REPORT

OF

THE COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, November 26, 1862.

SIR: I have the honor to submit my annual report for the current year. The details of the present condition of most of the Indian nations and tribes within our borders, their wants, prospects, and the advancement made by them in civilization, as also of the operations of the various superintendents, agents, and employés located among them, may be learned from the accompanying papers.

Having in my last annual report treated, at considerable length, of the location, condition, and wants of the various superintendencies, I shall, upon this occasion, confine myself chiefly to those which, in my judgment, demand special consideration.

Another year has but served to strengthen my conviction that the policy, recently adopted, of confining the Indians to reservations, and, from time to time, as they are gradually taught and become accustomed to the idea of individual property, allotting to them lands to be held in severalty, is the best method yet devised for their reclamation and advancement in civilization. The successful working of this policy is not, however, unattended with difficulties and embarrassments, arising chiefly from the contact of the red and white races. This is especially the case in relation to Indians whose reservations are located within the limits of States.

In very many instances the reservation is entirely surrounded by white settlements, and however much the fact is to be regretted, it is, nevertheless, almost nvariably true that the tracts of land still remaining in the possession of the Indians, small and insignificant as they are when compared with the broad domain of which they were once the undisputed masters, are the objects of the cupidity of their white neighbors; they are regarded as intruders, and are subject to wrongs, insults, and petty annoyances, which, though they may be trifling in detail, are, in the aggregate, exceedingly onerous and hard to be borne.

They find themselves in the pathway of a race they are wholly unable to stay, and on whose sense of justice they can alone rely for a redress of their real or

imaginary grievances. Surrounded by this race, compelled by inevitable necessity to abandon all their former modes of gaining a livelihood, and starting out in pursuits which to them are new and untried experiments, they are brought in active competition with their superiors in intelligence and those acquirements which we consider so essential to success. In addition to these disadvantages, they find themselves amenable to a system of local and federal laws, as well as their treaty stipulations, all of which are to the vast majority of them wholly unintelligible. If a white man does them an injury, redress is often beyond their reach; or, if obtained, is only had after delays and vexations which are themselves cruel injustice. If one of their number commits a crime, punishment is sure and swift, and oftentimes is visited upon the whole tribe. Under these circumstances, it is not surprising that very many of them regard their future prospects as utterly hopeless, and consequently cannot be induced to abandon their vicious and idle habits. It is gratifying that so many of them are steadily and successfully acquiring the arts of civilization, and becoming useful members and, in some instances, ornaments of society.

Very much of the evil attendant upon the location of Indians within the limits of States might be obviated, if some plan could be devised whereby a more hearty co-operation with government on the part of the States might be secured. It being a demonstrated fact that Indians are capable of attaining a high degree of civilization, it follows that the time will arrive, as in the case of some of the tribes it has doubtless now arrived, when the peculiar relations existing between them and the federal government may cease, without detriment to their interests or those of the community or State in which they are located; in other words, that the time will come when, in justice to them and to ourselves, their relations to the general government should be identical with those of the citizens of the various States. In this view, a more generous legislation on the part of most of the States within whose limits Indians are located, looking to a gradual removal of the disabilities under which they labor, and their ultimate admission to all the rights of citizenship, as from time to time the improvement and advancement made by a given tribe may warrant, is earnestly to be desired, and would, I doubt not, prove a powerful incentive to exertion on the part of the Indians themselves.

Having premised this much, I will now present such information and suggestions, in relation to the various superintendencies, as are deemed important.

NORTHERN SUPERINTENDENCY.

The condition of Indian affairs within this superintendency is most deplorable and unfortunate. As is generally known, it has been the scene of the most atrocious and horrible outbreaks to be found in the annals of Indian history. The events are of too recent occurrence to justify me in an attempt to elucidate and explain all the causes which led to the disastrous state of affairs now existing; and unfortunately I have not as yet received the annual report of Mr. Gal-

braith, the agent in charge of the Sioux, (by whom the most formidable outrages were perpetrated,) and can glean but little definite information from the report of Superintendent Thompson.

For several years it has been known that much ill feeling existed towards the whites on the part of portions of the different bands of Sioux who were parties to the treaty of 1851. They are divided into two classes: the Farmer and the Blanket Indians. The former have heretofore been quiet and peaceable, disposed to acquire the arts of civilization, and, in many instances, have adopted our costume and methods of gaining a livelihood. The latter are wild and turbulent, pertinacious in adhering to their savage customs, and have committed many depredations upon the whites in their vicinity.

The payment of claims arising in consequence of these depredations has, under the law, been made from the annuities of the tribe, which have thereby been diminished to the same extent. The disaffected could not, or would not, understand why the amount of their annuities was diminished, and each annual payment has only served to add to the disaffection, which, during several of the past years, has been so great as to require the presence of troops at the time of payment in order to preserve the peace and prevent an open rupture. So violent was the demeanor of the disaffected Indians at the last annual payment, and so threatening the attitude they had since assumed, that, upon the earnest representation and solicitation of Superintendnet Thompson, it was deemed absolutely essential to the preservation of peace that the full amount of their annuities, without any deduction on account of depredation claims, which had been paid therefrom, should be paid them during the past season; and for this purpose it was necessary to use a portion of the appropriation made for their use during the fiscal year ending June 30, 1863, and to postpone the usual time of payment until that appropriation became available.

About the usual time of the annual payment, the Sisseton and Wahpeton bands, and a few lodges of the Yanctonnais, assembled at the agency, without previous notice from the agent of his readiness to make the payment, (which notice it has been the uniform practice to give,) and in a threatening manner demanded their annuities. It was with the greatest difficulty, and not until a detachment of troops had arrived from the neighboring Fort Ridgely, and the agent had given the most positive assurances that payment should soon be made, that they were finally induced to refrain from violence, and agreed to return to their homes and there remain until notified by the agent of his readiness to make their payment.

Affairs remained in this position until Sunday, the 17th of August last, when five persons were murdered at Acton, in Meeker county, at least thirty miles distant from the agency. This act, according to a report made by Lieutenant Governor Donnelly to Governor Ramsey, (which I have taken the liberty to incorporate among the accompanying papers,) was probably "one of those accidental outrages at any time to be anticipated on the remote frontier. It fell, however, like a spark of fire, upon a mass of discontent, long accumulated and

ready for it." And now followed a series of cruel murders, characterized by every species of savage atrocity and barbarity known to Indian warfare. Neither age, sex, nor condition was spared. It is estimated that from eight hundred to one thousand quiet, inoffensive, and unarmed settlers fell victims to savage fury ere the bloody work of death was stayed. The thriving town of New Ulm, containing from 1,500 to 2,000 inhabitants, was almost destroyed. Fort Ridgely was attacked and closely besieged for several days, and was only saved by the most heroic and unfaltering bravery on the part of its little band of defenders until it was relieved by troops raised, armed, and sent forward to their relief. Meantime the utmost consternation and alarm prevailed throughout the entire community. Thousands of happy homes were abandoned, the whole frontier was given up to be plundered and burned by the remorseless savage, and every avenue leading to the more densely populated portions of the State was crowded with the now homeless and impoverished fugitives. While the terrible excitement occasioned by this unexpected outbreak on the part of the Sioux, in the western part of the State, was still at its height, it was still further increased by the most startling reports from the Chippewas, who reside in the northern portion thereof. From these reports it became the universal belief that a preconcerted and general uprising of all the Indians of the State was at hand, and that the State, already drained by the calls of the government of a large portion of its able-bodied citizens, and without any preparation, was to become the arena of a most formidable Indian war.

Having been in the midst of the Chippewa difficulties, and taken an active part in the measures which led to their adjustment, I am the better prepared to make a detailed and more satisfactory statement in relation thereto, and for this reason must be excused if I appear to give an undue prominence to the less prominent difficulties.

An appropriation was made at the last session of Congress for the purpose of negotiating a treaty with the Chippewas of Red Lake and Red River of the North, in order to secure to the people of the United States the free and safe navigation of that river. Superintendent Thompson and myself having been designated by you to effect this negotiation, I left this city in August last, in company with A. S. H. White, esq., of the Interior Department, and proceeded to St. Paul, in Minnesota; at which point it had been prearranged that we should meet Superintendent Thompson. On arriving at St. Paul we found everything in readiness for our contemplated journey to the Red river country. We accordingly proceeded, and arrived at St. Cloud on the 19th day of August. At this point we met Sergeant Tracy, who had been despatched to St. Paul by Captain Hall, the commandant at Fort Ripley, to procure troops to strengthen the fort and protect the settlements in its vicinity from an apprehended attack by the Chippewas of the Mississippi, under the lead of their chief, Hole-in-the-day.

I learned from Sergeant Tracy that the Indians, instigated by Hole-in-the-day, had commenced depredations by stealing and killing the cattle belonging to their agency, and by making several persons prisoners; that in consequence

of this demonstration, and threats against his life, Agent Walker had sent a messenger to Fort Ripley for troops to protect the agency and its employés; that, in compliance with this request, some twenty-five troops had been sent from the fort to Crow Wing, where they met Agent Walker, who requested them to arrest the chief, as a necessary measure to prevent a general outbreak; and that in endeavoring to comply with this request, the troops had been discovered by Hole-in-the-day, who immediately fled to his house, situated upon the river some two miles above, and embarking with his wives in canoes, had well nigh gained the opposite bank before the arrival of the troops. He refused to comply with their demand that he should return, and on gaining the opposite shore turned and fired upon them. This fire was promptly returned, but with no other effect than to exasperate Hole-in-the-day. Ample evidence is in my possession showing that he immediately sent runners to all the bands of the Chippewas, advising them that war had begun, that their chief had been fired upon by United States troops, and that they must at once kill all the whites upon the various reservations, seize the property of the traders and others, and join him at his camp at Gull lake. At this juncture Sergeant Tracy had been despatched from Fort Ripley to Governor Ramsey for troops.

