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REPORT.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 25, 1854.

SIR: I submit for your consideration the usual annual report from this branch of the public service, referring to the accompanying reports of the different superintendents, agents, sub-agents, and other communications, for detailed information respecting the operations of the department and the condition of the various Indian tribes.

The remnants of the "Six Nations," remaining in the State of New York, present the interesting spectacle of one of the most renowned portions of the aboriginal race of this continent, still adhering with traditional tenacity and veneration to the homes of their forefathers. Subjected to many trying and adverse vicissitudes, by which their numbers and territorial possessions have been greatly diminished, this once barbarous and heathen people, devoted only to war and the chase, have undergone one gratifying change, and now generally acknowledge, and partially practise, the more ennobling and beneficial principles and pursuits of Christianity and civilization. Internal dissensions, alluded to in former reports, have materially interfered with their advancement and welfare; but these it is hoped will all soon cease, and never hereafter be renewed.

The peculiar and unfortunate situation of the Indians in the State of Michigan, consisting, mainly, of the confederated bands of Ottowas and Chippewas, was fully stated last year, and the measure deemed best for their preservation and welfare suggested. It is requisite that there be new conventional arrangements with them, providing for material changes in their affairs, and in their relations with the United States and the State of Michigan. Such arrangements could not be effected without more or less expense; and, on the application of the department, the sum of ten thousand dollars was appropriated therefor by Congress. But in consequence of the late period at which the appropriation was made, and other circumstances, it has been deemed advisable to postpone further proceedings until the next year.

By the convention with the Menomonees of the 12th of May last, they relinquish their right to a large tract of country in Minnesota, west of the Mississippi river, set apart for their permanent home by the treaty of 1848, but which, proving to be unsuitable for that purpose, was therefore unacceptable to them. In exchange therefor, they were confirmed in the possession of a portion of the tract on the Wolf and Oconto rivers, in Wisconsin, which, with the assent of the authorities of that State, had been assigned for their use, and to which they had removed. The tract granted them by the treaty of 1848 was guarantied to contain not less than six hundred thousand acres: that secured to them by the convention of May last embraces only two hundred and seventy-six thousand four hundred and eighty acres, and is

deemed to be more than ample for their comfortable accommodation. The lands retroceded by them, though not suitable for their purposes, will be equally valuable to the government, if not more so than those granted in exchange.

In consideration of the great difference in the quantities of the lands thus exchanged, and because it was believed that the consideration stipulated for the lands they had been induced to cede by the treaty of 1848 was inadequate, in addition to the pecuniary and other beneficial provisions of that treaty which were continued to them, the sum of one hundred and fifty thousand dollars was stipulated to be paid in fifteen annual instalments, commencing with the year 1867, when the payments in fulfilment of the treaty of 1848 will expire. This consideration was increased by the Senate, in the additional sum of ninety-two thousand six hundred and eighty-six dollars; making the aggregate amount of two hundred and forty-two thousand six hundred and eighty-six dollars. Having thus been permanently and most liberally provided for, and all causes of discontent removed, it is hoped and believed that in a few years the Menomonees will exhibit some evidences of moral and social advancement.

The department has been perplexed and embarrassed by the refusal of that portion of the Stockbridge Indians, of Wisconsin, parties to the treaty of 1848, to accept the tract of land selected for them in accordance with that treaty, and to which selection they at one time gave their assent. They are, or pretend to be, anxious to remain where they now are, at Lake Winnebago; and individual members of the band have repeatedly visited this city to urge an arrangement to that effect. For reasons stated in my special report to you of the 25th ultimo, their application could not be granted. The only alternative seems to be to find them a suitable home within the limits of Wisconsin; and as they require but a very small tract, this can be accomplished without prejudice to the interests of the white population of the State. It should not be done, however, without making provision for all belonging to the band—those parties to the treaty of 1848, and those who were not; including also their brethren, the Munsees, whose rights and interests were entirely disregarded in that treaty. It is much to be regretted that such an arrangement has not heretofore been effected; as the distracted condition of these Indians, and the uncertainty as to their future destination, have been of serious injury to them. A recent personal visit disclosed manifest evidences of a former state of advancement and prosperity far beyond what they now enjoy.

The only other Indians having territorial rights in Wisconsin are the band of Oneidas, who occupy a small reservation near Green Bay, and are so far advanced in civilization as to justify the presumption that, like the Brothertons, they will, at no distant day, dissolve their tribal organization and become citizens.

There are, however, within the limits of Wisconsin, and also within the northern peninsula of Michigan, a few small bands of the Chippewas of Lake Superior, who still occupy their former locations on lands ceded by the treaties of 1837 and 1842. It has not, thus far, been found necessary or practicable to remove them. They are very

unwilling to relinquish their present residences, as are all the other bands of the same Indians; and it may be necessary to permit them all to remain, in order to acquire a cession of the large tract of country they still own east of the Mississippi, which, on account of its great mineral resources, it is an object of material importance to obtain. They would require but small reservations; and thus permanently settled, the efforts made for their improvement will be rendered more effectual.

The Chippewas who reside in Minnesota, west of the Mississippi, are not, it is understood, desirous of ceding any portion of their country west of that river; nor is such a cession at this time deemed absolutely necessary, so far as the wants of our citizens are immediately concerned; yet, in view of the rapid spread of population in that direction, and of the future interests of the Indians themselves, it is believed that an early opportunity should be embraced to circumscribe their limits, and to concentrate them upon permanent locations, as recommended for their brethren on the east side. There are also bands of Chippewa Indians residing in the region north of the headwaters of the Mississippi, who, from the imperfection of former treaties, do not participate in their benefits, and are therefore in a very destitute condition. Some arrangement should be made to secure to them the means of subsistence and improvement.

It having been found that the country proposed to be given to the Winnebagoes, by the agreement made with them last year, for an exchange of lands, would, in many respects, be an improper location for them, it was recommended by the department that the agreement should be so amended as to assign them a location on the southern branch of the Crow river, to include Red Cedar Island lake.

The amendment which was adopted by the Senate authorized the assignment of this location to them, or one further west, as might on examination be found most advisable. A reconnoissance of the country west having thus been rendered necessary, the arrangements for the permanent establishment of these Indians, unfortunately for them, have not yet been consummated.

