
WASHINGTON CITY, D. C.,
May 11, 1852.

SIR: In compliance with your directions of yesterday, to report to you, at my earliest convenience, my views as to the merits of the treaties recently negotiated with the Indians of California, and particularly as to the expediency of ratifying or rejecting them, I have the honor to submit the following statement:

With reference to my views as to the merits of the treaties, I state, that I regard the general line of policy pursued by commissioners and agents in negotiating with the Indians as proper and expedient, under the circumstances. My own personal knowledge and experience in Indian affairs, and particularly in reference to the tribes within the State of California, incline me to the opinion that, to secure their peace and friendship, no other course of policy, however studied or labored it may have been, could have so readily and effectually secured the objects in view. My experience in Indian affairs has also convinced me

of the fact, that those who best understand the Indian character are exceedingly cautious and deliberate in their negotiations with them, and that precipitate counsels are invariably the results of ignorance, and generally terminate deplorably to both parties. The Indian, by nature, is suspicious, and, although easily governed when his confidence has been obtained, it becomes almost impossible to treat with him after his suspicions have been aroused. A wise reference to these facts and considerations has doubtless influenced the commissioners and agents in their negotiations, and it is proper that they should be duly considered on the present occasion.

The system of reservations, as adopted in these treaties, is but the natural result and consequence of the policy pursued throughout, and may be stated to involve two important considerations, viz: whether the Indians are to have any lands set apart for them; and if so, whether those selected for them may be justly considered as suitable and appropriate? Humanity and justice alike urge acquiescence in the former, while the following considerations suggest themselves as worthy of your attention in connexion with the subject. It is evident, that if allowed to roam at pleasure, their early extinction is inevitable; and I am slow to believe that the government, recognising as it does their possessory right to all the soil inhabited by them, would deny them the occupancy of a small portion of the vast country from which such extraordinary benefits are in progress of receipt.

The impracticability of removing them east of the mountains, or so far north or south as to avoid the evils which their proximity to the whites may induce, is apparent from the following considerations:

Much has been said of late in relation to an entire removal of the Indians to the eastward of the Sierra Nevada, and this fact is a painful proof of the entire ignorance of those who advocate the practicability of the measure. When we consider that our topographical knowledge of the interior of Africa is quite as extensive and definite as that which we possess of the eastern slope of this range, it is not difficult to imagine how vastly mistaken are those who look only upon the level surface of a map for information. It is vain to expect that they could be forced in this direction, since all the information which we have of that region of country (and theirs is presumed to be more extensive than our own) is directly opposed to the idea of assigning them to a location supposed to be, at best, a waste and barren desert. Those individuals who have attempted the exploration of this country have but partially succeeded. They report it as abounding with vast deserts, almost unrelieved by verdure of any description, and that any spot boasting any species of vegetation is already *occupied* by other Indians. The only known river of any size within this section of the country is the Colorado. The valley of this river is reported by the few bold and hardy trappers of the Rocky mountains, from whom our only information is derived, as abounding with Indians as far as any have had the courage to explore it; and it is this valley, already filled with an Indian population, which has been suggested as a location for the Indians of California.

To move them north would be but to add 100,000 Indians to the already overflowing Indian population of the Territory of Oregon. To remove them south, is but to place them directly in the line of our

southern emigration, thus exposing the lives and property of our citizens, for it requires no vivid imagination to picture the result of a meeting between savages, infuriated by a forcible removal from the homes of their fathers, and an emigration wearied by a march of two thousand miles over a trackless wilderness. In addition to this, it may be well to consider that our treaty stipulations of 1848 with Mexico forbid our colonizing them on her borders, and to move them in this direction would, to some extent at least, impair the obligation thus solemnly imposed. It may also add insurmountable difficulties to those already existing in opposition to the projected railroad to the Pacific in this direction.

With reference to the character or quality of the land reserved by the treaties for the Indians, I can only speak from personal observation with regard to those selected in the southern portion of the State. They are such as only a half-starved and defenceless people would have consented to receive, and, as a general thing, embrace only such lands as are unfit for mining or agricultural purposes. Admitting, however, that some of these reservations contain gold enough to add a few thousands even to the many millions taken monthly from the soil, I ask, is it not expedient and politic to permit them to enjoy them, especially since the rejection of the treaties will have a tendency to bring discredit upon the government and render futile all subsequent attempts at negotiation?