Upon receiving this information, I determined to send a messenger to the agency, distant from St. Cloud about sixty-five miles, that I might learn the full extent of the difficulty. The messenger was met by Agent Walker and his family, who were fleeing from the agency. The agent was so much excited that upon his arrival at St. Cloud I could obtain no reliable information from him as to the cause of the outbreak. His fears for the safety of his family and self had evidently affected his mind. He believed that there was a general and preconcerted rising of all the Indians of the country; which belief was strengthened by hearing of the outrages then being committed by the Sioux. Fully persuaded that we were surrounded by Indians, he started from St. Cloud for St. Paul, warning the people along his route to flee from the country; and a few days afterwards was found dead some distance from the road. He had evidently become deranged and committed suicide.

About this time a messenger reached us from Fort Ridgely, *via* St. Paul, who had been sent forward to warn us of the terrible outbreak of the Sioux, and that a party of them had started across the country to intercept us and, as they said, recover their money, with which they professed to believe we intended to make a treaty with their ancient enemies; and also intending to possess themselves of the goods and provisions with our train. Senator Wilkinson and Mr. Nicolay, secretary to the President, had joined our party at St. Paul. Upon consultation with them and others of the party, it was thought best to return to St. Paul to advise with the governor, and, if possible, assist in putting an end to the Sioux massacres, and also obtain from him an escort sufficiently strong to enable us safely to proceed upon our mission to the Red river, which up to this time had not been abandoned. Directions were immediately sent to the parties in charge of the goods, provisions, and cattle to proceed to Fort Abercrombie, and

there await a reasonable time for further orders, which failing to receive, they were directed to deliver the property in their charge to the commandant of the fort. A letter was also despatched to Mr. Kittson, directing him to notify the Indians assembled at the treaty ground on Red river that we should probably be detained some two weeks.

These arrangements completed, we returned to St. Paul, where we learned that the Sioux outbreak was much more formidable than we had supposed, and that all hopes of an amicable adjustment had ended. Troops were being promptly forwarded for the protection of the frontier settlements and the relief of Fort Ridgely. Believing now that the danger of further trouble with the Chippewas was imminent, I requested Governor Ramsey to send two additional companies of infantry (one being already *en route*) to Fort Ripley. This request was at once complied with, and two companies, one under Captain Burt, the other under Captain Libby, were placed under my command. Meantime I received a message from Hole-in-the-day, through Mr. Sweet, of Sauk Rapids, to the effect that he desired an interview. I also learned from Mr. Sweet, who had visited the Chippewa camp at Gull lake, that Hole-in-the-day had there assembled about three hundred armed warriors and was ready to attack the settlements, but would wait three days for an interview with me, that, if possible, the existing troubles might be settled by negotiation. The two companies placed under my command had but just arrived at Fort Snelling; one of them was that day mustered into service; neither had received arms, tents, clothing, or camp equipage; and yet so efficient were the services of Mr. Chute, who had been appointed by the governor as quartermaster to the expedition, and so prompt were the officers and men, that one company started the day the order was issued and the other early the next morning, and both arrived at Fort Ripley in several hours less than three days, having marched a distance of one hundred and thirty miles.

I was accompanied by, and received valuable aid from, a company of mounted volunteers, organized with the approbation of Governor Ramsey, and led by Senator Wilkinson.

On arriving at the fort, twelve miles distant from the agency, I notified Hole-in-the-day that I was ready to hold a council with him and the chiefs who were with him, and to hear their complaints. I was promised an answer the following day. I found at the fort "Bad Boy," a chief the Mississippi band of Chippewas, and his family; also Mr. Johnston, an educated Indian minister. These Indians, having refused to participate in the wicked schemes of Hole-in-the-day, had been compelled to flee for their lives. I also found at the fort several of the agency employés, who, after being robbed, had been driven from the reservations. From these Indians and employés I learned that the Pillager and Otter-tail Lake bands had promptly repaired to the camp of Hole-in-the-day upon receiving his summons. The Pillagers had made prisoners of the whites and some half-breed employés upon their reservation. The Otter-tails had driven all the whites from the settlement, destroyed the land office, breaking

open the safe, and scattering the papers to the winds, and both bands had seized everything they could find, robbing stores, shops, dwellings, and schools, and destroying everything they could not use. The prisoners, after being taken to the camp at Gull lake, had been liberated through the influence of the chiefs of the Pillagers. There were, at the camp at Gull lake, at least three hundred warriors, who were being supplied with provisions from the agency, and who pretended that they were waiting for the commissioner, and only demanded that charges preferred against their late agent should be investigated.

I also learned, while at the fort, that the Mille Lac, and, perhaps, the Sandy Lake and Pokagema bands, had not yet joined Hole-in-the-day. With a view to detach these bands from his interest, Messrs. Whitehead and Howard were despatched with a message to them, advising them of my presence in the country, and that I desired to hold a council with them at the fort. This message had the desired effect, and resulted in a council with the chiefs and some fifty or sixty of the headmen of the Mille Lac band. At this council the entire strength of these bands was alienated from Hole-in-the-day, and their friendship and good will secured. I feel confident that this diversion of nearly one-half the followers upon whom Hole-in-the-day doubtless relied, went far in enabling us finally to effect a settlement of the Chippewa difficulties without a resort to arms.

The day following my message to Hole-in-the-day, he sent me word that he would not meet me at the fort; and, upon being requested by Mr. Morrill, (whom I had appointed special agent, in consequence of the death of late Agent Walker,) to name a time and place of meeting, refused to reply. Judge Cooper, of St. Paul, a special friend and attorney of Hole-in-the-day, was in the vicinity at his request. I requested him to visit the Indian camp, hoping that, through his intimacy with the chief, I might be able to effect a council and settlement without further difficulty. The judge had preceded me to the reserve, had met the chief in consultation, and I was led by him to believe that the Indians were very penitent, and anxious for an adjustment of the difficulties. He was permitted to pass freely to and from the Indian camp during eight days, but effected no meeting, although several were appointed. That it was a mistake to allow any one, except the officers of the government, to visit the Indian camp, I have very little doubt. After Judge Cooper left for home, Superintendent Thompson, who had all along rendered me efficient aid, visited the hostile camp and met Hole-in-the-day, who informed him that they cared nothing about the investigation spoken of, but that they wanted another treaty, providing for their removal from the vicinity of the whites, and that he, the chiefs with him, and a few others, not exceeding thirty or forty in number, would meet me in council at Crow Wing the next day. To this I assented. I had previously placed one company of the troops at my disposal at the agency and another at Crow Wing. The other was stationed at the fort.

Some days prior to the proposed meeting at Crow Wing Hole-in-the-day had moved his camp to a point about two miles distant from that place, on the road

leading to the agency. Soon after arriving at Crow Wing next morning, more than double the number of Indians that it had been agreed should visit the council ground were seen coming very slowly down the bank of the river, in order, as it afterwards appeared, that some two hundred of their number, who had crossed the river above, might come around through the brush, and thus surround us. When it was discovered that the entire body of Indians were thus posted, and that they were all armed and painted for war, it became evident that Hole-in-the-day was acting treacherously. The Indians had taken possession of the road leading into the town, and had made prisoners of two citizens. Hole-in-the-day now approached the council ground, with about eighty of his followers. Of course no good results could be expected from a council held under these threatening circumstances; but to gain time I resolved to proceed. Captain Libby's company, which was stationed at this point, was cautiously put under arms. The citizens of the town and other whites in attendance were on the alert and well armed. If the council could be prolonged until the middle of the afternoon, troops would arrive from the fort, (for which we sent a messenger in disguise through the Indian lines,) and we would thus be able to make a fair show for successful resistance, in case of an attack. I first demanded of Hole-in-the-day the release of the prisoners, the opening of the road, and that he should withdraw his warriors from the brush surrounding the town. After considerable parley, he consented to the release of the prisoners, and that citizens, and none others, might pass along the road. We then proceeded with the council, but arrived at no satisfactory result. Hole-in-the-day made no charges against the government or its agents. He complained that troops had been sent against him, that he had been fired upon, and stated that for this reason his people had taken arms. During the council he was insolent, defiant, and disrespectful. At its close he stated that it would require several days to settle the difficulty; and thereupon it was agreed that we should again meet for council on the following day. The Indians were then withdrawn from around us, and we returned to the fort, meeting our re-enforcements on the way. It is perhaps fortunate that they did not arrive before the conclusion of the council.

Being satisfied that the troops at my disposal were not sufficient to guard the fort, the agency, and settlements, should hostilities commence, a messenger was at once sent to Governor Ramsey, with a statement of our proceedings and a request for additional forces. The next day—having meantime taken the precaution to guard against being again surrounded—we repaired to Crow Wing, according to agreement. A messenger that I had that morning sent to the agency was seized on his return by the Indians, robbed of his horse, and compelled to return on foot. I also learned that the Indians still held as prisoner the wife of one of the government employés. I then sent a note to Hole-in-the-day, demanding the release of the prisoner and the return of the horse previous to the holding of any further communications. This demand was peremptorily refused. After another unsuccessful effort to procure a council, we returned to the fort. That day I learned, as I have reason to believe by the procurement

of Hole-in-the-day, that he would accept ten thousand dollars' worth of goods, which he believed to be at my disposal, as a condition of laying down his arms and agreeing to maintain the peace. Of course no such proposition could be entertained; but it satisfied me that, whatever might have been the original intention of Hole-in-the-day, it was now simply an attempt to levy black-mail. That all hopes of success in this project might be at once abandoned, it was deemed best that I should return to St. Paul. I accordingly turned over to Captain Hall the command of the troops; gave the necessary instructions to Agent Morrill; and sent a letter to Hole-in-the-day, informing him of my intended departure, and that no further attempt would be made to negotiate with him or his people. I also notified him that if his camp was immediately broken up, and the stolen goods restored, and his warriors peaceably and quietly dispersed to their homes, rations would be issued to those living at a distance, and that if this proposition was not accepted unconditionally, military force would be employed against him.