The difficulties connected with our relations with the Sioux Indians of Minnesota were, a year ago, as explained in the last annual report, of a serious character, but they have happily been surmounted. Congress having, at its late session, confirmed to these Indians the reservations originally intended for them by the treaties of 1851, measures were promptly adopted for concentrating them thereon, and for commencing a system of operations calculated to domesticate and improve them.

During the past season articles of agreement and convention were concluded with the Omaha, Ottoe and Missouria, Sac and Fox of Missouri, Iowa, Kickapoo, Delaware, Shawnee, Kaskaskia, Peoria, Wea, Piankeshaw, and Miami Indians, all residing within the central superintendency, and in the newly organized Territories of Nebraska and Kansas. These tribes possessed lands bounded on the east by the western boundaries of the States of Missouri and Iowa, and lying between the parallels of 37° and 42° 40′ north latitude, embracing, in the aggregate, nearly 15,000,000 of acres; all of which, with the ex-

ception of about 1,342,000 acres, being the amount of their several reservations, was ceded to the government. All the cessions vest the title unconditionally in the United States, except those from the Iowas, the confederate band of Kaskaskias and Peorias, Weas and Piankeshaws, and the Delawares. The stipulations with these tribes are, that the land ceded by them, (except the Delaware outlet,) shall, after survey, be offered at public sale, and sold to the highest bidder; and such portions as are not so sold, shall be subject to entry at $1 25 per acre, for the term of three years; after which time Congress may reduce the price of the land then remaining unsold. The expense of surveying, managing and selling the land, is to be deducted from the proceeds of the sales, and the residue to be paid to the Indians.

The prices stipulated for the lands acquired in Nebraska do not exceed the average prices given heretofore for Indian lands, whilst those for the acquisition in Kansas are greater. This is attributed to the higher grade of title possessed by the Indians treated with in the latter Territory, but which will not necessarily be the case in the conventions contemplated to be held with the tribes there, who are the mere holders of title without guaranty for perpetuity by the United States.

The payments have been graduated and extended so far as was deemed judicious, in view of the condition of the tribes dependent, from present habits, upon annuities for subsistence. But perpetual annuities have been discountenanced, as tending to indolence and helplessness. The moneys have been placed, except in a few instances, and in those to a limited extent, under the control of the President of the United States, to be so applied as will, in his opinion, most conduce to civilization, comfort, and mental and moral improvement; and the payment of debts contracted by a few individuals, or alleged to have been contracted by them in the name of the tribes, and termed national obligations, heretofore a prolific source of bribery and corruption, are expressly forbidden.

The lands thus acquired are of excellent quality, eligibly situated, are now being rapidly settled, and will soon be brought under cultivation by that portion of our population who intend to make these Territories their future homes.

Congress appropriated the funds necessary to fulfil the stipulations of these conventions, the Senate having ratified all without amendment, except those with the Miamies and Shawnees. The amendments to the former did not require the assent of the Indians; and those to the latter were assented to by the Shawnees, coupled with the condition that neither the present nor any future council of the tribe should ever appropriate any of the funds stipulated to be paid them to the satisfaction of certain pretended claims of R. W. Thompson, G. C. Johnson, and Ewings and Clymer, against the tribe. The condition was deemed of such a character as to require the consideration and action of the Senate, and the paper was returned to the Indians, with a suggestion by the department that they should cancel it, make their assent unconditional, and, if they desired to do so, express their views of these claims in the form of an independent resolution. This suggestion was adopted by the Shawnees, the amend-

ments unconditionally assented to, and a resolution unanimously adopted expressive of the wish and desire of the Shawnees, "that no countenance be given by any of the departments at Washington to the aforesaid pretended claims, or any other of a like character."

There are several other tribes in Kansas Territory with which it will be necessary to have new conventions at an early day; and it is also very important that arrangements be made as soon as practicable with the Pawnee and Poncah Indians, of Nebraska, by which their limits may be restricted and defined, and their assaults upon emigrants, and their hostile excursions against other tribes, terminated.

Within the central superintendency no perceptible improvement has taken place during the year in the moral condition of the Indian tribes; while the unusual and protracted drought that has prevailed in that region of country has caused, in many instances, an almost total failure of the crops of some of those who have heretofore attempted to cultivate the soil.

Some of the tribes will have corn sufficient to supply their necessities; and to guard against inevitable suffering and want, it has been determined to retain a portion of the annuities of the present year due to such as are destitute of provisions, and thus afford them the means necessary to procure food during the approaching winter and spring.

The various bands of Sioux, Gros-Ventres, Arickarees, and others of the Upper Missouri agency who are parties to the treaty of Fort Laramie, received their annual presents and annuity goods with great satisfaction. The Arickarees, Mandans, and Gros-Ventres informed the agent that he might in future dispense with any further supply of corn, as they had raised enough for their own use, besides a quantity to sell. The rapid dispersion of the buffalo, and other causes alluded to in the report of the agent, require that such action be taken at once as will lay a foundation for the future support of these people.

The discontent of some of the bands on the Upper Missouri, and the attempts of those who committed the massacre near Fort Laramie—alluded to elsewhere—to enlist all the Indians of that region to join them in a general war on the whites—for details of which you are referred to the report of the agent—are, in my judgment, sufficient to require prompt action and such military defences as will be sufficient to protect those who may travel over the plains next spring.

The Omaha, Ottoe and Missouria, and the Pawnee tribes, embrace the Indians in the Council Bluffs agency. Through the neglect of their former agent, and the delay necessarily occasioned by his rejection by the Senate, and the appointment and qualification of a successor, these Indians have had but little attention during the past season. The Omahas and Pawnees have, it is understood, raised and gathered less than an average crop of corn, but the Ottoes and Missourias are without food for the winter, and all of them are nearly destitute of clothing. When recently in Nebraska, I directed the agent to make provision for the necessary wants of the Omahas, and Ottoes and Missourias; and to proceed at once, with parties of each, to select the reservations provided for in the recent treaties, so that these Indians may be removed early in the spring. By the treaty with the Omahas, it is stipulated that the United States will protect

them in their new home from the assaults of the Sioux and other hostile tribes. Without this protection, they will not, and indeed ought not to remove; and the military post, before alluded to, should be located with reference to such protection.

The Indians of the Great Nemahaw agency, comprising the Sacs and Foxes of Missouri, and the Iowas and Kickapoos, will, with the partial crop raised by them, and the portion of their annuities withheld to meet their necessities, get along without any serious inconvenience. It is gratifying to know that some of the Indians of this agency are impressed with the necessity of exerting themselves to change their mode of life, to adopt new habits, and to have their means employed in the erection of houses and the opening and cultivation of farms.

