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CAMP NORRIS, SACRAMENTO VALLEY,
July 12, 1851.

SIR: Your communication, informing the joint board that their commission as commissioners was abrogated by a late act of Congress, and instructing us to continue our negotiations with the Indians, and assume our duties as agents, has been duly received, as also one of a subsequent date, requesting the joint board to accompany the troops that may go out against the Indians.

Since my communication of the 26th May, I have spent my time in attempting to conciliate and pacify the Indians in "El Dorado county."

The State having sent out troops against the Indians, and after having several engagements, they finally left them in the same position they found them. Convinced of the difficulty if not impossibility of dislodging or subduing them, they then went into a rancharo occupied by those who had been known to be friendly to the whites, and captured several as prisoners. Soon after the troops were disbanded, and the war declared happily terminated.

I have been informed that on former occasions those Indians who had been at peace with the whites have been cruelly persecuted by those who either killed or abused their men, without assigning any cause therefor, all of which has been very unfortunate, making it difficult for me to have an interview with, or conciliate them when I am favored with a talk: they have but little confidence in my promises, when they witnessed so many acts proving the reverse of my statements that the white man is the true friend of the Indian.

I have, however, made preliminary arrangements by which I expect to consummate a treaty with them. This will take time, as it can only be done after inspiring them with confidence.

In order to effect this I have licensed traders who have sufficient influence with them to conduct their trade and disseminate the friendly talk

I have sent men among them who speak their language and are influential, and placed beef cattle under the care of the traders, in order to supply their pressing necessities for food, and to induce them to come down from out of their mountain fastnesses, all of which it is to be hoped will have the desired effect of causing them to come in and conclude a treaty. I speak of this as the only true policy; further experience only confirms previous statements, that the Indians are numerous and formidable, and it is difficult, if not impossible, to subdue them by waging war; it is possible to make terms with them by exercising a proper and humane policy, making them not only useful to themselves, but to the white community at large.

In order to accomplish this there should be an efficient government force stationed at convenient points, so as to protect both parties, and aid in enforcing the laws. In relation to the latter, I have caused to be published a communication relating thereto, as it is one fruitful of evil, and should be suppressed if we desire an influence over the Indians. Without the laws and regulations of the department are enforced here, no attempt at conciliation can succeed.

The section of country in which I am now laboring, and in which so many obstacles have presented themselves in attempting to consummate a treaty, is that in which the discovery of gold was first made, in or near the south fork of the American river, extending to the Yuba on the north, the Sierra Nevada on the east, and the Mocalumne river on the south, embracing an area of country of say ninety miles square, within which there are, so far as can be ascertained, about forty thousand Indians; one-fourth or one-third that number are disposed to be friendly, and have more or less intercourse with the whites, and express great satisfaction after being told that it is the intention of the government to set apart lands for their use, and assist and teach them to live like the whites.

Mr. "Norriss," and others who have been living here for many years, and who have had intimate communication with them, say that there have been at least eighty thousand Indians within a few years past within the above limits, and think that my estimate is too low. They have diminished very rapidly of late, the mortality having been great among them; the Indians themselves attribute it to the fact of putting on the clothing of the white man, and I have no doubt but this is one cause, as they are much more healthy in their nude condition.

The cholera has carried off a great many, as well as other diseases which have prevailed among them; and they are disappearing from the whites by going up into the wilds of the mountains.

As previously stated, they have learned to distrust the white man; and it would appear that the difficulty of treating with them is in due ratio to the comparative length of time that the whites have been among them.

The friendly relations which so happily existed at first have been broken, and the Indians are on the move east, going up into the mountains where they can carry on a war of retaliation, making it unsafe for the whites to go out with a view of further exploration; and, as before stated, it will be difficult to dislodge or subdue them; but by having the laws enforced against all aggressors, and making provisions for them, they can be brought in at a trifling cost in comparison to the expenses of a war.

I have had couriers sent out in different directions, requesting the head men of the different tribes to meet me at this place, with some of whom I have had an interview, agreeing with them to meet at a point near the

Yuba river, in the mountains, where I feel sanguine of collecting some thousands, and concluding a treaty; from thence will proceed on as rapidly as possible, visiting, conciliating and treating with them. As the disaffections and difficulties are increasing daily, it is all-important that this be done soon; yet, owing to the many difficulties presented from various causes and quarters, the want of funds leading to a want of confidence on the part of the Indians in the fulfilment of stipulations and making them presents, and owing to the success of those Indians who are in open hostility with the whites, and the distrust of those disposed to be friendly, it is difficult to assemble them; the first will defy me, and the latter deny my authority by keeping out of the way. Another difficulty here is owing to the peculiar organization, or, more properly speaking, the want of organization among these Indians, having no influential chiefs who can control them. They are in small bands, consequently difficult to get them to act in concert even in one band, and much more so with different tribes, as they are generally at war with one another; consequently very distrustful when it is attempted to bring them together. And I have reason to believe, nay, I am satisfied there are some white persons who, through selfish motives, dissuade them from coming in to meet me. Owing, as above stated, to all these difficulties, my progress has been slow; but be assured that it is to be attributed to the foregoing causes, and not for the want of untiring exertion on my part, as I have the work at heart, and will leave nothing undone which may be within the compass of my ability; and am yet confident in the belief that the most sanguine hopes may and will be realized in pacifying the Indians, and ameliorating the unfortunate state of affairs existing between them and the whites.