On the 12th day of September I left for St. Paul. Along the route as far as St. Cloud I found the utmost excitement in consequence of an apprehended attack. Farms, crops, houses, and furniture were in many instances abandoned; the villages were fortified, and every preparation being made for defence. We did all in our power to reassure the people, informing them of the measures taken for defence at the fort and adjacent settlements, and of the change of purpose which we believed had been made by Hole-in-the-day, and, further, that we had but little doubt that when he should learn of my departure, and that consequently no hope remained that he could extort from the government payment for good behavior, he would either submit unconditionally or be compelled thereto by his people. The sequel proved that we were entirely correct.

The message that I had left for Hole-in-the-day was that day delivered to him, and the other chiefs assembled in council, by Agent Morrill. That night the Indians must determine the question of peace or war. Until that time rations had been issued to them to prevent them from robbing settlers. These rations would now be stopped, unless they at once disbanded. The council was long and stormy. Hole-in-the-day advised an attack upon the agency. Big Dog and Buffalo, old chiefs of the Pillagers, counselled peace. The council ended without an agreement; and in the night a majority of the Indians abandoned Hole-in-the-day, came to the agency, surrendered the stolen property in their possession, received the promised rations, and started to their homes. The next day Hole-in-the-day, finding himself abandoned by a majority of his people, came humbly to the agency and surrendered the stolen property in his possession. Thus the entire and unconditional submission of the Indians was obtained. And it would have been well if this satisfactory condition of affairs had been suffered to remain unmolested. Unfortunately, however, as I believe, Governor Ramsey thought proper to refer my letter to the legislature for its action, instead of sending forward troops, as I had requested. The legislature appointed a commission to proceed to the Chippewa agency to *negotiate* a peace. This action, as I have no

doubt, was induced by misrepresentations, made by parties for interested motives.

On our return we met this commission, accompanied by the governor, at Anoka. They were advised that it was believed that the Indians had already submitted; that it was deemed important that no further attempt at negotiation should be made, except through the medium of the agent, and that no good would result from again assembling the Indians. I informed the commissioners that I would consent to no terms other than unconditional submission to the existing laws and treaties, and that I believed any other settlement with Hole-in-the-day was only preparing the way for future raids and further efforts on his part to extort money from the government. I withheld permission for the commissioners to go upon the reserve, for the reason that the attorney of Hole-in-the-day was at its head; but in consideration of the terrible excitement, and fearing that the least future outbreak on the part of the Chippewas would result in the depopulation of the northern part of the State, I authorized the governor to hold a council with the Indians, promising to co-operate with him in any measures calculated to secure peace.

The governor and commissioners were met, between St. Cloud and Fort Ripley, by a messenger bringing the glad tidings that the Indians had submitted and were *en route* for their homes. On arriving at the fort, Captain Hall informed them that he had been present at the councils with the agent; that the Indians had disbanded, and exhibited to them the war-club of Hole-in-the-day, which had been surrendered to him by the chief as an evidence of his submission. I can conceive of no reason for disturbing this state of affairs. Runners, however, were despatched at midnight, and the Indians recalled. A council was held and the form of a treaty (to be found with the accompanying papers) negotiated. It is evident that the terms of this negotiation cannot be accepted by the government, and that, in its present form, it ought not to be ratified. The first article provides that the leaders of this outbreak shall be exonerated from punishment. To this I do not strenuously object, as their punishment is, perhaps, in this instance, not necessary to secure future peace. The second article is grossly unjust to the white settlers, who, in many instances, have, by these depredations, lost all their possessions. The third article contains provisions wholly at variance with precedent and law, inasmuch as it provides for an investigation of the depredations committed by the Indians, and of their complaints against the government, by a commission entirely independent of the Interior Department, either in its appointment or in a supervision and concurrence in its finding. That the government is prepared thus to surrender its legitimate and constitutional control of Indian affairs, I am unprepared to believe. For my views as to the extent to which I consider this treaty binding upon this department, I respectfully refer to my letter to General Pope, to be found among the accompanying papers.

These troubles, which I feel that I have very imperfectly described, (and more especially so as to the Sioux,) have naturally produced the most intense excitement in the minds of the people of Minnesota, which, it is to be feared, will add much

to the difficulty of a proper adjustment. No language can describe the enormity of the crimes committed by the Sioux; and no one will deny that swift and condign punishment should be meted out to the wicked perpetrators of those crimes, and the most ample security provided against their repetition. Happily we have now within the State ample means to enforce any line of policy we may choose to adopt. For the time the management of the Sioux is confided to the military authorities under the direction of the War Department. I have already called your attention to the decision of a court-martial, convened by General Pope, to try a large number of the warriors engaged in the massacres, who have voluntarily, as I understand, surrendered, by which over three hundred of the number have been condemned to death. I cannot refrain from the expression of an opinion that the execution of this sentence would partake more of the character of revenge than of punishment. It must not be forgotten that these savages, still red with the blood of our slaughtered kinsmen, have voluntarily surrendered as prisoners, and that we shall never be justified in judging them by our standard of morals. They are savages, far beneath us in both moral and intellectual culture. Their chiefs and head men wield an influence over them which it is difficult for us to understand or appreciate. Upon their leaders rests the burden of their guilt, and upon those leaders the weight of punishment should fall. I cannot but believe that the death penalty, visited upon the fiends who instigated and procured the commission of these dark and bloody crimes, and a milder form of punishment for those who, it may be, were their willing tools, will be found as effectual in preventing their repetition, and far more in accordance with the demands of justice and the spirit of the age in which we live.

I find that I have already extended my remarks in relation to this superintendency to a much greater length than I had intended, and shall close with a very brief allusion to the other Indians within its limits.

The Chippewas of Lake Superior, although intimately related with those of the Mississippi, and very much under the influence of Hole-in-the-day, I am gratified to state, have maintained their usual quiet and friendly relations, and have made a commendable degree of improvement during the past year. It was at one time greatly feared that they would join in the wicked schemes of Hole-in-the-day; but by the influence of Agent Webb, and others, in whom they have confidence, and especially of Senators Rice and Wade, who were fortunately in their neighborhood at the time of the apprehended danger, they were restrained.

For reasons already stated, the attempt to negotiate a treaty with the Chippewas of Pembina and Red Lake failed. The Indians assembled at the point agreed upon for the purpose of negotiating a treaty, and there remained until they had consumed all the provisions they had brought with them, and all they could procure. They then seized about $25,000 worth of goods, mostly the property, it is said, of British subjects, with which Mr. Kittson, already mentioned, happened to be passing through the country. They stated, at the time of this seizure, that they still desired to treat with the United States, and were

willing to pay for the goods they had appropriated whenever a treaty was made. I am satisfied that the temper of these Indians is such that travel through their country will no longer be safe until a treaty is negotiated, or a line of forts established along the Red River of the North, with forces sufficient for the protection of the adjacent country. Superintendent Thompson recommends that their chiefs and head men be summoned to this city for the purpose of making a treaty. In this recommendation I entirely concur.

The condition of the Winnebagoes is peculiar. I am fully satisfied that, while it may be true that a few of their number were engaged in the atrocities of the Sioux, the tribe, as such, is no more justly responsible for their acts than our government would be for those of a pirate who might happen to have been born upon our territory. Notwithstanding this, from all I can learn, the exasperation of the people of Minnesota appears to be nearly as great towards these Indians as towards the Sioux. They demand that the Winnebagoes as well as the Sioux shall be removed from the limits of the State. The Winnebagoes are unwilling to remove. So exasperated are the people that they only leave their reservation at the imminent risk of their lives. The lands which, under their treaty, are to be sold to procure means to supply agricultural implements, have been withheld from market on account of the financial difficulties of the country. Hence they have not been supplied with the necessary implements, and have not been able to engage in agricultural pursuits, and to a very great extent must rely upon the chase for food. Game upon their reservation is well nigh exhausted, their arms have been taken from them, and, unless their wants are supplied, they must suffer for food. The least depredation on the part of any one of their number, it is feared, would expose the whole tribe to an assault from the whites, which would be inevitably attended with deplorable results. Under these circumstances measures must be taken to provide for their subsistence, until some line of policy can be adopted which will be alike just to them and to the whites.

It would have been fortunate if some territory had been reserved in the northwest, as is the case in the southwest, upon which these and all other tribes of that State could be congregated. There is, however, no unorganized territory remaining, and it is to be feared that the removal of the Indians to any of the organized territories will only serve to postpone a difficulty which must at last be met, and will entail upon some future State the same troubles now existing in Minnesota.

I trust that, when time shall have elapsed sufficient for full consideration of the subject, some policy will be devised whereby all conflicting interests may be reconciled, and shall always be found ready to co-operate in any measures which promise to secure the peace and prosperity of our fellow-citizens of Minnesota, and which are just towards the Indians.

I should be derelict in duty if I failed to close this part of my report without urging the immediate and pressing necessity for action in behalf of those persons who have suffered in consequence of the depredations committed by the

Indians of this superintendency. We may not compensate the loss of parents, children, husbands, wives, and friends; the breaking up of happy homes and the instant destruction of life, long hopes and aspirations, but the little remaining in our power should therefore be the more promptly and cheerfully done.

An investigation of the claims of the surviving sufferers should be instituted with the least possible delay. Many of them have been reduced from circumstances of comfort and plenty to abject want. To all of this class delay in paying their just demands is an injustice.

That the Sioux have clearly forfeited all claims upon government under their treaties is unquestionable. I therefore recommend that their available annuities, so far as applicable after the payment of the legitimate claims of the agency, shall be diverted to the payment of these claims. This fund will, however, be wholly inadequate; and in behalf of the sufferers I desire to make an earnest appeal to Congress for a prompt appropriation of an amount sufficient to compensate all pecuniary losses.

CENTRAL SUPERINTENDENCY.

Every variety of Indian life, from that of the wild and untutored savage to that of the most civilized and intelligent of their race, is to be found within this superintendency. This diversity is exhibited in the comparative wealth of the tribes, in their costumes and pursuits, in their habitations, their provisions for the education and religious culture of their youth, and, in short, in everything that distinguishes civilized from savage life.