The crops of the Indians within the four agencies embracing the Delawares, Shawnees, Wyandotts, Pottawatomies, Kansas, Sacs and Foxes of the Mississippi, Chippewas, Ottowas, Kaskaskias, Peorias, Weas, Piankeshaws, and Miamies, have, to a very great extent, failed, and suffering to an unusual degree will only be prevented by the application of a portion of the ample money-annuities, which most of them have, to the purchase of such supplies as may be necessary for their comfort.

The agents have been instructed to cause the exterior lines of the tracts reserved by the recent treaties with the tribes west of Missouri and Iowa for their future homes to be surveyed and distinctly marked, so that the Indians may remove within them at the earliest practicable period. In the case of the Shawnees, the united tribe of the Kaskaskias and others, and the Miamies, the homes of the Indians cannot be selected until the government surveys are made, embracing the tracts ceded by them; and it is therefore very desirable that the public surveys in the Territory of Kansas should be prosecuted without delay.

The tribes in Kansas and Nebraska with whom conventions have recently been concluded, as well as several others within the range of the emigration to those Territories, are now undergoing a severe trial, and it is by no means surprising that their moral condition has not improved during the past year. Most of them were to remove to new locations; but the conventions had first to be ratified by the Senate, and the necessary appropriations made to carry out their provisions. In this unsettled state, the minds of the Indians were ready for any and every impression that the circumstances surrounding them would be calculated to produce. The effect has been, and will continue to be, unfavorable to them, until they can be placed securely in their new homes; and it will then require the most faithful attention on the part of their agents, and the constant and devoted efforts of the missionaries and teachers, to prevent them from contracting the vices and rejecting the virtues of civilized life.

It is gratifying, however, to notice the fact, that in the midst of these adverse influences, the various mission-schools within the central superintendency, from which reports have been received, are in a sound, if not flourishing, condition, and the number of Indian youth attending them is equal to that of any former year.

As heretofore reported to you, an association of persons has undertaken to appropriate to their own use a portion of the land ceded by the Delawares, fronting on the Missouri river, and south of Fort Leavenworth; have laid out a city thereon, and actually had a public sale of the lots of the same on the 9th and 10th of October last. These unlawful proceedings have not only taken place under the eyes of the military officers stationed at the fort, but two of them are said to be members of the association, and have been active agents in this discreditable business. Encouraged by these proceedings, and prompted by those engaged in them, other persons have gone on other portions of the tract ceded by the Delawares in trust to the United States, and pretend to have made, and are now making, such "claims" as they assert will vest in them the lawful right to enter the land at the minimum price under the pre-emption law of July 22, 1854.

It is well understood that these parties can acquire no title to the lands thus "claimed." They must be sold at public sale to the highest bidder, and the stipulations of the treaty complied with in good faith; and the government should at once interpose its authority, and expel all who are trespassing on the Delaware cession. The effect has already been injurious to the peace of the Delawares, and it is due to them that such prompt and unmistakable action be had as will assure them that the United States will keep its faith. The Indians should under no circumstances be permitted to become dispirited, or to lose confidence in the public authorities; for if they do, all efforts to civilize them or to improve their condition must be unavailing. Procrastination or delay in this case will induce others to trespass on the similar cessions made by the Iowas and Kaskaskias, and others, if not upon the homes reserved by these and other Indians.

In view of the facts above stated, I am constrained to submit a few suggestions in relation to the emigrated tribes in Kansas Territory, who, by the policy of the government adopted more than thirty years ago, and reluctantly acquiesced in by them, were removed to, and became inhabitants of, the country now embraced in this Territory. Already many of them have ceded, and it is expected that others will cede, the larger portion of their lands to the United States, for the use and occupation of our citizens. The faith of the nation was pledged in the most solemn form, before these tribes removed to the region west of the Mississippi, that they should have the undisputed possession and control of the country, and that the tracts assigned to them therein should be their permanent homes. It was called the "Indian Territory," and the intercourse act made it unlawful for white men to go into it, except on a license obtained, and for special purposes; and, in this secluded home, it was believed the efforts of the government and the philanthropist to civilize the red man would be more successful than ever before. Such was not the case, however. Our population advanced rapidly to the line which was to be the barrier, and, with the emigration consequent upon our acquisitions from Mexico and the organization of our new Territories, necessarily subjected the Indians to that kind of contact with the whites which was sure to entail on them the vices, while deprived of the good influences, of civilization.

In the recent negotiations for their lands the Indians dwelt upon the former pledges and promises made to them, and were averse generally to the surrender of any portion of their country. They said that they were to have the land "as long as grass grew or water run," and they feared the result if they should consent to yield any part of their possessions. When they did consent to sell, it was only on the condition that each tribe should retain a portion of their tract as a permanent home. All were unitedly and firmly opposed to another removal. So fixed and settled was this idea, that propositions clearly for their interests were rejected by them.

The residence of the tribes who have recently ceded their lands should, therefore, be considered (subject in a few cases to a contraction of limits) as permanently fixed. Already the white population is occupying the lands between and adjacent to the Indian reservations, and even going west of and beyond them; and at no distant day all the country immediately to the west of the reserves which is worth occupying will have been taken up. And then the current of population, until within a few years flowing only from the east, now comes sweeping like an avalanche from the Pacific coast, almost overwhelming the indigenous Indians in its approaches. It is therefore, in my judgment, clear, beyond doubt or question, that the emigrated tribes in Kansas Territory are permanently there—there to be thoroughly civilized, and to become a constituent portion of the population, or there to be destroyed and exterminated. What a spectacle for the view of the statesman, philanthropist, Christian—a subject for the most profound consideration and reflection! With reservations dotting the eastern portion of the Territory, there they stand, the representatives and remnants of tribes once as powerful and dreaded as they are now weak and dispirited. By alternate persuasion and force, some of these tribes have been removed, step by step, from mountain to valley, and from river to plain, until they have been pushed halfway across the continent. They can go no further; on the ground they now occupy the crisis must be met, and their future determined. Among them may be found the educated, civilized, and converted Indian, the benighted and inveterate heathen, and every intermediate grade. But there they are, and as they are, with outstanding obligations in their behalf of the most solemn and imperative character, voluntarily assumed by the government. Their condition is a critical one; such as to entitle them not only to the justice of the government, but to the most profound sympathy of the people. Extermination may be their fate, but not of necessity. By a union of good influences and proper effort, I believe they may, and will, be saved, and their complete civilization effected.

