

THE DAILY UNION.

ADDRESS OF COL. REDDICK MCKEE,
Before the Committee on "Indian Reservations," at the Capitol, Sacramento City,
Saturday Evening, March 20, 1852.

Hon. Mr. Coffroth in the Chair.

Mr. Chairman and Gentlemen of the Committee:

When in the latter part of January, I was honored by an invitation by the Chairman of the Senate Committee on Indian Affairs, to address that committee on the general policy and operations of the U. S. Agents in California, I made several brief statements and explanations, which I hoped would render any further recurrence to the matter, on my part, unnecessary—at least in public. In this however, it appears I was mistaken, for my remarks on that occasion were scarcely published, before the most absurd, ungenerous, unfounded attacks upon both our policy and proceedings, in the shape of formal reports from committees, and speeches in both Houses, made their appearance in the public prints. These reports were sent all over the country to prejudice the public mind, not only in California, but at Washington, with the avowed design of securing if possible, the rejection of our Treaties with the Indians—thus opening up again the causes of anxiety and bloodshed, on the frontiers, and very possibly involving the State in another Indian War. Personally, I had far less interest in this than thousands of your citizens, and being a believer in the axiom that "truth is mighty and must prevail," I felt disposed to let the majority carry out, if they would, what I understood was already a foregone conclusion: take the responsibility and the consequences. To be sure I felt disgusted with the injustice and ingratitude of some of my own countrymen, and deplored the existence among us of that class of small potato politicians, who, under the shield of "privilege," "freedom of debate," embrace opportunities to—

— just hint a fault—and hesitate dislike, Willing to wound, and yet afraid to strike."

Subsequent reflection however, and consultation with friends, led me to think it was my duty to interpose, and if possible save the Legislature from the disgrace which sooner or later, must result from hasty and unwise legislation, based not upon facts or an intelligent public policy, but upon mere street gossip, or rumors originating with interested or prejudiced individuals.

With these feelings I addressed a respectful note to my friend Mr. Lyon, of the Assembly,

congregate the mountain and warlike tribes, with those of the plains, upon one or two large districts, but to separate and divide them upon several small reservations, fifty or sixty miles apart, with room for white settlements between them, and thus guard against future combinations. As a general thing, they found the Indians unwilling to remove from their old fishing and hunting grounds, and while they were, in almost all cases, excluded wholly from the mining region, the lands assigned for their use were generally those they insisted upon having, and such as were recommended to the Commissioners as proper and convenient, by the State officers, and the white citizens of the neighborhood. In no single instance that I have heard of, have any lands been set apart as reservations, except upon the advice and recommendation of the white settlers, immediately and personally interested. In several cases I know the lines, or boundaries, have been altered to suit the views of citizens, or to remove the Indians further from mining country. The only objections I ever heard against any of our early treaties, were, that we assigned for the Indians, too poor, or too little land.

Our first treaty was with six tribes or bands on the Mariposa, in March; the second with sixteen tribes, on the San Joaquin, in April; among them several of the most troublesome and warlike in the State. By these first treaties the confidence of the war party was completely broken, peace was restored, the settlers, re-assured, immediately returned to their work. All cause of disquietude passed away; no disturbances have since occurred; and all my information from that quarter leads to the conclusion, that the highly colored statements made in this city about the dissatisfaction of the people, and the unpopularity of our treaties, is all garrison, the work of a few designing or interested men, ambitious of promotion to office, and entitled to no confidence whatever. For the truth of the foregoing statements, and as touching the general and cordial acquiescence of the settlers along the Mariposa, the Fresno, and the San Joaquin rivers, I am authorized to refer the committee to Major Barney, the Sheriff of Mariposa county, Mr. Brownlee, a merchant in Agua Frio, Judge Lewis, and Judge Marvin—all now in this city. The last-named gentleman, I observe, is present in the Hall, and I ask the favor of his stating publicly whether I report the facts truly.

[Judge Marvin here rose, and corroborated the statements made by Col. McKee, so far as his information extended. He was with the Commissioners in their Southern expedition, approved of their proceedings, and thought that

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With these feelings I addressed a respectful note to my friend Mr. Lyon, of the Assembly, which resulted in a prompt recomittal of certain resolutions which had been almost matured; and has afforded me this evening the privilege of addressing this committee, and the respectable audience now before me.

As it appears to be the practice here in California, in the exercise of "the largest liberty," for some honorable members to get up in their places, guess at, and then denounce the motives, as well as the conduct of public men; and as from past experience I have no reason to expect exemption in the future. I deem it proper to advertise you further, that in seeking this interview, in fixing your kind attention while I offer a few remarks, I am influenced by no fears of the most rigid scrutiny, or investigation of my official conduct here or elsewhere. I come to ask no favors in that regard; I have no apologies to make; nothing to offer in explanation or extenuation of the miserable charges which have been by innuendo, and insinuation, of personal interests and peculation so frequently uttered in your hearing. All that sort of thing I throw back here in your presence, as I have done elsewhere, with utter scorn and defiance. It would seem that some honorable gentlemen cannot even conceive of large business transactions with or for the government, unaccompanied by peculation and fraud. All public officers are rogues, *per se*. This trick however, is getting to be well understood. The biggest rogue in the crowd, is not unfrequently the very man who cries "stop thief" the loudest.