By the 1st proximo I will make up the quarterly returns; it will then have been three months from the time of our separation as a joint board, and thereafter monthly statements if it is possible to do so.

The commander of the Pacific department has very kindly ordered out twenty-five mounted men, under command of Captain Stoneman, to act as escort, affording me ample protection when required, and at the same time they are enabled to move with celerity in comparison with larger trains. Additional force, however, has been placed under orders, to be used should it be deemed expedient.

Respectfully, your obedient servant,

O. M. WOZENCRAFT,
United States Indian Agent.

Hon. LUKE LEA,
Commissioner of Indian Affairs.

To the people living and trading among the Indians in the State of California.

From information received, as well as from personal observation while travelling among the Indians, and in conformity with the requests made me by the inhabitants, more particularly the miners, in sections of country occupied by Indians, it is deemed expedient to publish a communication, advisory of the proper policy to be pursued towards the Indians, and the laws in relation thereto, that none may hereafter plead ignorance of the

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existence of said laws, and to inform them that those laws will be *enforced*, in all and every instance, on those who may become amenable to them.

It would appear that most of the difficulties that unfortunately have occurred between the white and red men have been owing to an improper and short-sighted policy, or rather a want of true policy, with these children of the forest. Since the discovery of gold in this region, the section of country that was, and is necessarily the homes of the Indians, has been found rich in the precious metal, and consequently filled with a population *foreign* to them; and this has been done, in most instances, without attempting to conciliate them or appease them in their *grief* and *anger* at the loss of their homes.

I am sorry to say that, in many instances, they have been treated in a manner, were it recorded, would blot the darkest page of history that has yet been penned. Had they even been *foreign* convicts, possessing as they do, a full knowledge of the evils of crime and the penalties therefor, and received the punishment that had been dealt out to these poor, ignorant creatures, this enlightened community would have raised a remonstrative voice that would have rebuked the aggressor, and caused him to go beyond the pale of civilized man.

Indians have been shot down without evidence of their having committed an offence, and without even any explanation to them of the nature of our laws. They have been killed for practising that which they, like the Spartans, deemed a virtue; they have been rudely driven from their homes, and expatriated from their *sacred grounds*, where the ashes of their parents, ancestors, and beloved chiefs repose. The reverential and superstitious feeling of the Indians for the dead, and the ground where they are deposited, is more powerful than that of any other people.

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

In addition to the foregoing direct, atrocious outrages, so frequently perpetrated on the Indians by those claiming to be *civilized* men, there are those who *indirectly* cause as much mischief, endangering the lives of the families in the community, and finally destroying the Indians as surely, if not as speedily, as the first.

They are those who, for present gain, steel their consciences against the future consequences, knowing them fraught with frightful evil; selling these sanguinary beings intoxicating liquors, contrary to law, and in opposition to the dictates of their better judgments, and likewise selling them arms and ammunition; thus inciting them to acts of violence by intoxication, and then placing in their hands those instruments with which they may, and do seek vengeance alike on the innocent and culpable.

I am happy to learn that there are but few who now prosecute this dangerous and unlawful traffic, and those few are supposed to be foreigners;

and the law-abiding citizens freely proffer their aid in bringing them to justice.

As stated above, I will herewith publish the laws in relation to this traffic, that ignorance may not be plead in extenuation.

An act to regulate trade and intercourse with Indian tribes, and to preserve peace, &c.

SEC. 13. *And be it further enacted,* That if any citizen, or other person, residing in the United States or the territory thereof, shall send any talk, speech, message or letter to any Indian nation, tribe, chief or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquillity of the United States, he shall forfeit and pay the sum of two thousand dollars.

SEC. 20. *And be it further enacted,* That if any person shall sell, exchange, or give, barter or dispose of any spirituous liquor or wine to an Indian, in the Indian country, such person shall forfeit and pay the sum of five hundred dollars: and if any person shall introduce, or attempt to introduce any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the same, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars: and if any superintendent of Indian affairs, Indian agent, sub-agent, or commanding officer of a military post, has reason to suspect, or is informed that any person or Indian is about to introduce, or has introduced any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, or places of deposit of such persons to be searched; and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such person shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except military supplies, as mentioned in this section; and, by a subsequent act of Congress, imprisonment for a term of two years is also imposed upon all offenders.

It is also provided that, in all prosecutions for the offences mentioned in the first of the foregoing heads, "Indians shall be competent witnesses."

In relation to the proper policy to be pursued towards those Indians who are provided with fire-arms, I would suggest that they be disarmed, but not in the manner advocated by some, who would either shoot them, or violently wrest their arms from them. It would be well to consider, first, that they *bought* those arms from the white man, and we would wish to teach them that the acts of the white man are good; and we would wish to teach them to imitate them; and it is not correct for them to infer, that because one or more white men act badly, the balance are necessarily so.

∴ The proper policy would be to require of those Indians who may be

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found with arms in their hands, to inform on those from whom they were purchased, taking him or them before the culpable trader, demanding a return of the amount paid by the Indian, and making him feel the consequences of his derelictions.

O. M. WOZENCRAFT,
United States Indian Agent.