

SACRAMENTO DAILY UNION.

[BY THE PONY EXPRESS.]

INDIAN APPROPRIATION BILL.

Captain Jarboe and the Indian Massacres North Ventilated.

The United States Senate, May 28th, as in Committee of the Whole, resumed the consideration of the bill (H. R., No. 215,) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30th, 1861, the pending question being on the amendment of Mr. Latham :

Mr. LATHAM said—I ask leave to substitute this proposition for the amendment I offered before. It is merely changing the wording. It is the same in substance:

"Provided, That in the event the State of California will, by an Act of its Legislature, agree to take charge of and maintain within the State the Indians now within her jurisdiction, to the satisfaction of the President, and relieve the United States from all liability or responsibility connected with the same for the period of twenty years, the sum of \$50,000 is hereby appropriated annually; and the Secretary of the Interior is authorized to draw on the United States Treasury in favor of the State Treasurer of California for that sum, and to authorize the agents of the State of California to take possession of the Reservations and Government property thereon; provided, the property of the United States is to be held only in trust by the State of California for the use of the Indians; provided also, the President reserves the right to take control of said Indians and Government property, and terminate the above appropriations, if the State of California does not take care of and maintain said Indians, or the Governor of California does not annually report to the Secretary of the Interior all matters relating to their condition."

Mr. HUNTER—Mr. President, I should be very glad to adopt the policy of remitting the Indians, who have for the most part lost their tribal character to the State of California. Indeed, if she insists on it, I believe it is her right; but I am unwilling to make the transfer in such a form that she is to expend appropriations made by the United States. As that amendment stands, we are to appropriate \$50,000 a year to be used by the State of California. She, in other words, is to be the agent of the Federal Government. Now, sir, I do not believe in that kind of agency. I believe that she is

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Mr. LATHAM--Mr. President, I cannot consent to that. As long as the Government is willing, as it has been, to provide for the support of these Indians, of course I am unwilling that California shall take their charge at her own cost. My object in this matter, as I stated when I introduced my amendment originally, was simply to devise some means by which those Indians could be taken care of more economically. When my colleague and myself ask for appropriations to carry out the policy and objects of the Government in the management of the Indians, we do not get them, and we are continually met with the statement that we are too extravagant in our demands upon the public treasury.

The Senator from Virginia has very correctly stated the difficulty connected with this subject; and that is, that California is so remote from the capital of our Government that you cannot control the Indians there without going to a greater outlay than Congress will submit to. You have your agents there, as I stated upon a former occasion to the Senate, who are responsible alone to authority here. Their reports have to come here, taking nearly a month; and after they get here they lay in the Department for two, three and four months unacted upon. In the meantime, if there are any extravagances going on, there is no power to cut them off. Why, sir, I called the other day, by a resolution, for a report made by the Superintendent of Indian Affairs and the Special Agent of the Government in California, in reference to its Reservations in that State, which has been lying in the Department for nearly six months unacted upon; and that report, if Senators would read it, will show a most deplorable state of affairs, so far as the Reservations and the management of

them off. Why, sir, I called the other day, by a resolution, for a report made by the Superintendent of Indian Affairs and the Special Agent of the Government in California, in reference to its Reservations in that State, which has been lying in the Department for nearly six months unacted upon; and that report, if Senators would read it, will show a most deplorable state of affairs, so far as the Reservations and the management of the Indians in California are concerned. Now, sir, if the State of California had charge of these Indians, what would be done? The Legislature would have appointed Committees to go to the Reservations and see that Indians were provided for; that their wants were attended to, and that they were gathered together. If there was any insufficiency on the part of the officers, the Governor of the State would remove them.

The Senator from Iowa (Mr. Grimes) suggested, the other day, that this was a new policy; that it was "farming out" the Indians. Sir, you are farming them out to-day. The only difference is, that you are farming them out to private individuals at twice as much cost as if you were to farm them out to the State of California, who would take care of them, while the report on your table shows that you farm them out to private individuals who do not take care of them. They get their monthly stipend, and then their duty, in a great degree, is discharged.

I do not propose to dwell upon this matter. It is an important if not a vital project to California. I am probably unauthorized in saying that the State of California will accept of this proposition. I believe she would, do so, because the people throughout the State, who are annoyed and troubled so much by these Indians, would instruct their representatives in the Legislature to accept the proposition and devise some means by which the State itself could be relieved from the disgrace of what are called "massacres," and also that they might be relieved from the presence of these Indians, by gathering them upon Reservations, as they should be. This is not a new project, for it has been discussed in California, and, as I said before, the Indians of California occupy a different relation to the Government from those of any other State in the Union. They have no lands there; you make no treaties with them; it is a mere matter of humanity for the Government to take care of them as its wards.

If I fall in this, then I have another amendment which I intend to offer, from the Committee on Indian Affairs, that was suggested by the report of the Department of the Interior, and which may probably be more acceptable to the Senate.

Mr. CRITTENDEN—The management of the Indians, and our tutelage over them, is a subject, which I think, ought to have attracted much more of the attention of the Congress of the United States than it has done. There is a great office of humanity which we have to perform to the remnant of that race. We have managed it in such a manner that, while I fear we have not entirely fulfilled the obligations of humanity towards them, we have been led into a style and system of administration that costs this Government greatly more than a more humane system would do. I should have great confidence in the humanity of the State of California for taking a friendly care of these poor people, but there is one question that I have thought of asking heretofore

have been led into a style and system of administration that costs this Government greatly more than a more humane system would do. I should have great confidence in the humanity of the State of California for taking a friendly care of these poor people, but there is one question that I have thought of asking heretofore in the Senate, and which this is a fit occasion for me to address to the Senators from that State. I read some time ago in the newspapers an account of the massacre of the inhabitants of three little Indian villages on Humboldt Bay, in California, I think. On a Sunday morning, and on a sudden, and by surprise, white men, leagued together for the purpose, rushed upon these unsuspecting Indians and their villages, and massacred them, man, woman and child. This is the account given in the newspapers. I have tried since to find the newspaper that contained it; but I remember distinctly its contents. They were of a character to make a memorable impression. Now, I wish to inquire of the Senators—I know it is as revolting to them as it is to me—if it be true? I want simply to inquire of them as to the fact. Are they informed of it, and have any steps been taken to punish these murderers?