For the Legislature of California as a body, I entertain all proper respect, and intend nothing personally disrespectful; still I shall be plain, such is my habit, and if anything I may say shall sound harsh "to ears polite," I beg you to bear in mind that I have had abundant provocation; that I have been "most excellently well abused" in this very hall; and that in this war "the first stone" was not thrown by me. Deem me not therefore "your enemy because I tell you the truth."

Let us then, Mr. Chairman, take a hasty glance at the past history, and present position, of this grave and momentous subject of Indian affairs in California.

You doubtless recollect that, after a long, exciting, and deeply interesting controversy in Congress,—California was finally, by the influence of a whig administration, and of whig votes, against the almost universal opposition of Southern democrats, admitted into the glorious sisterhood of American States. Your Senators and members of Congress, after a long probation,

in Yuba county, Mr. Brownlee, a merchant in Agua Frio, Judge Lewis, and Judge Marvin—all now in this city. The last-named gentleman, I observe, is present in the Hall, and I ask the favor of his stating publicly whether I report the facts truly:

[Judge Marvin here rose, and corroborated the statements made by Col. McKee, so far as his information extended. He was with the Commissioners in their Southern expedition, approved of their proceedings, and thought that the people generally did. With the value of every part of the reservations, he was not acquainted, but generally they were poor, and of little value.]

Soon after this time, the Commissioners, in view of the vast extent of the State, and of the Indian population scattered over it, from the Gila to the Oregon line, concluded to separate, as by their instructions they were authorized to do, and address themselves to the work in different districts: the Southern fell to Col. Barbour, the middle to Dr. Wozencraft, and the Northern to myself. Some progress has been made in the Southern and Middle districts, and I have recently returned from a thorough exploration of the Northern, except the country lying on the upper Salmon and Trinity rivers, from which I was shut out by the snow on the mountains. In all Northern California I propose to establish, including Clear Lake, but four reservations, and on two of them no white person ever resided, and on a third but two or three men, keeping a rude ferry. In the whole State there may be up to this time some eighteen or twenty reserves set off, varying in extent from one to five or ten leagues. In the mountains and along the foot hills, it made no sort of difference whether they were five leagues or twenty; the country will never be located or settled by whites or men of any other color.

Here, Mr. Chairman, let me remark, equally good results have happily followed our labors, in every other part of the State yet visited. Not a single case of difficulty, robbery, murder, or other outbreak of Indian hostility has occurred among any of the tribes with whom we have made compacts. The Indians are setting the whites of this country a most remarkable example of regard for their treaty stipulations. Their bargain or trade (as their word for treaty signifies) has been kept inviolate. They assured me at the time it should be, and thus far I have not been disappointed in a single case. I have indeed entire confidence that if peace shall be disturbed, it will arise from our inability to carry out our promises, or from the fault of unprincipled white men, of which class, unfortunately, but too many have taken refuge on our frontiers, and in close proximity to the Indians: men who might with the utmost propriety exclaim with the poet, who sung of the devoted inhabitants of Botany Bay:

"True patriots we: for be it understood,
We left our country for our country's good."

The fact referred to is, however, alike interesting and remarkable; and goes far to substantiate

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ing, and deeply interesting controversy in Congress.—California was finally, by the influence of a whig administration, and of whig votes, against the almost universal opposition of Southern democrats, admitted into the glorious sisterhood of American States. Your Senators and members of Congress, after a long probation, were admitted to their seats, and at once addressed themselves to the preparation and passage of such laws, for the benefit of the new State, as they considered most important for her welfare and prosperity. One of the first, extended over this entire State, as Indian country, the Indian laws of the United States, thus making it expressly the duty of the General Government to take up, and manage, exclusively, these important interests in California, as it had done in the older States. Then followed an act requiring the President to appoint forthwith, by and with the advice and consent of the Senate, three Commissioners, to visit, treat with, and extinguish the Indian title, whatever it might be, to all their lands within the limits of the State. These measures were urged through Congress by the personal influence of your Senators, Dr. Gwin and Col. Fremont, and near midnight on the very last day of the session; the measure was perfected by the unanimous approval by the Senate, of the gentlemen nominated by the President. One of these had been a member of the Convention which framed your State Constitution; the other two were contemplating a removal, with their families, to the Pacific coast.

(*En passant*, let me say that, in my opinion, no State in this Confederacy, has on the floor of the Senate, a more industrious, indefatigable member, than has California in the person of Dr. Gwin.) The utmost despatch was used; a large amount of Indian goods, for presents, were purchased in the New York market, and in about ninety days, the Commissioners, with full general instructions, were here on the ground, ready to commence operations. While an escort of 100 U. S. troops were preparing for the first expedition, the Commissioners issued a circular, or quasi proclamation, to the people on the frontiers, (which I will thank the Secretary to read,) and immediately repaired to San Jose, to pay their respects to the Governor and authorities, and obtain advice and information as to the course most proper to be pursued. They conferred freely with Gov. M'Dougal, and all the leading men of both parties, as to the general policy afterwards adopted. Alarming difficulties existed in several of the frontier settlements. The Indians were highly exasperated; war had actually commenced; State troops were in the field, and much uneasiness was felt, lest, before any remedy could be applied, the rising might become general. Such was the state of the country when they arrived; foreboding anything but a speedy and successful issue to their mission of peace. More than one of the leading newspapers ridiculed the very idea of their accomplishing any good. In that dark day, the miserable idea of making political capital out of opposition to the treaties to be made by the

claim with the poet, who sang of the devoted inhabitants of Botany Bay:

"True patriots we: for be it understood,
We left our country for our country's good."

