

**BURGESS FAMILY GREAT MIGRATION TO CALIFORNIA-1849**

Our great-great-grandfather Rufus Burgess arrived and settled in Coloma after arriving in the foothills of Northern California, where gold was first discovered in 1849. Men and women throughout the United States came to participate in California's gold mining during the Gold Rush era. Many Southerners brought their slaves and immigrant workers to accompany them to work the gold fields located in Eldorado County.

The portrait of Rufus Burgess hung over our family's fireplace for years. In addition to his bible with a handwritten autobiography that has remained with the family. Our father told us that the picture of Rufus Burgess was his grandfather. We were taught that Rufus Burgess was our great grandfather, and he wanted his family to know who we were and where we came from.

The Burgesses were one of the first Pioneer families to arrive in California in 1848-1849 before California joined the Union. Our direct descendants settled in Coloma in 1849. They mined for gold, farmed the land that provided fruit throughout the Valley, from our family's orchards, owned the Blacksmith shop used in the town during the gold rush, assisted in the establishment of the African Methodist Episcopal Church, owned multiple homes, businesses, land in the region, and the "**African Church aka Emmanuel Church**" within the town of Coloma. Our family remained in Coloma, CA for three generations only to have land seized by the state of California due to unnecessary probate proceedings, eminent domain, and the destruction/removal of the historical Burgess home that had been in the family over 90-years when California state employees raised it in 1950. No compensation was paid to the family for the total amount of land and wealth taken by unfair tactics, laws, and procedures used by state officials, resulting in our family's inability to pass on generational wealth within the Burgess family.

It was not until my adulthood that I learned from my own research, with **minimal help from State of California officials**, that Rufus Burgess was **Mulatto** and the father of Rufus M Burgess. Rufus Burgess, later referred to as Nelson Bell, was our great great grandfather. Rufus M Burgess, who arrived in 1851 and was set free upon arrival by a Military General, was our great grandfather and the son of Rufus Burgess, aka Nelson Bell.

As a child and young adult, I questioned why "Nelson Bells" name was written on an autobiography that family taught us, belonged to Rufus Burgess. My mother, Bernice P Burgess, continually wrote CA State Parks for years, trying to correct our family's history that was wrong or not included in the Parks narrative. She even wrote a handwritten copy of Nelson Bell's handwritten autobiography, along with our family tree, and sent them to Marshall Gold Discovery Center Park officials. While researching about four years ago, I remember seeing the handwritten letters my mother sent to Marshall Gold Discovery State Park. My mother's letters were in a white

**BURGESS FAMILY GREAT MIGRATION TO CALIFORNIA-1849**

binder at Marshall Gold Discovery Center Library. Upon making a public records request, to CA State Parks, I was informed by Mr. Steven Hilton, the Parks Cultural Resources Program Manager, that "he had no knowledge or recall of ever seeing this binder." I was told it was before his time at the State Parks, albeit he was working for State Parks when I saw my mother's letter.

Suppose CA State Parks had told my mother in the 70s, 80s, 90s, and 20<sup>th</sup>-century that Nelson Bell had a separate gravesite from Rufus M Burgess during one of her many visits. The Burgess family's understanding of Rufus Burgess/Nelson Bell would have differed, and I might not be here today. Unfortunately, CA State Parks withheld information and family artifacts, such as photos, maps, marriage certificates, and titles/conveyance recordings to property that my family once owned. More importantly, if my parents and two other siblings, who have now passed, had been alive to share this information, our family would have had some peace and clarity.

Our family replaced the wooden head marker for Rufus M Burgess with a new headstone in either 2005 or 2006. My mother, Bernice P. Burgess, felt so strongly that there was a direct correlation between Rufus M. Burgess and Nelson Bell, that she had **N.B.** placed on the headstone of Rufus M Burgess, our great grandfather who died in 1900 and is buried in the Coloma Pioneers cemetery.

I question why:

CA State Park officials chose to make little to no mention about the pioneer Burgess Family who arrived in the town in 1849?

The home of Nelson Bell, who is the only Black man (Mulatto) listed on the first ever map of Coloma completed in 1857, is not mentioned, marked, or spoke about at the Marshall Gold Discovery Center's State Park today?

There is no mention of the African Methodist Episcopal (AME) Church or the African Church that existed in the town in 1850 and 1872? Deeds held by the Burgess family today.

Annie Butler, who died in 1886 as Annie Burgess, is listed as a property owner on a 19<sup>th</sup>-century hand-drawn map that resides in the Marshall Gold Discovery Library today, as Annie Butler?

California State Park officials have the Burgess family heirlooms consisting of letters, portraits, and photos and have not released them to the family?

Why do European pioneer families of El Dorado County that arrived in California before, during, and after the Gold Rush still have land and wealth

**BURGESS FAMILY GREAT MIGRATION TO CALIFORNIA-1849**

today, compared to the Black families in what was supposed to be a FREE state for all people?