Mr. LATHAM—I will answer the Senator. I saw the same account to which he refers; and I will say to him that the Legislature of California was in session at the time, and appointed a Committee to go to Humboldt Bay or Mendocino county, I do not recollect which, and investigate the matter. The Committee did go, and they found that these outrages had been greatly exaggerated. That wrong had been done by the whites upon the Indians was true, but not near to the extent reported by the newspapers. What action was taken by the Legislature I have not yet learned. There was some action; but the Legislature has just adjourned, and we have not had time to receive a report of its proceedings. This is as much information as I can give the Senator.

Mr. WILSON—If I supposed, Mr. President, that the proposition made by the Senator from California would tend in any degree to benefit the Indians in that State, I would certainly vote for it. It is a fact beyond all dispute that the Indians of that State have been most sadly neglected by the persons acting under the appointment of the Federal Government there. The money we have appropriated for the care and support of these Indians has been squandered, misappropriated, and I have no doubt much of it stolen. These Indians have been neglected, and the evidence is in the Departments of the Government to that effect—neglected by the persons appointed by this Government to care for them, who have grown wealthy on the suffering and the dying—who have grown wealthy by appropriating to themselves the money that should have been used to save the health and the lives of these Indians. It is a fact, to which the Senator from Kentucky has just alluded, that great outrages have been perpetrated in that State. I have upon my desk a report made by Lieutenant Dillon to Major Johnson, of the doings of Thomas J. Henley, that ought to disgrace that man forever; and I have here a letter from Major Johnson, referring to the action of that individual and to murders perpetrated under his observation. The Senator from Kentucky has alluded to the murders reported the other day as having taken place at Humboldt Bay. I

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The SECRETARY read as follows:

"THE JARBOE INDIAN MASSACRES — BLOOD MONEY WANTED.—The readers of the *Bulletin* are, perhaps, wearied and disgusted with the tales of barbarities upon the Indians, and it seems a thankless if not hopeless labor to attempt to excite a public sympathy for the fast decaying race; but if there is a Providence which regards and avenges the crimes of men, surely the people of this State are incurring a fearful responsibility, and are braving a terrible retribution for the massacres and brutalities which they permit to be accomplished in their name. Another most dreadful chapter has been added to the damning record. Jarboe, who has been rioting in blood for the last year, in the Mendocino region, has just rendered his account of murders. The letter of this person to the Governor of the State, and which was by him submitted to the Legislature on Tuesday, is a foul blot upon California. Here is an extract from it:

"On the 18th of September, in Eden Valley, I mustered into the service of the State of California twenty men possessing the requisite qualifications, mounted on horseback, and armed with rifles and pistols. Up to that time the Indians had killed nineteen settlers and about six hundred head of stock in the region of country

FRIDAY MORNING,

spoken of, and were daily committing their depredations. I endeavored to make a treaty of peace with them, and sent my interpreter out to their camp, who talked to them; he was a friendly Ohumac Indian. They replied that they would kill every white man they could, and all the stock they could find—giving no reason for it—and daring me to come out and fight. I did not attack them for some days afterwards, still hoping I might get along without bloodshed. On the night of the 20th of September they came to Eden Valley and drove off some cattle. I followed and fought them with a detachment of ten men; and from the same date to the 24th of January, I fought them twenty-three times, killing two hundred and eighty-three warriors—the number of wounded was not known—took two hundred and ninety-two prisoners; sent them to the Reservation. In the several engagements I had four men severely wounded, as well as myself.

"There is no excuse for any member of the Legislature or any citizen of the State being deceived by the style of words which this man adopts in the narrative of his atrocities. He fought the Indians twenty-three times! Deliberate, cowardly, brutal massacre of defenseless men, women and children, he calls fighting! He killed nearly three hundred of these poor people. The pretext upon which these butcheries were perpetrated is that nineteen settlers had been killed and six hundred head of stock stolen. Now, we have the testimony of Major Johnson and Lieutenant Dillon that not one white settler had lost his life in that region at the hands of Indians during the past year, except a person who was killed in revenge for outraging an Indian woman. In fact, all these tales of Indian hostilities, when sifted, are proved to be arrant fabrications. As to the stock said to have been appropriated by the starving savages (far less savage than their persecutors), what does it amount to? Six hundred head taken by nine thousand Indians—driven from their lands and fisheries, and starving literally to death—were worth, at the outside, \$12,000. Let the State pay it, or double or treble the sum, and call upon the Federal Government to refund the amount. For such a purpose the liberality and the justice of the Government need not be doubted. Jarboe reports the total expense of his expeditions at \$11,143, which is the smallest amount of blood money we ever heard demanded, in proportion to the murders committed.

"In the slaughter of this hecatomb of victims it is said that five of the butchers were severely wounded—one of them was Jarboe himself. He has been in Sacramento nearly all Winter, and his wounds have never before been heard of. If the price of blood must be paid, on the ground of Governor Wells's order per-

In the slaughter of this hecatomb of victims it is said that five of the butchers were severely wounded—one of them was Jarboe himself. He has been in Sacramento nearly all Winter, and his wounds have never before been heard of. If the price of blood must be paid, on the ground of Governor Weller's order permitting the raising of the company, the Legislature owes it to humanity and decency to condemn and protest against the crime disclosed in Jarboe's communication. But, in truth, measures should be at once taken to stop this wanton bloodshed and to feed and protect the Indians."

