REPORT

OF THE

COMMISSIONER OF INDIAN AFFAIRS,

NOVEMBER 27, 1861.

REPORT.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 27, 1861.

SIR: I have the honor to submit the following report, referring you for information in detail, respecting our relations with the various Indian tribes, to the accompanying documents.

Very shortly after assuming the duties of this office, I learned that emissaries from the States that had rebelled against the government were endeavoring to alienate the various tribes within the southern superintendency, and west of the States of Missouri and Arkansas, from the friendly relations which they had until then sustained to the government of the United States. I accordingly addressed communications to the principal chiefs and executive heads of the leading Indian tribes in that superintendency, informing them that whatever unscrupulous and evil men might represent to the contrary, the government would under no circumstances permit the smallest interference with their tribal or domestic institutions by any person in its service, and that no pains would be spared in the endeavor to furnish them with competent and discreet agents, disposed to a strict observance of all the treaties subsisting between their people and the United States, and to invariably promote a good understanding between the red and white races. Being fully aware that the wild tribes in that country were peculiarly liable to be misled by the appeals of wicked and designing men to their passions, prejudices, and cupidity, and that, as a consequence, our agents in their midst might encounter unusual embarrassments, the superior intelligence and good sense of the more civilized tribes were appealed to in behalf of the agents who would be sent amongst them; and the hope was expressed that in the unhappy contest between the government of the United States and the people of the rebellious States, the former would receive the sympathy and support of the Indians, whose rights and institutions would ever be respected. They were also informed that in furtherance of these objects application had been made to the War Department for troops and munitions of war to aid them in the enforcement of the policy indicated, and if need be in the defence of their persons and property.

It is doubtful if the assurances thus given (and from which I entertained strong hopes that at least the neutrality of those Indians would be secured) in every instance reached their intended destination; and I exceedingly regret that in consequence of unprecedented and imperative demands made in other and more important directions upon the resources of the War Department, it was unable to furnish the troops and war munitions as suggested.

Since the despatch of the communications above alluded to, the correspondence of the office with the superintendency for which they were intended has almost entirely ceased; and, as a consequence, I am not in accurate possession of information as to the position assumed by the Indians within its limits towards the government.

A large proportion of these Indians are in comfortable circumstances; are very far advanced in the arts of civilization, and many of them are slaveholders. In consideration of the last-mentioned circumstance, the general erroneous im-

pression prevailing amongst that class of persons as to the views of the present administration and its intended policy in relation to slavery, and the further fact that almost immediately after the breaking out of hostilities between the government and its disloyal citizens, the forts in their vicinity were in many instances basely surrendered to the rebels by the officers in command, and so far as possible all United States troops withdrawn by government from that section of country, it is not surprising that many of the Indians have thrown off their allegiance and espoused the cause of the rebellion; and that many others, finding themselves entirely without support from the government, or the means to repel the violent and aggressive measures everywhere adopted by the rebels towards loyal citizens, have quietly submitted to the condition of affairs by which they were surrounded. Amongst the first to yield to these varied influences were the Choctaws and Chickasaws; amongst the last were the Cherokees, at the head of whom is John Ross, who appears to have resisted the movements of the rebels so long as was in his power. If reliance is to be placed in the following publication, which has been extensively circulated, and so far as I have observed without contradiction, it may be presumed that he has at last reluctantly yielded:

"It is reported that an understanding, under the name of a treaty, has been arranged between the rebellious confederacy on the one part, through Albert Pike, of Arkansas, and Elias Rector and the Cherokee chiefs and headmen on the other part, in which Mr. Pike entitles himself as 'Commissioner of Indian Affairs,' and Mr. Rector, who for several years held the post of superintendent of Indian affairs of the southern superintendency for the United States, as 'superintendent' under him. I am informed, nevertheless, that this treaty does not satisfy the Cherokees of the full blood, who regard it as having been effected by the most scandalous frauds, misrepresentations, and corruptions."

The Rev. Evan Jones, who has for many years resided amongst the Cherokees, and is intimately acquainted with their disposition and feelings, under date of 31st ultimo, writes me in relation to this reported treaty as follows:

"I have no doubt the unfortunate affair was brought about under stress of threatened force, which the Cherokees were by no means able to resist. But greatly as this defection of our old friends is to be lamented, I feel assured that it was an unwilling surrender, and that it only needs a sufficient force to afford them protection to secure a speedy and cordial return to their former allegiance, and an abjuration of whatever reluctant alliance they may, under duress, have formed with the rebel States." He adds the following suggestion, in which I heartily concur: "And in consideration of the unfavorable circumstances in which the Cherokees were placed, I have no doubt the President will be disposed, on their return, to treat them with a generous lenity and forbearance, which will bring about a restoration of that confidence and good understanding which have so long and so happily subsisted between them and the government and the people of the United States." His letter, which is herewith, is amongst the most interesting I have received.

In view of the distracted condition of affairs amongst the Indians of this superintendency, as well as on account of the interruption of communication therewith, occasioned by the occupation of the intervening country, comprising the "neutral land" and the Neosho valley, by armed rebels and banditti, the accustomed annuities have been withheld, not, as has been falsely represented, with a view to their confiscation, but that I might obtain more reliable assurances that they would not fall into the hands of the rebels as booty, and thus the loyal and deserving portions of the tribes interested be defrauded of their just dues.

In submitting the regular estimates for the prospective fiscal year, I deemed it proper to ask for the usual appropriations for this superintendency, notwithstanding the present relations of the Indians therein towards the government.

The formidable difficulties by which they have been surrounded will not, I trust, be overlooked by a benignant and paternal government. While they have been plied with promises, deceived by false representations, and terrified by menaces on the part of the rebels, they have beheld the withdrawal of the troops that had so long been amongst them for their protection, the treason of the officers by whom those troops were commanded, as well as of the agents of the government, upon whose counsels they have so long been taught to rely. Indeed, the only matter of surprise to me is, that they have not more readily and heartily espoused the cause of the rebels. From all the evidences in my possession, I feel assured that the degree of loyalty amongst them is far greater than amongst the whites of most of the rebellious States; and it is in this belief that I desire to have the power, whenever circumstances will justify it, to give them evidence of the still kindly interest of the government in their welfare, and its desire for a restoration of the intimate relations which have so long subsisted between them and the United States and their people.

Under direct instructions from the President to submit in person the amendments made by the Senate at its late session to the Delaware treaty of May 30, 1860, I left Washington for that purpose in the latter part of August last. On my arrival in Kansas I visited the tribe at their reservation, and explained to them, in open council, the proposed amendments to their treaty, to which they readily assented, inasmuch as said amendments are designed to give them additional security for the faithful performance, on the part of the Fort Leavenworth, Fort Riley, Pawnee, and Western Railroad Company, of the treaty stipulations.

I found this tribe much further advanced in civilization than I had been led to suppose. A large proportion of them have adopted the customs, dress, and habits of the whites, and are in possession of comfortable dwellings and well cultivated farms. They number at present 1,034, and their personal property averages almost one thousand dollars to each individual. Many of them have become traders with other Indians, both reclaimed and wild, and travel even to the boundaries of California.

The troubles of the times have of late brought most of these wanderers home. Some of the more thrifty of the farmers hold more than a hundred acres subject to the plow, and there is under cultivation land enough to give an average of upwards of three arable acres to each member of the tribe. Last year, like all other cultivators in Kansas, their crops were deficient—this year they will have a surplus for market. The more industrious class are especially gratified in the assignment to them in severalty of their homes, and in being thereby secured in the enjoyment of the fruits of their own industry. There are, however, amongst the tribe many who are unwilling to give up their old habits, and who insist upon continuing their tribal relations, refusing to select for themselves the lands to which they are entitled, and claiming that they will be happier with their lands in common. This idea was insisted upon so strenuously that I thought it best, after giving notice a proper length of time, to discontinue the making of further allotments for the time being, that the disaffected may have time to reflect and profit by the example of those who have been more wise in securing to themselves fixed and permanent homes. I have no doubt that a short time will suffice to satisfy them of their error, and that eventually all, or nearly so, will make selections of land.