During the past year most of the tribes have made very considerable improvement. Health has been good, and those of them engaged in agricultural pursuits have generally been rewarded for their labor by bountiful crops, which, with their annuities, will amply supply the wants of the coming winter. With the exception of some difficulties of a hostile character between the Pawnees and Sioux, which, at the time, produced great consternation among the frontier settlements, the tribes have been at peace, and their universal loyalty and devotion to the cause of the government is very gratifying. As an instance of their loyalty I will mention this fact: Of two hundred and one Delawares, between the ages of eighteen and forty-five, one hundred and seventy have volunteered, and are now in the military service of the United States. It is doubtful if any community can show a larger proportion of volunteers than this. Other tribes have likewise shown a commendable zeal in furnishing volunteers, and I have no doubt that, if necessary, several thousand excellent soldiers could be added, without difficulty, to the Union army from the Indians of this superintendency. Several of the tribes have manual labor schools in successful operation, of which those of the Pottawatomies and Delawares deserve especial mention. It cannot be doubted that these schools are exerting a powerful influence, and will prove most efficient auxiliaries in advancing the best interests of the Indians.

Since my first annual report lands have been allotted in severalty to the Sacs and Foxes, and to the Kaws, as provided by their respective treaties. The allot-

ment to the Delawares has also been completed. A treaty has been concluded with the Pottawatomies and Ottawas, providing for a similar allotment to such members of those tribes as may desire it. The necessary preliminary surveys are nearly completed, and steps have been taken to secure an early allotment of the lands. Thus, one by one, the tribes are abandoning the custom of holding their lands in common, and are becoming individual owners of the soil—a step which I regard as the most important in their progress towards civilization. A treaty has also been negotiated with the Kickapoos, providing for an allotment to the members of that tribe, and is awaiting the constitutional action of the Senate. I desire, also, to call your attention to treaties negotiated with the Iowas, and the Sacs and Foxes of the Missouri, and also with the Sacs and Foxes of the Mississippi, now pending before the Senate, in the hope that the attention of that body will be directed to the subject, and its early and favorable consideration had in the premises.

A fruitful source of difficulty, and one which detracts very much from the success of our Indian policy, is found in the fact that most of the reservations within this superintendency are surrounded by white settlements; and it has heretofore been found impossible to prevent the pernicious effects arising from the intercourse of vicious whites with the Indians. To remedy this it has been suggested that the various tribes should be removed to the Indian country immediately south of Kansas. This suggestion is heartily approved by the whites and by many of the Indians, and, under favorable circumstances, I should have no hesitation in recommending its adoption. It cannot be doubted that most, if not all, of the tribes of the Indian country have, in a greater or less degree, compromised their rights under existing treaties, and that upon the restoration of our authority their treaty relations will require readjustment, not only to provide for the punishment of those who have aided the rebellion, but also to secure the rights of those who have remained loyal. This will present a favorable opportunity for providing homes for such of the tribes and portions of tribes of the central superintendency as may desire to emigrate to that country. I do not wish to be misunderstood upon this point, either as to the action which should be had in relation to the tribes of the central or those of the southern superintendency. Those of the central superintendency who desire to remain there should be permitted to do so, without molestation in any form whatever. Most, if not all, of them hold their lands by the most indisputable of titles and by the most solemn forms, and upon every proper occasion have received the plighted faith of our people that they shall remain forever unmolested in their possession. For these possessions they have surrendered rights elsewhere, which we have always acknowledged to have been justly theirs, and a full and fair equivalent for all they have received. Any action therefore on our part which does not leave them perfectly free to elect whether they will remain where they now are or seek new homes, and that does not secure to them ample remuneration for their present possessions, and the quiet and peaceable possession of their new homes, in the event that they shall elect to emigrate, will be a

wanton and disgraceful breach of national faith, and all the more so because of their undoubted loyalty and their physical inability to resist any policy we may seek to force upon them.

With the tribes of the southern superintendency the circumstances are different. They occupy one of the most desirable portions of the American continent, sufficiently ample in extent to afford a home and country, not only for them, but also for all those tribes who will probably desire to share it with them. Besides this, no considerable number of whites are now there. Here, then, is a country which, by judicious, just, and forbearing action on our part, may be made a happy home for a large portion of our Indians, and where we have reason to believe they may successfully solve the problem of Indian civilization. As above remarked, most, if not all, of the tribes now there have, in a greater or less degree, compromised their rights under existing treaties. To a greater or less extent, they have participated in the great rebellion with which we are now struggling. When the rebellion is subdued it will be no easy task to re-adjust our relations with this people. In doing this two prominent facts must be borne in mind: first, that at the commencement of the rebellion all our forces were withdrawn from them, and many of them, doubtless, forced to join hands with the rebels; and, secondly, that thousands of them have been driven into exile, and endured untold sufferings, because of their unwavering loyalty to us and their fidelity to their treaty stipulations. To restore these fugitives to their homes, to reinstate them in their former possessions, is plainly our duty. To devise a policy which shall discriminate between those who are willingly traitors and those made so by circumstances will require careful thought and deliberation. I invoke for the whole subject the careful consideration of Congress, and the adoption of such measures as, in its wisdom, it may seem to demand.

SOUTHERN SUPERINTENDENCY.

Referring to my last annual report, it will be seen that, at that date, we were in possession of but little accurate information in relation to the Indians of this superintendency.

Owing to the rebellion, neither the superintendent nor any of the agents (excepting the agent for the Neosho agency) had been able to repair to their respective posts of duty. It was believed, however, that a strong Union sentiment existed amongst the various tribes, which only needed military force sufficient to protect the loyal to secure its development. What was then believed has since been demonstrated in the strongest possible manner. In no part of the country have the sufferings and privations endured, and the sacrifices made by loyal citizens, on account of their fidelity to their country, exceeded those of the loyal Indians of this superintendency.

Among the earliest efforts of the seceded States was an endeavor to sever the allegiance of the Indians to the government, and secure their co-operation. The fact that the agents first appointed by the present administration to reside with them all proved traitors to their trust rendered this effort partially successful.

Every species of fraud and deception was resorted to to mislead them. They were gravely told that the government was at an end; that they would never be paid their annuities; that this city had been captured; that the United States government was overthrown; and, in short, that their only hope for the security resulting from a firm and stable government lay in joining their fortunes with the so-called Southern Confederacy.

The withdrawal of our troops from their country, the complete interruption of communication, and the assurances made by traitorous agents, gave an air of plausibility to these ridiculous stories, and resulted in the formation of a powerful secession party in their midst. As has been the case in all other localities so it was here; the secessionists were violent and aggressive, and hesitated not in resorting to cruel and forcible means to crush out every sentiment of loyalty. For many months the loyal party steadily resisted the tide of treason setting in upon them, and at length were compelled to resort to arms in defence of their persons and property. In December last, I learned that a very considerable force of Indian warriors, composed of Creeks, Seminoles, and a few members of all the other tribes, except, perhaps, the Choctaws and Chickasaws, had twice met in battle and defeated the rebel forces, who are represented to have greatly exceeded them in numbers and in military equipments. About this time, in compliance with repeated suggestions from this office, it was determined by the War Department to organize and send into the Indian country a force, composed in part of 4,000 volunteers, to be raised from amongst the loyal Indians of the central superintendency, to protect the loyal Indians, and enforce the authority of the United States government in the Indian territory; and orders were accordingly issued to that effect to Major General Hunter, then in command of the military department embracing that country. In compliance with instructions received from you I repaired to Kansas, in January last, for the purpose of rendering General Hunter such assistance in the execution of the orders above mentioned as might be in my power. On arriving in Kansas I learned from General Hunter that the rebels, being largely re-enforced by troops from Texas, had fought a third battle with the loyal Indians, resulting in the defeat and complete overthrow of the latter, who, with their old men, women, and children, had been compelled to flee for their lives from the country, and to the number of from 6,000 to 8,000, under the lead of O-poth-lo-yo-ho-lo, a very aged and influential Creek, had taken refuge near the southern border of Kansas, and were being fed from stores provided for the army of General Hunter, who, upon learning their disastrous condition, instantly detailed officers to go to their assistance, and was doing everything in his power to alleviate their sufferings. It would be impossible to give an adequate description of the suffering endured by these people during their flight, and for several weeks after their arrival. When it is remembered that they were collected for the journey, with scarcely a moment for preparation, amid the confusion and dismay of an overwhelming defeat; that their enemies were close upon them, flushed with victory, maddened by recent defeats, and under their well known code of warfare would spare neither age nor

sex, it may well be believed that their preparations for the journey were wholly inadequate. It was in the dead of winter, the ground covered with ice and snow, and the weather most intensely cold. Without shelter, without adequate clothing, and almost destitute of food, a famishing, freezing multitude of fugitives, they arrived in Kansas entirely unexpectedly, and where not the slightest preparation had been made to alleviate their sufferings or provide for their wants. Within two months after their arrival two hundred and forty of the Creeks alone died, in consequence of their exposure and want. Over a hundred frosted limbs were amputated within a like period of time. From these facts some idea may be formed of the intensity of their sufferings.

On the 6th of February I was informed by General Hunter that he could not furnish provisions for these people beyond the 15th of that month, and that it was beyond his power to furnish them even a moderate supply of tents and clothing. About the same time I also learned by telegraph from you that the military expedition to the Indian country had been postponed. There was no money at my disposal legitimately applicable to providing for the wants of these suffering people. There could be no delay. I must act, and that at once. With your approbation, I determined to purchase, upon credit, such supplies as their most pressing necessities seemed to require, and for that purpose appointed a special agent, charged with the duty of making the necessary purchases for food, clothing, and shelter, and delivering the same to Superintendent Coffin, who, with the agents of his superintendency, had, with commendable alacrity, repaired to the assistance of the fugitives. Congress at once authorized the annuities due to several of the tribes of the southern superintendency to be applied to the purpose of defraying the expenses thus incurred; and from the funds thus provided the fugitives have continued to be subsisted.

