

Communication from Gen. Deuver.

DEPARTMENT OF THE INTERIOR,
OFFICE INDIAN AFFAIRS.

February 28th 1859.

GENTLEMEN: My attention has been called to the consideration of an article published in the Humboldt Times of the 25th of December last, which purports to be a memorial from certain residents of Humboldt County, California, in which they represent that they have been informed by the Superintendent of Indian Affairs for said State, that it was the intention of the General Government to extend the exterior boundaries of the Mendocino Reservation, so as to include a large tract of land situate on the Pacific, extending in breadth three miles from the coast, and northwardly into said county to a line four miles north of the mouth of the Mattole River, which would include valuable settlements, made near the Mattole before such an intention on the part of the government was announced, and they respectfully solicit my interference to prevent the execution of a measure which they believe most injurious not only to private rights and interests, but also to the settlement and improvement of that section of California.

In reply to the subject matter of the memorial, I would remark for the information of all the parties in interest, that no definite action has been taken, with the approbation of the Department, pertaining to the extension of the Mendocino Reserve; and with a view to remove the fears and misapprehensions of the petitioners, in connection with the rumored action of the General Government, in the premises, I deem it advisable to present a brief statement of the facts in regard to the extension of the said reservation.

By the 9th section of the act of Congress entitled "An Act making appropriations for certain civil expenses of the Government for the year ending the 30th of June 1858, approved March 3d 1857, it was provided "That the President of the United States may enlarge the area of the reservation Mendocino by extending its boundary northward along the coast of the Pacific Ocean to the vicinity of Cape Mendocino, embracing sufficient territory for the colonization of the Indians in the coast range of mountains north of the Bay of San Francisco, and also those in the valley of the Sacramento River, but such extension shall not interfere with the pre-emption claims of settlers."

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No instructions have yet been issued by the Department, authorizing the Superintendent of Indian Affairs to take any definite steps pertaining to the extension of the boundaries of the reserve, and it is presumed that the statements contained in the memorial of the petitioners, are predicated upon a misapprehension of the facts in the case, as indicated by the following quotation from a letter of the 19th of September 1857, addressed to this office by Superintendent Henry, viz: "There is an evident misunderstanding in regard to my intentions in reference to the boundaries of the Mendocino Reserve. There is no intention whatever of going further north than the Mattole River and no idea is entertained of occupying the valley of either the Mattole or Bear river. The object is to get a long range of coast for the advantage of fish and shells." From this representation of the Superintendent, it would appear that the fears of the petitioners have been predicated upon false rumors, and I trust that this explanation will prove satisfactory to the settlers within the Mattole and Bear river valleys, as it was not contemplated to extend the reservation so as to embrace any of the settlements made by white citizens, and as the act of Congress hereinbefore quoted positively prohibits any interference with the pre-emption claims of settlers in extending the boundaries of the Mendocino (Reserve) it is not probable that the Department will sanction any action of the Superintendent of Indian Affairs which may interfere with the vested rights of pre-emptors, or operate prejudicially to the development of the resources of the valleys in that portion of California, in the immediate vicinity of the Mendocino reserve.

Very Respectfully,

Your obt. servant,

J. W. DENVER,

Commissioner.

To A. WILEY and others, Eureka, California.