An excellent school has been established for some years amongst the members of this tribe, under the patronage of the American Baptist Missionary Union, and the immediate superintendence of Rev. John G. Pratt, and to this, in a great degree, may be attributed the superior advancement of a majority of its members in the arts of civilization. The school buildings are plain and commodious. I was so unfortunate as to make my visit during a vacation of the school, but the fruits of the good seed sown were everywhere apparent.

I availed myself of my visit to the Delawares to visit several other tribes in

Kansas, and to convene them in council, that I might hear their petitions and complaints in case they had any to present.

The New York Indians, who have for many years been living by permission of the Delawares on their lands, hope to have their claims adjusted at an early day so as to be enabled to remove to homes of their own. The claims of the New York Indians upon the government have long been delayed, and call loudly for redress. I shall shortly make these claims the subject of a special commutation.

My council with the Pottawatomies lasted two full days and was to me particularly interesting. I found them intelligent and apparently happy. They have a reservation thirty miles square, rich in soil, and beautifully located on the Kansas river, near Topeka, the present seat of government for the State. A large majority of the tribe, usually denominated the "mission band," are far advanced in civilization, and are anxious to abandon their tribal condition and have a suitable portion of their lands allotted to them in severalty, and the remainder sold to the government at a fair price, to create a fund to enable them to commence agricultural pursuits under favorable auspices. This policy is, however, strenuously opposed by the wild or "prairie band" of the tribe, who look with jealousy upon any innovation upon their traditional customs. I assured the "mission band" that their desire to adopt the principle of individual property, and to rely for support upon the cultivation of the soil, rather than the chase, was warmly approved by the government, and that in case proper efforts, and a reasonable time for reflection, should fail to induce the rest of the tribe to adopt this mode of life, measures would be adopted to relieve them from the incubus which now binds them to an uncivilized life. This tribe has had the advantage of good schools, there being two upon the reservation—one under the charge of St. Mary's Mission of the Catholic church, and the other under that of the Baptist Church south. St. Mary's Mission school seemed to be in a prosperous condition, popular with the Indians, and doing much good. The female department deserves particular mention for its efficiency in teaching the different branches of education. The exhibition of plain and fancy needle work and embroidery, executed by the pupils, creditably attests the care and attention bestowed by the sisters upon these children of the forest. It was plain to me that their hearts are in the work. I cannot speak so favorably of the school for boys, but assurances were given by the present conductor, who has recently taken charge of it, that its deficiencies should be remedied. Much of the improvement in the mode of life, observable among the Pottawatomies, is attributable to the schools. The Baptist school being closed on account of its connexion with the Southern Board, was not visited, but I was informed that it had been the means of much good.

I visited the Sacs and Foxes and found them a vigorous and powerful race, not one of whom, so far as my observations extended, has adopted the costume of the whites. They accept the theory, but reject the practices of civilized life. The chiefs talked fluently of the necessity of an abandonment of the chase, and their willingness to do so, and to become cultivators of the soil, but with the exception of Ki-o-kuck and some of the half-breeds, I saw little or no efforts to obtain a subsistence in this way, since they prefer to rely upon their buffalo hunts (to which they go annually) and their annuities. My predecessor, Mr. Greenwood, negotiated a treaty with this tribe in 1859, providing for a distribution in severalty of eighty acres of land to each of its members, and the sale of their surplus lands to provide means to establish them in agricultural pursuits under favorable circumstances, and subsequently contracted for the building of houses for the various families upon their several allotments. One hundred and five of these dwellings were built before I entered upon the discharge of the duties of Commissioner. Believing it to be bad policy to build houses for Indians, instead of assisting and encouraging them to build for themselves, and

that the prices stipulated were exorbitant, I ordered the work to be suspended. This order created so much dissatisfaction on the part of those Indians whose houses had not been built, that I was induced to compromise with the contractor, and continue the work under other specifications, and at greatly reduced prices.

The advancement of these Indians, I have no doubt, will be greatly enhanced by the establishment in their midst of a good manual labor school.

I had an agreeable interview with the chiefs of the Shawnees, who, in company with their agent, Mr. Abbott, visited me at Topeka. This tribe own their lands in severalty, and I was assured by the chiefs that it is in a prosperous condition. Judging the tribe by the intelligence and gentlemanly bearing of its chiefs, I have no doubt that ere long the government will be relieved of any further care in the management of its affairs.

I met the Iowas, as also the Sacs and Foxes of the Missouri, at the Great Nemaha agency, and in council with them, as well as from their agent, was gratified to learn that they are in a prosperous condition, and to a considerable extent engaged in the arts of agriculture, having almost entirely abandoned the chase. Many of them have good farms and are comfortably situated. The Sacs and Foxes will remove to the lands purchased for them from the Iowas, so soon as the treaty lately negotiated for that purpose is ratified, which I trust will be done early in the approaching session of the Senate.

The Iowas who belong to this agency number about 300 souls, and have 225 acres of land of their reservation under cultivation, the products of which will go far towards their support during the winter.

Upon the Iowa reservation a school is established for the children of that tribe, but the difficulty in securing prompt and regular attendance very much impairs its utility. No schools seem to prosper amongst the Indians unless provision is made to board and clothe the pupils at the institution, and in that case their efficiency is greatly enhanced by the adoption of the manual labor system, as it is of equal importance that they be taught how to work as well as a knowledge of the usual sciences taught in schools.

An act of Congress of March 3, 1859, authorized the alienation by the Indians in Kansas of portions of their lands which had been set apart in severalty under the treaties of 1854. Under this act one hundred and forty-eight sales of lands have been confirmed since the 4th of March last, comprising an area of about eleven thousand and five hundred acres, and have produced for the Indians the sum of $69,219.

By treaties concluded with the Sacs and Foxes of the Mississippi, and the Kaws of Kansas, it is stipulated that after portions of their lands shall have been divided off in severalty to each individual member of those tribes, viz: 80 acres each to the Sacs and Foxes, and 40 acres to each of the Kaws, the residue should be disposed of in such manner as the Secretary of the Interior may prescribe and direct. In order to secure to the said Indians the greatest practical advantage to be derived from the proceeds of these surplus lands, commissioners were appointed to appraise them for the information of the department, which would thus be made aware of their actual or approximate value, and enabled to act independently of any representations of interested speculators. Notwithstanding this preparation it has been deemed advisable to postpone sales for the time being, and await the advent of a period when better prices may be obtained.

Superintendent Coffin and Agent Cutler, who have found it impracticable to discharge their appropriate duties within the southern superintendency, have been detailed to assist Agent Farnsworth in making allotments in severalty for the Kaws, and Agent Hutchinson for the Sacs and Foxes, thus furnishing them with employment, and avoiding the expense of a special commission for those purposes.

From the report of the agent of the Omahas, I learn that their agricultural labors of the present season have been eminently successful. Their crops are large and they have an abundance of every description of produce to meet their wants during the coming winter. They have this season made a commencement in the culture of sorgum, from which it is anticipated they will soon be able to supply themselves with sugar and molasses. Although the tribe numbers less than a thousand souls, they have, in addition to a thousand acres fenced for pasture, six hundred and seventy acres of land under cultivation. They have adopted a regular code of laws, established an internal police, composed of their own numbers, and are evidently making rapid advances in the manners and customs of civilization.

The recommendation of their agent that a competent person should be employed to teach them the art of making baskets, for which they have materials in abundance, is timely, and if adopted will doubtless be of great practical utility. Much of the progress observable in the condition of this tribe, is attributable to their intelligent and exemplary chief, La Flesche, and to the excellent school in their midst. I am happy to state that their loyalty is unquestionable.

In the last annual report of my predecessor, apprehensions were expressed that the wide-spread drought of last year over the central and southern superintendencies would involve many of the Indian tribes in want and suffering, and the intervention of Congress was invoked in their behalf.

To the appeal thus made Congress replied by making an appropriation of $50,000 as a gratuity to the suffering and destitute Indians. Two persons were appointed (their services being paid for out of the fund appropriated) to make a proper distribution of this donation. One of them was despatched to the Osage river and Neosho agencies, and the other to tribes in Kansas and Nebraska. None of the tribes south of the Neosho agency were included amongst the beneficiaries of the fund, since it appeared to the department that they were in circumstances competent to provide for the wants of their own poor. Relief was therefore confined exclusively to those Indians whose needs were most pressing, and the horrors of famine were thereby averted from many of the tribes, amongst whom may be mentioned the Osages, the Quapaws, Senecas and Shawnees.