The military expedition already mentioned was not entirely abandoned. It was deemed a matter of great importance that these fugitives should be returned to their homes, and there protected, in time to raise crops during the past season, and no effort on the part of this office was omitted to accomplish that result. An order was procured from the War Department directing General Halleck, then in command of the western military department, to detail two regiments of white troops, who, together with two thousand armed Indians, were intended as a force to accomplish the purpose above indicated. The arms, with suitable ammunition, were obtained from the War Department, and delivered to Superintendent Coffin, for the use of the Indians, as early as the 16th of April last, but in consequence of various delays (the cause of which is not fully understood) the expedition was not prepared to march until near the 1st of July last. About this time the expedition started, and penetrated the country as far as Talequah. I am not in possession of information sufficiently accurate to attempt a detailed account of its operations. It is understood that, in consequence of unfortunate difficulties amongst the officers of the accompanying white troops, a retreat became necessary. For such information as I have in relation to this whole subject, I refer to the accompanying papers relating thereto.

As was anticipated, a strong Union sentiment was found to exist among the Indians remaining in the Indian country. This was promptly manifested by the accession of an entire regiment of Cherokees to our forces. These volunteers are still in the service of the United States, having accompanied their brethren on the retreat just mentioned. By the withdrawal of the troops, accompanied by so many of their warriors and braves, the Union families would be left at the mercy of their inveterate foes, who would not be slow to wreak vengeance upon them for their loyalty, and thus a second flight of destitute men, women, and children became necessary from that unfortunate country, and has added nearly two thousand to the number now being fed and cared for in the south of Kansas. This retreat was, in all respects, unfortunate, and its necessity most keenly regretted and deplored by the loyal Indians.

It is due to the men composing the Indian regiments of this expedition to state that all accounts concur in awarding the highest praise to their soldierly bearing in battles, in camp, and upon the march. They are represented as obedient, hardy, and brave, and an honor to their race.

A second campaign into the Indian country is in progress, and there is every reason to believe that it will prove more successful than the former, and will result in the restoration of the national authority, and in enabling these distressed fugitives to return very shortly to their homes. It may, however, be found best that they should remain in their present location until spring, on account of the difficulty of transporting provisions so great a distance during the winter, and the suspension of river navigation, it being understood that, in consequence of a severe drought in that country, the crops of last season were very short, and that the country has been desolated by the ravages of the rebels, so that after their return they will require assistance until they shall have had time to provide for their wants.

The expense incurred in aiding the refugees has thus far amounted to about one hundred and ninety-three thousand dollars, which, as elsewhere stated, has been paid from the annuities withheld from southern tribes, on account of their participation in the rebellion. As this fund is not common to the tribes, some of them having no interest therein, and inasmuch as, by the respective treaties under which it accrues, (which, so far as the loyal Indians are concerned, must remain practicably valid,) it is not applicable to the purpose of subsistence, this account, upon the restoration of order, will require careful scrutiny, and additional legislation will probably be necessary to secure a just settlement of the same as between the different tribes.

In concluding this subject I feel that my duty would be very imperfectly done should I fail to ask for these loyal, suffering, and destitute Indians the most generous and ample legislation on the part of Congress. In view of their unhesitating loyalty, the unparalleled sufferings they have endured, and the immense sacrifices they have made, it cannot be doubted that Congress will, upon proper representations, authorize the negotiation of such new treaties with them as will reinstate them in their homes, and, so far as practicable, restore

them their possessions, and at the same time provide for the punishment of those of their race who shall be found guilty of instigating and promoting treason.

DAKOTA SUPERINTENDENCY.

With the exception of the Sioux our relations with the Indians of this superintendency remain friendly. The principal tribes within its limits are the Sioux, Poncas, Gros Ventres, Mandans, Arickarees, Assinaboins, Blackfeet, and Crows. The only tribes with which we have treaties, other than of amity, are the Blackfeet, the Yancton Sioux, and the Poncas, each of which are located upon reservations. Under the efficient management of Agents Burleigh and Hoffman, the Yanctons and Poncas are rapidly improving their condition. Each of the seven bands composing the Yanctons have now a good farm under cultivation, upon which good crops have been raised during the past season, mainly by Indian labor. These Indians are fast learning to appreciate the importance of agriculture as a means of subsistence, and there can be but little doubt that within a few years, by judicious management, they will be prepared to receive and hold their lands in severalty, and thenceforth need but little of the supervisory care of the government.

Upon the Poncas reservation some five hundred acres of land are in cultivation, a fair crop has been raised during the past season, the Indians have been successful in their hunts, and ample preparations have been made to supply their wants during the coming winter. Very considerable additions have been made to the agency buildings; the chiefs have comfortable houses; many of the Indians are beginning to build; their school building will soon be completed and their school in operation; so that, upon the whole, the affairs of the tribe were never in a more promising condition.

The reports of Agents Latta and Reed, to be found among the accompanying papers, present, in detail, much interesting information concerning all the other tribes of the superintendency. It will be seen that, with the exception of various bands of Sioux, the time has fully arrived when it is not only practicable but very desirable that treaties should be made with these various tribes of Indians. They are an intelligent and friendly people, well disposed toward the white man, anxious to enter into more intimate relations with the government, and affording abundant evidence of their capacity to rapidly attain a respectable knowledge of the arts of civilization. When it is remembered that the Yanctons and Poncas have been upon their reservations but three years, prior to which their condition was similar to that of the other tribes of Dakota, and their present is contrasted with their former condition, the great advantages of the reservation system are at once apparent. I feel well assured that, with the exception of the Sioux, treaties might easily be negotiated with all the tribes of this superintendency, which would be alike beneficial to the Indians and the white settlers. The Territory is but recently organized and as yet but sparsely settled. At present, suitable reservations upon which to concentrate the Indians may easily be obtained. A

few years hence the presence of settlers will render it more difficult. By acting promptly we may not only obtain locations best adapted to the wants of the Indians, but shall also avoid the vexations and trouble always attendant upon an attempt to appropriate to Indian purposes any part of the public domain upon which our own people have settled.

The Sioux of Dakota, who must not be confounded with those of Minnesota, number some thirteen thousand. They are among the most warlike and powerful of the tribes of the continent. They abound in everything which constitutes the wealth of wild Indians; have an abundance of horses; are expert riders; and if once engaged in actual hostilities with the whites would be found capable of inflicting an immense amount of damage upon the frontier settlements, and in a country like theirs exceedingly troublesome to subdue.

The defiant and independent attitude they have assumed during the past season towards the whites, and especially towards their agent, warns us that not a moment should be lost in making preparation to prevent, and, if need be, resist and punish any hostile demonstration they may make. They have totally repudiated their treaty obligations, and, in my judgment, there is an abundance of reason to apprehend that they will engage in hostilities next spring. Like the southern rebels, these savage secessionists tolerate no opposition in their unfriendly attitude toward the whites. Last spring Agent Latta found between two and three thousand of these people, being portions of seven different bands, assembled at St. Pierre to meet him. When it was ascertained that he was unaccompanied by military force, Big Head, a chief of the Yanctons, and his party refused to hold council with the agent. The chiefs and head men of the other portions of bands, after much hesitation, consented to hold a "talk." Notwithstanding the fact that Agent Latta's entire report is among the accompanying papers, I deem it proper to here insert an extract therefrom, giving the substance of this talk on the part of the Indians, that, so far as is in my power, I may obtain for it that attention which its importance seems to demand. The following is the extract:

"They stated that they regretted to see me without a military force to protect them from that portion of their several bands who were hostile to the government, and to them who were friends to the white man and desired to live in friendly relations with this government, and fulfil their treaty stipulations; that General Harney, at Pierre, in 1856, had promised them aid; that they were greatly in the minority; that that portion of their people opposed to the government were more hostile than ever before; that they had, year after year, been promised the fulfilment of this pledge; but since none had come they must now break off their friendly relations and rejoin their respective bands, as they could hold out no longer; that their lives and property were threatened in case they accepted any more goods from the government; that the small amount of annuities given them did not give satisfaction; it created discord rather than harmony, nor would it justify them to come so far to receive it; that they had been friends to the government and to all the white men; had lived up to their pledges made

at Laramie in 1851, as far as was possible under the circumstances, and still desired to do so, but must henceforth be excused, unless their "Great Father" would aid them. They requested me to bring no more goods under the Fort Laramie treaty, nor would they receive those present." With the exception of the chief, Bear's Rib, they actually refused to receive the presents with which Agent Latta was provided, and which he then offered them. After much parley, Bear's Rib consented to receive that portion of the goods designed for his people, stating at the same time that he thereby endangered not only his own life but also the lives of all his followers, and requesting that no more goods be brought unless they could have protection. A few days after this the event justified the caution of the other chiefs, and proved that the apprehensions of Bear's Rib were not unfounded. A party of Sioux came in from the prairies, assaulted and killed Bear's Rib and several of his followers, compelling the others, some two hundred and fifty in number, to scatter and flee for their lives. Not content with thus repressing every manifestation among their own people of friendly feeling towards the government, these savages have also become the terror and scourge of all the lesser tribes of the upper Missouri who dare to remain on friendly terms with the United States. All these lesser tribes represent to our agents that, because of their adherence to their treaty stipulations, they have made themselves obnoxious to the Sioux, and are in extreme danger. Many of them dare not resort to their common hunting grounds, and are hence deprived of their usual supplies, and must suffer much for want of food. These tribes all unite in an earnest appeal for that protection to which, under their treaties, they are entitled, and I am not without apprehension that, in case protection is much longer withheld, they may be compelled, in order to save their lives, to repudiate their allegiance to the United States, as, under similar circumstances, some of our citizens have been compelled to do in other parts of the country.