Mr. WILSON—That is the account of the massacre at Eden Valley. Now, I have from the *Alta California*, published at San Francisco, an account of the attack upon other Indians, on Pitt river, and I send that account to the Clerk and ask that it be read.

The SECRETARY read, as follows;

"The attacking party rushed upon them, blowing out their brains, and splitting open their skulls with tomahawks. Little children in baskets, and even babes, had their heads smashed to pieces, or cut open. Mothers and infants shared the common fate. The screams and cries of the victims were frightful to hear, but no supplications could avail to avert the work of devilish butchery. It will scarcely be credited that this horrible scene occurred in Christian California, within a few days' travel of the State capital. Humanity sickens at the thought. Many of the fugitives were chased and shot as they ran. Where whole families had been butchered was indicated by heaps of bodies composed of the mother and her little ones. The children, scarcely able to run, toddled towards the squaws for protection, crying for fright, but were overtaken, slaughtered like wild animals, and thrown into piles. From under some haycocks, where some of them had taken refuge, they were dragged out and slain. One woman got into a pond hole, where she hid herself under the grass, with her head above water, and concealed her pappoose on the bank in a basket. She was discovered, and her head blown to pieces, the muzzle of the gun being placed against her skull, and the child was drowned in the pond. The ground was covered with blood, and the brushwood ranches, of which there were fifty or sixty, were filled with the dead bodies of old decrepit squaws, young girls, and infants, none were spared. Guns, knives and hatchets were used; but the favorite method appears to have been slaying in the head with tomahawks. The blush of dawn shone upon this fearful spectacle, and still the massacre went on.

"Some of these wretched creatures had lived with the very men who now struck them down. Thus they had claims upon the common humanity which ought to actuate every breast. But even this relationship did not suffice to save them. One of the butchers named Lee, had been attended to while sick almost to death, by the Indian women, who had shown him all the simple kindness inculcated by their rude ideas of charity and hos-

quality. The wretched beings looked around in their terror; some of them recognizing the man whose life they had saved, cried out—"Lee! Lee!" raising their hands towards him with gestures in supplication; but in vain. Lee was among the most infuriate of the party, and afterwards boasted of the number of skulls he had split open, and exhibited his tomahawk hacked and broken in the dreadful work."

Mr. Wilson--This is the massacre under Lieutenant Langley, of the Pitt river Rangers. I have referred to the action of Thomas J. Henley. I send to the Clerk, to be read, a portion of the report of Lieutenant Dillon to Major Johnson, in regard to the massacre at Kel river.

The SECRETARY read as follows:

"On last Sunday, Thomas J. Henley went over to Kel river, with some of his employes, and finding some huts, surrounded them and sent an Indian in to tell the Indians to come out and come in to the Reservation; that they should not be shot. Four bucks came out, but one of them professed to be lame and unable to walk, whereupon Mr. Henley either shot him or had him shot. Mr. Henley does not charge these Indians with having stolen anything from him, but says they were too near to him, and he is afraid they will steal; he says he killed this Indian because he looked like a bad Indian, and he did not want to have him. The three Indians who came in say all the rest of their band would come in but that they are afraid. I told the interpreter to go out and tell all the Indians they could find to come in, or they would all be killed by the citizens, but would be protected here. Night before last fifty-seven came in, and I think it likely that before long more will follow."

Mr. WILSON—I am informed by officers of the army that it is a fact which they personally know to be true, that Indians are hunted down in some portions of the State of California; that the old bucks, as they are called, are killed, and the children taken and disposed of, and in some cases sold as slaves. I am informed by an officer of the army who has served in California, and is now in this city, that he has seen these very children who were thus held. Sir, the abuses that have been perpetrated upon the Indians in California are shocking to humanity, and this Government owes it to itself to right their wrongs. I am not prepared to vote for the amendment proposed by the Senator from California, and yet I am not certain that if the Government of that State had the control of these Indians their condition would not be improved. I hope, however, that the Federal Government will see to it that its own officers perform the duties that devolve upon them. The Secretary of the Interior recommends a change to be made in regard to the Superintendents, and a division of the State into two Indian districts, northern and southern. With a view to carry out the recommendation of the Secretary, I propose, as an amendment to the amendment of the honorable Senator from California, to strike out all after the word "provided," in his amendment, and insert:

"That the offices of Indian Superintendent, Indian Agent and Sub-Agent for the State of California be and

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"That the offices of Indian Superintendent, Indian Agent and Sub-Agent for the State of California be, and the same are hereby, abolished; and that the said State of California be, and the same is hereby, divided into two Indian Districts, to be called the Northern Indian District of California, and the Southern Indian District of California; and the President of the United States is hereby authorized to appoint, by and with the advice and consent of the Senate, one agent for each the Northern and Southern Indian Districts of the State of California, the said agents to have power to employ such assistants as may be authorized by the Secretary of the Interior; and it shall be the duty of such agents, and their duly authorized assistants, for the Indian Districts aforesaid, to perform the duties usually required of Indian Agents and their assistants; and also to procure employment among the white population of the said State for the Indians within their respective districts as aforesaid, so far as the same may be possible; and further, it shall be the duty of such agents and their assistants to protect all Indians or bands of Indians who have settled down in the quiet possession of their homes, and instruct them in the arts of husbandry; and it shall also be their duty to collect all vagrant Indians upon the Reservations, and induce them to labor."