The famine pressed most heavily upon the Kickapoos, driving the poor to subsist for a period on the small game they could pick up on the prairies, and those who were better off, to sell their cattle and horses to purchase the means of subsistence. The relief furnished by the government was most opportune in point of time, and was received by the Indians with unfeigned thankfulness. This year they have bountiful crops, which, with their Fall annuities, will amply supply all their necessities. The agricultural exertions of these people have met with a success highly gratifying, and each year's experience serves to stimulate them to yet further enterprise. Their efforts at raising wheat having been satisfactory, the agent has purchased for them one hundred bushels of Fall wheat for seed. The tribe numbers in men, women and children three hundred and fifty souls, and own an aggregate of property worth forty thousand dollars, or an average of four hundred dollars to each male adult. A school has been started amongst them, but it is as yet but poorly attended. Several southern Kickapoos, who have been leading a wandering life in the southern part of the Indian territory, have returned to their brethren in Kansas, and profess a disposition to engage in agricultural pursuits.

Of the gross sum appropriated by Congress for the relief of indigent Indians $26,051 66 have been expended, leaving $23,948 34 to the credit of the appropriation, subject to such application as circumstances may warrant and require. It was not deemed expedient to invest the whole amount at once, but to expend it as cases of meritorious character should be presented to the department.

The northern superintendency comprises a large extent of country, and its

Indian population is numerous and powerful. Some of the tribes have from time immemorial sustained hostile relations with each other, and though no longer at open strife, occasionally manifest their long continued animosity. The tribes along the northern frontier traffic largely with British traders, and are consequently subject to powerful influences, which it is feared are not always favorable to the development of our Indian policy.

Provision was made in the treaty with the Winnebagoes concluded April 15, 1859, for the assignment in severalty to each individual member of the tribe of the lands composing the eastern portion of their entire reservation, as follows, viz: eighty acres to each head of a family and forty acres to each male person eighteen years of age and upwards, and for the disposition of the remaining land by the direction of the Secretary of the Interior. In pursuance thereof Messrs. Walcott, of Illinois, Sample, of Indiana, and Baker, of Minnesota, were appointed to the duty of taking a census and making the several allotments. Owing to obstructions thrown in the way of the prosecution of this work by designing white men, and the obstinacy of some of the Indians themselves, the commissioners experienced great difficulty in the execution of the duties assigned them. But through the exercise of patience and perseverance worthy of commendation, they eventually overcame the many obstacles in their way and have substantially accomplished the object. The commissioners were further instructed to appraise the residue of the lands preparatory to bringing them into market, but in view of the disturbed state of the country and the resulting financial derangements, it has been deemed proper to suspend their action and await an epoch more favorable to the interests of the Indians for whose benefit the sales are to be made.

In the year 1851 a treaty was negotiated with the Se-see-toan and Wah-pay-toan bands of Sioux, whereby their title to a large tract of country in the then Territory and present State of Minnesota was extinguished. Since that time the Yanctonnais band of the Sioux, (with whom we have no treaties, other than those of amity and good neighborhood,) have persistently claimed that they too have rights in the territory then ceded; but notwithstanding repeated and earnest efforts on the part of this department to ascertain the nature and extent of their claims, with a view to their satisfaction, they have until recently refused to treat, repelled our proffers to that end, and received the offers of negotiation, made by a direct mission from the government, with little less than insolence and contempt. Hitherto they have been a wild and intractable band, manifesting no disposition to abandon in the least their savage mode of life, and have exercised a powerful and pernicious influence upon their neighboring tribes, who are less wild, and are disposed to cultivate more intimate relations with the whites. Recent advices, however, show that at length the Indians of this band are beginning to surrender their prejudices, and are disposed to arrive at a better understanding with the government, they having made overtures to that effect. I am, therefore, of opinion that a council should be held with them without delay, and if possible a treaty negotiated; and it would be well if, upon negotiating a treaty with the Yanctonnais, one were also made with the Chippewas of Red Lake, for which the necessity is urgent. Some of the Sioux who are located upon reservations have made a fair beginning in the customs of civilized life. They have adopted the costume of the whites, and rely for a living upon the arts of husbandry. This class is known as "Farmer Indians," a term which distinguishes them from the other class known as "Blanket Indians." The Farmer Indians are met at each step in their endeavors to attain the arts of civilization by the constant opposition of the "Blanket Indians," who regard them as innovators upon their ancient customs, wanting in manliness, a discredit to their race, and (to use a hackneyed expression) "degenerate sons of noble sires." So great is this opposition that it requires on the part of the "Farmers" the exercise of great moral courage, as well as the countenance and support of the

government, through its agents and forces, to enable them to persevere in their praiseworthy endeavors. The policy of allotting lands in severalty to the Indians, first adopted in 1858, is practiced in the Sioux and other reservations in the northern superintendency, and as is well attested, with marked success. Schools have also been established both upon the ordinary and the manual labor system, the result of which is not so gratifying as is to be desired, and clearly proves that a system is demanded for the instruction of Indians widely different from any as yet adopted. The remarks of Mr. Pierson, school superintendent for the united Sioux reservations, in his report to Agent Galbraith, seem to me to be eminently judicious, and worthy the careful consideration of the government, and all those who feel an interest in the actual progress and welfare of the red race. The main features in the plan proposed, which it seems to me are practicable, and would be attended with the good results anticipated, are, 1st, a direct personal advantage to be derived by the pupils from their daily pursuits, which will furnish constant stimulus to perseverance, and as for generations, their pursuits have been physical rather than intellectual, the fact should not be overlooked in any system of education adopted for them; and 2d, to induce them to abandon the costume of savage and adopt that of civilized life, and by this means remove one of the most formidable barriers in the way of their advancement. The reservations of this as well as other superintendencies are grievously infested with liquor sellers. Whiskey everywhere seems to possess for the Indian an irresistible attraction, and having no just appreciation of values, he readily exchanges the most valuable of his possessions to gratify his uncontrolable desire for this stimulant. Unprincipled traders, debarred by law from going upon the reservations, gather upon their borders, and by means of this traffic, which in this case in far worse than robbery, they filch from the Indian his little all, often reducing him to a state of utter want and destitution. To protect him from the cruel avarice of the whites, more effectual legislation should, if possible, be had; but inasmuch as the trade is carried on outside of the reservations and consequently within exclusive State jurisdiction, I know not what remedy to propose, unless some system of legislative comity between the State and federal governments can be devised whereby the traffic may be more effectually suppressed. The magnitude of the evil, and its terrible consequences among the Indians, forcibly commend this subject to the careful consideration of legislators and philanthropists. The suggestions of Superintendent Thompson in relation to a change of the time for the payment of annuities, an increase in the number of the places of payment, and the location of one or two companies of well equipped cavalry, at suitable stations within the superintendency, are timely, and in my judgment should be adopted.

At the last regular session of Congress acts were passed creating out of the then Territories of Utah, Nebraska, and New Mexico, the two new Territories of Colorado and Nevada. It was provided in these acts that the respective governors of the new Territories should act as *ex officio* superintendents of Indian affairs within their limits, but no provision was made for the appointment of agents over the Indians, as in all other existing Territories. As a consequence of this omission, this office was compelled to assign to the Territory of Colorado the agent for the Indians of the upper Arkansas, one of the agents in New Mexico, and to appoint a special agent for the Indians in those portions of Colorado west of the Rocky mountains. The same exigency compelled the assignment of the agent for Utah to the Territory of Nevada; all which will remain until further legislation can be had.

As no appropriation was made for the Indian service of the two new Territories, I was compelled to apportion the appropriation made for Utah between that and the Territories in question in such manner as their respective necessities seemed to demand. The matter of further appropriations I propose to make the subject of a special communication.