Governor Jayne, who is *ex officio* superintendent of Indian affairs for the Territory, all our agents, all the friendly tribes, and all the Sioux who remain friendly, unite in representing the danger of hostilities in the spring. Being thus warned, from so many sources, of the impending danger, I trust that the necessary measures will be taken to avert from Dakota the enactment of such bloody scenes as have recently been witnessed in the neighboring State of Minnesota; and am the more solicitous that ample and seasonable preparations may be made to meet the danger because I believe by such preparation the probability is that hostilities will be prevented, and our authority over the hostile Indians of Dakota re-established without a resort to actual force.

As a possible indication of the cause of our difficulties with the Sioux of Dakota, I desire to call your attention to a communication from the Hon. J. R. Giddings to the Secretary of State, and to one from the Reverend Father De Smidt to this department, both of which are among the accompanying papers.

UTAH SUPERINTENDENCY.

Our relations with the Indians of this superintendency are still in an unsatisfactory condition. But little progress has been made in subjecting the Indians to the policy we have adopted for their government.

The efforts of the superintendent and agents to ameliorate the condition of the Indians are very much restricted for want of adequate means, and I have but little doubt that many of the depredations committed by Indians are induced by want and privation. Another cause for the restless and rebellious spirit manifested by the Indians is attributed to an unwarrantable interference, on the part of the Mormons, with the legitimate discharge of the duties of the superintendent and agents.

By far the most numerous, powerful, and troublesome Indians within the Territory are the Shoshones or Snakes. These Indians roam over the northern part of the Territory, along the line of the overland emigrant and mail route, and have created serious disturbances during the past season. Vast numbers of horses, cattle, and mules have been stolen, and large amounts of property destroyed, and in some instances lives have been lost.

At the last session of Congress an appropriation was made for the purpose of negotiating treaties with these Indians. A commission has been appointed to effect this negotiation, consisting of Superintendent Doty, Agent Mann, and Henry Martin, esq. But, owing to the remoteness of the country, the difficulty of transportation, and the lateness of the season at which they must necessarily commence preparations, it is doubtful if they will be able to effect a negotiation in time for the constitutional action of the Senate during its approaching session. This is much to be regretted, as there can be no reasonable prospect of quiet within the Territory while the present relations of the government with the Indians continue.

Serious apprehensions were entertained, during the latter part of the summer and early in autumn, that a general uprising of the Indians of the plains was imminent. From the nature of the information received, it was deemed proper that a notice should be given, warning those contemplating the crossing of the plains by the overland mail route of the danger. It is worthy of remark that a despatch was received from Salt Lake, dated 26th August last, directed to the Postmaster General, informing him that an outbreak on the part of the Indians *east* of the Missouri river was at hand. That this despatch should be dated almost contemporaneously with the bloody scenes enacted in Minnesota would seem to indicate that the wild and disaffected Indians of the country, however widely separated, are well informed as to contemplated movements on the part of any of the tribes. I think there can be but little doubt that emissaries of the rebellion have, by every means in their power, endeavored to bring about a general war with the Indians, and that to these wicked schemes much of the unusual disquietude and hostility of the Indians is to be attributed.

As stated in my last annual report, the farms and reservations of Utah were

found almost destroyed at the incoming of the present administration, the former agents having deemed it indispensable to strip them of everything of value in order to prevent famine among the Indians. The meagreness of the appropriations made for the Indian service of the Territory has made it impossible for the present officers to restore these farms and reservations to a productive condition. The game of the country is well nigh exhausted. The Indian service in Utah cannot be otherwise than discreditable to the government, unless Congress shall, by liberal appropriations, enable our agents to conduct their operations upon a scale in some measure corresponding with the absolute necessities of the Indians under their charge.

We have no report from the superintendent of Nevada. From the latest intelligence received from that Territory, the remarks in relation to Utah are believed to be applicable thereto.

I respectfully ask attention to the remarks upon this subject contained in my first annual report.

COLORADO SUPERINTENDENCY.

No serious outbreak of the Indians has occurred within this superintendency during the past year; but most of the Indians have manifested a restless disposition, and have been much inclined to commit depredations upon the white settlers. It is believed that the timely preparation of the government and the vigilant care of the superintendent and agents have done much to prevent disturbances.

The principal tribes are the Cheyennes and Arapahoes, the Utahs and Comanches. An endeavor on the part of Superintendent Evans to put an end to hostilities which for many years have existed between the Cheyennes and Arapahoes on the one hand, and the Utahs on the other, has been regarded by the former as an unwarrantable interference, and is one cause of difficulties with some of the chiefs of those tribes. The disaffected chiefs have, however, promised to respect the wishes of the superintendent, and it is believed that they will occasion no further trouble.

Another disturbing element consists in the fact that one or two of the bands were not represented at the making of the recent treaty with the Cheyennes and Arapahoes, who, consequently, still claim the right to roam throughout the territory once claimed by that nation. Although provision is made by the treaty for bands not parties thereto to become such, it is believed that their concurrence in the treaty can more easily be obtained by direct negotiations with them for that purpose.

With the Utahs, Kiowas, and Comanches, we have no treaties. The Utahs, according to Surperintendent Evans's report, occupy from 65,000 to 70,000 square miles, being all that part of Colorado Territory lying west of the Cordilleras, or snowy range of mountains. They number some ten thousand souls, and are wild, warlike, and independent. Roaming over and claiming a country so vast, and finding that each year is adding to the number of white settlers,

whom they regard as intruders, there is constant danger of collisions, which may result in general hostilities, proving alike disastrous to the Indians and the whites. In this view it is of great importance that provision should at once be made for the negotiation of a treaty with these people, so that their rights may be ascertained, and their duties and relations toward the government may be clearly defined. I called attention to this subject in my first annual report. I again urge its consideration, and prompt and appropriate action on the part of Congress, as being of the utmost importance.

About thirteen thousand square miles of the southern portion of Colorado, and probably a much larger extent of the neighboring States of Kansas and Texas, and Territory of New Mexico and the "Indian country," are occupied by the Kioways and Comanches. The same general remarks made in reference to the Utahs as to the immediate and urgent necessity of treaty negotiations are applicable to these Indians. They are numerous, intelligent, and warlike. They are represented as being exceedingly anxious to enter into treaty relations with the United States, and thereby secure for themselves a settled place of habitation. No doubts are entertained as to the practicability and comparative facility of converting these wild, nomadic, and almost lawless Indians into quiet and orderly people by timely and judicious action on our part. The country they inhabit is peculiarly fitted to the purposes of pastoral life, for which the Indians are by habit well adapted.

If these suggestions shall be considered, and receive the favorable action of Congress, I am confident that but few years will elapse until Indian affairs in Colorado will be reduced to system and order, the peace and security of the citizens of the Territory made permanent, and the citizens, as well as the Indians, in the quiet enjoyment of those blessings which result from a just and firm administration of law.

SUPERINTENDENCY OF NEW MEXICO.

Most of the time during the past year all that portion of this superintendency known as Arizonia has been in the occupation of the rebels, and, consequently, to that extent our communication with the Indians thereof has been interrupted.

The Indians occupying this portion of the superintendency are the Apaches, Pimos, Papagos, and the Maricopas. The three last named are known under the general term Pueblos, and, in the estimation of Superintendent Collins, are much more than semi-civilized. Their loyalty is unquestionable. They stand as a barrier between the frontier sentlements and the wild tribes, and in this respect are of signal service to the whites. So great is the confidence reposed in them that the military authorities of the Territory have presented them with one hundred muskets and ten thousand rounds of ammunition, and would willingly have increased the amount had the arms and ammunition been at their disposal. To appreciate justly their loyalty, it should be borne in mind that for more than a year they were subjected to the influences of the rebels, and

entirely cut off from communication with us. They are even now successful agriculturists, and were able to sell to General Carlton's command, when on its way from California, more than one million pounds of wheat, being the surplus of their last year's crop. I entertain not the slightest doubt that, by judicious action on our part, these Indians will in a few years attain that degree of success in the arts of civilization which will relieve the government from the necessity of any further special care in relation to their welfare.

The Apaches are wild, hostile, and barbarous. They number about eight thousand, and, considering the exposed condition of the country, are a truly formidable foe. While it is not known that the authorities of the rebellious States have succeeded in forming treaty relations with them, it is quite evident they have done nothing to restrain the outrages of these savages, it evidently being their policy to encourage rapine and murder on the part of the Indians, rather than provoke their hostility towards themselves.

The immunity from chastisement they have thus enjoyed has rendered them insolent and defiant. They have indulged in all manner of outrage, not hesitating ever at the murder of defenceless women and children. There should not be a moment of unnecessary delay in strengthening the military force of New Mexico, so that not only these, but all other hostile tribes therein may be chastised and reduced to subjection.

Equally powerful and hostile, and even more dreaded than the Apaches, are the Navajoes. During the past four years they have been a continual scourge to the people of New Mexico, and have committed innumerable depredations upon their settlements. There is absolutely no security, except armed force, in any part of the large region of country through which they roam; and the last has proved even more disastrous than former years. Aside from the Apaches and Navajoes, it is believed that but little trouble would be experienced in preserving peace and quiet with the many tribes and bands of this superintendency. With the Apaches and Navajoes the task will be more difficult. The government has so long delayed the adoption of some efficient policy, that they have become insolent and defiant, construing our forbearance as an evidence of weakness. There is no evidence that these powerful tribes are in league with the Sioux of the north, but it is known that they are well informed as to all their movements, and from the well known character of Indians having a common enemy, it is easy to perceive that a delay in adopting some efficient policy, whereby the hostile Indians of this superintendency shall be reduced to subjection, and a permanent peace be established, may result in formidable and dangerous combinations that will vastly increase the magnitude of the present evils, and the difficulty and expense of securing peace and safety for our frontier settlements.