The Secretary of the Interior says, in his last annual report:

"With an anxious desire to devise some plan of operations which promises to secure the welfare of the Indians on the one hand, and relieve the Treasury from the support of a helpless and dependent population on the other, I would recommend, as the most practicable policy, the abolition of the superintendency agencies, and sub-agencies, and the division of the State into two distinct Indian Districts. For each division a single agent should be provided, with power to employ such assistants as may be authorized by the Department. Wherever it is possible to procure employment for the Indians among our own people, the agents should be required to aid them in obtaining places. It should be the duty of the agents to protect the bands that are settled down in the quiet possession of their homes, and to instruct them in the arts of husbandry. It should also be the duty of the agents to collect all vagrants upon the Reservations, and to induce them to labor. This plan is recommended by its economy, and by the prospect it holds out for the security of the Indians."

I have offered this amendment to carry out this recommendation of the Secretary of the Interior, which, he says, will be productive of economy on the part of the Government, and tend to the security of the Indians.

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Mr. LATHAM—The Senator from Massachusetts has exercised a great deal of diligence and industry in gathering extracts from newspapers, which have not been sustained. I think, however, he has not shown a great deal of liberality towards California, in placing upon the records extracts from newspapers which subsequent investigations have shown to be of the marvelous character and gotten up for the purpose of making sensation articles. The papers in California, like the papers in the Atlantic States, are disposed to publish reports, whether true or untrue, which partake of the bloody and extravagant. The Senator from Kentucky (Mr. Crittenden) referred to the same reports which the Senator from Massachusetts has had read. The Legislature acted upon these reports detailed ostentively by private individuals and in other ways entirely unknown to me. These articles being published, the Legislature appointed a Committee, who went to the places where they were alleged to have occurred, and found that, while there were things done for which there was no palliation and no excuse, yet that these accounts were exaggerated in the extreme. With reference to the attack made on Colonel Henley, in one extract which has been read, I will say that, prior to my leaving the State, Colonel Henley came out in a card and gave his positive denial to the charges made, and demanded proof from the gentleman making them, with whom he said he had not had friendly relations. The proof was not produced. Whether the statement be true or untrue, I know not. I merely state the facts as they occurred. But what has all this to do with the motion that is now pending? The Senator from Massachusetts has himself shown that which I endeavored to impress upon the Senate; that it is utterly impossible for the General Government here to

take care of the Indians there. If you give authority to the State to punish these parties; if you give authority to the State to take these Indians under its control, instead of having your irresponsible agents there, you would hear nothing more of these "massacres" upon which the Senator from Massachusetts dwelt.

Mr. President, the policy which I have designed to inaugurate by my amendment was for the State, after taking possession of the reservation, to appoint its own agents; and those agents would be subject at once to removal by the Governor. The Governor could send them throughout the State and gather the Indians upon the reservations. He could keep them constantly under his own eye and under his own inspection. If there is any inhumanity, if there is any mal-treatment, if any difficulty should spring up between the whites and the Indians in any part of the State, having the authority and control, he could discharge the agent neglecting his duty, and could have the Indians brought to the Reservations, and thus terminate the difficulty. It is as plain as can be to any Western man, and must be to the Senator from Kentucky (Mr. Crittenden), how all these difficulties originate. He has lived in a Western State. He knows how border warfare is carried on. Your Government has but a few soldiers in California, a very insufficient force. General Clarke, the officer in command in California, has stated to the present Governor of that State (Governor Downey) that he has not a sufficient military force there to protect the people against outrage on the part of the Indians, and that the laws which exist in Oregon and Washington Territory have not been extended over California, so as to give him authority to punish them when outrages are committed. In certain portions of the State, as, for instance, in Mendocino county, the population is agricultural and scattered. The Indians come down from the mountains, because they have been driven from their fishing grounds and hunting places, and seize the property of the settlers; and not content with seizing their property, if any resistance is made, they murder the white men; murder their children; just as brutally as the white men are represented to have murdered their children in the accounts read by the Senator from Massachusetts. They stand this, week in and week out. They send for aid and protection to the Governor of the State. He is not enabled to give them any assistance. They go to the officer in command of the United States troops, and he told them: "I have not troops here sufficient to protect you against these outrages." At last "forbearance ceases to be a virtue;" and after they have suffered; after their property has been taken; after their families have been murdered; after their children have been slaughtered in the most brutal manner, incensed and indignant, they do get up these expeditions, and oftentimes do that which their calm judgment, reason and humanity, and everything else would prevent, if they

slaughtered; after their children have been slaughtered in the most brutal manner, incensed and indignant, they do get up these expeditions, and oftentimes do that which their calm judgment, reason and humanity, and everything else would prevent, if they did not feel that they were rejected and outraged by the treatment of the Government of the United States.

I do not wish to dwell on these things. Senators from the western portion of our country can better judge of the truth of what I am stating than the Senator from Massachusetts, in whose State there are no Indians, and whose people are not subjected to these outrages. I do not pretend to palliate or excuse any wrongs. I merely state facts as they are, and it is to remedy this deplorable condition of affairs that I ask the Senate to give the authority and the power to the State of California to control and manage these Indians. Give her the power, and you will hear nothing more of these depredations. You will find that the representatives of the people of the several districts where the Indians are living will be anxious to procure such a system as will fulfill the requirements of the policy I have indicated.

I stated, while I was upon the floor before, that if my amendment was voted down, I should offer another amendment, which had been suggested by the report of the Secretary of the Interior; but the Senator from Massachusetts has taken the wind out of my sails, by introducing an amendment similar in substance. I now merely ask the indulgence of the Senate to have the amendment to which I alluded read, and then all the propositions will be before this body and it can judge between them. This amendment has received the approbation of the Department; and I will also state that it has been before the Committee on Indian Affairs, and they have given me permission to report it.