The condition of our relations with the Indians of Colorado Territory, as represented by my latest advices from its superintendent, Governor Gilpin, is not as favorable as is to be desired. The session of Congress creating this Territory, and establishing therein a new superintendency, failed to make the necessary appropriations to defray the expenses incident to its altered condition, and owing to this fact, and to the further facts that communications with the Territory have been very uncertain and the distribution of the gratuities has been thereby impeded, the emissaries of the rebels, as well as the disaffected resident whites, have been enabled to make a strong impression upon the minds of the Indians, and at last advices it would seem that, although no acts of hostility on their part have been committed, they were beginning to waver in their loyalty, and it will require, and I doubt not receive, on the part of the government and its representatives, the exercise of prudence and good management to avert the calamities which would attend an alliance of the Indians with the rebels. As the usual supplies have now gone forward, I feel sanguine that the dangers so much apprehended by Governor Gilpin are passed, and that he will be enabled to preserve friendly relations with the tribes of the Territory. A treaty was concluded with the Cheyennes and Arapahoes in February last, by which their title to a large extent of country, including Denver City and the surrounding regions, was extinguished. This treaty was ratified at the late session of the Senate, with an amendment, to which the assent of the Indians was necessary before its promulgation as the law of the land. Measures were accordingly taken to procure their assent, which was readily given. So soon as appropriations are made so that its stipulations may be fulfilled, I have no doubt it will be attended with highly favorable results.

The time has now fully arrived when the formidable tribes between the Upper Arkansas and Texas should be brought within the scope of our Indian policy. For two years the Comanches and Kiowas have rendered the passage of the plains perilous to emigrants, but recently they have manifested a disposition to assume friendly relations with the government, and to be restored to its confidence, and have entered into a preliminary treaty to effect that object. For this reason the presents of goods, which for two years have been withheld from them, have been distributed this year. Thus the travel upon the great plains between the frontier and New Mexico has again been made secure and its worst dangers averted.

The recent discovery of gold within this Territory has drawn thither a rapid tide of emigration, which being precipitated amongst the tribes occupying the gold bearing regions of the Territory, thus mingling the white and red races, without any treaties contemplating so radical a change in their relations, has greatly increased the difficulties in the way of a successful administration of its Indian affairs.

It will be necessary to negotiate treaties with many of the tribes, and as the interior of the country is being so rapidly filled with our people, the demands of justice to the Indians, as well as good policy, require that great care should be exercised in order to secure for them suitable and ample reservations upon which to locate their future homes.

The change from savage to civilized life is very great, and is, at best, beset with difficulties and perplexities. As the ultimate object of all our operations among the Indians sshoud be to better their condition, it will be my duty, as well as of all other employés of the government, to endeavor to secure for them reservations of such dimensions, and possessing such natural facilities in climate, soil, and all other desirable qualities, as will, so far as possible, remove the obstacles in the way of their advancement, nd present to them the greatest inducements to abandon savage and adopt civilized modes of life.

On the 31st of July last Governor Nye held a talk with the Indians located on the spacious and suitable reservation on Walker river, which is occupied by

about 700 souls of the Pah-Ute tribe, under the headship of Oderkerno. They appeared well pleased with the purposes of the government towards them, and accepted their presents with promises, apparently quite sincere, to continue on peaceable terms with the white settlers. On a subsequent day a similar talk was held with the Pah-Ute Indians of the reservation on Truckee river, under the head chief Wuna-mucka, a man of much native sagacity, and well disposed towards the whites. They number about 500 souls, are a better description of people than the other Pah-Utes, and are situated on a reservation of a desirable character. Wuna-mucka made satisfactory declarations of his purpose to prevent all interference on the part of his people with the overland stage and the telegraph, which passes through their country between the Atlantic and the Pacific States. Care has been taken to remove white trespassers from these and all the other reservations in Nevada.

The Washoe tribe present a painful contrast to the other Indians, even of this region. They are a poor and degraded set of creatures, living on insects and spontaneous products, and can do but little harm to anybody. No reservation has yet been assigned to them, and Governor Nye strongly discourages their location on the Pyramid Lake reservation.

In the opinion of the same officer, the Pah-Utes should be placed on the road to a higher civilization without further delay, by a judicious supply of farming implements and cattle, and articles of domestic utility. Schools should be established on the reservations as in other superintendencies.

Indian affairs in Dakota for the year past have been satisfactory. In the Upper Missouri agency, where the tribes have no treaties with the United States which confer annuities upon them, but only treaties of amity from which they derive but a few goods annually, the security for continued peace is not strong. It would be good policy to locate these Indians within reservations at an early day. The numerous rumors of alleged hostilities by the Indians on the settlements to the northwest of Dakota are untrue, or at least gross exaggerations. In northwestern Iowa it is known that for several years past Indian incursions have been frequent, but their depredations during the past year have been comparatively unimportant, which is mainly due to the vicinity of two Indian reservations, (the Yancton and Ponca,) which operate as a protection to the white settlements not easily appreciated by those who have never resided upon the Indian frontier. A few bands of Santees, who do not participate in the distribution of annuities to Indians residing on the Minnesota river, are the only actively hostile Indians in that region. A boat containing annuity goods was, with its contents, accidentally destroyed by fire, and communication with Fort Benton thereby suspended, and consequently no report has been received from the agent in that quarter. I was so fortunate, however, as to be able to replace the goods that were lost by this accident through the courtesy of Messrs. Chouteau & Co., of St. Louis, who have a large stock in that country, to which they allowed me to resort, upon condition that goods similar in quality and quantity to those necessarily used shall be supplied to them upon the resumption of navigation in the spring, so that by this arrangement no trouble with the Indians of that vicinity need be apprehended. The Poncas have but recently gone upon their reservation. They have already some three or four hundred acres of land ploughed, and there is reason to believe that in the course of another year their condition will be materially improved. The Yancton Sioux are doing well; they have about eight hundred acres of land under cultivation, and it is believed that the whole tribe, of which a few bands have hitherto been refractory, will very shortly settle upon their reservation. A portion of the goods intended for this tribe, estimated at from four to six thousand dollars in value, was accidentally destroyed by the sinking of a boat, and some trouble with the Indians was anticipated in consequence of the loss, but by the prompt action of their agent the danger has been averted. Some apprehensions of an outbreak among

the Indians of Upper Missouri have been felt by many old settlers in Dakota, but the superintendent is confident that it will be prevented.

The condition of our relations with many of the tribes of the superintendency of New Mexico demands the earliest practicable interposition of the military force of the government, not only to preserve the lives and possessions of our resident citizens, but also to reduce the hostile tribes to subjection, punish them for the barbarous atrocities they are continually committing, and, in addition to this, to repel rebel invaders from Texas on the south and the Comanches on the east. Unlike the southern superintendency, which is almost exclusively occupied by Indian nations and tribes, a majority of whom are more or less advanced in civilization, and are not engaged, so far as we are reliably informed, in actual hostilities, this superintendency is checkered here and there with white settlements, which, by the withdrawal of the United States forces, are left almost without the means of defence. Several of the tribes within its borders are wild and warlike, are actively hostile, and, on account of their numerical strength, are truly formidable. Arizona is in armed occupation of rebels from Texas, who threaten to extend their incursions further north, and do not scruple to aggravate the hostilities already subsisting between the white and red races. The withdrawal of the overland southern mail is believed by the Indians to have been a consequence of their hostility, and this supposed success has greatly encouraged and emboldened them, so that there is ample reason to fear that they will engage in still more formidable and daring atrocities. In many parts of the Territory our agents are driven from their agencies, and thus all present control is lost and the Indians left to the unrestrained commission of their depredations.

This condition of affairs ought not to be allowed to continue, and I earnestly hope that ere long the power of the government may be brought to bear upon them, and the peace and quiet of the Territory thereby restored. The most formidable of the tribes thus arrayed in hostility towards our people are the Apaches and the Navajoes. On the part of the former hostility is open and undisguised, while the latter are more insidious, but it is believed not less dangerous. In gratifying contrast with the position assumed by the Apaches and Navajoes may be mentioned the Pueblos and Mohuache Utahs, with whom our relations are as satisfactory as at any former period. The Pueblos are peaceable and loyal. They are to a considerable extent engaged in agricultural pursuits, and it is believed that a small exercise of the fostering care of the government in establishing and maintaining good schools in their midst, and in locating them upon a suitable reservation, will in a very few years entirely reclaim them from savage life, and cause them to become useful and good citizens. The Mohuache Utahs are formidable in numbers, and are enterprising, intelligent, and loyal to that degree that they have tendered their services for the protection of white settlers against the assaults of rebels as well as savage foes. They, too, are highly meritorious objects of our care, and afford abundant evidence that our efforts in their behalf will meet with an ample reward.