Be that as it may, however, the duty of the government is, in my opinion, plain. It should fulfil, with the greatest promptness and fidelity, every treaty stipulation with these Indians; frown down, at the first dawning, any and every attempt to corrupt them; see that their ample annuities are directed faithfully to their education and improvement, and not made the means of their destruction; incessantly resist the efforts of the selfish and heartless men who, by specious plans and devices for their own gain, may seek to distract and

divide them; require diligence, energy, and integrity, in the administration of their affairs, by the agents who may be intrusted with their interests and welfare; and visit the severest penalties of the law on all who may violate its salutary provisions in relation to them. Let these things be done; the co-operation of the civil officers, magistrates, and good citizens of the Territory secured, and the most active efforts of the friends of the benevolent institutions now existing among them be brought into exercise for their moral culture; and, by harmonious and constant effort and action a change may, and it is believed will be brought about, and Kansas become distinguished as a land in which the complete and thorough civilization of the red man was worked out and accomplished.

The agent for the Upper Platte and Arkansas agency experienced no difficulty in obtaining the assent of the tribes who were parties to the Arkansas treaty, to the amendments of the Senate to that instrument, except the Apaches; and he expresses the belief that the Comanches and Kioways have faithfully complied with the stipulations of the same, except in their forays on citizens of New Mexico, seeming not to understand that that territory now belongs to the United States. When the agent met the Apaches, he was without an interpreter, and therefore could not submit the amendments to them.

It is stated that the great majority of the Indians of that agency have no respect for the government of the United States or the citizens thereof; that emigrating parties have generally to buy their way through the country, and that the military force at the different posts can render no assistance, being, indeed, unable to protect itself beyond the reach of the guns of the forts.

The Osages, Pawnees, and others, have also annoyed the emigrants, and committed depredations upon them. The roads on the principal routes to the Pacific coast have become very important thoroughfares. Thousands of emigrants, and many merchants, who, with their property to the amount of several millions in value, pass annually over the plains, are entitled to the protection of the government. The weakness of the present military force operates injuriously in various ways, and it would be much better to withdraw it entirely, and let emigrants have notice that they must protect themselves and their property, and leave the Indians to be dealt with by our agents alone, than to permit the posts to remain in their present weak and enfeebled condition.

The report of Agent Whitfield reiterates the admonition of his predecessor in relation to the impending fate of the Indians of the Arkansas, the Platte, and the Plains, if some policy be not soon introduced by which their habits, tastes, and pursuits may be changed. The buffalo on which they mainly rely, not only for food and clothing, but also for the means of shelter, is rapidly disappearing, and must soon cease to be a source of reliance and dependence for support. The best policy to be adopted to meet the exigency, it is difficult to determine satisfactorily. But that something should be done, and that speedily, must be apparent to every reflecting mind.

In the report last year of the late Agent Fitzpatrick he states that, in his then recent visit, he found many of the Cheyennes, Arapahoes,

and Sioux, in a starving condition, on account of the scanty supply of buffalo; and the Upper Missouri agent, in his last year's report, also states that within his agency there are at least four hundred thousand of these animals annually destroyed.

The present agent for the Upper Platte and Arkansas is of the opinion, that although starvation be inevitable, yet the Indians alluded to will never voluntarily abandon their present mode of life; and that to effect a change and obtain control over them, the United States must first effectually chastise every band.

Although having confidence in the prudence and judgment of the agent, I am constrained to think that the suggestion has not been well considered by him; and without questioning the beneficial effects which might result from the successful execution of such a measure, it would in my opinion, if attempted, prove an utter failure. These Indians have no fixed habitations, no houses, no fields, and no property, herds, or flocks, but such as may be removed with great celerity; and in their rapid migration from one portion of the country to another, they leave no trace behind to guide and direct their pursuers.

I am not prepared to suggest any better plan for their domestication and preservation, than to make an effort to colonize them in suitable tracts of country, to be selected for that purpose, and there teach them to labor and to cultivate the soil. Some, no doubt, would at once embrace the opportunity, if presented; and the improvement of their condition would have its influence upon others, who, from their destitution and want, could, it is believed, be induced to take refuge in these retreats. A portion of the funds now applied to the purchase of merchandise for annual distribution among them might be appropriated for this purpose, and the experiment made without any demand upon the treasury beyond the amount required to pay the wages of a few employés and minor agents.

The four principal tribes within the southern superintendency—the Cherokees, Creeks, Choctaws, and Chickasaws—continue gradually to improve their condition. Having generally adopted the habits and pursuits of civilized life, they are probably more prosperous and happy than any of the other tribes within our borders. Their forms of government, which have been modified and improved as their knowledge and experience have increased, and the manner in which their internal affairs are administered, do them great credit; while the zeal and anxiety of their leading men for the general education of their people, entitle them to the highest commendation of the government. They are loyal and friendly to the United States, and quiet and generally peaceful towards each other. The only cause of anxiety with regard to them, at present, is that they may be subjected to some hardship and suffering in consequence of the shortness of their crops, occasioned by the extreme drought which has prevailed in that region, as well as elsewhere.

The Seminoles within this superintendency are in a much less satisfactory condition, being ignorant and more or less debased, idle, and addicted to dissipation. The Creeks, within whose boundaries they reside, complain that they are the instruments and agents through whom most of the ardent spirits brought into their country are intro-

duced, and they have appealed to the government to interpose to abate this nuisance, which is attended with much injury to their people.

The United Senecas and Shawnees, and the other small bands of Quapaws and Senecas, also within the southern superintendency, are in comparatively comfortable circumstances; but the Osages, in the same district, who have not yet abandoned the chase, are in a much less favorable condition. An effort, which has been partially successful, is now being made to effect treaties with these several bands, for the purpose of reducing their territorial possessions, which are much too extensive, and of bringing them under a better system of control and management, with a view to their more rapid improvement.

The question of a political separation between the Choctaws and Chickasaws, which has for some time been earnestly sought for by the latter, but opposed by the former, and which has excited much feeling between the members of both tribes, still remains unadjusted. Commissioners appointed for the purpose by each, were to meet early in October, to consider and discuss the subject; but information as to the result of their conference has not yet reached the department.