The fact referred to is, however, alike interesting and remarkable, and goes far, I submit, to prove that the general policy adopted for the pacification of your frontiers, is a wise and beneficent policy, deserving at least a candid trial and examination before it is condemned, disavowed, and repudiated. Mr. Chairman, if the promises we have made to the Indian tribes in California, in the name of the Government and people of the United States, shall from any cause whatever fail to be made good, carried out fairly and to the letter, you need never again attempt to secure their confidence. Our bargains with them have all been made on the basis of the good faith heretofore observed in our Indian negotiations, and I shall blush for my country and my color, if our solemn assurances are not made good. Until since my return from Northern California, it never once crossed my mind that a serious objection could be made to these arrangements by any man having the interests of California, the honor of his country, or the claims of humanity in his bosom.

My only fears arose from objections at Washington, because of the immense amount of money which the high rates on this coast would require for carrying out the system proposed. Have gentlemen who write and talk so flippantly about the rejection or postponement of these compacts ever looked the consequences fully in the face?

If Congress shall fail at the present session to make the necessary appropriations; if for want of money, the United States agents in this country shall cease to purchase cattle from your Southern ranch-owners, flour from your importing merchants, and suspend their small but still important issues to the Indians, how long will it be before they will fly back again to their old mountain fastnesses, and under the "higher law" of necessity, commence depredations upon the immigrants, the miners, the pack trains, and the stock farms in the vallies? Then will follow alarm, consternation, immense losses by the breaking up of business, the destruction of property, and finally war "to the knife, and the knife to the hilt"—a war of extermination on the one side—on the other of bitter revenge and undying hatred? I tell you now, sir, that in less than sixty days from the time we cease feeding, you must prepare for fighting them; and no pack-train or small party will be safe on the mountain trail or in the secluded gulches in any part of the State. Every interest must suffer, more or less: And all this for what? Why, that certain gentlemen in the Legislature may make a little political capital with miners, who, when they left home, wished to prospect or work on some one of the reservations, but who to-day are just as likely as not prospecting some gully 100 miles off.

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of 100 U. S. troops were preparing for the first expedition, the Commissioners issued a circular, or *quasi* proclamation, to the people on the frontiers. (which I will thank the Secretary to read,) and immediately repaired to San Jose, to pay their respects to the Governor and authorities, and obtain advice and information as to the course most proper to be pursued. They conferred freely with Gov. McDougal, and all the leading men of both parties, as to the general policy afterwards adopted. Alarming difficulties existed in several of the frontier settlements. The Indians were highly exasperated: war had actually commenced; State troops were in the field, and much uneasiness was felt, lest, before any remedy could be applied, the rising might become general. Such was the state of the country when they arrived: foreboding anything but a speedy and successful issue to their mission of peace. More than one of the leading newspapers ridiculed the very idea of their accomplishing any good. In that dark day, the miserable idea of making political capital out of opposition to the treaties to be made by the Commissioners, if indeed, any could be made, had not entered the brain of demagogues of either party. The great object was to restore quiet to the frontiers, so that miners, traders, and packers might return to their avocations, without danger and continual alarms. It was a matter of very little moment, in the estimation of any one, whether the Indians should be collected and settled upon one or two large reservations, or upon 15 or 20 in different parts of the State; and whether they had a few acres, or leagues, more or less, of unoccupied and for the most part, valueless land, allotted to them. The present and vital object was to conquer a peace. It was neither whig nor democratic then, as it is neither patriotic or statesmanlike now, to introduce petty, local objections to the accomplishment of a great paramount, public good. The Governor, and his friends and advisers of that day, lent themselves to no such calculations, or political schemes. On the contrary, as the official despatches to Col. Johnson, Maj. Burney, Maj. Savage, and others, in command of the State troops, will abundantly show, they evinced a patriotic desire to aid the Commissioners of the U. States in their arduous and still doubtful labors; and in point of fact these State officers did advise with and assist them in several of the first and most important treaties, in the Mariposa and San Joaquin country. The Commissioners then acting as a Joint Board, soon discovered that the true policy was not to

it be before they will be driven from their old mountain fastnesses, and under the "higher law" of necessity, commence depredations upon the immigrants, the miners, the pack trains, and the stock farms in the vallies? Then will follow alarm, consternation, immense losses by the breaking up of business, the destruction of property, and finally war, "to the knife, and the knife to the hilt"—a war of extermination on the one side—on the other of bitter revenge and undying hatred? I tell you now, sir, that in less than sixty days from the time we cease feeding, you must prepare for fighting them; and no pack-train or small party will be safe on the mountain trail or in the secluded gulches in any part of the State. Every interest must suffer, more or less. And all this for what? Why, that certain gentlemen in the Legislature may make a little political capital with miners, who, when they left home, wished to prospect or work on some one of the reservations, but who to-day are just as likely as not prospecting some gully 100 miles off.