I desire to call your attention to the necessity of concentrating the Indian population of this superintendency upon suitable reservations. The Mexican government, formerly in possession of this Territory, differed widely from ours in its policy and views in relation to the rights of the Indians in the soil. That government regarded itself as the absolute and unqualified owner of the soil, and held that the Indian had no usufructuary or other rights therein which it was in any manner bound to respect. Hence it negotiated no treaties with the Indians for the extinction of their title to land, and in pushing forward new settlements made no provision for their welfare or future homes. It has been claimed that inasmuch as Mexico asserted and exercised this absolute and unqualified right of ownership in its soil, we, in acquiring from that nation the Territory in question, succeeded to its rights in the soil, and are therefore under

no obligation to treat with Indians occupying the same for the extinguishment of their title. If this position is correct, it would seem to follow that the policy so long pursued by our government in negotiating treaties with Indians, and thus extinguishing their titles to land within our borders, has been radically wrong; for as the Indians occupied the territory of both nations prior to the advent of the European races upon this continent, it seems clear that they held lands in the territory of Mexico and the United States by precisely the same tenure. Be this as it may, the necessity that the Indians of this superintendency shall be concentrated upon suitable reservations is imperative. The rapid spread of our population has reached this as well as our other Territories. New settlements are everywhere springing up; the Indians in large and imposing numbers are in their midst, leading a wild and predatory life, gaining a scanty subsistence by the chase and an irregular and imperfect cultivation of the soil; a constant source of irritation and vexation to the whites, and it would seem in a condition utterly at variance with the prosperity, welfare, and improvement of themselves or their white neighbors. To cure all these evils; to foster and protect our own settlements; to secure the ultimate perpetuity of the Territory, and a speedy development of its resources, and to reclaim and civilize the Indians, but one course is, in my judgment, left, and that is the concentration of the Indians upon ample reservations suitable for their permanent and happy homes, and to be sacredly held for that purpose. To effect this desirable object two methods are suggested; the one is to set apart from the public domain ample and suitable reservations, and by liberal appropriations provide a fund whereby the Indians may be located thereon, and enabled to commence their new mode of life under favorable circumstances; the other is to acknowledge that they hold the public domain by the same tenure that Indians held in other Territories, negotiate treaties with them for the extinguishment of their title, and thus provide a fund for the purposes above mentioned. That the latter method is preferable I have no doubt, for the reason that whichever may be adopted will be attended with the same expense; while the latter, by a treaty, to which the Indians are themselves parties, forever silences all claims they may have to that part of the public domain not reserved by them, for which they will feel that they have received a fair equivalent. Besides, they will not feel, as would be the case if the former method is adopted, that they have been removed by irresistible power from the lands over which they and their ancestors once held absolute dominion, and that to make room for the white man they are robbed of their hunting grounds, crowded upon scanty reservations, and compelled to subsist upon his bounty.

It may well be suggested, in support of the plan for which I have thus expressed a preference, that while the act of transfer of the territory occupied by these Indians not only reserved to them all the rights which they had obtained by the consent of the Mexican authorities, it also placed them within the protection of the general policy established by the United States for the government of other tribes. It would seem to be an anomaly to pursue that policy as to a portion of the tribes and withhold it from others, and would produce confusion in the working of the system. That one or the other of these methods should be adopted, not only in this but also in the Utah and California superintendencies, is demanded by every consideration, whether it be of prudence, economy, or enlightened statesmanship, and I therefore trust that this subject may be presented to Congress at its approaching session, and its consideration of, and appropriate action upon the same earnestly solicited. One other subject of complaint in this superintendency demands immediate attention. It is the indemnity claims of many of its citizens for losses sustained by Indian depredations. These claims are numerous, and in the aggregate large. They extend over a series of years, and some of them are exceedingly complex and difficult of adjustment. As each year's delay only serves to add to the difficulties of a

fair and just settlement of these claims, measures ought at once to be taken for their investigation, and a fund provided for their payment.

Repeated references have been made by my predecessors to the unpromising condition of Indian affairs in Utah Territory. This is ascribable to several causes, amongst the chief of which are the natural poverty of the country, the destruction of the wild game by the introduction of white men, and the selfish policy of the Mormon people. It thus follows that the bulk of from 15,000 to 20,000 of the original proprietors of the country, deprived of their accustomed means of subsistence, are driven to the alternative of laying violent hands upon the property of the whites, or of perishing by want. In the pursuit of its duty to prevent, to the best of its ability, either of these results, the government has met with no little difficulty and obstruction, due, in part, to the vastness of so poor a region, and in part to the fanatical perverseness of the white inhabitants, who are almost wholly subjects of the Mormon hierarchy. The late superintendent and agents, impressed by spectacles of gaunt famine continually presented to their eyes, seem to have thought it necessary not only to distribute all the funds furnished them for supplying the wants of the Indians, but also to strip the reservations of their farm implements, teams, animals, and even furniture, in order to obtain additional means for the same pressing purpose.

From several causes, the principal being, perhaps, Mormon intrigue, the Indians had become, during last winter and early spring, exceedingly hostile to the whole white race, when the late superintendent, as he states, by gathering them in council at various places, and making them presents of provisions and other necessaries, succeeded in calming their fury.

No other hope of adequate remedy for the state of Indian affairs in this country presents itself than the vigorous resuscitation of the reservation system, in the light of such improvements as experience has suggested. One of these appears to be the recognition of cattle husbandry as a means of subsistence for the Indian, equal in importance with the tillage of the soil. In the comparatively rainless countries west of meridian of 100 degrees agriculture must ever be conducted under circumstances of disadvantage and risk as compared with regions where rains are frequent or periodical. To furnish the Indian, who is naturally far more of a herdsman than a cultivator, with a source of reliance in those not unfrequent seasons when crops almost wholly fail, is to do for him one of the greatest possible benefits, since it closely assimilates the provision made in his behalf by nature herself ages before the appearance of the white man upon the continent.

The present officers of the department in Utah commenced the discharge of their duties under discouraging circumstances. They found desolation extending even to the office room of the superintendent, and the reservations swept of agricultural means and appliances with which they had been furnished. To a great extent the Indian residents had also deserted the reservations, and had scattered themselves in various portions of the Territory in search of the means of subsistence. Interviews held with some of the chiefs of important tribes developed the wish of the Indians of the Territory generally to come under treaty relations, and to cede their lands to the United States, thereby securing to themselves quiet homes, and the means of comfortable subsistence.

These chiefs will stipulate to be held responsible for all depredations that may thereafter be committed by any of their people, and that the damages shall be deducted from their annuities.

To meet the various exigencies of the next year's Indian service in the Territory, to assure the protection of the overland mail and telegraph lines, and to reequip the farms on the Spanish Fork, Corn creek, and San Pete reservations, will require, in the judgment of the superintendent, at the minimum, an appropriation of $150,000. I would respectfully refer you to what the late Superintendent Davies repeats from San Pitch, chief of the Snake Digger Indians,

relative to the children of murdered emigrants now held in captivity by the Bannacks of the Humboldt river.

Owing to the remoteness of California and the length of time necessarily employed in transmitting communications to and from the same, the department is compelled in a great measure to rely upon the sagacity and integrity of the superintending agents located there, and for the same reason those agents are often under the necessity of assuming grave responsibilities, as to await instructions would be, in many instances, to allow the opportunity to prevent flagrant wrongs, correct existing abuses, and secure valuable ends to pass unimproved.

I desire to call especial attention to the reports of the superintending agents of the two districts, (northern and southern,) into which, for Indian purposes, the State has been divided. From those reports it will be seen that a complete change in the management of our Indian relations is demanded. A change involving the breaking up of some of the existing reservations; the correction of gross and palpable wrongs upon others; the establishment of new reservations, as I trust will be the case, upon a far more ample scale than any heretofore established; the furnishing of an almost entirely new outfit of tools and other necessary articles to those established and to be established; and a thorough investigation, and, if possible, a correction of outrageous wrongs perpetrated, under color of law, against not only the property but also the persons and liberty of the Indians. To effect this change will require time, a considerable expenditure of money, and the exercise, on the part of all persons connected therewith, of great care, patience, and circumspection.