The Secretary read the proposed amendment, which is to insert, after the appropriations for the Indians in California, the following proviso:

"Provided, That the Secretary of the Interior may divide the State of California into two Indian districts, and that the President of the United States, by and with the advice and consent of the Senate, shall appoint a superintending agent for each district, at a salary of \$2,000 per annum; who, upon executing a bond upon such terms, and in such sum and security as the Secretary of the Interior may prescribe, shall have under his control and management, as the Secretary of the Interior may prescribe, the Indians and Reservations in their separate respective districts. Each Superintendent may appoint, subject to the confirmation of the Secretary of the Interior, a Supervisor for each Reservation in his respective district, to instruct the Indians in husbandry, at a salary of \$1,000 per annum and also to appoint not exceeding four laborers to aid each Supervisor, at a compensation not to exceed \$50 per month; And provided further, That the Secretary of the Interior is authorized at his discretion, if deemed expedient, to lease either or all of the Reservations or farms for a term of years to responsible parties, who may be willing to farm them and provide for the comfort and support of the Indians thereon, or who may

Secretary of the Interior is authorized at his discretion, if deemed expedient, to lease either or all of the Reservations or farms for a term of years to responsible parties, who may be willing to farm them and provide for the comfort and support of the Indians thereon, or who may be brought there by the Superintendents, for a sum not to exceed \$3,000 per annum; and upon such party giving a bond in such terms and for such sum as the Secretary may dictate for the faithful performance of his contract, to support the Indians, preserve and return the Government property intrusted to his care; And provided further, That the express condition of such leasing is to save the Government of the United States from all expense connected with said Reservations, except the salary of the Superintendent of each district; and the lessee is to receive and support all Indians brought to the Reservation by the Superintendent; And provided further, That all Acts or parts of Acts in conflict with this provision be, and the same are hereby, repealed."

Mr. HUNTER—I suggest to the Senator from California that perhaps he could accomplish his purpose better by withdrawing his original amendment and substituting this, if he is convinced that he cannot pass that.

Mr. JOHNSON—I am not convinced; and I ask for the year and a half, and hope the Senate will give them to me. I want to show the people of California that I have done my duty. If the Senate reject the proposition, the fault will not rest with me. If, however, the Senate will excuse me for a moment, I will now explain the last amendment which I submitted.

THE PRESIDING OFFICER (Mr. Foot in the Chair)—The pending question is on the amendment of the Senator from Massachusetts to the amendment of the Senator from California.

Mr. LATHAM—I am aware of that; and I wish merely to say that the last amendment I submitted reduces the expenses \$11,000 per annum in the mere compensation of employes and agents. Their present compensation amounts to some \$35,800. One Superintendent gets \$4,000; his clerk gets \$1,800; three Indian agents get \$9,000; three sub-agents get \$4,500; and the laborers, smiths, etc., get from \$16,000 to \$20,000 per annum. My last amendment gives to the two Superintendents \$8,000 each, making \$16,000; four Supervisors, \$7,200; and the laborers, at fifty dollars per month, \$9,600; making altogether, \$24,000—a difference of \$11,000 in the mere compensation of employes. The latter portion of the amendment just read, relates to the leasing out of the Reservations, if the Secretary of the Interior deems that the interests of the Government will be best subserved by giving their control to respectable, reliable, well indorsed and worthy citizens. I will state to the Senate that there is a large number of old Californians, gentlemen of wealth and of character, who have small bands of Indians upon their ranches, and who support them and take care of them; and a number of gentlemen of respectability and wealth have indicated to the Department that if the control of the Reservations be given to them, they will superintend and manage the

an indolent and worthy citizens, I will state to the Senate that there is a large number of old Californians, gentlemen of wealth and of character, who have small bands of Indians upon their ranches, and who support them and take care of them; and a number of gentlemen of respectability and wealth have indicated to the Department that if the control of the Reservations be given to them, they will superintend and manage the Indians to the entire satisfaction of the Government.

Mr. CRITTENDEN—I want to inquire how many Indians are supposed to be within the limits of the State of California?

Mr. LATHAM—I will state to the Senator that there never has been any census taken, and it would be mere guesswork for me to estimate. I have seen various estimates—from fifty up to eighty thousand. I doubt myself whether there are over thirty thousand Indians in the whole State. Probably that number would be within bounds.

Mr. CRITTENDEN—I suppose myself there cannot be more than about that number from any account we have. Well, sir, we see how little care governmental establishments have for the protection of the Indians. Here are over thirty thousand Indians, and an establishment of Superintendents, agents and officers of one kind or another, costing \$95,000 a year for the general superintendence merely of the Indians, and with all that superintendence they are massacred day by day. Sir, we have no instance of any one of these agents of ours being called to any account for these transactions. How is this? We pay salaries of \$8,000 per annum, and still this constant massacre has been going on, and we have no account of the interposition of agent or Superintendent in performance of any duty of humanity towards these people, even of the most ordinary character. I am, therefore, hopeless of all governmental protection that is to be exercised at this distance from California. Your agents take no trouble about it. Their official duties are well performed, they must suppose, when they receive their salary and enjoy and spend it. That is all we have any reason to presume they do. Where are their reports even of these wrongs and outrages upon the Indians? What have they done to prevent them? What have they done to cause these criminals and murderers to be prosecuted in the Courts of California?

Mr. LATHAM—If the Senator from Kentucky will allow me, I will state, in reply to his question, that the Department is full of reports. I introduced a resolution upon this very matter, and it has been replied to by the Secretary of the Interior. It was ordered to be printed, and I regret that it has not been done. It shows what action was taken by these Agents, not only in reporting to the Department, but all other steps connected with the outrages of which the Senator speaks.

Mr. CRITTENDEN—I am glad to hear any vindication of them, but they have done nothing but make reports, that I know of. Can the gentleman tell us of any of these murderers who have been prosecuted and punished? Have they been hung, as Jarboe ought to have been twenty times over, if he could have been caught?

speaks.

