

JULY 31, 1860.

APPRENTICING INDIANS.

Under an Act passed by the last Legislature, a large number of Indians are now held in domestic servitude in this State, whose condition differs very little from that of absolute slaves. This law provides that persons who may wish to obtain Indians, "whether as children or grown persons, when held by their parents, or other persons, holding with consent of their parents, or when held as prisoners of war, or when having no settled habitation or livelihood"—have only to go to the County or District Judge and agree to "suitably clothe" and provide for them necessaries of life, when the Judge may execute indentures binding out such Indians as apprentices to trades, husbandry or other employments, for terms as follows: For males under fourteen until they are twenty-five years of age, and if between fourteen and twenty, until they are thirty years of age, during which time the master shall have the care, custody and control of the Indians and their earnings. A moderate acquaintance with the "genius" of our State laws, and the status of the Indian in this country will enable a person to perceive the drift and tendency of the above Act, and the facilities it affords, particularly in the parts italicised, for the establishment of a system of involuntary servitude in our midst. If anything were wanting, however, to fix this intent, we should find it in the succeeding section, which, with mock

agency of the above Act, and the facilities it affords, particularly in the parts italicised, for the establishment of a system of involuntary servitude in our midst. If anything were wanting, however, to fix this intent, we should find it in the succeeding section, which, with mock earnestness, forbids the forcible abduction or subjection of Indians for domestic servitude, "except as provided in this Act." That exception restores to full force the previous provisions, by which Indians of all ages and of both sexes may be either taken while running at large, or when held as "prisoners of war," or even when committed by their parents to the charge of particular white persons (probably by hire in the latter case), and made to bind themselves out for a term of years to any work which may be required of them. If this does not fill the measure of the constitutional term, "involuntary servitude," we shall be thankful if some one will inform us what is lacking.

And this is only the legal aspect of the case. It is, to be sure, a pretty bold stretch of legislation, and completely throws in the shade all former attempts to get possession of our California Indians that have been made since the days of the Spaniards. Then, indeed, a tolerably well matured system of Indian slavery existed in this country, under the patronage of the reigning ecclesiasticism. In 1850, a law was passed enabling persons to take into their household service minor Indians, male or female, by simply going before a Justice of the Peace and obtaining a certificate, by which the child was held bound, if a male, until he was eighteen, or a female fifteen, years of age and no lon-

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would enable the constituents of that Senator in the southern part of the State to secure the end they sought without difficulty. It remained for the Legislature of 1860, however, to consummate so much of the scheme of making servants of the inferior races in this country as could be comprised within a system of Indian apprenticeship.

If we would know the actual working of these laws, we must go over into some of the sparsely settled valleys of the coast range or into the northern border counties. According to some of the testimony produced before the very Legislature which passed the last Act, white men are in the habit of substituting Indians for pack-mules when the snows of Winter make the mountain trails inaccessible to the latter, and of compelling them to perform the most menial drudgery of their cabins. But the most disgusting phase of this species of slavery is the concubinage of creatures calling themselves white men with squaws throughout various portions of the State. The details of this portion of the "apprenticeship" system are unfit to commit to paper.

The Indians of the country have been so long accustomed, under their Spanish masters, to be treated as menials, that we shall not expect public attention to be called to their case by any determined resistance to the decrees of our Courts, and hence the evils of Indian servitude and concubinage will increase until it shall be found difficult to extirpate the one and remedy the social nuisance created by the other. Indian peonage has existed among white men in California since 1846.

Commanders who hoisted the flag at the ports on this coast in 1846, was aimed at its suppression. We read in the San Francisco papers of that date, in a "Proclamation to the inhabitants of the Northern District of California," issued by John B. Montgomery (Captain of the U. S. S. Portsmouth), commanding the District of San Francisco, that it has come to his knowledge "that certain persons have been and still are imprisoning and holding to service, Indians against their will and without any legal contract, and without a due regard to their rights as free men, when not under legal contract for service." And therefore, continues the Proclamation:

It is hereby ordered that all persons so holding or detaining Indians shall release them, and permit them to return to their own homes unless they can make a contract with them, which shall be acknowledged before the nearest Justice, which contract shall be binding upon both parties.

The following extract also appears:

The Indian population must not be regarded in the light of slaves, but it is deemed necessary that the Indians within the settlement shall have employment, with the right of choosing their own master and employer, etc.

For which purpose they were authorized to go before a Justice of the Peace and bind themselves to serve whom they see fit, and all Indians found roaming about the country "in an idle and dissolute manner" were liable to arrest and punishment by labor on the public works." This proclamation is dated September 15, 1846.

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DAILY UNION, TUESDAY, JULY 31, 1860.

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