The remarks made under the head of the superintendency of New Mexico upon the subject of Indian reservations, and the methods by which they should be established, apply to California with peculiar force. Within the southern district of the State not a single reservation exists that is not claimed or owned by the whites, nor is there one that is at all adequate in extent to the wants of the Indians. They appear to be simply farms, a few hundred acres in extent, about and upon which the Indians are expected by hundreds, and, in some instances, by thousands to congregate, and from which a small portion of their wants are supplied. These farms, in several instances, are in the midst of regions thickly inhabited by whites, to whom the Indians prove a constant source of annoyance, and by whom they are prevented from wandering over large tracts of country, as they are by nature and long habit so strongly inclined to do. Thus the chief objects for which reservations are desirable are frustrated. Instead of being a retreat from the encroachments of the whites upon which they may concentrate and gradually become accustomed to a settled mode of life, while *learning* the arts and advantages of civilization, and which at a proper time is to be subdivided and allotted to them in severalty, and thus a home furnished to each of them, around which shall cluster all those fond associations and endearments so highly prised by all civilized people, and they in a condition to appreciate the same, the reservation is a place where a scanty subsistence is doled out to them from year to year; they become accustomed to rely upon charity rather than their own exertions; are hemmed in by people by whom they are detested, and whose arts and customs they have neither the power nor inclination to acquire, and thus they become vagrants and vagabonds, accomplishing for themselves no desirable end, and are a nuisance to their white neighbors.

Within the northern district the reservations are owned by goverment, but with the exception perhaps, of that of Round valley, they, too, are insufficient in size, and in consequence of their occupation under one pretext or another, by whites, are of no more real utility to the Indians than those of the southern district. At Nome Lacke reservation there were at one time between two and three thousand Indians, but owing to encroachments of whites upon the reserva-

tion, their settlement around its borders—the evils which invariably attend immediate contact of the two races—a pernicious system of indenturing the Indians to the whites, and the further fact that the farm has been suffered to fall into decay, and the buildings to become dilapidated, there are now not exceeding two hundred in all, the remainder having wandered off because it was no longer possible to remain. This reservation, judging by the report of the superintending agent, ought to be abandoned, for the reason that it has not the natural facilities to adapt it to the purpose intended, inasmuch as there is no fishery, and the timber is twelve miles distant, objections which at the time of its establishment were not so insuperable as now, because at that time all the adjacent region was not occupied by whites. I have mentioned this reservation particularly, because it combines objections which, to some extent and in greater or less degree, exist with reference to all the others, and is a forcible illustration of the necessity that all Indian reservations should be large in area, and so located as not to be liable to come in immediate contact with white settlements, which contact is seldom or never beneficial, and in many instances causes an actual degradation of the Indians.

There are, as I am informed, many unsettled claims for expenditures made in behalf of the Indian service in California, which require immediate attention. Measures must also be taken to cause the removal of whites from such reservations as it is deemed advisable to retain, and to provide for the payment of such improvements thereon as are of utility to the Indians.

Under a law recently passed by the State legislature, large numbers of Indians have been nominally "indentured" for long terms of years to white masters. This "indenturing," if my information as to the character of the law and its practical operation is correct, is but another name for enslaving those who are so unfortunate as to become its objects, since, by its operation, Indians of any age under thirty, and of either sex, without their consent, or, if they be minors, that of their parents, are "indentured" to white masters, who thereupon become entitled to "the care, control, custody, and earnings" of those thus "indentured," whom, in consideration thereof, they undertake to "feed, clothe, care for, and protect," but no security is required that this undertaking shall be performed, nor are any penalties prescribed for its violation. A law like this is subject to enormous and outrageous abuses, and may be made the means by which the most wicked oppression may be perpetrated, and I cannot believe that it was enacted with due consideration and deliberation, or that its provisions will not, at the earliest practicable moment, be so amended as to prevent its conversion by wicked and unscrupulous men to the purposes of a cruel oppression, disgraceful alike to a community in which it is permitted, and to a State under color of whose authority it is perpetrated. I wish, however, to be understood as not objecting to a law for the "indenturing" of Indian youths to discreet and respectable whites, with such safeguards incorporated therein as will secure for the Indian apprentice the same benefits and advantages as are deemed indispensable in the case of white children. The law to which I have alluded is (if my information is correct) grossly deficient in this respect, and all proper remedies should at once be resorted to to rescue those who, under color of its provisions, have become victims of the avarice of base and designing men.

The statement, as made by Superintending Agent Hanson, of the causes which led to the employment of United States and volunteer forces against the Indians in the frontier portions of Humboldt and Mendocino counties, and of the crimes that are committed in the wake, and, as seems to be the case, under the *quasi* protection of those forces, presents a picture of the perversion of power and of cruel wrong, from which humanity instinctively recoils. This so-called "Indian war" appears to be a war in which the whites alone are engaged. The Indians are hunted like wild and dangerous beasts of prey; the parents are "murdered," and the children "kidnapped." Surely some plan may be devised whereby the

Indians may cease to be the victims of such inhumanity, and the recurrence of scenes so disgraceful rendered impossible.

Representations as to the causes of and manner in which this "Indian war" is being prosecuted, as also in relation to various other alleged abuses in the Indian service in California, Oregon, and the Territory of Washington, induced me, with your approbation, and at the urgent request and upon the recommendation of several prominent public and private citizens, to appoint, in August last, Dr. Elijah White, represented to be a gentleman of large experience in Indian affairs, as special agent, to visit those places and investigate the various subjects of complaint, and I am anxiously awaiting his report in the hope that his mission may be productive of good results.

From what has been stated in relation to the condition of the Indians in California, and from the papers herewith relating to that subject, it will be seen how great is the necessity that the subject should receive the earnest consideration of the approaching Congress, to which I trust it will be commended, and its wisdom and liberality earnestly invoked in behalf of the Indians, so that adequate remedies may be provided to cure the deplorable evils by which they are surrounded.

Indian affairs in Oregon continue to be discouraging in some respects, and gratifying in others. The incompleteness of the arrangements of some of the reservations, and the dilapidated condition into which the buildings and other improvements have been suffered to fall, have furnished evil-disposed persons with a plausible pretext to assert to the Indians that the government of their "Great Father" is destroyed, and that no more annuities will be paid them. The consequence of this is that the Rogue River Indians have abandoned their reservation, and that the Indians of other reservations are threatening to follow their bad example. Measures, which it is hoped will prove successful, have been taken to compel the return of such as have wandered away, and, so far as possible, counteract the effects of the wicked representations by which the trouble has been caused. With the exception of a series of robberies and murders committed in the neighborhood of the Dalles, by some Indians of the Warm Springs reservation, who were promptly surrendered by the tribe to be dealt with according to law, the affairs of that reservation are progressing with quiet and regularity. On the Umatilla reservation a remarkable degree of industry and consequent prosperity is noticeable, which is to be credited principally to the Cayuses, and secondarily to the Umatillas. Although the Cayuses number *less* than 400 souls, they own property valued at more than one hundred thousand dollars. They are justly considered the most advanced of all the tribes in Oregon. On this reservation, besides the two bands already named, there is a band of Walla-Wallas, less industrious and provident than the others. These bands unitedly exceed one thousand in number, and would be much benefited by the establishment of a school among them. The discovery of gold in this region has the unwelcome effect of bringing to it many vicious men of the white race, whose trade in spirituous liquors is highly prejudicial to the Indians. They establish themselves just outside the reservations, and present a case on the Pacific coast similar to that already noticed in the northern superintendency, as requiring additional legislation by Congress, or the State government, or both. On the Siletz reservation agricultural operations are quite extensive. More than 1,200 acres are under tillage, of which nearly one-half was this year devoted to an oat crop, about one-fourth to wheat, and most of the remainder to potatoes. There is a school on this reservation, but difficulty is experienced in securing the attendance of the children. Though more than two thousand Indians are now collected on this reservation, only two hundred and fifty-nine of them are under confirmed treaty relations. This circumstance was regretfully alluded to by the agent in his report for last year, and reference to it is repeated in his present report. It was thought best by the late superintendent, with whom the present

concurs, that the treaty of August 11, 1855, should not be ratified, and he was likewise of opinion that the formality of a new treaty is unnecessary, although he earnestly commended to the justice of Congress the case of those 1,766 Coast Indians, who had, in good faith and reliance upon the government, relinquished their native haunts and removed to the reservation. He suggested that annuities should be extended to them sufficient to purchase such articles and procure such comforts as are enjoyed by the small minority under treaty. My views upon this subject have been elsewhere expressed. There are several tribes of Indians in Oregon of formidable power, with some of whom we have negotiated no treaties, and with the others our treaties are not sufficiently comprehensive.