Mr. CRITTENDEN—I am glad to hear any vindication of them, but they have done nothing but make reports, that I know of. Can the gentleman tell us of any of these murderers who have been prosecuted and punished? Have they been hung, as Jarboe ought to have been twenty times over, if life could have been renewed as often in him? I do not hear of anybody; yet we are told of massacres, right and left, of the most murderous character: massacres of men, women and children enough to make a whole nation ashamed.

I do not want to continue a debate on this subject. It is one that we can feel no pleasure in discussing. There is nothing but blood and shame and scandal in it. It is enough almost to make a man ashamed of his country and his countrymen to hear such tales of bloodshed and horror. If the gentleman can promise me—and I understand him to do so and to promise Congress—that if the trust is confided to the Legislature of California we shall hear no more of them, I will vote the \$50,000, and I prefer his original proposition to any of the amendments. We have shown that the government, which we exercise there, through Agents and Superintendents, avails nothing. It may be that California may do something, and I hope she will consider it as a noble vocation to which she is called, to prevent the remnant of these lost races and tribes from being entirely destroyed.

Sir, my honorable friend speaks of hostilities committed by these Indians as a justifying aggravation for these crimes, though he says he does not mention them as any mitigation of these offenses and these outrages, about which I am sure he feels as I do. What hostilities can be apprehended from this handful of down-trodden, miserable imbeciles? We can have no other fears from them than we can have from some feeble band of marauders and robbers. We do not call that war. Can any spirit of hostility or of manhood exist in

men who are subject to the slavery and oppression and murders to which they are subjected? No, sir; they have been excruciated until all that sort of feeling is gone. There is no manly spirit, no hostility left in them.

The gentleman appeals to me as one who has been raised in a country where Indian hostilities existed. I was; but I thank God that I never heard there of such scenes as these. There was war; there were hostile Indians, not poor, miserable animals that had thrown down their arms and given up their homes and were gathered together like cattle in a Reservation. We fought with men; but I never heard of any of these kind of brutalities and atrocities. If there was a single instance of the soft, the man who did it was marked—marked as a murderer, and the finger of every manly, soldierly heart was pointed at him with scorn.

Sir, these things are too often repeated in California for us to avoid the conviction that these people must have or expect to have some countenance. Here is this Captain Jarboe, writing and reporting what he has done. With ten men he has had twenty-three battles against three or four hundred Indians, and he succeeded, with his ten men, in killing three hundred men, women and children. What sort of a battle was that? Are these the people whose hostility is to be feared? Is it not a mockery in these murderers to pretend to derive an apology from war apprehended or war executed by such a people? Sir, it is a mockery.

I am not disposed to say another word on this subject; I do not wish to say another word; but I want to show to the world that we are willing, here in this House, to do what we can to fulfill our duties. California offers to take this agency of humanity. I willingly intrust it to her. If these Indian barbarities are practiced there by a portion of her people, I ascribe to her a very different character—a noble and magnanimous one. I know something about the people there; and I know, within my personal knowledge, thousands that would scorn these acts just as I do; and you (Mr. Latham) know tens of thousands. These are but the outlaws of your society. I know that. I know that you can best restrain them. The objects of this humanity are there before you. If you suffer them to be murdered, the blood falls directly upon you; your garments are stained with it, and you are responsible for it. Take the \$50,000 and perform this great duty of humanity; and for one American citizen and American legislator, I shall feel myself amply compensated for the \$50,000; and ten thousand thanks with it, if California will perform this duty. I shall vote for the \$50,000 to California.

The PRESIDING OFFICER (Mr. Foot in the Chair)—The question is on the amendment of the Senator from Massachusetts to the amendment of the Senator from California.

THE PRESIDING OFFICER (Mr. Foot in the Chair)—The question is on the amendment of the Senator from Massachusetts to the amendment of the Senator from California.

Mr. WILSON—Mr. President, the amendment that I offered I prepared for the purpose of carrying out the recommendation of the Secretary of the Interior. I was not aware that any amendment of the kind or character was to be presented by the Senator from California, or any other Senator. I have not read his amendment; but it seems to me, on hearing it read, it goes more into detail, and is more perfect than the amendment that I presented, with a view of having the vote taken on the first amendment presented by the Senator from California, and then on the last.

Now, I wish to say to that Senator, who thinks I have been quite industrious in collecting authorities on this point, that I think we ought all to be industrious in collecting authorities whenever those authorities can give us the proper information to enable us to perform our duties here—duties that belong to our common humanity. I have no desire and no wish to reflect upon the mass of the people of California in regard to these matters. I do not suppose the mass of the people of that State can approve of any acts of this kind, or that they do approve of them; but that these deeds of inhumanity, of cruelty, of bloodshed and murder are perpetrated, and have been perpetrated to a frightful and alarming extent, that shocks the sense of all intelligent and right thinking men, no one can doubt. That these things ought to have an end put to them, I take it we are all agreed.

The Senator alludes to my reference to the acts of Mr. Thomas J. Henley. My own conviction is that that man, who has been an Indian Agent in this State, has not performed his duties. I think the evidence is in the Department. I know it to be the judgment of some of the best men of California, and the officers of the Army who have served there say that he has neglected his duties, sadly neglected them. Now, in regard to this act to which I did refer—

Mr. LATHAM—Will the Senator allow me to ask him to whom he refers now?

Mr. WILSON—To Mr. Henley.

Mr. LATHAM—He has not been Indian Agent for more than a year.

Mr. WILSON—I know that. I said he had been the Indian Agent.

Mr. LATHAM—I will state also to the Senator that those extracts which he has read, referred to matters of very recent occurrence, but two or three months ago.