One member has told me that his opposition to the whole system arises from the favoritism shown by Agent Wozencraft in granting a license to Messrs. Dent and Vantyne to trade with the tribes on the Stanislaus, and not giving equal privileges to others, particularly his friend in the white house on the hill! He is down on all monopolies. Another, because there is said to be good diggings in a gulch not more than five or ten miles distant from one of the reservations—in his county! Another says there is on the reservation "in his county" land good enough to raise vegetables, potatoes, and cabbage, and his constituents will want all such land for themselves. Another because an honorable member of the Assembly has stated in a solemn report that the Indian Commissioner have given away to the Indians a large proportion of all the good agricultural and mineral lands in the State; that the Indians were already selling off these lands for a mere trifle, not one-fifteenth part of their value, etc. Another worthy gentleman from the San Diego district, who seems to be particularly pleased with the sobriquet of "representative of the Cow counties"—opposes the system, because the Indians down south steal 20 per cent. of all the cattle in the country. This, by an estimate prepared for me by Senator Warner and Señor Don Pico, equals 72,400 head per annum (one-fifth of 862,000). If this be so, his Indian constituents are undoubtedly good stealers, as well as remarkably fond of beef. Another excellent

gentleman in the Senate goes against our policy, because the reservation in his county was understood to include the farm of a friend on the Merced river, which he now admits was a mistake on his part, the said farm being at least twenty miles below. Other gentlemen have assigned other reasons, doubtless equally cogent.

Now what I object to, is not the discussion of our policy, or the criticism of our acts, (especially if gentlemen would only favor us by suggesting something preferable.) but that they should do us, themselves, and the whole subject an injustice by committing themselves to the endorsement of what is not only untrue, but truly ridiculous; and doing so, endanger vastly important interests—interests involving the peace of the State, the lives of hundreds or thousands of our fellow creatures, and an increase of our taxation and indebtedness, to an indefinite amount. Have gentlemen, I say, looked seriously into the consequences; or regardless of all prudential considerations determined recklessly to go on scattering firebrands, arrows and death, under the plea that it is all done to please the "dear people."

Mr. Chairman, how came the "dear people" on your frontiers to possess the right to be first pleased in this matter? Did not the Indians possess at least the usufruct, or right to live on these lands, long before we ever dreamed of employing our superior force or intelligence in dispossessing them? I am aware that our Missouri and Oregon boys are great on land. "Mineral lands free as air" and "every man a farm," sounds well just before an election, but after all it might be well to have an undoubted title. By the uniform practice of our Government, in the new States and Territories, the Indian title has first to be extinguished, purchased by treaty and payment made, or agreed on, before the domain passes fully even to the Government. Till then, the lands are not liable to be squatted on or improved. Is it not strange then that gentlemen professing to be acquainted with the laws and usages of their own Government, should interpose obstacles in the way of extinguishing the Indian title in California; retard the surveying of the lands, and by consequence the settlement of the country? Yet such is the practical effect, as I understand the case, of opposition to these compacts. Again, have gentlemen ever taken the trouble to read one of these compacts to learn what right the Commissioners propose to confer upon the Indians—what the Government proposes to do?

I will trouble the Clerk to read for the information of the committee, the outlines of one of these treaties, which may be taken as a sample of all. (Treaty read.)

Art. 2. Provides for the prompt delivery to the civil authorities of the State, for trial, any person belonging to the tribe or harbored by it charged with crime;

design to mislead the public mind—a design to throw every thing again into "confusion worse confounded; make the fulfilment of our promises to the Indians impossible, and involve the State in all the calamities of an Indian war.

Suppose, Mr. Chairman, that some friend should enquire of me, who was it that insinuated in the Assembly that the acts of "the Commissioners" were all fraudulent and injurious to the State of California—and while I knew very well that it was only Mr. McMeans or Mr. Coates, I should nevertheless assert that it was "the Assembly of California." Who was it that first started the silly falsehoods about "the Commissioners" having granted away to the Indians a large proportion of all the best farming and mineral land in the State, worth one hundred millions of dollars, and dispossessing 20,000 white citizens; that the Indians are selling off these lands for one-fifteenth of their value, &c. and I should again say, "the Assembly of California"—or who started the story about there being on the reservation in Scott's Valley twenty or thirty ranches worth five to \$8,000 and upwards, and I should still reply, "the Assembly of California," what would you think of my sense of truth and fair-dealing towards the House, or towards Mr. Coates, Mr. McMeans, or Mr. Fleming? Still, such assertions would be quite as fair, and quite as logical too, as those made about "the Indian Commissioners."

Sir, I have sins enough of my own to answer for, and therefore protest against this grouping, this everlasting use of the phrase, "the Indian Commissioners." In point of fact, there are no officers of that name in California, and have not been since June or July. Gentlemen ought to know, if they do not, that Congress in 1851 abolished the office of Commissioner, and directed that all treaties, &c., should be conducted by the Department through its agents in particular districts. We were instructed to proceed, as agents, and finish up the work in this State under our original instructions. The change was long since announced in the papers; still in reports and speeches the changes are incessantly rung, about the acts of "the Indian Commissioners," and the supposed errors of one agent, charged upon all three.

With the continued indulgence of the Chair. I will now communicate some matters connected with the general plan we have pursued, both while acting as a Joint Board, up to May last, and separately, since. These if known to, have been carefully suppressed by the gentlemen who have reported and speechified so elaborately on the subject.

First of all, we endeavor to get the confidence of the chiefs and head men of the tribes, assuring them that it is no part of the design of the

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ART. 2. Provides for the prompt delivery to the civil authorities of the State, for trial, any person belonging to the tribe, or harbored by it, charged with crime; makes the chiefs responsible for stolen property, &c.

Articles 3 and 4 are as follows:

The said tribes and bands, hereby and severally, relinquish and forever quit-claim, to the U. S. all right, title, claims to, or interest of any kind they or any of them have now, or ever had, in and to lands or soil in California.