The Shoshones, or Snakes, and the Flatheads, are wealthy and powerful, and can cause their hostility to the remoter settlements and the overland emigration to be severely felt. Hence the pressing necessity of some speedy arrangement with them, which with the Snakes it is suggested should be (as a temporary measure) a treaty granting annuities in consideration of a right of way across their country.

For the Flatheads, who give expression of something like jealousy that they have not received the attention of our government, it would be well to gather a council, in which a more definite knowledge of their wishes and expectations could be arrived at, and stipulations looking to the safety of emigrants and miners agreed upon.

The Indian affairs in the distant Territory of Washington have not as yet assumed that degree of regularity and system which is desirable. The recent organization of the country, the ruggedness of its surface, and its paucity of white inhabitants, are impediments to the rapid development of our Indian policy, which will require no little time and patience for their removal. It is probably for this reason that the treaties of January 1, 1855, with the Makah tribe, located in the extreme northwest corner of the Territory, and that of January 25, 1856, with the Quinai-elts and Quil-leh-utes, have not been carried into execution. Much dissatisfaction exists on the part of these tribes on account of the prolonged delay, and they are beginning to lose confidence in the good faith of the government; but I am assured by the late superintendent that so soon as we shall have executed the stipulations on our part of said treaties, for which arrangements are now completed, there will be no difficulty in the way of a speedy and full restoration of confidence and content. Goods have, this year, for the first time been distributed to the D'Wamish, Suquamish, and Skallams tribes, which tribes, it is represented, are mainly located upon their reservation, and, so soon as agency buildings can be erected, will be fairly under our protection and control, and it is to be hoped in a condition favorable to their welfare and improvement. A comparison of their own condition with that of the tribes who are living upon reservations under treaties with the government, has induced a change in the views of the Chihalis, Cowlitz, and Chinook Indians, who in 1855 refused to enter into treaty relations. They now desire to come under the care and protection of government, and to be located upon a reservation. Should their desires be gratified, a tract of land on the Chihalis river, at the mouth of Black river, which has been surveyed, is deemed a suitable reservation for the Upper Chihalis and Cowlitz bands; and it is believed that the Lower Chihalis and the Chinooks may, without difficulty, be associated with the Qui-nai-elts and Quil-leh-utes upon their reservation.

Several of the tribes in this Territory are making fair progress in agricultural pursuits, amongst whom may be mentioned the Yakamas. This tribe has a school, under the direction of Mr. Wilbur, which is highly spoken of. Upon the Tulelip reservation there is also a school, under the care of the Rev. E. C. Chirouse, which it is reported is doing much good.

The whole number of Indians in Washington Territory with whom treaties have been negotiated and confirmed is estimated at about fourteen thousand.

Besides these, there are many tribes and bands with whom treaties should be negotiated as early as practicable, and it is believed that the most of them may be associated with the Indians of existing reservations, with whom they are known to possess strong affinities.

The rush of white persons, probably to the number of ten thousand, into the country of the Nez Percés, in search of gold, of which it is reported that valuable discoveries have been made, will require on the part of our agents great vigilance and care in order that collisions of the two races may be prevented, and it will probably be necessary to negotiate an additional treaty with that tribe, in order to adapt the location of their reservation to the circumstances now surrounding them, and so widely differing from those in existence at the time their present treaty was negotiated. Up to the present time no difficulties have occurred so far as I am informed. In my comments upon the Washington superintendency, I have mainly relied for facts upon the report of the late superintendent, that of the present incumbent not having yet been received.

Little change has taken place in the affairs of the Mackinac agency during the past year. The greatest evil with which the Indians have to contend is whiskey. Wherever they are situated so as to be clear of its pernicious influence their improvement is manifest. Those who live on the borders of the great lakes divide their time between the old pursuits of fishing, hunting, and trapping, and those of the interior depend on the cultivation of their farms. Besides the ordinary farm products, they manufacture large quantities of maple sugar, of which they have a considerable surplus for market. Their schools are subject to the same influences which are common to Indian schools, of which the most discouraging is the apathy of the parents towards the mental improvement of their children.

Agricultural production would be much stimulated amongst the Ottawas and Chippewas of this agency by a supply of farm implements and working cattle. But little remains to them of the $75,000 granted in the treaty of 1855, and they ask an advance of $5,000 per annum, for objects of husbandry, from the $206,000 that will be due them in 1865, for which I deem it proper to ask an appropriation, as I have no doubt that a moderate annual advance would be of more real benefit to them than the payment to them of so large a sum at one time. Their agent also proposes to divert to the purchase of cattle and farming tools the sum of $4,000, provided for in the treaty of 1855, with the Chippewas of Saginaw, Swan Creek, and Black River, wherewith to keep up a saw-mill. The mill he considers to be badly located and altogether an unproductive object. In this recommendation I fully concur.

The Indians of this agency are desirous of obtaining certificates of title to the lands they hold, and others refuse to settle down on their allotments until the titles have been furnished them. Evil-disposed white men use the withholding of these evidences of title to create uneasiness in the Indian mind, and, in my judgment, justice imperatively demands that the rights of the Indians in this respect shall be recognized and secured at the earliest practicable moment.

It is gratifying to know that the Mackinac Indians vie with the great majority of their red brethren in their warm sympathy with the cause of the government of the United States, and this good will numbers of them are eager to manifest by enlisting in the military service of the country, should the government so desire. Without exception, they are loyal to the cause of the republic.

By treaties made from time to time with various Indian tribes, large tracts of land were ceded by those tribes to the United States, and a consideration therefor was provided; the amount of this consideration, in whole or in part, it was stipulated should be invested for the benefit of the Indians either in stocks of the United States, in stocks of the individual States, or in other safe stocks, generally at an interest not below 5 per cent. In pursuance of these treaties,

such contemplated investments were from time to time made, and the whole charge and responsibility connected therewith, which were first concentrated by the act of 1837 in the Secretary of War, were subsequently, by the act of 1849, creating the Department of the Interior, transferred to the Secretary of the Interior. Those successive investments of moneys, paid by the United States for Indian lands, brought numerous State and other bonds into the custody of the Secretary of the Interior, which were held as a "trust fund" under his management.

By a report of the select committee of the House of Representatives, (No. 78, 36th Congress, 2d session,) it is shown that an abstraction from the place of deposit of the bonds constituting this fund, and amounting in the aggregate to $870,000, was made during the incumbency of your predecessor. Those bonds have not been restored to the Department of the Interior, nor do I suppose it likely they ever will be. The question then arises, on whom must the weight of this abstraction or defalcation fall? Shall the Indians, who are the dependent pupils and wards of this government, and who have parted forever with the lands for which these bonds were the consideration—shall they be made the sufferers by the delinquency of confidential officers in the Department of the Interior, with whose appointment they had nothing whatever to do? The United States, when they engaged to manage the investments for the Indians, assumed all the responsibility which pertains to the offices of guardian and custodian. A great government like that of the United States will not cast a shadow upon its dignity by a question about that responsibility. Taking it for granted, then, that the fund so taken in trust by the government will be held to continue intact for Indian benefit, I respectfully recommend that measures be adopted by Congress to insure to the Indians the value of the bonds abstracted; and, further, that a law be enacted granting power to the Secretary of the Interior to dispose of all the State stocks now held in trust by the government, and that the amount for which they were purchased be reimbursed to the Indians by an investment in stocks of the United States for Indian benefit. It would also be advisable to provide, in the same law, that all Indian funds hereafter committed to the United States for investment shall be invested in United States stocks only.