The reservations made in the southern portion of the State are undoubtedly composed of the most barren and sterile lands to be found in California, and any change must, of necessity, be of advantage to the Indians. Those persons who complain of these reservations in the south, have in no instance been able to point out other locations less objectionable or valuable than those already selected, and I am disposed to believe that in no case of reservations under these treaties will the lands reserved compare favorably with the agricultural and valuable portions of the State. The necessity of reservations, and of protection to the Indians thus located, is strikingly set forth in a communication of a recent date from R. McKee, esq., agent, addressed to yourself, and to which I have had access, in which he refers to the recent massacre of two or three villages by the whites, in which neither age nor sex was spared in human butchery. The communication closes with some wholesome advice on the subject of reservations, which I cannot refrain from recommending to your attention.

The stipulations contained in these treaties which appear to me to be objectionable, are those which refer especially to the supply of agricultural implements and the establishment of schools among them. With regard to the first, I am of the opinion that the tribes and bands treated with are not disposed, nor can they be induced at the present time, to engage in agricultural pursuits; and that if the articles necessary for this purpose were furnished to them as stipulated, they would find their way into the possession of the whites, without a consideration of value. I would suggest the expediency, therefore, of delegating authority to the agents in whose charge they may be placed, to deliver such articles of this character at the request of only such individuals of the tribes as manifest a desire to engage in this pursuit.

I am likewise of the opinion that the establishment of schools among them, at the present time, would not subserve their interests; their present state of civilization and advancement being such as to preclude the possibility of their appreciating the benefits to be derived from such instruction.

I regard the other provisions of the treaties, although they may be considered novel in their character, as both suitable and appropriate to the wants and desires of the Indians. The supply of beef cattle, for their present or temporary subsistence, being limited, the comparative consideration given them for the extinguishment of their title to their lands may be justly considered as trifling in amount, and especially so, if the objectionable features above stated are stricken out. Those provisions of the treaties stipulating brood-stock have been wisely inserted, with a view, doubtless, to possess them of the means of subsisting and sustaining themselves after the period for the supply of beef cattle shall have expired.

From the foregoing remarks you will perceive that my views of the merits of the treaties, as well as of the general policy pursued by the commissioners and agents in their negotiations, are favorable.

With reference to the expediency of ratifying or rejecting the treaties, I remark that, in my opinion, it would be unwise and injudicious in the extreme to reject them, even should it be deemed expedient and necessary hereafter, without previously preparing the minds of the Indians for such an event, and the offering at once of some suitable and proper substitute. To reject them outright, without an effort to retain their confidence and friendship, as already secured, by inducements of an equally advantageous character with those already held out to them, would undoubtedly involve the State in a long and bloody war, disastrous and ruinous to her mining and commercial interests, and affecting, more or less, the prosperity of our whole country.

During the Indian war of last spring, whole mining districts were abandoned, and, although unacquainted with the statistics of the State, I will venture the remark that the exports of gold were less by millions during that period than during the months immediately succeeding. If this was the result of a war with a very few tribes, what may be considered as the effect of a war with the entire Indian population of California? Popular feeling, prejudicial to the treaties, has been assigned as a reason for their rejection; and cannot the question be properly and naturally asked, will popular feeling point out a substitute? I venture the prediction in this matter, that an entire change in popular feeling will take place, at least among such as regard the Indians as having a right even to a bare and scanty living. To those who regard the stipulations of these treaties as novel, I would simply remark that *beef* and *flour* are but substitutes for annuities in *money, powder, lead, and guns*; and that while the treasury is being drawn upon *annually* to fulfil the obligations of other treaties, these supplies are to cease after the short term of two or three years.

In conclusion, I would remind the department that economy may be ill-timed in the present case, and prove but the certain cause of great and extraordinary expenditure; for it is not an easy matter to estimate the cost of an Indian war in California. The late report of the Quar-

330

S. Doc. 4.

termaster General of the army, however, affords a faint outline, which
economy warns us not to fill.

Very respectfully, your obedient servant,

EDWARD F. BEALE,

Superintendent Indian Affairs for California.

Hon. LUKE LEA,

Commissioner of Indian Affairs.

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