To promote the settlement and comfort of said tribes, it is hereby agreed by the Commissioners, in behalf of the U. S., that the following tract of land shall be laid off and appropriated for the residence of said tribes or bands and their successors, to-wit: Beginning at, &c.

Which land is hereby set apart, and the use and occupancy thereof, together with that of the river on which the same is situated, forever guaranteed to the said tribes and their successors, while they make it their permanent residence, and maintain inviolate the terms of this treaty.

It is understood that the U. S. reserve the right to establish upon any part of said land such military posts and buildings, for their agents or other officers, as the President may direct; and also that the said tribes shall never sell or dispose of their right of claim to any part thereof, except to the U. S.; nor shall they ever lease or permit white men to settle, work, cultivate or trade on any part of the same, without the written permission of the Indian Agent of the district.

Gentlemen can now see how those have disregarded the 9th commandment, who for months past have been representing that our grants of land to the Indians were in fee simple, conferring upon them rights they never enjoyed under the Mexican government; creating independent communities in the heart of the State, which the State laws could not control, &c. &c.

By the Act of Congress admitting California as a State, it is expressly provided, that the public domain shall belong to the United States, and the Legislature shall never pass any law to interfere with its disposal; subsequent Acts, as stated above, devolve upon that government the management and control of Indian tribes.

At the urgent request of your own Senators and Representatives, the government sent out its agents to arrange and settle all difficulties, securing for you in a quiet and regular way, the right to settle on, and improve, 50 out of every 100 acres in the State. Yet what do we see? Men who would be offended if you denied their possessing common humanity or American hearts, get up here and make a terrible ado, that the Indians—who lately claimed the whole country—should have reserved to their use an occupancy, by the parent government, whose duty it is to care for and provide them a home, even one acre out of one hundred! Mr. Chairman, is this California liberality? In what position do you propose to place your Senators in Congress? That body having complied with all their requests touching this matter, and at great expense endeavored to meet the expressed wishes of the State, are now to have all thrown back in their faces, with a "We will not have this system to rule over us." What further can Congress do? If your Senators be asked what kind of reasonable or unreasonable

while acting as a joint body, and separately, since. These if known to, have been carefully suppressed by the gentlemen who have reported and speechified so elaborately on the subject.

First of all, we endeavor to get the confidence of the chiefs and head men of the tribes, assuring them that it is no part of the design of the American people to destroy them, to take from them their lands without compensation, or without leaving them a place to live on; that we know they must subsist, and design aiding them in that way; that we propose dividing the country between them and our people, many of whom wish to remove their "rancheria" to the western coast; that while we require them to come under our laws, quit stealing and quarrelling either among themselves or the whites, we design they shall have the protection of the laws, both State and National; that while it is necessary they shall, by a formal compact, relinquish their rights to all land in the State, we will at the same time pledge our Government to allow them the use of a certain tract for a home for themselves and families, in size according to their numbers; that the Government will send them oxen, cows, brood mares, mules, hogs; furnish them plows and other farm tools, and seeds to plant; will send to reside among them men with families, to teach them to farm, to build houses, do smith work, and above all to teach their children, on the manual labor system, to read our books, write our language, understand our religion, make clothes, do household work, &c.; that upon each reservation, or at least in every district, a permanent agent will reside, to attend to all their complaints and troubles, see that equal justice is done alike to the red and white man; that merchants or traders, men of good character, shall be licensed to trade with, and supply them with necessaries, but be strictly prohibited from selling or giving them poison, in the form of rum or whiskey; that on some of the reservations, at proper intervals, of 50 or 100 miles, the Government will establish small military posts, to protect both whites and Indians from depredations, and if necessary, aid the civil authorities, in preserving good order; that the command of these posts will be confided to educated officers, who will be also good friends to the Indians; that there will be a surgeon or physician at these posts to dress their wounds, cure their sick, or alleviate the pains of the dying; in a word, that notwithstanding their past ill usage, the President recognizes them as human and immortal beings, and is disposed to carry out the benevolent policy of our Government under every previous administration; that however former promises of aid and protection may have been broken, they may now rely upon what we tell them from the great chief at Washington; that there is neither crook in our path, nor fork in our tongue; and, we look for equal sincerity on their part.

Under such solemn assurances, promises and stipulations, every treaty has been made, and

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asked what kind of reasonable or unreasonable constituents they have in California, how will they answer?

If they attempt to justify this opposition to the acts of the U. S. Agents by quoting from Gov. Bigler's special message:

"To say nothing of the policy of the General Government, settling in the very heart of our State, vast tribes of savages with exclusive landed privileges, the inevitable tendency of the system, is to produce constant collision between the whites and Indians, hasten the annihilation of the latter, and impose upon the State or General Government heavy expenses for fitting out Indian expeditions, of which, to some extent, we have experienced the effects."

Some friend of the Indians may rise and question the truth of the statements made, and possibly quote in reply from an article in the "Alta" of 24th Feb., in reference to that passage of his Excellency's communication, the following:

"Is this a statesmanlike view of the subject? Is it a fair one? In a word, is it true?"

When did the General Government undertake to settle vast tribes of savages in the very center of the State? I rather think the Indians inhabited the whole valleys of the Sacramento and San Joaquin (of which only a very small portion is now set apart for their use,) long before "Uncle Sam" made their acquaintance, or Gov. Bigler conceived the idea of instructing him in his duties?