On this whole subject I have only further to remark, that besides the manifest justice of the foregoing considerations, the measures proposed commend themselves in the light of a wise policy. When the Indian is taught to feel that, notwithstanding all that has passed, the government of the United States is inflexibly determined to maintain its good faith with him under all circumstances, the moral effect will soon exhibit itself in consequences most gratifying.

The accompanying exhibit indicates the State stocks abstracted, and the tribes for which they were held in trust.

In this connection, I beg to remind you that in preparing estimates to be considered by Congress at its late called session, this office, then entertaining the views as above expressed, submitted, with your approbation, an estimate for the interest due, and to become due up to the end of the present fiscal year on the abstracted bonds, for the purpose of obtaining an appropriation to meet the interest due on those bonds. Owing to the press of other business before Congress, the subject was not entertained, and I beg now to renew my recommendation. The estimate will be found in Executive Document No. 1, 37th Congress, 1st session, House of Representatives.

I also recommend that an appropriation be made by Congress to meet the unpaid interest on those trust bonds of the revolted States yet in custody of the Secretary of the Interior. The interest on these bonds is, in most cases, the principal pecuniary resource of the Indian owners, and the failure to obtain this accustomed supply of means has proved to them a source of great embarrassment, and to the Indian Department itself one of much unpleasantness.

It appears from the tables hereto appended, and which are compiled from the best accessible sources, that the whole number of Indian tribes holding relations with the government is one hundred and fifty-two, comprising 239,506 souls, seven-twelfths of whom are females.

The schools of all kinds are 162 in number, having 5,950 pupils, under 186 teachers, whose compensation averages $365 per annum to each teacher.

The agency best furnished with educational opportunities is that of New York; then follow, in the order of excellence, the Northern, Central, Southern, California, Oregon, and Washington superintendencies; the New Mexico and Utah superintendencies have no schools as yet, which is also the case with the new Territories of Nevada and Colorado.

There are in all two hundred and forty-one farms (fenced) in cultivation by Indians or for Indian use, comprising an area of 6,112 acres; of which 2,956 acres are worked by employés in pay of the government, and 3,156 acres by Indians alone. The salaries of government farm employês average $671 per annum.

The aggregate value of the movable personal property owned by the aforesaid Indian tribes is set down at $4,670,053. Those in the best circumstances in this respect are the Shawnees, Wyandotts, and Delawares, who average more than $1,000 to each individual; the poorest are the tribes and bands in Utah. Indian wealth consists chiefly in horses, ponies, and mules; but cattle, farming implements, and household furniture are rapidly becoming important objects of acquisition.

The moral and religious cultivation of the Indians is committed to seventy-seven missionaries, twenty-five of whom are of the Methodist Episcopal church North and South, the former of which are increasing in number; nineteen are in the communion of the Roman Catholic church; nine are Baptists; five are members of the Society of Friends; three are Congregationalists; two are of the Protestant Episcopal and one of the Lutheran church. The remainder are undesignated.

Besides the moral and religious object which is served by these devoted missionaries, great incidental good follows from their labors and presence amongst the Indians. Thus the Indians receive lessons by example as well as precept in industry of all kinds; in the arts and sciences; in agriculture; in domestic economy; in temperance, manner of life and behavior, dress and deportment. How great the advantages which are thus communicated to those children of the forest and prairie, the imagination can more easily picture than the pen describe.

By the second section of an act entitled an act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1854, the President was authorized to enter into negotiation with the Indian tribes west of the States of Missouri and Iowa, for the purpose of procuring the assent of said tribes to the settlement of citizens of the United States upon the lands claimed by said Indians, and for the purpose of extinguishing the title of said Indian tribes in whole or in part to said lands. To carry these provisions into effect $50,000 were appropriated. Of this sum but $1,096 95 remains; and as it is deemed important that moneys should be placed at the disposal of this department for the purpose of availing itself of the first favorable opportunity to enter into negotiations with certain Indian tribes now resident in Kansas, Nebraska, and Dakota, I have to recommend that the sum of $50,000 be placed at the disposal of the Department of the Interior. This amount is regarded as small, as the Indians with whom the negotiations are to be made are numerous, and the cost of the requisite provisions, presents, &c., must be correspondingly large.

My experience so far as regards our relations to the Indians has satisfied me

that there is a defect in the system of trade and intercourse with them, which requires a radical reform. A large portion of the annuities payable to the Indians is paid at once to the traders, who furnish from time to time during the year articles of merchandise, presumed to be suitable to the wants and necessities of that people. In some of the treaties it is stipulated that a certain portion of the consideration to be paid shall be applied to the purchase of goods and agricultural implements to be distributed to the tribes, as beneficiaries, resulting from our treaty engagements. In other cases, their treaties are mandatory, requiring their annuities to be paid in coin. With a view to correct the evil resulting from this payment in money, which is often filched from the Indians by unscrupulous white men, or used as a medium for dissipation and intestine commotion amongst the Indians, I would respectfully suggest that the department be authorized by law to enter into conventional arrangements with the respective tribes, with a view of modifying the existing treaty stipulations in that respect, so that a discretion shall be vested in the Secretary of the Interior to divert the application of their funds in the purchase of goods, agricultural implements, stock animals, and other objects of a beneficial character.

No recent information has been received respecting the condition of the Indians of the State of New York, but the latest intelligence from them indicates that they will maintain the advanced position they have so long held, vindicating thereby the capacity of the red race for indefinite moral and intellectual improvement. The Society of Friends at large has from time immemorial taken a lively interest in the condition of these people, and watched over their welfare in every respect with unceasing care. One of the principal agents of the society in these labors of love was the late Philip E. Thomas, of Baltimore, who, on account of his active and paternal supervision of the Indians, was designated as their representative to transact their business with the government. In the death of Mr. Thomas the Society of Friends have lost a true exemplar of their own characteristic and unpretending worth, and the Indians a friend whose place it will not be easy to fill.

In concluding this my first annual report, I desire to advert again to the subject of Indian reservations, as I deem it of far more importance, as a means by which their interests, social, moral, and political, are to be secured, than any other. In a country like ours, where State after State comes into existence with such wonderful rapidity, unless some policy is adopted and rigidly adhered to, whereby a permanent home may be secured for the Indian, and himself be instructed and gradually conducted along the difficult paths by which all nations who have attained civilization have travelled, there seems to be no means by which he can be secured from falling an easy victim to those vices and temptations which are perhaps the worst feature of our civilization, and to which he seems to have an almost irresistible inclination.

It is but a few years since the policy of locating Indians upon reservations so ample in area that they might to some extent indulge their roving propensities, has been so modified, that when they are so far reclaimed as to make it practicable, and desired by them, the reservation may be subdivided and allotted to them in severalty, and thus a home furnished for each member of the tribe, and, by the sale of the surplus lands, a fund provided, whereby they may begin their new mode of life under favorable auspices. Each succeeding year has served to demonstrate the wisdom of the change. That time and experience will suggest many improvements in the working of this policy, and in its practical details, is doubtless true; but I am well assured that it is the only plan yet devised by which the end we profess to seek, viz., the elevation of the Indian as a race in the scale of social existence, can be secured. Innumerable instances have demonstrated that he possesses capacities which, properly developed, would enable him to live creditably amongst the most enlightened nations. All experience has shown, that when the red and white races occupy the same territory,

the former is quickly contaminated by the vices of the latter, rapidly deteriorates in physical and mental power, and very soon becomes well nigh extinct. In our broad and ample territories, as yet but sparsely occupied by whites, and in many portions of the newer States, very many localities still remain, possessing natural qualities, in location, climate, and soil, which, together with their seclusion from the immediate vicinity of the whites, render them peculiarly desirable as Indian reservations. It is with a hope that a sufficiency of these localities may, by the timely action of our government, be secured for the many Indian tribes, whose claims upon the fostering care and protection of our people may not be disregarded without lasting shame and reproach, that I have given this subject a prominence which in my judgment is far less than its merits deserve.

Very respectfully submitted.

WM. P. DOLE, *Commissioner.*

Hon. CALEB B. SMITH,
Secretary of the Interior.