hence it is apparent that they will not invite a dissolution of the tribal relation, division of land in severalty, or citizenship.

The Kansas claim.—A decision of the Court of Claims was affirmed by the Supreme Court of the United States March 20, 1899, in favor of the New York Indians to the effect that the said Indians are entitled to the net amount actually received by the Government for the lands in Kansas which had been set apart for said New York Indians by the treaty made at Buffalo Creek, New York, January 15, 1838, less the quantity of land upon the basis of which settlement was made with the Tonawanda Band of Seneca, and other just deductions. The amount of the judgment in favor of the New York Indians was $1,967,056. Congress at its late session made the appropriation to pay this judgment, but, I believe, failed to pass an act authorizing the Secretary of the Interior to make up a roll of those entitled to participate in the distribution of the judgment.

The following tribes of New York Indians will be entitled to participate in the distribution of this fund according to the following census, which was made a part of the treaty of 1838: Seneca, 2,309; Onondaga on Seneca reservations, 194; Cayuga on Seneca reservations, 130; Onondaga on Onondaga reservations, 300; Tuscarora, 273; St. Regis, 350; Oneida at Green Bay, 600; Oneida in New York, 620; Stockbridge, 217; Munsee. 123; Brothertown, 350; total, 5,585. The Tonawanda Seneca have had their share of this claim.

Annuities.—The United States holds in trust $238,050 for the Seneca, and $86,950 for the Tonawanda Band of Seneca. The interest on these funds, amounting to $11,902.50 and $4,349.50, respectively, is distributed annually by the United States agent. The per capita amount from the first fund last year was $4.20. Each of the Tonawanda Indians received $8.35 from their fund and $4.20 from the general fund, or a total of $12.55. The Federal agent also distributes each year $3,500 worth of sheeting and gingham among the Seneca, Cayuga, Oneida, Onondaga, and Tuscarora, in pursuance of a treaty made with the Six Nations November 17, 1794. The State of New York pays annuities as follows: To the Cayuga, $2,300; to the Onondaga, $2,340; to the St. Regis, $2,130.67; to the Seneca, $500.

In conclusion permit me to thank the Department for the prompt attention and cordial support rendered me in the performance of official duties.

Respectfully submitted.

A. W. FERRIN,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS.

REPORT CONCERNING INDIANS IN NORTH CAROLINA.

REPORT OF SUPERINTENDENT IN CHARGE OF EASTERN CHEROKEE AGENCY.

CHEROKEE, N. C., *August 27, 1900.*

SIR: The year ending June 30, 1900, has been one of fair prosperity. The Eastern Cherokee have shown themselves industrious and thrifty to a commendable degree, having been busy repairing fences, inclosing new fields, and improving their homes. The skill of many of the men with an ax is praiseworthy, as shown in the very excellent log houses built by them, the walls of which are very smooth and true. A pleasing innovation has been made in the comfort of these houses, inasmuch as it has become necessary that they be supplied with windows, while heretofore light from the doors was found sufficient, with that furnished through "a peephole," a crack left without daubing, so that the approach of company might be observed.

None of these Indians live in other than log or frame houses, except it is for a short time when in the mountains fishing or root and leaf gathering, in which they engage on occasions when the farming work will permit or the necessity of food supply compels them so to do. During the early summer this food supply is materially and pleasantly varied by the abundant and choice product of wild berries—strawberries, raspberries, blackberries, and whortleberries.

Much of the land owned by the Eastern Cherokee is excellent for fruit. Apples are a sure and usually abundant crop; peaches are produced in some of the sheltered coves each season; grapes grow luxuriantly, wild and of several varieties; plums do well, but pears are an uncertain crop. Some attention has been given to the improvement of natural varieties and to the introducing of those new to this section, and with marked results. Corn continues to be the staple crop. From it nine forms of food are prepared, all more or less palatable, even to the taste not

educated to their use. Bacon, coffee, and clothing are supplied by the country stores in exchange for cash or produce.

Formerly much of the clothing was manufactured by the Indians, but more recently better markets and cheaper have stilled the hum of the spinning wheel and the thump of the loom. Baskets, pottery, and wooden spoons comprise the articles of manufacture for sale. A few families only have the art of pottery making, and these make some of their own cooking utensils, which are of necessity primitive, because the cooking is done by the open fire, except in a few instances where cook stoves are used by the more well to do.

The purchase of school supplies from the Indians as they have been able to furnish them has given available cash wherewith to secure home comforts. In this is the influence of the returned pupil most marked.

The health of the school children during the year has been exceptionally good. At one time an epidemic of diphtheria was threatened, but prompt and decisive measures checked and confined it to the children of one of the employees. La grippe and mumps have been prevalent, but with no apparent serious results.

The schoolroom and industrial work have been successful, the interest manifested by both employees and pupils being much superior to that of the previous year. The harmonious working together and subordinating of personal preferences to that thought to be for the greatest good for the greatest number has been marked and pleasant.

The attendance of children has not been so large as it should be next year, repairs and additions to dormitory and other space having increased the capacity so that more children can be accommodated without violation of sanitary conditions.

There is no organized missionary work among these Indians. The Government school is the only opportunity for education. The Baptist and Methodist churches have organizations with more or less members, and there is individual effort at evangelization and proselyting, with spasmodic results.

The long-delayed quieting of title to some of the outlying tracts of land which should belong to these Indians seems to be about consummated. The tracts, which are remote from the Qualla boundary, will be a source of annoyance, inasmuch as they will, as heretofore, be subject to depredation by timber and bark thieves, so that a sale of such land should be made at as early a date as practicable.