So far as "Uncle Sam's" agents in California have acted in the matter at all, it has been to remove the Indians as far as possible from the center of the State, and settle them along the foot hills of the Sierra. In most cases, however, the Indians have been opposed to removal from the hunting grounds and fishing dams of their fathers, and at the date of the special message were, in the general, just where they always had been, though in greatly reduced numbers. So much for Gov. Bigler."

If they should quote further from the reported speeches of Mr. Wambaugh, Mr. Van Buren, Mr. Sprague in the Senate; or Mr. Coates, Mr. Coffroth, Mr. McMeans, or Mr. Haraszthy, in the Assembly, the objector would only have to request the Clerk to read one of the treaties—the minutes kept by the Secretary to the Commission, narrating circumstantially all the facts as they occurred at every treaty, or the reports of the agent himself, which are all regularly transmitted to the Department, to prove conclusively that those gentlemen were all making speculations at random—in most cases without one single fact to stand on, or if they had a fact to commence on, that they had taken especial care to misrepresent and pervert it, to suit their argument.

As stated in the address I made here in January, I did not then, I do not now, assume to say that every reservation selected by the U. S. Agents in California, has been exactly the most judicious that could be made. I said then, that "to err is human," but I claimed that in the discharge of our duty we had acted in good faith—with an eye single to the good of the State, and the Indians, and always under the advice of old and respectable citizens in the vicinage.

What I complain is, that gentlemen who think there is cause for complaint as to some particular selection made by one of the agents, acting by himself, uniformly fail to specify, to give either names, facts or figures, but condemn for

stipulations, every treaty has been made, and the question now comes home, shall those promises be all violated, our National faith thus pledged be broken; our claim upon their confidence forever relinquished; the peace of the frontiers jeopardized—all for what?—and echo answers for what?

Do gentlemen professing anxiety for the peace and improvement of the State, see nothing in these outlines of our policy worthy of trial and approval? Are your political economists so rich themselves, and is this State so rich, that the expenditure of perhaps two or three millions of "Uncle Sam's" money, now locked up in the Custom House at San Francisco, will be no benefit to your southern cattle growers, to your importers and dealers in flour; (I wish I could say your growers of wheat and manufacturers of flour;) to your citizens wanting employment as farmers, mechanics, &c. on the reservations? Will it be no benefit to the State, and to the white settlements which must grow up around and under the protection of these military posts, that one or two hundred respectable American families shall be located on the reservations, to carry out the details of our policy. Sir, I can really conceive of nothing more injurious, fatal, suicidal, to the best interests of California, than this apparently indiscriminate organized opposition to the proposed arrangements of the U. S. Government. Why sir, we call a child foolish to quarrel with his bread and butter.

May it not after all, be better to pause, take an enlarged statesmanlike view of the whole ground; discard if you can, all little party influences, and go in for your country? The arrangements about the reservations are not necessarily final and unchangeable. If the people in process of time shall really need more land, or if it shall be found that a different location is advisable, can you not counsel or remonstrate with the Agent or the Department, and thus procure a change of boundaries, further up or down the rivers, or further out in the foot hills, without incurring the risks and evils consequent upon a rejection of the whole system? It is no dishonor, but rather an evidence of true greatness to acknowledge error, and become wiser by experience. As already stated, I am unacquainted with the reservations in the Sacramento valley, they are not in my district. I have never been able to visit that part of the State. My thoughts, my labors, my constant attention, have been for the last fifteen months devoted to these matters in other parts of the country; still, I feel assured that if reasonable ground for a change of location can be shown to Agent Wozencraft, by respectable and responsible parties, he will cheerfully make that change. Indeed, I understood him to say but a few days ago, that he had determined to change one, in I think Yuba county; give the tribes land some miles further out in the mountains, and had so advised the Indians and the Department.

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What I complain is, that gentlemen who think there is cause for complaint as to some particular selection made by one of the agents, acting by himself, uniformly fail to specify, to give either names, facts or figures, but condemn for that particular neighborhood complaint, the acts of all "the Commissioners" or agents throughout the State. Yes, it is "the U. States Commissioners" who have done this crying injustice to the citizens of Yuba, or Yolo, or El Dorado county—while two of them certainly never visited the counties named, and were probably over 500 miles distant at the time of the treaty.

I submit, Mr. Chairman, that common fairness should teach gentlemen the impropriety of these sweeping wholesale denunciations. I understand gentlemen to say the principal cause of complaint lies against one or two of Agent Wozencraft's selections in Yuba or El Dorado. I can perceive neither the justice nor propriety of denouncing for that cause the treaties made by Col. Barbour in the South, or by myself in the North. In fact this common practice is to me inexplicable upon any hypothesis, other than a

procure a change of boundaries, situated up or down the rivers, or further out in the foot hills, without incurring the risks and evils consequent upon a rejection of the whole system? It is no dishonor, but rather an evidence of true greatness to acknowledge error, and become wiser by experience. As already stated, I am unacquainted with the reservations in the Sacramento valley, they are not in my district. I have never been able to visit that part of the State. My thoughts, my labors, my constant attention, have been for the last fifteen months devoted to these matters in other parts of the country; still, I feel assured that if reasonable ground for a change of location can be shown to Agent Wozencraft, by respectable and responsible parties, he will cheerfully make that change. Indeed, I understood him to say but a few days ago, that he had determined to change one, in I think Yuba county; give the tribes land some miles further out in the mountains, and had so advised the Indians and the Department.