A political union, similar to that between the Choctaws and Chickasaws, also exists between the Creeks and Seminoles, much to the dissatisfaction of the latter, who are weak and feeble in numbers and resources, and complain of wrong and oppression from their brethren of the other and more powerful tribe. Like the Chickasaws, they cherish the natural and reasonable desire of a separate country and an independent government of their own. If their wishes in this respect were granted, it would, it is believed, exercise a powerful influence upon those in Florida towards inducing them to emigrate. It is said that they are well acquainted with the nature of the relations between their brethren west and the Creeks, and that they will never willingly emigrate so long as those relations, which are very repugnant to them, shall continue.

The Choctaw authorities are anxious to put in operation a general system of neighborhood or common schools among the people, but have not the means necessary for its accomplishment. They have requested that the balance of the orphan fund remaining in the hands of their agent, unclaimed, may be appropriated for that purpose; but, under existing laws, the department is unable to comply. It is probable that no further demands will ever be made upon this fund, amounting now to $17,550 80, and to be increased as the orphan lands in Mississippi are sold. The request is so reasonable, and the object so praiseworthy and appropriate, that it is to be hoped that Congress will authorize the department to apply the fund as the authorities of the tribe desire.

The Indians in Texas are represented to be now more peaceful and orderly than they have been during a great portion of the year. They have committed many outrages upon frontier citizens, and continue their forays beyond our boundaries, in spite of the military force in that quarter, and the efforts of the agents of this department to restrain them. It is in contemplation to collect and colonize them, on three reservations which the State of Texas has granted for the purpose, and where they are to be partially subsisted, at the expense

of the United States, for a year or two, until they can be induced to turn their attention to agriculture and the raising of stock, and thus provide for their own subsistence. The duty of making the necessary explorations of the country, and of selecting and surveying the boundaries of the reservations, was confided to R. S. Neighbors, the principal agent of the department in Texas, and to Captain R. B. Marcy, of the army, who were instructed to make a joint report of the result of their proceedings, with the plats of the reservations. At the last accounts the surveys had not been completed, and their report has consequently not been received. The important measure of thus colonizing these Indians will, when consummated, place them more fully under our control, and have a tendency to prevent the depredations and outrages from which the border citizens of Texas have so long suffered.

Conventional arrangements are necessary with all the Indians in New Mexico and Utah, except the Pueblos, for the purpose of fixing them in proper locations, and of giving to the department such influence and control over them as will enable it, as far as possible, to confine them thereon, and to induce them to resort to agriculture and kindred pursuits, instead of relying, as they now do, for support upon the uncertain and precarious supplies of the chase; and when that fails, upon the more hazardous and injurious practice of theft and plunder. Our citizens ought to have proper protection from Indian depredations; but in the present State of things in these two Territories, this is impossible. All the military force that could be sent there could not prevent such depredations, otherwise than by the extermination of the Indians. Without implements or stock, and untaught and unassisted in the art of husbandry, they cannot support themselves otherwise than they do. When, as is often the case, the chase does not supply their necessities, they must steal or starve. They must either subsist to a considerable extent by plundering the white inhabitants, or they will have to be exterminated; or else they must be colonized in suitable locations, and, to some extent at least, be subsisted by the government, until they can be trained to such habits of industry and thrift as will enable them to sustain themselves. This system is in progress in California with some prospect of success. It is about being commenced in Texas, and its adoption in New Mexico and Utah should be no longer delayed. Though expensive at first, its cost will not equal the amount of the losses sustained by our citizens from the depredations of these Indians.

The governor of New Mexico estimates the cost of putting this system in operation in that Territory at $67,500 for the first two years, $40,000 for the third, and $30,000 for each of several succeeding years.

He reports the amount of losses sustained by the white population of the Territory during the year past, at about $112,000. That the obligations of Christian duty, as well as the dictates of humanity, demand the efficient action of the government, must be too obvious to require discussion. We have to some extent taken possession of the lands of these Indians, driven them from their cherished resting-places, and destroyed the game, their only means of support. We should

now aid and teach them to live without this resource, or their destruction is inevitable.

Appropriations were made at the late session of Congress to enable the department to negotiate treaties with the Indians of these Territories, in which provision should be made for the inauguration of the policy referred to. It is to be regretted that these appropriations were delayed until it was too late in the season to send out the goods and other presents, without which the negotiations cannot be attempted with a reasonable prospect of success. They had, therefore, necessarily to be deferred till the next year. In the mean time, the governors of the Territories have been called upon, in their capacities of superintendents of Indian affairs, for information as to the extent and nature of the various Indian claims, with maps indicating the boundaries of each, and such other information as would enable the department to issue the necessary instructions; and also as to the character and description of the articles most useful to the Indians, and best suited to aid in the accomplishment of the object in view.

The reasons which prevented the accomplishment this season of treaties with the Indians in New Mexico and Utah, apply with equal force to the Blackfeet and other Indians of the Upper Missouri, and adjacent to the Territory of Washington. Measures will at once be adopted so as to insure a council with them early the next year.

Appropriations having also been made for the like purpose in the Territories of Oregon and Washington, the articles intended for presents were promptly procured and shipped by the way of Cape Horn, and the superintendents in those Territories instructed to proceed as early as practicable with the negotiations. It is hoped that these will result in satisfactory arrangements for the permanent settlement of the Indians, and in the establishment of such relations between them and the whites as will prevent the recurrence of such inhuman scenes and atrocities as have taken place in Oregon during the past year; and in which it is due to truth to state that the latter have, in some cases, been the aggressors, and shown themselves to be as barbarous and cruel as the Indians. Indeed, the usual order of things has been to some extent reversed, the department having had to invoke the aid of the military for the protection of the weak and helpless Indians from the persecutions and cruelties of the whites.

In this connexion, I would refer to the report of Superintendent Palmer, of Oregon, and to the elaborate report of Governor Stevens, of Washington, as containing much valuable and interesting information in regard to the tribes, and the condition of Indian affairs in those two Territories.