Why does the state of California's institutions continue to perpetuate and conceal how land (wealth) was taken from the Burgess family and hundreds of other Black families?

What do the older White women and men who reside in Coloma today mean when they hear that we are "Burgess's" and they ask: "**What do you know about the land on the Northside of the hill?**" within the CA state park today?

Rufus Burgess, our great-great-grandfather was the father of Rufus M Burgess and Ida Burgess (daughter). Ida is buried amongst the Tuecher family. We believe Ida Burgess is buried, as Ida A Tuecher Hunt. The men listed below arrived in California by wagon caravan in late 1848-1849. Listed with this group are Daniel and Philip (Jon)-Tuecher, Robert Bell, C.J. Johnson, and a host of White California Gold Rush Pioneers. The question remains, how or why was Ida listed as living in the Tuecher home? The brothers were never listed as having wives. Why was Ida's name changed? was she an indentured servant to these brothers? who had knowledge about the real identity of her father Nelson Bell. My mother documented that Annie/Ida came by way of ship through the San Francisco Port in around 1864. (Also note, slaves were buried with just the year of birth their births and no month; the remaining Tuechers and families of European decent have both the month and year they were born).

In Delilah Beasley's book the "Negro Trailblazers," Rufus M Burgess is listed as the only Black man in Coloma in 1849. However, documentation/State Parks information shows that **Rufus M Burgess** did not arrive until 1851. Critical errors such as adding the middle initial M to the name of Rufus Burgess by publishers cast awareness on Eurocentric accounts of California history that perpetuates White supremacy. The lack of accountability in established government minimized and removed the contributions of Black pioneers in California, thus further contributing to the miscarriage of justice our family and other Black families experienced.

The Fugitive Slave Act was adopted in 1850, and it prevented slaves from crossing the plains unless accompanied by a European person in position of power during that time. It was not uncommon for formerly enslaved people to pay for their freedom by working in the mines and later sending for their families after California joined the Union in 1850.

In 1852 the establishment of a gaming table and liquor license for **Rufus Burgess**, the father of **Rufus M Burgess**, with a partner **Booker Lewis** were documented in Mud Springs (Eldorado County). It is improbable that a

**BURGESS FAMILY GREAT MIGRATION TO CALIFORNIA-1849**

newly arrived slave set free one year prior would have the means to establish a gaming/liquor license so soon after arriving. The gaming table/liquor license supports the idea of a segregated community for Black miners and families that settled in Eldorado County, CA, between (1849-1850).

I estimate that Rufus Burgess took the slave name Nelson Bell sometime around 1856, just one year before him being listed as the only person of color on the first township map of Coloma in 1857. Ironically, the original Blacksmith shop now known as the Grange Hall, owned by Rufus M Burgess, sat almost directly across from Nelson Bell's home shown on the map of 1857.

Nelson Bell wrote in his autobiography – “Bell who soon left me to *follow the desires of my own heart.*” Thus, allowing him to begin using the name Rufus Burgess once again. Following the desires of his own heart in 1864, Annie Butler arrived with a daughter and married Rufus Burgess that same year. This timeline lends credibility to what is written about the Burgess home that was in the family since the early 1860's that state employees raised in 1950. Sadly, after the ending of the Civil War and the return of prior slave-owners (The family believes that Rufus Burgess was forced to resume the slave name Nelson Bell, thus being buried by that name).

In 1862 Rufus Burgess was appointed Secretary/Treasurer of the African Methodist Episcopal Church congregation in Coloma. Rufus was also officially claimed as one of the Colored residents of the town.

Before his death in 1869, he wrote his autobiography as Nelson Bell sharing the accounts of his life, ending it by saying, “man has deeply wronged me, but the glory of God lives forever.” According to the probate records, his house was to be carted away or burned. There are photos as late as 1880 that show the home was still standing.

After the death of Rufus Burgess, buried as Nelson Bell, only then was it that **Rufus M Burgess** began showing up on Federal Census data (1870). He was an active member of the Colored Citizens of California, served as an agent for the San Francisco Pacific Appeal newspaper, and he was the town Blacksmith in the same building established by his father (listed on the map of 1857 as Nelson Bell). From 1851-1900 our great grandfathers acquired land (terraced the hillside) and struck gold in 1878, only to have it taken away; officials noted there were 65-extraction points. Rufus M Burgess purchased the African Church of Coloma in 1872, owned a grocery store in Shingle Springs in 1875, sharecropped, and sold fruit throughout the Valley, Sacramento, El Dorado, Nevada, etc. Yet, CA State Park Marshal Gold Discovery Center has written nothing about him (why?)—his dedicated advocacy work. He sought the rights of Colored children in Coloma to receive

**BURGESS FAMILY GREAT MIGRATION TO CALIFORNIA-1849**

an education, in addition to his pre-Civil Rights efforts toward equality for Black tax-paying citizens to have access to the courts.

