, Helm moved his family to the Downey area of Los Angeles County. He died there in 1905 at the age of 81. By this time Helm's homestead in the San Ysidro Mountains was gone—his patent on the land revoked by federal authorities. The site of Chat Helm's ranch returned to the Indians as a part of the Los Coyotes Indian Reservation.

Published in shorter form as "1877 run-in with Indians ended badly," by Richard Crawford, in the San Diego *Union-Tribune*, April 18, 2009.