Our Indian relations in California begin to wear a more encouraging aspect. No serious disturbance has occurred there during the past year. The system of colonizing the Indians on reservations located so as not to interfere with the progress of the white settlements, has thus far been attended with happy results, in withdrawing the Indians from the injurious contact with the mining and agricultural population, from which the painful collisions and disturbances that have heretofore occurred arose. While its tendency is to satisfy the whites that they will hereafter be secured from molestation and annoyance

by the Indian population, it gives promise of disposing of the latter in a manner to admit of its being held under proper control, and gradually improved and civilized. One reservation has been established at the Tejon Pass, to which about seven hundred Indians* have been removed, and a considerable quantity of land put in cultivation. There are numbers of other Indians ready and anxious to take up their residence upon this reservation, who will be removed there as soon as arrangements can be properly and economically made for their support and employment. The result thus far encourages the belief that the Indians of California can be made a peaceful and self-sustaining people, and, it is hoped, eventually a useful population. They are easily controlled, manifest much interest in the system and arrangements for colonizing and giving them employment, and have with readiness devoted themselves to the agricultural and other occupations assigned them. The superintendent reports that the system has been so successfully organized and developed on the Tejon reservation, that there will be no necessity for any material expenditures there, after the present year. A second reservation has been selected some six hundred miles further north, for the Indians in that region, and to which they will be removed with all practicable despatch. These two reserves will, it is expected, accommodate and dispose of all the Indians in and about the present mining and agricultural districts, so that time and care can be taken in the establishment of the third and last reservation.

On the 17th of August last, a train of Mormon emigrants passed an encampment of certain bands of the Sioux Indians, who were awaiting, near Fort Laramie, for their annuity goods. One of the cattle belonging to the train made its way into the Sioux villages, and was killed and consumed by the Indians. The Mormons complained to the commandant of the fort, who despatched Lieut. Grattan, with twenty-nine men and an interpreter, to demand the person of the Indian who killed the animal. He was not delivered up; and upon the refusal or failure to do so, a fight ensued, in which the lieutenant, his entire command, and the interpreter, were killed. The particulars of this melancholy and heart-rending occurrence will be found in the report of Agent Whitfield, and the documents accompanying it. The Sioux belong to bands in amity with the United States—bands which have annuities due them under treaty stipulations; and the Mormons should, under the provisions of the "intercourse act," have applied to the agent, who was in the vicinity, for redress, and he could, under the law, have paid, out of the annuities, for the property taken; but no officer of the military department was, in my opinion, authorized to arrest or try the Indian for the offence charged against him.

Immediately after the perpetration of the massacre, the Indians repaired to the warehouses of the trading company, near by, in which their annuity goods had been stored by the contractors for their transportation, and, without awaiting the arrival of the agent to make a

* Late Superintendent Beale reported the number at the Tejon, in February last, at about 2,500.

distribution, took possession of, and appropriated the goods among themselves.

Occasions frequently arise in our intercourse with the Indians requiring the employment of force, although the whites may be, and often are, the aggressors. The Indian Bureau would be relieved from embarrassment, and rendered more efficient, if, in such cases, the department had the direct control of the means necessary to execute its own orders. A force better adapted to the Indian service than any now employed, could, it is believed, be readily organized. But careful attention and kind and humane treatment will, generally, have more influence upon the savage than bayonets and gunpowder.

The wonderful growth of our distant possessions, and the rapid expansion of our population in every direction, will render it necessary, at no distant day, to restrict the limits of all the Indian tribes upon our frontiers, and cause them to be settled in fixed and permanent localities, thereafter not to be disturbed. The policy of removing Indian tribes from time to time, as the settlements approach their habitations and hunting-grounds, must be abandoned. The emigrants and settlers were formerly content to remain in the rear, and thrust the Indians before them into the wilderness; but now the white population overleaps the reservations and homes of the Indians, and is beginning to inhabit the valleys and the mountains beyond; hence removal must cease, and the policy abandoned. Injury will not necessarily result to the Indian race from a change. By the operations of the former system, some tribes have become extinct; and the reduced numbers and enfeebled and demoralized condition of many of those who now rest upon the frontier, furnish unmistakable evidence of the effect of the system upon them. It is believed that by the proposed change, advantages will also result to the white population, while the heavy drafts heretofore made on the national treasury for removing Indian tribes will be saved.

Experience has proven the law approved June 30, 1834, "to regulate trade and intercourse with the Indian tribes. and to preserve peace on the frontier," to be inadequate to meet and dispose of all the varied questions and difficulties which frequently arise under, and grow out of, the existing state of our Indian relations. It does seem to me essential, in order to the proper administration by the government of its Indian affairs, that further and immediate legislation should be had on the subject.

In New Mexico, Utah, Washington, and Minnesota, the supervision of our Indian affairs is given to the territorial executive, who by law is made the superintendent; and in Oregon, Kansas, and Nebraska, the same is confided to an independent officer, denominated the superintendent of Indian affairs. I am satisfied that the harmony and efficiency of the Indian service would be promoted by placing our Indian affairs in the first, on the same footing in this respect that they now occupy in the last-named Territories.

Of the various evils which beset our Indian population, there is none more alarming than the traffic in ardent spirits. In spite of the laws of the government, the vigilance and exertions of its officers, and the efforts of the truly philanthropic, the evil still exists

and has its sway. Considerable reflection has confirmed me in the opinion, that much may be done towards abating this vile trade by a co-operation with the government on the part of the States and Territories bordering on the frontier. Earnest appeals have been made to them for proper legislation, but only with partial success. It is hoped that this important subject will arrest the attention of the people, and their representatives in the States and Territories referred to, and that something efficient will yet be done by them towards aiding the government in relieving the poor Indian from the evils arising from the use of ardent spirits, and the power of the whiskey trader.

In the last annual report, your attention was directed to the subject of a general council of the semi-civilized tribes of the southern superintendency, with the wild tribes of the prairies, having in view the establishment of mutual relations of peace and amity between the several tribes, and of making available the occasion to impress the wilder Indians with a just appreciation of the power and determination of the government of the United States to punish them for their aggressions, if persisted in, and to show the necessity of being at peace and on good terms as well with the whites as with their red brethren. With regard to this matter my views are still unchanged. I therefore renew my recommendation that application be made to Congress for an appropriation to carry out the object.

Referring to a suggestion made in former reports, in regard to the investment of moneys in stocks so as to produce the annual income stipulated by treaty to be secured in perpetuity to various Indian tribes, I deem it now to be my duty to allude to a provision of the second section of the act of Congress entitled "An act to repeal a part of the act to provide for the support of the Military Academy of the United States," &c., approved September 11, 1841. The section referred to, according to the construction put upon it, requires the department to invest all moneys held in trust for Indian tribes in stocks of the United States.