The idea of exterminating all these Indians is at once so revolting and barbarous that it cannot for a moment be entertained. They must then, by some means, be provided for. New settlements of whites are springing up throughout

the country, and the game upon which the Indians once relied is rapidly disappearing. It is impossible that they should at once forget the training of ages, and adopt the white man's arts, so as to gain even a scant and precarious living thereby; and, were it otherwise, they have no settled home and habitation where those arts could be exercised. As the whites advance the only means by which the wild Indians can sustain life diminish. It is doubtful, even now, if game is not so scarce in New Mexico that, should the wild Indians wholly abstain from plunder a single season, the result would be starvation. That such would be the result a few years hence cannot be doubted.

If, then, the Indians are not to be exterminated by violent means, or by the still more revolting method of starvation, nor yet by a combination of both, we must make some other provision for them. That they cannot be permitted to roam unmolested through the country, and could not live if they were, is perfectly evident. It, therefore, follows that they must be concentrated, and must have an established home. Even these will not enable them to live; they must be taught the means of obtaining a living, and, meanwhile, must receive assistance. Whether this is accomplished by means of direct appropriations of money by Congress, or by means of treaties, based upon a recognition of their absolute right to occupy the land upon which nature has placed them, the cost will be precisely the same. This being the case, and there being so many weighty and evident reasons why the latter method should be preferred, it seems preposterous that, with perfect freedom of choice, we should hesitate, simply because Mexico, from whom we acquired the territory, did not recognize any right of the Indians in the soil; and it is the more strange because it is a reversal of all our own precedents. I treated upon this subject at considerable length in my first annual report; I again allude to it because each year of delay is disastrous to the whites as well as the Indians, and because there is no feature of our Indian relations that more imperatively demands the immediate consideration and action of Congress.

Very many of the citizens of New Mexico have claims for indemnity for losses occasioned by depredations committed upon them by Indians. For want of appropriate action on the part of Congress, I am unable to adjust these claims, and it is a source of bitter complaint on the part of the sufferers, and of serious embarrassment to our officers within that Territory. I trust the approaching Congress will not fail to adopt such measures as will enable the legitimate claimants to obtain their just dues.

OREGON.

During the past year our relations with the Indians of Oregon have remained peaceable, and there appears to be no reason to apprehend any serious disturbance in the future.

Very full and circumstantial reports have been received from the superintendent, agents, and agency employés, from which it will appear that our

operations are rapidly becoming systematized; and while it is true that no very marked advance during the year is exhibited, as to the Indians of either of the agencies, it is evident that a gradual and sure advance is being made at most of them. In relation to the Indians at Grand Ronde agency, the superintendent is of the opinion that the time has fully arrived when an allotment of lands, to be held in severalty, to very many of them will be attended with the best of results.

Great dissatisfaction exists among many of the tribes upon the reservations because of the failure of the Senate to ratify the treaties negotiated with them a few years since. They have assembled upon reservations in good faith, and, as they supposed, in conformity to treaty stipulations, and now find that they do not receive the benefits which they were led to expect. This is especially true in relation to those of the Siletz agency. The Indians are becoming discouraged, and it is with great difficulty that very many of them are prevented from returning to their former habits. Superintendent Rector well remarks, in this connexion, that "to compel even Indians to remain on a reservation without food and clothes, or even the means of obtaining them, is unjust and inhuman." To remedy this evil new treaties should be negotiated as soon as practicable, freed from the objections which prevented the ratification of those formerly negotiated, or Congress should make appropriations sufficient to place all the Indians of the superintendency thus situated upon an equal footing with those with whom treaties have been consummated.

Owing to the unparalleled severity of the last winter, and the backwardness of the spring, much suffering was experienced by the Indians; large numbers of their horses and much of the stock belonging to the agencies perished; and, in some instances, agents were compelled to issue to the Indians grain and seeds which had been intended for planting and sowing in the spring to prevent starvation. This seed could not, in some instances, be replaced at the proper time, and consequently the amount planted was less than was intended, and the yield will also be less than usual, and some assistance may be necessary during the coming winter in supplying the deficiency.

In general, however, the crops of the season just passed promised at last advices an abundant yield, and if well secured will afford the means for the comfortable subsistence of all the Indians now upon reservations.

But little progress has been made in education. Only two schools were in operation during the past season, one at the Warm Springs reservation, the other at Grand Ronde. I am well assured that but little good is to result from money expended for the education of Indian children until suitable buildings, with the necessary grounds attached, shall be provided for manual labor schools, at which the children shall be almost wholly withdrawn from the influence and example of their parents, and shall be subsisted at the school and taught habits of industry, as well as the primary branches of education.

WASHINGTON SUPERINTENDENCY.

The annual reports of the superintendent and agents of this superintendency have not been received; hence I am unable to present in detail the condition of the Indians within its limits. It is believed, however, that while many of the tribes are friendly, there is more reason to apprehend difficulties with some of those within this Territory than from any others upon the Pacific coast.

The appropriation of the last session of Congress for the purpose of negotiating a treaty with the Nez Percés was made so late in the season that, notwithstanding the fact that commissioners were promptly appointed and the necessary funds forwarded for the purpose of such negotiation, I am informed by Superintendent Hale that the commissioners may not be able to enter upon the discharge of their duties until next spring, when we have reason to hope that a treaty will be negotiated which will secure peace between the Nez Percés and the crowds of whites who have gone upon their reservation in search of the gold which there abounds.

It will be observed, by a perusal of some of the papers accompanying this report, that complaints are made with regard to the large arrearages of the Indian service in Oregon and Washington, and the delay attending their settlement. I submit a few facts, the simple statement of which, it is hoped, will be regarded as a sufficient answer to these complaints.

The outstanding liabilities for the Indian service in Oregon and Washington, so far as can be determined from the very imperfect returns furnished this office, amount to $201,186 57, of which nearly four-fifths accrued during the last administration.

The delay in the settlement of these liabilities may be attributed to various causes, aside from the important fact that less than one-half of the above amount has been forwarded to this office for examination and settlement.

The changes consequent upon the going out of the late administration induced many holders of certified vouchers to forward them to the department for settlement. In many instances but one of a triplicate or quadruplicate set of vouchers are forwarded, and papers, such as bills of lading, contracts, &c., referred to on the face of the voucher, are withheld. An error of this kind involves delay, it being the rule of the office that all papers belonging to or relating to claims or accounts should be submitted before settlement can be had.

The neglect on the part of some of the agents to transmit a statement of their outstanding liabilities, for the information of the department, contributes to the delay in their settlement. In many instances the first intimation that the office receives of the indebtedness is the appearance of the agent's certified voucher for the amount, without explanation of any kind touching the transaction creating the liability.

Many vouchers were and are transmitted to this office in advance of the agent's accounts for the quarter in which they were issued.

The delay on the part of some and the neglect of other agents to render and

forward their final accounts, together with the fact that much of this indebtedness has been incurred in disregard of the instructions of this office, and with a knowledge on the part of the agents that the funds under many of the heads of appropriation were already exhausted, has been and still is an element of delay.

The outstanding liabilities of the Indian service for Oregon and Washington created during the present administration have been, in a great measure, unavoidable. The necessary changes in the superintendency of Washington Territory, and amongst the agents in Oregon and Washington, have contributed largely to this result.

The appointment of a superintendent, and the filing of his bond, consumes from sixty to ninety days. Until the bond is filed the office cannot place any funds to the credit of the superintendent. Pending the filing of the bond a removal and consequent appointment of another superintendent, as was the case in Washington, involves a repetition of the delay. The funds being thus withheld, the agents are obliged to create an indebtedness in order to carry on the business of their agencies.

To obviate this difficulty it is suggested that legislation be had by Congress, creating depositories in those Territories, so that moneys intended for disbursement there can be paid upon the presentation of the bond of the proper officer.

CALIFORNIA SUPERINTENDENCY.

The condition of the Indians in California is one of peculiar hardship, and I know of no people who have more righteous claims upon the justice and liberality of the American people. Owing to the discovery of its mines, the fertility of its soil, and the salubrity of its climate, that State within a few years past became the recipient of a tide of emigration almost unexampled in history. Down to the time of the commencement of this emigration nature supplied all the wants of the Indians in profusion. They lived in the midst of the greatest abundance, and were free, contented, and happy. The emigration began, and every part of the State was overrun, as it were, in a day. All, or nearly so, of the fertile valleys were seized; the mountain gulches and ravines were filled with miners; and without the slightest recognition of the Indians' rights, they were dispossessed of their homes, their hunting grounds, their fisheries, and, to a great extent, of the productions of the earth. From a position of independence they were at once reduced to the most abject dependence. With no one of the many tribes of the State is there an existing treaty. Despoiled by irresistible force of the land of their fathers; with no country on earth to which they can migrate; in the midst of a people with whom they cannot assimilate, they have no recognized claims upon the government, and are almost compelled to become vagabonds—*to steal or to starve.* They are not even unmolested upon the scanty reservations we set apart for their use. Upon one pretext or another, even these are invaded by the whites, and it is literally true that there is no place where the Indian can experience that feeling of security which is the effect of just and wholesome laws, or where he can plant with any assurance that he

shall reap the fruits of his labor. The great error in our relations with the California Indians consists, as I conceive, in our refusal to recognize their usufructuary right in the soil, and treat with them for its extinguishment; thereby providing for them means of subsistence until such time as they shall be educated to conform to the widely altered circumstances by which they are surrounded. It is now perhaps too late to correct this error by making treaties, and it only remains for us to do voluntarily that justice which we have refused to acknowledge in the form of treaty obligations.

When the incalculable value of California, with its seven or eight hundred miles of sea-coast and its untold millions of wealth, is considered, how small, in comparison, is the value of such appropriations as would be sufficient to afford the Indians every aid and facility for the attainment of comfortable homes and the simple arts of civilization necessary to their subsistence! And when it is also considered that these people were in the almost undisputed possession of this beautiful domain, surely we, who have deprived them of their possessions, ought not to withhold the little which, by every consideration of humanity and justice, they may so imperatively and rightfully demand.