If the talked-of Appalachian National Park is located so as to include that country comprising many of the choicest bits of scenery unmarred by Anglo-Saxon civilization, and nearest the ideal "forest primeval," it will necessarily take the greater portion of Qualla boundary. This would be a very desirable disposition of a large portion of the mountainous part of the tract, for already have covetous eyes been fixed on this by speculators who wish to control the future disposition of the merchantable timber, which at this time includes practically everything from a walking stick up. The stripping of these mountain sides would be a calamity to be deplored, and should be prevented. A judicious harvesting of the mature timber and a proper care of that growing, if feasible, should develop these forests and be a source of revenue. With lumber manufacture is usually associated a dissolute and more or less depraved laborer, with which the weaker of the Indians affiliate, the moral standard is lowered, and the influence is bad, notwithstanding the best efforts of the stronger to counteract and uplift.

A revival of ball play, with its accompanying dances and the superstitious rites of the "medicine man," is having a bad influence. A peculiar excuse for this revival is that recently the State authorities have denied the Indians the right of ballot, exercised for more than thirty years. This treatment is plead as the reason, "If we are not citizens, we are Indians; then let us act as Indians." A step backward, which should be retrieved by an early settlement, beyond cavil, of the political status of the Eastern Cherokee.

Advancement in the "white man's path" is evidenced by the fact of a contested election. The election for chief is by ballot for a term of four years. The vote last election was more evenly divided than usual, and there were some irregularities. The defeated candidate, not content with the judgment of the council of the band, confirmed by the Commissioner of Indian Affairs, has now applied to the State courts for redress, influenced, perhaps, more by the counsel of some hungry attorney than from a desire to right wrongs committed.

The State of North Carolina has long exercised jurisdiction over this band and expects that its members perform the duty of citizens, which they cheerfully do, but very naturally desire all of the privileges pertaining thereto.

A careful examination of the past will show that whisky and its influence has been the direct cause of any cost this people has been to the State for criminal prosecutions; and yet local sentiment is divided as to the prosecution of those furnishing the liquor which makes their conviction as difficult as possible.

The school has profited from the visits of Superintendent Reel and Special Agent Jenkins. These visits and courtesies shown by the office have been and are very much appreciated.

Very respectfully,

HENRY W. SPRAY,
Superintendent and Special Disbursing Agent.

The COMMISSIONER OF INDIAN AFFAIRS.

REPORTS CONCERNING INDIANS IN NORTH DAKOTA.

REPORT OF AGENT FOR DEVILS LAKE AGENCY.

DEVILS LAKE AGENCY,
Fort Totten, N. Dak., August 21, 1900.

SIR: I have the honor to submit my third annual report of the Devils Lake Agency for the fiscal year ended June 30, 1900.

The Devils Lake Agency is composed of two separate reservations: The Fort Totten and the Turtle Mountain reservations, situated about 100 miles apart.

The Turtle Mountain Reservation contains about two Congressional townships, and is about equally divided by lakes, timber, and prairie, less than one-third of the area being tillable, and is occupied by the Turtle Mountain Band of Chippewa and about 30 families of Canadian Chippewa who settled on the reservation prior to 1892, and were rejected by the treaty commission of that year as not belonging to the Turtle Mountain Band.

The Canadian Chippewa refused to remove from the reservation at that time, have since refused, and still refuse to remove, and no steps have ever been taken by the Department to remove them in spite of repeated entreaties from the Turtle Mountain Band of Indians, the recommendations of the Indian agents, and the promise of the Indian Office—letter of March 20, 1889, to Kaspash, Maxime Marion, and Joseph Rolette, delegation of Turtle Mountain Chippewa, by John H. Oberly, Commissioner. While the said Canadian families residing upon the reservation do not draw subsistence supplies, and are not, generally speaking, a charge on the Government, and derive the greater part of their support from the tilling of the land on which they reside and their labors among the whites, they are still obliged to obtain their fuel and hay from the Indian reservation on which there is no too abundant a supply for those properly entitled thereto.

At the present writing there exists an epidemic of smallpox on the Turtle Mountain Reservation, all residents being under quarantine, whether belonging to the Turtle Mountain Band or not. I have, therefore, been obliged to issue rations to said Canadian residents to prevent starvation. Thus they are not only occupying the lands rightfully belonging to the Turtle Mountain Band, but are known to be a menace to the peace and dignity of the reservation.

A considerable portion of the Turtle Mountain Band, especially the full-bloods, on account of the overcrowded condition of the reservation, reside at or near Dunseith, some miles from the reservation. During the month of May a murder was committed by one of said Indians, the victim being his grandmother, his wife being severely wounded in the affray. On account of the deed being committed outside of the reservation, it was found that the United States court had no jurisdiction. The murderer escaped to Canada, his whereabouts being well-known, yet no steps have been taken toward his arrest and extradition.

For a fuller report of the Turtle Mountain Reservation see report of E. W. Brenner, farmer in charge, attached hereto and made part hereof.

Location.—The agency is located at Fort Totten, on the south shore of Devils Lake, from which the agency takes its name and which forms its northern boundary, the Cheyenne River forming its southern. The reservation is about 35 miles from east to west, and from 8 to 18 miles north and south. I find it to comprise the whole and part of twenty-four different Congressional townships, only two of which are full, and to contain, including military reservation, 230,661.52 acres of high rolling lands, thinly timbered along the lake and river shores, well watered, and well adapted to mixed farming.

Buildings.—The agency buildings, except the gristmill, are located at Fort Totten, which is 15 miles from Devils Lake city, on the Great Northern Railroad and on the opposite side of the lake, Devils Lake city being reached in summer by steamboat and bus, in winter by driving across the lake on the ice. It is 12 miles from Oberon, on the Devils Lake branch of the Northern Pacific Railroad, and about the center of the reservation from east to west.

The buildings at the agency, with the exception of the commissary, granary,