He was sick when I left San Francisco, from exposure in a late attempt to reach some of the troublesome tribes north of Redding's—otherwise he might have been here. I know, however, that with some of the best and wisest men in the State, he thinks no notice whatever should be taken of the action of political aspirants in the Legislature—that the whole subject is one which the General Government is charged with, is responsible for, and will be very apt to manage, after all, in its own way; or just leave the ulcer to cure itself by suppuration, in the hands of the State doctors. This I do not think good policy. Postponement will be, to the peace of the frontier and the safety of the people, quite as disastrous as instant rejection. In either case our promises and pledges will be violated, our faith broken, and when the provisions are exhausted, robberies, bloodshed and murders will become again the order of the day.

As to the general character of the Indians of California, very serious misapprehension exists. Gentlemen here, I find, talk of them all as similar to the miserable Digger tribes around this city or on the river above. To the bold, manly, independent mountain tribes on the Klamath, the Shasta, or Scott's river, these Digger Indians bear about the same comparison that the greasers do to the generality of emigrants from New York or Virginia. As to their total numbers, gentlemen talk equally at random. I see my friend Gen. Anderson, of the Senate, in a late speech, estimates the entire Indian population of the State at 22,100. Gov. McDougall, in his late message, makes the number 200,000. While the latter is probably about twice too high, the former is about five times too low. Until the Indians are removed to their reservations, it will be impossible to get a correct census. My opinion, as heretofore expressed, is that they will number from 75 to 100,000.

Within a line drawn from the bay of San Francisco to the Oregon boundary, via Mount Diablo and the Sacramento, thence westward to the ocean, there are probably about as many Indians as Gen. Anderson allots to the whole State. How many there may be on the Gila, Colorado, and along the eastern side of the Sierra, within our limits, is not known, but they are said to be quite numerous. Taking the number at one-half the estimate of Gov. McD., we can see at a glance the utter fallacy of attempting their removal beyond the limits of the State. The first difficulty is, we have no place to send them to: the entire army of the U. S., with all the able bodied men in California, could not force them out, and keep them out. The river and valley Indians will never willingly go into a mountain country.

That idea I supposed to have been broached merely to afford the Senatorial candidates an opportunity to write in reply to the self-constituted Vallejo committee, and as that was full three months ago it may, I think, safely be considered obsolete.

All my experience with the Indians, and my observations as to the lack of cheap labor in California, leads me to the conclusion, that, if that scheme was even practicable, it would be wholly impolitic and inexpedient.

The Indians of this country must be either killed off or domesticated. If you think the former is required by the voracity of our frontier men for land, or by the exigencies of the State, hire men by the day or let the service out on contract, and do it at once. If you startle at the proposition, then fall in with our policy, or propose a more humane and available system. Be not content with frivolous objections; with finding fault; with pulling down; but, like the old chief in counsel, lay aside the pipe "and make a better speech."

charged all hands in the Valley, and was informed that several of them had concluded to try their hands at mining, others in farming, while others hired as packers. I paid them their wages, and supposed they were at liberty to use the money as they pleased. With this and other poetic and pathetic parts of Mr. Coates's report, I claim to have nothing to do; except to say, that while they doubtless contain passages of great tenderness and beauty, I do not clearly perceive their bearing upon the question of "Indian Reservations."

As to Mr. Wambough's report, I have time but for a single remark. It is founded, also, upon the most flagrant mistakes and misrepresentations. I have read it attentively, and do not find one single statement about the "Indian Commissioners," or their action, fairly put, or true, either in fact or form. His parade of legal knowledge, and of the history of Indian negotiations in the old States, is equally unfortunate. In his report, page 6, he says: "By the act of 26th March, 1804—15th section—an act erecting Louisiana into two territories—this policy is first proclaimed," &c. Now I submit that this policy to which he refers in the context, is not proclaimed in that act, or in any other. There is no such doctrine laid down. Nor has that act any sort of reference to the case to which he applies it. It simply authorizes the President to effect with the tribes then residing in Louisiana, an exchange of lands, giving them lands on the west, for those they occupied on the east side of the Mississippi River. His references to the messages of General Jackson in 1834, touching the removal of Indians from Georgia, Alabama, etc., to the reservation on the west side of the Mississippi, may be fairly made, but I cannot see their bearing upon the question of what shall be done with the Indians of California Anno Domini 1852.

Mr. Chairman, I must apologize for detaining you so long. I was desirous of presenting some facts for public consideration, not to attempt anything like dictation to the committee or the Assembly, but if possible correct gross misrepresentations, and ask the honorable Legislature of California not to stultify itself. In this I am aware I have to labor under all the disadvantages of addressing what may prove to be an inexorable majority of political opponents—enemies I will not say, for I know that among you I have many personal and valued friends. Another disadvantage arises, as you well know, from the fact that falsehood will travel an hundred miles, while Truth is drawing on his boots to look after him. The committee and the Assembly will act their pleasure. You have the power, if you choose to exercise it. I hope you will not forget that while

"Tis excellent to have a giant's strength,
It may be tyrannous and mean to use it like a giant."

[Mr. Coates here enquired if Col. McKee had any objections to the third resolution, calling for an investigation into the official acts of the several U. S. agents in California.]

The Colonel replied that personally, he had none whatever. He was ready at all times to give an account of his stewardship. He knew he had made no mistakes in the selection of reservations, nor had he any beef contracts to make or investigate.

Messrs. Flemming Coates, Coffroth, McMeans, Sprague, and Jones, all made explanations; and at a late hour the meeting adjourned.

tions: with finding fault; with pulling down; but, like the old chief in counsel, lay aside the pipe "and make a better speech."