There are now funds in the treasury to a considerable amount, arising from accrued interest, lands, &c., which it would be good policy to invest; but in view of the fact that United States stocks are held at a very high price in comparison with safe State stocks bearing a like rate of interest, and inasmuch as the government is itself engaged in purchasing in its stocks at a high premium, it has been deemed best to await the approaching session of Congress, in the hope that it will take such action as may be necessary to extend the authority and option of the Secretary of the Interior in regard to the investment of the moneys of Indian tribes.

The fifth, and, by limitation of law, the last volume of the work containing information relative to the history, present condition, and prospects of the Indian tribes in the United States, is in press, and it is hoped will be ready for distribution before the close of the next session of Congress.

I deem it proper to call attention to the claims of Indians to land bounty for military services rendered to the United States. Under the act of September, 1850, a considerable number of such claims were presented and allowed; but a decision having been made that

Indians are not embraced by that act, there are many equally just remaining unsatisfied. The subject not having been under the jurisdiction of this office, I am not apprized of the particular grounds of that decision; but the distinction made has caused much dissatisfaction; and as it is but just that all should be compensated for their services, I would recommend such legislation as may be deemed necessary to secure them the value of this right in money, and providing for the adjudication of their claims in this office.

In several of the western States and Territories there are bands of strolling Indians, who have from time to time become severed from the tribes to which they belong. They are generally in a deplorable condition, and are a great annoyance to the white population. They ought to be removed to their tribal home, or some other disposition made of them; and to accomplish which an appropriation by Congress will be necessary, as there are now no funds at the disposal of the department applicable.

I deem it my duty to call attention to a recent transaction of a character clearly illustrating the propriety and duty of strictly adhering to the policy of exercising, as far as possible, such a supervision and control over the moneys payable to the Indians as will secure to them the full benefit thereof, and prevent their being fleeced by designing men, under corrupt and iniquitous contracts or obligations, which in their ignorance and simplicity they have been induced or seduced to sign; or by the recognition and allowance of claims and demands against them, having no foundation in right or justice.

It having become known that the Menomonee Indians had manifested dissatisfaction with the treaty made with them in 1848, and that they were probably entitled to a larger compensation than that stipulated for the lands which they thereby ceded, they were induced to enter into a contract with an individual to prosecute a claim against the government therefor, and to agree to allow him one-third of the sum which might be recovered. About the same time a large amount of claims of traders and others were raked up to be prosecuted against the Indians, and to be paid out of such sum, although a fund had been set apart by the treaty of 1848, and applied by the Indians to the settlement and payment of their indebtedness, and which was doubtless considered amply sufficient to cover all the just and valid claims against them. The compensation for the prosecution and recovery of these claims against the Indians was understood to be one-half the amount so recovered. The two transactions were apparently in different hands, but there can be no doubt but that they were the joint and partnership operations between some three individuals. See accompanying papers in the Appendix, marked A, B, C, D, E, F, G, H, I, J, K, L, M, N, and O, of which B, C, F, G, and H, but recently came into the possession of this office, and to all of which your particular attention is called. Letter H, is a copy of an agreement with an individual who had but recently been the agent for the Indians, and was therefore, doubtless, supposed to be able to exercise an influence over them, by which, for a contingent compensation of $10,000, he was obligated to throw no obstacle in the way of the

transactions, but to aid and assist in both—in obtaining the largest possible sum from the government for the Indians, and all the claims against the latter that could be procured to be paid out of that sum. There was thus to be a speculation of considerable magnitude, and of a three-fold character. The government, the Indians, and the alleged or pretended claimants against the latter, were all to be levied on. By ingenuity and skilful calculation, the claim in behalf of the Indians was worked up to half a million of dollars, and those against them to about ninety thousand dollars; the third part of the one and the half of the other—amounting to upwards of two hundred and eleven thousand dollars, which, less the $10,000 to be paid under the agreement mentioned, was, in case of success of the scheme, to be divided mainly or entirely between some three individuals—making quite a handsome fortune for each out of one poor, miserable Indian tribe; to say nothing of the further drafts which would no doubt have been made on the Menomonee portion of the fund if the plan had succeeded.

Having become satisfied from an examination into the affairs of the Menomonees, and their relations with the government, that they were justly entitled to some additional compensation for the lands ceded by them under the treaty of 1848, in consequence of the quantity thereof having been under-estimated at the time that treaty was made, and also that the country thereby assigned to them west of the Mississippi was not suitable for them, the supplemental articles of May 12, 1854, referred to elsewhere, were entered into, by which they were given another and an acceptable home, and an additional allowance made to them of $150,000, which was increased by the Senate's amendment in the sum of $92,686; making the sum allowed to them $242,686, to be divided into fifteen annual instalments, commencing with the year 1865; and which is solemnly and sacredly pledged to be paid and applied under the special direction of the President of the United States, in such manner, and for such purposes, as will best tend to improve their condition and promote their permanent welfare. And any diversion of this fund for any purpose, in the slightest degree interfering with these great and beneficent ends, would be not less disgraceful to the government than it would be injurious to the Indians.

In the adoption of this measure of justice towards these Indians, the department acted upon the principle announced in the last annual report, and which I take occasion here to repeat, "that there is no absolute necessity for the employment by Indian tribes of attorneys or agents to attend to their business at the seat of government;" and that in their dependent condition, "it is the duty of government, as their guardian, to cause all matters of a business character with them, to be so conducted as to preclude the necessity of the intervention of this class of persons." The new arrangement with the Menomonees was made not only without any such intervention in their favor, but, as is well known, contrary to the wishes of the person or persons assuming to act as their attorneys, and in despite of such influences as they could bring to bear against it; and yet these individuals have had the assurance and hardihood to go into the country of these poor,

deluded, unlettered Indians, and surreptitiously obtain from them the papers marked L, M, and N, (appendix) for the purpose of filching from them the sum of $168,331 67, of which $80,895 33 to be for the payment of an unjust and unfounded claim for services in procuring the additional allowance which was voluntarily made to them through the instrumentality of the department and the Senate; and $87,436 34 for various other claims against them, which, in view of the settled policy of the government, it is not in the slightest degree bound to recognise or respect, and which possibly are entitled to as little consideration on the score of justice as the other demand. These sums, too, are sought to be obtained from the amount allowed by the supplemental agreement with these Indians, which, as already stated, is otherwise sacredly pledged, and which cannot be diverted without a violation of plighted faith and justice. I cannot forbear expressing the hope that all persons having any agency in the administration of Indian affairs, whether connected with the executive or legislative departments of the government, now or hereafter, will resolutely set their faces against, and frown down, all attempts to secure the allowance or payment of such unauthorized and improper demands against the Indians.

