

SECRETARY OF THE INTERIOR.

811

in a section of country, &c, where the soil is better, climate more pleasant, and seasons for all kinds of grain never failing.

All of which is very respectfully submitted by

Your most obedient,

M. B. LEWIS, *Sub-Agent.*

JAMES Y. McDUFFIE, Esq.,

*Sup't Indian Affairs, San Francisco, Cal.*

No. 200.

TEJON AGENCY, CALIFORNIA,

August 12, 1859.

SIR: I have the honor to submit this my annual report. The Indians within this agency number, approximately, fifteen hundred souls; of this number about six hundred compose the families that are now living upon the Tejon reservation. Throughout the entire agency, during the past year, the Indians have enjoyed general good health, and have been peaceable. The crops on the reserve have been below an average yield, the causes of which were given in my last annual report, in which I stated the drawbacks to the successful cultivation of crops, except in very wet seasons, and the general prosperity of the reservation; and now, after another year's experience, I see no reason to change my opinions or recommendations therein expressed. The policy of setting apart a small quantity of land to each Indian family to cultivate, with the understanding that the products thereof would be exclusively the benefit of the individual that farmed it, was adopted last season, and with the most flattering results. The Indians are well satisfied with this plan, knowing that they are working for themselves, and secured in the enjoyment of the fruits of their labor.

Owing to the recent reduction of employes on the reservation, I deem it prudent to suggest that a small detachment of troops be stationed near the agency buildings, to protect our lives and the public property from destruction in case of an outbreak among the Indians, which experience has taught us to expect at any moment and to guard against. It is not surprising that Indians having such facilities for obtaining whisky, as those under my charge, are often found drunk. At such times, and I might say at any time in our present defenseless condition, should an attempt be made to punish them for drunkenness or insubordination, it would be too much of a temptation for the Indians to rebel, and, if persisted in, to overpower us.

I would respectfully call attention to what I conceive a matter of importance as regard, the prosperity of the reservation, and the future peaceful disposition of the Tejon Indians. The extent of the Tejon or Sebastian reservation, when first established, was 50,000 acres of land, surveyed and set apart for the exclusive use of the Indians. This quantity was reduced by Congress to 10,000 acres, and, after a short lapse of time, increased to 25,000 acres. These changes have set aside the first survey, and have left what is reserved land entirely

without metes or bounds. Neither the 10,000 acre nor the 25,000 acre tracts has ever been surveyed. This difficulty would appear to be easily disposed of, by surveying the land and marking the limits of the reservation as established under the present law, and removing summarily all intruders that may have settled within its boundaries. But this is not the only point to dispose of in this connection. During the time Congress was authorizing the changes referred to, the entire reservation was claimed as private property under a grant from the Mexican government; which claim has been submitted to two of the United States courts in California, and, in both, the decisions have been in favor of the claimants, and adverse to the United States.

In consequence of the uncertainty brought about by the above causes, as to what is or is not reserved land, also as to who are the rightful owners of the premises, has induced several white men to settle upon the land embraced within the first survey, and what evidently must belong to the reservation, if such an institution has an existence.

These settlements are encroaching more and more upon what has heretofore been considered, by all, the property of the Indians.

These encroachments, with their attendant annoyances, unless promptly checked, cannot fail to weaken the faith of the Indians in the ability of the government to protect them, and their confidence in the officers of the department whose duty it is to control them and guard their interests.

As I am in much doubt as to the proper course to pursue, under the circumstances, to prevent settlements on the reservation, and further encroachment upon what I believe to be the rights and privileges of the Indians, also as to the extent of my authority as Indian agent in such cases, I deem it my duty to submit the matter for consideration and instructions.

Very respectfully, your obedient servant,

J. R. VINEYARD,

*Indian Agent.*

J. Y. McDUFFIE, Esq.,

*Superintendent Indian Affairs, San Francisco.*