Mr. WILSON—In referring to Mr. Henley, I quoted the report of Lieutenant Dillon to Major Johnson. I now quote from a letter from Brevet Major Johnson to Major W. W. Mackall. That officer is now, I understand, in this city, and is well known, I believe, to be a gentleman of character. In that letter, he says:

"A few days after this event some of the settlers of Round Valley turned and killed eleven Indians over on Eel river, headed by Colonel T. J. Henley, late Superin-

that letter, he says:

A few days after this event some of the settlers of Round Valley turned and killed eleven Indians over on Eel river, headed by Colonel T. J. Henley, late Superintendent of Indian Affairs. This party, three of whom were Colonel Henley's sons, called on me. They acknowledged the killing, and justified it by producing a horse's ear and two tongues, which they stated they had found, with other evidences of guilt on the part of the Indians, in the rancheria which they had attacked. None of the party complained of having lost their stock, but said that the Indians had killed stock and would continue to do so. They killed the Indians, and then discovered what they considered conclusive evidence of their guilt. Colonel Henley approved of their course, and defends the acts of Jarboe and party. The Indians, driven by these repeated attacks from their usual places of resort have taken refuge in the almost inaccessible fastnesses of the mountains, where it is impossible for them to glean a scanty subsistence; and, pinched by hunger, they have doubtless killed some of the stock which, loose and unherded, ranges for many miles over that vast country. But that they have killed anything like the amount of which they are accused, I do not believe, nor is their evidence to substantiate the charge. Every head of stock that is missing is charged to the Indians.

This is from a report made by Major Johnson in regard to this subject. I will now withdraw the amendment I proposed, with a view of having a fair vote upon the original proposition made by the Senator from California, and then, whether that succeeds or fails, I understand the Senator will propose the amendment which his Committee have considered, which covers the object I had intended to accomplish by my amendment.

The PRESIDING OFFICER—The Senator from Massachusetts having withdrawn the amendment to the amendment, the question recurs on the original amendment moved by the Senator from California.

Mr. GWIN—I did not intend to say one word on this subject. I look upon it as a mere question of time when these Indians in California are to be exterminated. I do not think any plan can be devised by which they can be maintained in tribes or in any other manner. I believe that within the last ten years they have diminished fully one half, and probably more. The atrocities that have been committed on both sides, by Indians and by white men, cannot be excused by anybody.

Mr. FESSENDEN—I wish the Senator would allow me to ask him a question.

Mr. GWIN—Certainly.

Mr. FESSENDEN—Whether he knows of any case, or has heard of any case, in California, where any white man has been punished for these assaults upon the Indians? Are they ever convicted and punished?

Mr. GWIN—Why, sir, they have been led to these atrocities. The Indians have been punished by white men going and destroying them.

Mr. FESSENDEN—But has the Senator heard of any white man being punished for assaults upon the In-

has heard of any case, in California, where any white man has been punished for these assaults upon the Indians? Are they ever convicted and punished?

Mr. GWIN—Why, sir, they have been led to these atrocities. The Indians have been punished by white men going and destroying them.

Mr. FESSENDEN—But has the Senator heard of any white man being punished for assaults upon the Indians?

Mr. LATHAM—Yes, sir; there are some in the penitentiary, and in one or two instances, if a mistake not, they have been executed.

Mr. GWIN—Sir, these have been questions of Indian wars. Thousands of persons have been killed in them, and hundreds of thousands of dollars expended. There has been a conflict from the beginning. I do not pretend to excuse the horrible atrocities committed there on the Indians by white men; but those committed upon the Indians by white men have not transpired to the same extent as the others. They are horrible on both sides. I say, in my judgment, it is a mere question of time when these Indians are to be exterminated. They are not like the Indians any where else. They have no land. It was decided in this Senate eight or nine years ago, when the first treaties were made, that not an acre of land belonged to the Indians. Eighteen treaties were made by our first Commissioners, and were rejected by the unanimous vote of the Senate. Their hunting grounds have been destroyed; the rivers where they maintained themselves by fishing the salmon, running through them by the million, which supported them at certain seasons, are now entirely occupied by miners. The whole of the ground, upon which formerly the trees grew, where they got the acorns which they made use of as bread, has been taken up by the miners; and therefore they commit depredations. They have no place to go but to these Reservations, and they are not equal to one fifth or one-tenth of the Indians, and were not when they were established. In regard to these criminations and recriminations between officers of the Indian Department and the War Department, it is an old story. It happens everywhere. As to the charges of Captain Johnson against Mr. Kenley, he has denounced them as false, and it is a mere question of crimination and recrimination between these officers. These officers of the Government have had *ex parte* statements published against them of having committed depredations which they have proved to be false.

Everything shows that the system is a failure, and the whole system of Indian affairs in California must be a failure, because, unlike Washington and Oregon, we have no country set apart for the Indians. There are mere reservations, and around the reservations white men will settle, and they will intrude on those reservations, and the result, in my judgment, is an extermination of the Indians sooner or later. But I am struck with this thing; that the policy indicated by my colleague in his amendment certainly is the only hope that we have that these collisions can be prevented; and I would suggest to the Chairman of the Committee on

mere reservations, and around the reservations white men will settle, and they will intrude on those reservations, and the result, in my judgment, is an extermination of the Indians sooner or later. But I am struck with this thing; that the policy indicated by my colleague in his amendment certainly is the only hope that we have that these collisions can be prevented; and I would suggest to the Chairman of the Committee on Finance, who is opposed to it, that there should be an alternate proposition; that is, that if the State does not accede to this proposition, then the second amendment should be carried; for certainly it is a better system than the present one. That proposed by the Department of the Interior ought to be adopted anyhow; but I do think, if the State of California is invited to take possession of these Indians as indicated by this amendment, it will be the only gleam of hope we have that these Indians will not be speedily subjected to these massacres, because, rather than starve, they will steal, and the white men will kill them for it.