For his culpable disregard of the policy of the department, and his duty towards the Indians, in having anything to do with these proceedings, the sub-agent who certified and authenticated one of the papers last referred to has been summarily dismissed from office.

The instruments marked M and N in the schedule, are in the handwriting of one of the individuals whose name is attached to the contingent contract (H) with the late sub-agent; and the interpreters and other persons who attest the execution of M, are to receive of the funds pretended to be assigned and appropriated by the Indians, by virtue of the same, to themselves and their assigns, the sum of $28,311 95, they being, without exception, interested parties.

This transaction among the Menomonees has not been referred to as an isolated case, but as a sample of a class, and illustrative of the outrageous and iniquitous attempts of unscrupulous white men to enrich themselves out of the funds of the Indians. The pecuniary losses to the latter comprise only a minor portion of the injurious concomitants and results of such attempts. The Indians—particularly the chiefs and leading men—are frequently bribed and otherwise corrupted and demoralized, in order to obtain their assent to being defrauded, while the agents and others connected with the Indian service do not always escape the prevailing contamination. Among the Menomonees the fatal tendency and effect of such occurrences may be seen in the intemperate and demoralized habits and condition of Osh-kosh, principal chief, and many others of the tribe.

But the evil is a general and growing one; formidable in its combinations and alarming in its results, and therefore requiring the speedy application of the most radical and effectual remedy. All executory contracts of every kind and description, made by Indian tribes or bands with claim agents, attorneys, traders or other persons, should be declared by law null and void, and an agent, interpreter, or other person, employed in or in any way connected with the Indian service

guilty of participation in transactions of the kind referred to, should be instantly dismissed and expelled from the Indian country; and all such attempts to injure and defraud the Indians, by whomsoever made or participated in, should be penal offences, punishable by fine and imprisonment. We have now penal laws to protect the Indians in the secure and unmolested possession of their lands, and also from demoralization by the introduction of liquor into their country, and the obligation is equally strong to protect them in a similar manner from the wrongs and injuries of such attempts to obtain possession of their funds.

In this connexion I deem it appropriate to respectfully remark, that where, as is sometimes the case, laws are passed providing for the payment of large sums of money for alleged obligations arising in this branch of the public service, without the department having an opportunity of examining into or passing upon the accounts and other evidences of such claims, the effect is to deprive it of that salutary control over the important interests committed to its charge, which is so necessary to a successful administration of its affairs; and it cannot, and should not, in such cases be held responsible for the consequences.

In carrying out all the plans heretofore devised for ameliorating the condition of the aborigines of our continent, difficulties have arisen and obstacles presented themselves on every side; and it seems impossible now to devise any means for attaining these desirable ends, by which all difficulties could be obviated and all obstacles avoided.

But partial success has attended the labors of the benevolent; and the efforts of the department when most faithfully directed have not unfrequently proved a positive injury. Adverse elements have always been at work to thwart the wishes of the government and counteract the labors of the philanthropist, and these have unfortunately been but too often successful. Our former policy, and the inveterate determination of the Indian to resist domestication, have combined to place him in a situation where the lawless and unprincipled could always have access to him; and such persons have, through all periods of our history, availed themselves of every opportunity to advise the ignorant and unlettered child of the forest against his best interests, and have but too successfully instilled into his mind prejudices against those who were laboring for his good.

Thus have the merciless and heartless followed in his path; flattered his vanity, corrupted his morals, impressed upon and confirmed him in the belief that labor and the arts of peace are degrading, and his submission to them offensive to the Great Spirit; and directed and controlled his action, and made him the victim of their avarice.

Such influences are believed to be as formidable, and more unscrupulous, now than at any former period of our history; and when we add to them the train of ever-recurring and never-ending difficulties that beset the path of the weaker, in the battle of life with the stronger race, we perceive in the present condition of the red man, and the dangers that encompass him, additional motives to call into active exercise in his behalf all the energies of the benevolent and good of the land.

As a Christian government and people, our obligations and duties

are of the highest and holiest character, and we are accountable to the Maker of all men for the manner in which we discharge them. Having faithfully employed all the means placed within our reach to improve the Indian race, and preserve it from extinction, we can, with a good conscience and strong faith, leave the issue in the hands of our common Father.

Respectfully submitted:

GEO. W. MANYPENNY,
Commissioner.

Hon. R. McCLELLAND,
Secretary of the Interior.

SCHEDULE.

Report of the Commissioner of Indian Affairs for the year 1854, *with reports of superintendents of Indian affairs, agents, superintendents and teachers of schools in the Indian country, &c.*

No. 1.—Report of the Commissioner of Indian Affairs.
No. 2.—Report of Marcus H. Johnson, sub-agent for New York Indians.
No. 3. Report of Matthew Smith and Rebecca Turner, committee on Indian affairs in New York.
No. 4.—Extracts from report of Henry C. Gilbert, agent for Indians in Michigan.
No. 5.—Mission report of Rev. A. Bingham.
No. 6.—Mission report of Rev. Peter Dougherty.
No. 7.—Mission report of Rev. James Shaw.
No. 8.—Mission report of Rev. George N. Smith.
No. 9.—Mission report of Rev. George Smith.

NORTHERN SUPERINTENDENCY.

No. 10.—Report of superintendent Francis Huebschman.
No. 11.—Report of sub-agent John V. Suydam.
No. 12.—School report of Rosalie Dousman.
No. 13.—School report of John Wiley.

MINNESOTA SUPERINTENDENCY.

No. 14.—Report of Governor Willis A. Gorman, superintendent *ex officio*.
No. 15.—Report of agent D. B. Herriman.
No. 16.—Mission report of Rev. J. P. Bardwell.
No. 17.—Report of agent J. E. Fletcher.
No. 18.—Report of F. Andrews, physician.
No. 19.—School report of Francis di Vivaldi.
No. 20.—Report of agent R. G. Murphy.
No. 21.—Mission report of Rev. S. R. Riggs.