The only approach to this mode of treating this very grave subject in this Legislature, is in the report submitted to the Senate by Gen. Anderson, and that is founded upon a most glaring under estimate of the Indian population. He argues that as there are but few left in the State, they should be provided for—the claims of humanity and our character as a great people demand this at our hands; and the report recommends that our government shall return to something like the old system of Spanish "missions" on this coast, and work the Indians as the priests did. There is excellent good sense in some of these general suggestions, but the case is presented in an unfortunate aspect. It is hardly possible to expect that "Uncle Sam" will ever assume the double character of an "alcabde," or commandant of a presidio, and

I believe the California Indians can be more easily and speedily domesticated and improved, than those of any other State or Territory; and the experiment is well worth trying. If it succeeds, you have at once in your neighborhood, men and women, to serve as laborers, "hewers of wood and drawers of water," already acclimated, naturally mild and docile, willing to work at cheap wages, and in my opinion, superior to any given equal number of Kanakas or Chinese that could be imported. The latter, when their time is out, or they have made money by working in the mines, go home, taking with them every dollar of their earnings: the former are at home, and freely spend for necessities or dress, every dollar they may earn.

But I am admonished by the lateness of the hour, not to dwell longer on this subject, especially as I wish to pay my respects to the Report submitted by Mr. Coates and Mr. Wambaugh. In doing so, I must be brief—I can but just glance at them and make my bow.

In the course of my previous remarks, my opinion of the general character and tendency of Mr. Coates' production has been incidentally given. It is based, like the speeches which followed its presentation, upon "one grand mistake;" viz—that "the reservations of land for the Indians are, in a great majority of instances, the most desirable mineral and agricultural lands in California." That in the aggregate, "these reservations include a population of not less than 20,000 American citizens, and are of the value of \$100,000,000." Upon these modest assumptions, which the Hon. Chairman says he obtained "from sources of the most undoubted character," is built what he doubtless intended for an argument. I am glad to find the writer now admits that he was in some things misinformed; but still it is necessary that I should here publicly pronounce these data of the Report as utterly false and deceptive: calculated, if not designed, to mislead the Assembly and the country. I regret that this would be an effort of the Hon. Chairman should

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As to the value of the reservations which I have made, and so far as I have any knowledge, of those made by the other Agents, I give it as my judgment, that, while there is on each some good farming land, as there should be, in the general they are very far from valuable. Probably nine out of every ten acres are thin, mountain, gravelly lands, which no white man will ever covet. Nor would any man in this hall take the whole of any one reservation as a gift, and be bound to pay the usual State and County taxes. So much for the 100 million estimate!

Then as to the 20,000 American citizens—where are they? I confess I do not know. On the reservations made on the San Joaquin, King's river, etc., Col. Barbor says there were in all not to exceed twenty. In the middle district Dr. Wenzcraft found a few, how many I do not know, but in general they were persons who approved of his selections, and arranged to continue, unless the Government bought out their improvements. In my own district, on the two first reservations, none; on the third one; on the fourth, in Scott's Valley and Scott's Bar, several—perhaps 100, mostly miners and packers, and they preparing to leave. The migratory and unsettled character of the population along that frontier is illustrated by the history of the town of Scott's Bar, which, lying on the river between two mountains, on the only road, had to be included in the reserve, so as to connect the town or northern end of Scott's Valley with the fishing grounds of the Indians on the Klamath. I was informed that about a year ago it contained over 2,000 people, mostly miners. Even as late as last September some five or six hundred votes were given there. In October, when I passed through on my way to Scott's Valley, there were still two or three hundred. On my return, in the early part of November, after the treaty, the town was deserted; not fifty left; all had gone to better diggings, either on the Klamath, (the Indians being now friendly,) or to Humbug Creek, in the direction of Shasta Butte City. Unless something new has occurred since I left, I doubt whether Scott's Bar has to-day one dozen inhabitants. Those who were there at the time of the treaty, cordially approved of my selection; some of them asked for time to work out their claims—the longest, one year. In the treaty I gave them two years. So much for the 2,000 American citizens, for whom Mr. Coates sympathises so deeply!!

A word as to the statement made here some days ago by Mr. Manning about there having been in

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A word as to the statement made here some days since by Mr. Fleming, about there having been in the part of Scott's Valley allotted to the Indians 20 or 30 ranches, worth from five to eight thousand dollars, and upwards. As the question turns upon the meaning of the term rancho, here in California, I beg that my friends, Senators Warner and Estill, who are present, will state what a rancho is. What idea is conveyed by the expression? [Mr. Warner and Gen Estill here explained to the meeting that it was a large body of land, partly improved and partly for pasture, with houses, corrals, large herds of cattle, horses, &c., &c.] According to this definition, I state emphatically that there is not one single rancho in the whole Valley. Nor is there over two or three improvements, of any kind, worth the money mentioned. There was not one acre ploughed in the Valley when I was there, that I recollect seeing. Those who had improvements—aware of the great paramount importance of getting the Indians quieted—cheerfully acquiesced in the selection; by which they got the lower end, and the whites the upper and best end of the Valley. Nearly every man interested gave me written assurances to that effect, and are now awaiting the action of Congress, to obtain reasonable allowances for their claims and improvements. Copies of these papers are here, and if any one desires it, the clerk will read them.

As to the insinuation in the report about some of the persons in my employ having bought claims from the miners, &c., this may be true. I dis-

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