A proviso was added to the appropriation made by Congress at its last session for the Indian service in this State, authorizing and directing the Secretary of the Interior "to inquire into the expediency of reducing the Indian reservations in California to two in number; the proper places for the same; the probable expense thereof; the propriety of disposing of any of the reservations, and the value thereof, and of the property thereon; of the manner and terms of such disposal; and in what manner, in his judgment, the expense of the Indian department in that State can be reduced and its system simplified, without injury to the same, and report thereon to the next regular session of Congress." That the information sought by this proviso might be obtained, I directed the superintending agents for the northern and southern districts, shortly after the adjournment of the last Congress, to inquire into and report upon the various subjects embraced therein. The report of Superintending Agent Hanson will be found among the accompanying papers; that of Superintending Agent Wentworth is not yet received.

I entirely concur in the views expressed in the report of Mr. Hanson as to the wants of the northern district. It will be seen that there is no one location, within his knowledge, sufficient in extent to accommodate the Indians of this district. Two reservations are therefore imperatively demanded. Were it otherwise, I should deem the statements made by Mr. Hanson as to the disparity in the tastes, habits, and pursuits of the Indians of the coast and those of the interior, conclusive as to the propriety of two reservations. I also feel well assured that his recommendations as to the sale of the Klamath, the Mendocino, and Nome Lacke reservations; the purchase of such settlers' claims, within the Smith River and Round Valley reservations, as may be found just; the removal of all whites therefrom, and the enlargement of their limits, should be adopted

at once. If these suggestions shall receive the early and favorable consideration of Congress, I have the utmost confidence that they will be attended with the most gratifying results, as all our accounts agree that the Indians of this district, and, indeed, of the State at large, possess, in an unusual degree, the capacity of speedily acquiring the arts of civilization and becoming self-supporting.

Whether it shall be found expedient to establish one or more reservations within the limits of the southern district, there should be no delay in securing the titles to such as may be found necessary, as delay not only increases the difficulties of procuring suitable locations, but also serves to enhance the value of such desirable lands as may be found to belong to white settlers. Very many of the Indians of the southern district are already well advanced in civilization. This is especially the case with those in that portion of the district extending east and west from the Mojave to the Colorado river, and to the Pacific coast, and southwardly to the boundary of the State. I see no reason why the system for the management of our Indian relations with California should differ from that of other States and of the Territories. We have now *two superintending agents*, both residing in San Francisco, and both necessarily requiring offices and clerks. Their duties, I have no doubt, may be as efficiently discharged by a superintendent, with but little, if any, additional expense to that incurred by each of the superintending agents; and I have no doubt that, in case two reservations are established in what is now the northern district, and a suitable number in the southern, and agents appointed to reside upon the several reservations, with the necessary number of employés, we shall not only secure the advantage of uniformity in the system adopted for the management of Indian affairs, but shall also greatly reduce the expenses now incurred in that State, and better subserve the wants and interests of the Indians.

MICHIGAN AGENCY.

Under this head are embraced all the Indians residing in the State of Michigan. No material change has taken place during the past year. The agent can wield but little influence among these Indians, owing to the fact that their reservations are remote from the agency and from each other. The Indians number about eight thousand, and are divided into numerous small bands, located in various parts of the State, requiring of the agent a journey of some two thousand miles in order to visit them all and make their annual payments. If, upon investigation, it should be found practicable to locate all these Indians upon a single suitable reservation, it would, I doubt not, be attended with most beneficial results.

The agent could then reside with the Indians, and they be under his personal care and supervision, and reap the advantages of his example and instructions. I believe this change would be found practicable, and am confident that the

present possessions of the Indians would be found sufficient to procure for them a new location, and establish them in much more comfortable and promising circumstances than those by which they are now surrounded.

As situated at present, but little progress is being made, either in the education of the children or in agriculture.

Within the limits of the agency there are some twenty-seven schools, at which the aggregate attendance has been but six hundred and twenty-four. I am satisfied that the teachers employed discharge their duties with commendable fidelity, but the result of their labors is not such as might easily be attained, with far less expenditure, if the Indians were concentrated so that the number of schools might be reduced, and a more regular attendance on the part of the scholars be secured.

The recent law of Congress providing for the punishment of persons selling intoxicating liquors to the Indians is having a salutary effect in this as well as other localities, and meets with the approval of the more intelligent of the Indians and the more respectable of the whites.

No doubts are entertained as to the loyalty of the Indians of this agency.

GREEN BAY AGENCY.

The Indians of this agency consist of the Stockbridges and Munsees, the Oneidas, and the Menomonees.

The suggestions made with reference to the Michigan agency, with but slight modifications, are appropriate to the Indians of this agency. Judging by the report of Agent Davis, I am satisfied that a very large proportion of the Indians under his charge would be vastly benefited if located upon a single reservation, and assigned a proper quantity of land to be held in severalty. Their knowledge of the arts of civilization, and the extent to which they have engaged in industrial pursuits, are such that, in my judgment, the stimulus arising from the individual ownership of land and other property would be to them of incalculable benefit, and would prove, within a few years, more effectual in elevating, civilizing, and in all respects improving their condition than any and all the means hitherto employed.

The report of Agent Davis is very elaborate, and presents much detailed and interesting information in relation to all the tribes under his charge. The information he furnishes in relation to the machinations of the rebels among the Indians is of much interest.

NEW YORK AGENCY.

The Indians of New York still maintain their advanced position in relation to all the Indian nations. With them the question of Indian civilization has been successfully solved. They have their churches and schools; their houses are neat and comfortable; they are successfully engaged in agriculture; and in all their surroundings thrift and comfort are to be observed.

There can be no doubt that, as a community, they are well qualified to take charge of and successfully manage their own domestic and financial concerns, and that, aside from our treaty stipulations, no good reason exists why the government may not now surrender to them the trusts it has so long held and exercised in their behalf.

With a view to such action, I respectfully recommend to and urge upon your consideration the propriety of requesting from Congress authority to make the necessary negotiations and settlements.

With the exception of the Tonawanda band of Senecas, these Indians have very considerable unadjusted claims against the United States, arising under the provisions and stipulations of the Buffalo Creek treaty of January 15, 1838. Under the provisions of this treaty it was contemplated that the entire body of these Indians would emigrate to the then Indian territory west of the State of Missouri, where a tract of land equal to one million eight hundred and twenty-four thousand acres, or three hundred and twenty acres for each individual, was set apart for their use in consideration of a cession to the United States of their claims to five hundred thousand acres of land in the then Territory of Wisconsin.

By far the larger portion of the Indians remained in the State of New York. That such Indians have a just claim against the United States on account of the cession of Wisconsin lands has been expressly recognized by a settlement and adjustment made with a portion of their number, viz: the Tonawanda band of Senecas, under a treaty made with said band in 1857.

Many of the Indians removed to the then territory west of Missouri, as contemplated by the treaty of 1838, and some of them have received the lands to which, under said treaty, they were entitled, but it is alleged that many of those who so removed failed to receive their dues under the treaty, and are suffering extreme poverty, being compelled to subsist mainly by the charities of the tribes there residing. Very many complaints have been received at this office upon this subject, and it is believed that in some instances they are founded in justice. I respectfully suggest legislative action, on the part of Congress, upon this subject, with a view to a final adjustment of all the claims of the New York Indians, and trust that such legislation will include not only the claims of those still residing in New York, but also the claims of those who emigrated to Kansas under the treaty of 1838.

In my last annual report I recommended that measures be adopted by Congress to insure to the Indians the value of the bonds abstracted from the custody of the late Secretary of the Interior, as shown in a report of the select committee of the House of Representatives, (No. 78, thirty-sixth Congress, second session,) and, further, that a law be enacted granting power to the Secretary of the Interior to dispose of all the State stocks then held in trust by the government, and that the amount expended in their purchase be reimbursed to the Indians by an investment in stocks of the United States for their benefit.

On the 12th of July, 1862, Congress authorized the Secretary of the Treasury to place upon the books of the treasury, to the credit of each of the Indian tribes interested in the abstracted bonds, (excepting the Cherokees and Pottawatomies,) the amounts originally invested in said bonds for them respectively, and appropriated a sum sufficient to pay the interest on the same, at five per cent. per annum, from the date of the last payment until the first day of July, 1862, and provided for the payment of interest upon the several amounts at the rate of five per cent. per annum semi-annually.

I now recommend that measures be adopted by Congress to reimburse the Cherokees and Pottawatomies for their interest in the said abstracted bonds.

To prevent further loss from the abstraction of bonds, and to insure to the Indians the payment of the interest promptly as it may become due, I recommend that measures be adopted by Congress authorizing the Secretary of the Interior to deposit all State stocks now held by him in trust for Indian tribes with the Secretary of the Treasury, and that he be authorized to enter upon the books of his department, to the credit of the proper tribes, the amount originally invested in said bonds, and that provision be made for the payment of the interest.

For information as to the present condition of the "trust fund" held by you on account of various Indian tribes, I refer you to the letter of Mr. Goddard (the clerk in charge of that branch of business) and to the tabular statements accompanying it.

The accompanying tabular statement, indicating the schools, population, and wealth of the different Indian tribes which are in direct connexion with the government, comprises all the information received at this office relating thereto.

Respectfully submitted.

WILLIAM P. DOLE,
Commissioner.

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

NOTE.—After the transmission of this report various papers were received at this office in relation to subjects connected with Indian hostilities in the northwest, copies of which, on account of the important character of the information contained, have been added to the appendix.

The annual report of the Yancton agent, Dr. Walter A. Burleigh, as also the annual report of Calvin Hale, esq., superintendent in Washington Territory, with its accompanying papers, were likewise received after the transmission of this report. Copies of the same will be found in the addenda to the appendix.

It is to be regretted that these reports were not received in time to incorporate their substance in the body of the report, as they contain much important information. It is due to this department to state that Superintendent Hale's complaints of a want of funds are attributable mainly to the causes already stated. Funds have, in every instance, been forwarded at the earliest practicable moment after the reception of the bonds of the parties who were entitled to receive and disburse the same.