Mr. HUNTER.—The Senator from California suggests that we adopt the alternative. Now, sir, I am afraid of the policy recommended in the first amendment. If we adopt it in regard to California, we must extend it to Texas; we must extend it to Minnesota; we must extend it to all the States in which the Indians lose their tribal character; and we must make those governments our agents, to whom we are to disburse and dispense these sums that are annually to be given. It will create a state of relations between the States and the General Government which may be embarrassing in the extreme. It may turn out that we may be abandoning that trust which belongs to us, so far as this money is concerned, to see it administered in the best way possible for the Indians; and, therefore I am unwilling, so long as we acknowledge an obligation upon us to provide for them, and to appropriate money, to trust them into other hands than those which are immediately re-

sponsible. I acknowledge, on the other hand, that whenever the State of California chooses to claim jurisdiction over them, they having lost their tribal character, she has a right to do so; and whenever she does, I should feel I could not resist the demand. I should be willing then to relinquish to her the Reservations, and all the lands connected with them, if she should thus claim to assume it. But in the meantime if we are to have jurisdiction over them, and spend money on them, I think it ought to be done by our own agents.

I feel the difficulty and I appreciate the motive which induced the Senator from California to offer this amendment; I believe it is a humane motive; I believe he really desires to do something which may minister to the happiness of these people; but whether it is the best mode of effecting it is very doubtful. I fear he is mistaken in that. At any rate, I am unwilling to embark in a policy which may lead us to such lengths as I think it will go, without recommendation from a Department, without sufficient consideration; without having studied the subject more than we have had an opportunity to do.

The other amendment strikes me favorably; and that I think, I shall vote for. It seems to me to be right; and I think that probably it would be best for him to rest content with the other amendment for the present. Between now and the next session he may have more information; he may be able to mature some system inconsistent with his present theory which may satisfy us all. I would prefer, therefore, if the suggestion should meet the view of the Senators from California, that, for the present, they be content with the other amendment, which is in the alternative.

The PRESIDING OFFICER—The question is on the original amendment of the Senator from California.

Mr. LATHAM called for the ayes and noes, and they were ordered; and being taken, resulted—ayes, 15; noes, 28; as follows:

Ayes—Messrs. Bigler, Brown, Crittenden, Foot, Gwin, Hamlin, Hemphill, Iverson, Johnson of Tennessee, Lane, Latham, Mallory, Nicholson, Rice, Sebastian—15.

Noes—Messrs. Bingham, Bragg, Bright, Chandler, Clark, Clingman, Dixon, Doolittle, Durkee, Fessenden, Foster, Green, Grimes, Hale, Harlan, Hunter, Johnson of Arkansas, King, Mason, Pearce, Powell, Simmon, Sidel, Sumner, Ten Eyck, Tombs, Wade, Wilson—

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Noes—Messrs. Bingham, Bragg, Bright, Chandler, Clark, Clingman, Dixon, Doolittle, Durkee, Fessenden, Foster, Green, Grimes, Hale, Harlan, Hunter, Johnson of Arkansas, King, Mason, Pearce, Powell, Simmons, Slidell, Sumner, Ten Eyck, Toombs, Wade, Wilson—28.

So the amendment was rejected.

Mr. LATHAM—I now offer the other amendment that I have spoken of. It is to insert, after line nine hundred and twenty-five, the following:

"Provided, That the Secretary of the Interior may divide the State of California into two Indian districts, and that the President of the United States, by and with the advice and consent of the Senate, shall appoint a superintending agent for each district, at a salary of \$3,600 per annum; who, upon executing a bond upon such terms and in such sum and security as the Secretary of the Interior may prescribe, shall have under his control and management, as the Secretary may prescribe, the Indians and Reservations in their separate respective districts. Each superintendent may appoint, subject to the confirmation of the Secretary of the Interior, a Supervisor for each Reservation in his respective district, to instruct the Indians in husbandry, at a salary of \$1,500 per annum; and also appoint not exceeding four laborers, to aid such Supervisor, at a compensation not to exceed fifty dollars per month. And provided further; that the Secretary of the Interior is authorized, at his discretion (if deemed expedient), to lease either or all of the reservations or farms, for a term of years, to responsible parties who may be willing to farm them, and provide for the support and comfort of the Indians thereon, or who may be brought there by the Superintendent, for a sum not exceeding \$8,000 per annum, and upon such party giving bond in such terms and for such sum as the Secretary may dictate, for the faithful performance of his contract, to support the Indians, preserve and return the Government property intrusted to his care: And provided further, that the express conditions of such leasing is to save the Government of the United States from all expense connected with said Reservations, except the salary of the Superintendent of each district, and the lessee is to receive and support all Indians brought to the Reservations by the Superintendents: And provided further, that all Acts or parts of Acts in conflict with this provision be, and are hereby repealed."

The amendment was agreed to.

SACRAMENTO DAILY UNION

SACRAMENTO, FRIDAY MORNING, JUNE 29, 1860.

SACRAMENTO DAILY UNION.

[BY THE POST EXPRESS.]

AN APPROPRIATION BILL.

on Jarboe and the Indian Mass-

spoken of, and were daily committing their depredations. I endeavored to make a treaty of peace with them, and sent my interpreter out to their camp, who talked to them: he was a friendly Ohumac Indian. They replied that they would kill every white man they could; and all the stock they could find—giving no reason for it—and daring me to come out and fight. I did not attack them for some days afterwards, still hoping

to take care of the Indians there. If you give authority to the State to punish these parties; if you give authority to the State to take these Indians under its control, instead of having your irresponsible agents there, you would hear nothing more of these "massacres" upon which the Senator from Massachusetts dwells. Mr. President, the policy which I have designed to inaugurate by my amendment was for the State, after

men who are subject to the slaver murders to which they are subjected have been excruciated (until all is gone. There is no manly spirit left in them. The gentleman appeals to me raised in a country where Indian was; but I thank God that I never