TO THE PEOPLE

Living and Trading among the INDIANS in the State Of California

From information received, as well as from personal observation with respect to the Indians, and in conformity with the requests made by the inhabitants, more particularly the miners in sections of country occupied by Indians.

It is deemed expedient to publish a communication, advisory of the proper policy to be pursued towards the Indians and the laws in relation thereto, that none may hereafter plead ignorance of the existence of said laws, and to inform them that those laws will be enforced in all and every instance, on those who may become amenable to them.

It would appear, that most of the difficulties which have unfortunately occurred between the whites and red men, has been owing to an improper and short-sighted policy, or rather want of true policy with the children of the forest. Since the discovery of gold in this region, the section of country that was until recently the home of the Indians, has been found rich in the precious metal, and consequently filled with a population foreign to them, and this has been done in most instances without attempting to accommodate or appease them in their grief and anger at the loss of their homes. I am sorry to say that in many instances they have been treated in a manner, that wore it recorded would blot the darkest page of history that has yet been penned; but they have been forged, persecuted, processed as they do a full knowledge of the evils of crime and the penalties thereof, and received the punishment it justly deserved. This has been done to these poor ignorant creatures, this enlightened community would have raised a remonstrative voice that would have rebuked the aggressor and caused him to go beyond the pale of civilized men.

Indians have been shot down without evidence of their having committed an offense and with the most unjustified interference. Of our laws they have been killed for practicing that which they, like the Sumerians, deem a virtue, as they have been suddenly driven from their homes, and expropriated from their sacred grounds, the grounds where the ashes of their parents, ancestors and beloved Chiefs reposes, the reverence and superstition feeling of the Indians for the dead, and the secret where they were deposited, is more powerful than that of any other people.

This is not only inhuman and unlawful, but it is bad policy. The Indians of the Pacific are not unlike this great ocean in that respect, they are pacific and very tractable, and by adopting a policy towards them, dictated by feelings of mercy—making due allowance for the ignorance of their habits and institutions, and bearing in mind that their habits and customs are very different from ours, treating them kindly and with a firm perseverance to teach them the requirements of our laws—permitting them to remain among us, teaching them industrious habits, making useful members of the community, instead of the most dangerous and implacable enemy.

In addition to the foregoing direct atrocious outrages so frequently perpetrated on the Indians by those claiming to be civilized men, there are those who indirectly cause as much mischief, endangering the lives of families in the community and finally destroying the Indians as severely as if so specifically as the first. It is those who for present gain steel their consciences against the future consequences, knowing them to be fraught with frightful evil. Selling these sanitary beverages intoxicating liquor, contrary to law, and to appear in the distance of their better judgment, and likewise selling them arms and ammunition, thus enticing them to acts of violence by intoxication, and then placing in their hands those instruments, with which they may and do seek vengeance, alike on the innocent and culpable.

I am happy to learn that there are but few who now pronounce this dangerous and unlawful traffic, and those few are supposed to be forgers, and the law abiding citizens freely proffer their aid in bringing them to justice.

As stated above, I have published the laws in relation to this traffic, that ignorance may not be plead in extenuation:

"48. Act to regulate trade and intercourse with Indians and to preserve peace. § 13. And be it further enacted, That if any citizen or other person residing in the U.S. or the Territory thereof, shall send any talk, speech, message, or letter, to any Indian nation, tribe, chief, or individual, with an intent to produce a contumacy or obstruction of any treaty or other law of the United States, or to disturb the peace and tranquility of the United States, he shall forfeit and pay the sum of two thousand dollars. § 20. And be it further enacted, That if any person shall sell, exchange, or give, barter, or dispose of, any spiritsuous liquor or wine to an Indian, (in the Indian country,) such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce, or attempt to introduce, any spiritsuous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direct and personal supervision of an authorized officer of the Department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, sub-agent, or commission officer of a military post has reason to suspect, or is informed that any white person or Indian is about to introduce or has introduced any spiritsuous liquor or wine into the Indian country, in violation of the provisions of this section, he shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeable to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, or places of deposit of such person to be searched, and if any such spiritsuous liquor or wine is found, the goods, box, packages and peltiers of such person shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one half to the use of the informer, and the other half to the use of the United States; and if such person in a suit for the recovery of the amount paid by any party, it shall be lawful for him to recover the consequences of his detections.

O. M. WOZENCRAFT,
U. S. Indian Agent.