The Blacksmith shop, now referred to as the Grange Hall, remained in the Burgess family from 1850 - 1901. One year after Rufus M Burgess died. Josephine Pierce Burgess Monroe, our great grandmother widow, and mother to Rufus M Burgess Jr., a 3<sup>rd</sup> generation, sold the building to Mr. Gallagher. The Gallaghers migrated to California in the 1860s and established themselves in Placerville. Family deeds and land transfers within the Burgess family dating back to 1870's -1917 have been ignored and not recognized as being recorded, thus resulting in unnecessary probate proceedings by the State of California. These proceedings assisted California State Parks in seizing large portions of our family's land that the state now owns., Moreover, it also assisted in the cover-up of inaccurate maps that misrepresent land ownership.

The entire unfolding of history has affected our family greatly by having to relive the trauma experienced by our loved ones. And we continue to lose family members, which COVID has amplified! However, we hold unto hope because we have handwritten notes from our mother, along with investigative research, secondary documents, and oral family narratives that have led us to where we are today. Regardless of CA State Park's resistance and unwillingness to provide equitable and fair access to assist our family with uncovering additional information about our family's history in Coloma. We are confident in our family's entitlement, restitution, and how reparations should look.

Our family wants to go on record regarding the claims listed below:

**The Marshall Gold Discovery Center** is sitting on property owned by Nelson Bell, aka Rufus Burgess, and Annie Butler. If proven Nelson Bell is Rufus Burgess, our family never received compensation for that land. Additionally, State Parks recorded his land assets and cash that were taken by probate upon his death.

1. Land taken from black families that California state institutions currently own should be returned with 170-year leases put in place for California to lease the land back from the descendants of the rightful owners. These land areas include and are not limited to: State parks, jails, office buildings, and other government institutions built on land formerly owned by Black pioneer families. Settlement cash payments to descendants of these lands should also be applied. And the descendants should be

**BURGESS FAMILY GREAT MIGRATION TO CALIFORNIA-1849**

exempt from real estate taxes and property tax for no less than 200 years. This righteous act should not be required to wait the 2-3 year time-frame it will take to apply legislation adopted from the recommendations of the Reparations Task Force. In cases where descendants no longer exist or cannot be located, money should be placed allocated for leases in the AB3121 reparations fund to benefit African Descendants of Slaves (ADOS) that qualify for the benefit guidelines.

2. Create a fund to support ongoing therapy for California African American descendants of slaves who have experienced physiological/psychological trauma from perpetuated denial, lies, and the withholding of critical information and documents relating to family heirlooms. Our families' experiences with California State Parks dating back to the 1970s have turned into distrust for most Europeans in positions of power within state and local government.
3. California history and government studies beginning with students in grades 3<sup>rd</sup> -12<sup>th</sup>, should dedicate teaching about why land was taken from Black pioneers in studies about California's government. Specifically, the history relating to CA Marshall Gold Discovery Center, they should develop 4<sup>th</sup>-grade reading books that share a truly informative and inclusive history that include contributions from Black citizens/pioneers. The books should be sourced from a private vendor, non-state affiliated historians, selected by qualified professionals and members of the **California African American Gold Rush Association- 501(c) 3**. The book, upon completion, should replace existing written fallacies that are inaccurate about the California's Gold Rush era.
4. In cases where land has been taken and cannot be returned, compensation should be made to the descendants of the rightful owners due to resurveying and private land ownership. And in cases where it is proven that the land was once farmland, the state of California should put these descendants at the top of select government contracting opportunities related to the purchasing of commodities/services (set aside contracts for California African Descendants of Slaves businesses).

**BURGESS FAMILY GREAT MIGRATION TO CALIFORNIA-1849**

5. Lastly, a public apology is made to the Burgess family for the willful, intentional actions the CA Marshall Gold Discovery State Park took to exclude and suppress our family's contributions to the California Gold Rush pioneer history. Moreover, acknowledge their withholding of photos, portraits, handwritten letters, and diaries that belong to the Burgess family. And take the necessary steps to return all the Burgess family heirlooms that include all the items identified above. Additionally, we would like to discuss reparations apart from AB 3121, we are of the belief our family wants relief now and have waited entirely too long to be potentially denied once again under umbrella legislation.

In closing, I ask the Secretary of State to provide our family with something we've been denied for over 172 years. Our family is requesting access to prove or disprove our claims.

I hope that California will enact policies that ensure our family gains access to our heirlooms and other property that is a part of our ability to heal and reach a place where we have a healthy identity. Also, we want to grow to a place where we have an opportunity to be of those in California who the Constitution calls free, independent with inalienable rights. As our Constitution reads: "Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy." (California Constitution). We don't have these rights granted to our family under California's Constitution. Therefore, I am honored to tell my family's story about how California's lack of policies has harmed my family from our constitutional rights under the law. We are victims of bad California public policy

Respectfully Submitted



Jonathan Burgess  
ADOS- Burgess Family Spokesperson  
Email: [Jon@Burgessbrothers.com](mailto:Jon@Burgessbrothers.com)