
CALIFORNIA SUPERINTENDENCY.

No. 26.

OFFICE INDIAN AFFAIRS,
San Francisco, California, August 19, 1867.

SIR: In accordance with the regulations and instructions of the Indian department, I have the honor to submit this my first annual report concerning Indian affairs in California.

The Indians within my superintendency are believed to be generally peaceable and quiet. There are a few, however, at Hoopa valley, the relations and friends of Indian Frank, (who killed Agent Stockton and three other white men last April,) upon whom we keep a very close watch. Great pains have been taken by the agents and employés on the different reservations and Indian farms to instruct young and healthy Indians in the use of agricultural implements, in handling teams and in taking care of crops in a careful and frugal manner, so that there is but little difficulty in getting out laborers sufficient for all ordinary work. We are sometimes compelled to employ a practical miller at Hoopa, and an expert to manage threshing machine and reapers at the other reservations.

It requires patience and endurance to instruct wild Indians in the various kinds of field labor. The agent or employé goes into the field and takes them separately and instructs each one in the particular branch of industry to which he has been assigned. Some of the Indians are becoming good farmers and render great assistance, not only as laborers but as monitors.

ROUND VALLEY.

The crops at Round valley are excellent, and have been planted and cultivated in a farmer-like manner and are now partially gathered, giving evidence of an abundant supply for the subsistence of the Indians on that reservation, and others whom I hope to gather in some time next fall. The sanitary condition of the Indians on all the reservations has greatly improved since last December, and particularly those of Round valley and Tule river. It is deeply to be regretted that they cannot be kept more isolated. They are peaceable and contented except when their domestic relations are broken up by outside inter-

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ference. No white man should be allowed on the reservation except those in the employ of the government, or persons having special business with them. I have rules posted up disallowing it, but how are they to be enforced? Round valley is full of settlers who are in possession of the best and most fertile portion of the lands set apart by the government for Indian purposes. The settlers claim that they went there at the request and with the consent of a former superintendent of Indian affairs; that it was at the time intended for mutual protection. They have made valuable improvements, and the most respectable and intelligent portion of them say that they are ready and willing to vacate the lands whenever the government will pay them for their improvements. This, it would seem to me, is but just under the peculiar circumstances. There is another class of settlers, some of whom I am informed bought out old possessory claims, and some located without the consent of either superintendent or agent. These insist that the government has no right in the valley, they assert that they have no use for the military at Camp Wright, or for the office of the Indian department. They ask to be let alone, that they may occupy the valley in peace, and manage the Indians in their own way. I had a conversation with one of the most prominent of this class, and I have used nearly his exact language. Many of them are frontier men of the border ruffian stamp; the same style of men who wanted to be let alone at the commencement of the late rebellion. They evidently think that an Indian "has no rights that a white man is bound to respect;" that all should be killed off except such as the settlers covet as men servants or maid servants. This class of settlers are continually creating disturbances among the Indians by selling or giving away liquor among them; by enticing women and children away from the reservation, and not infrequently by boasting of the number of "buck" Indians they have killed, as if it were an achievement to be proud of. Strange as it may seem, they either have sufficient numbers or sufficient influence to elect one of their number as justice of the peace. That being the only civil magistrate in the valley, and for many miles distant, no man, however guilty, can be convicted of a misdemeanor for selling liquor to Indians or soldiers, nor for enticing away Indians from the reservation or soldiers to desert. These frequent offences we are obliged to pass unnoticed, or resort to the United States court in San Francisco. Then it involves the necessity of taking witnesses over 200 miles away from their homes and business at great expense. This is almost a certain denial of justice.

I respectfully recommend and urge that immediate steps be taken to adjust all matters in dispute between the government and settlers; that commissioners be appointed without delay to ascertain and report what particular persons or settlers are entitled to compensation for improvements, and that an appropriation be made to meet the payment of the same, and that such summary measures be adopted to remove all other persons from the valley as shall be thought expedient. Without some action of Congress to effect a settlement of these matters so as to carry out the original plan of occupying the valley for Indian purposes, it will be impossible for any superintendent or agent to properly administer Indian affairs in that locality. Round valley is the spot above all others pointed out by nature as a suitable location for an Indian reserve and the resting-place of the red man, after having been driven from hill-top to mountain, and from valley to valley. Under no circumstances whatever should it be abandoned or given up to white settlers.

The entire valley was first selected for reservation purposes by Superintendent Henley, in 1856, and by order of the Secretary of the Interior, dated May 3, 1863, was surveyed by competent authority, and set apart for Indian purposes. None of the land in the valley has ever been entered in the land office by settlers. The mill property, a little out of the valley, was so entered, and I believe patented. It is no difficult matter to ascertain the nature and validity

of all claims set up in opposition to the government and have them adjusted on legal and equitable terms.

It is utterly impossible for barbarous white men and uncivilized savages to get along in harmony together. Many millions of dollars have been expended, and many valuable lives have been sacrificed to *put down Indian hostilities*, which might have been saved if suitable measures had been adopted to prevent improper intimacy between white men and squaws, and other brutal conduct in the immediate vicinity of reservations. I beg leave most respectfully to call the attention of the department to the insufficiency of the \$5,000 appropriation for the purchase of a grist and saw mill at Round valley. You will see from my letter of May 28, that the whole property, including the late improvements, three yoke of oxen and truck for logging, blacksmith's tools, &c., can be had for \$7,000 *in gold coin*, and nothing less. The mills are an indispensable necessity, and I hope that a further appropriation of about \$5,000 (calculating the present value of currency) will be made at the earliest practicable period. The granaries of this reservation are overflowing with superior quality of grain, and no market for it without reducing it to flour and meal.

TULE RIVER INDIAN FARM

Consists of 1,280 acres of very productive land, which the Indian Department rents from Thomas P. Madden, at an annual rent of \$1,280, and also two townships of government land, less productive, which has been set apart for Indian purposes. The government land lies alongside of the Madden tract, but has no water upon it except that which is carried by a ditch across the latter. The two townships set apart for Indian purposes would be worthless as a reservation without the Madden tract, as the latter borders upon the river, and access to it is indispensable. The two tracts combined would be amply sufficient for a permanent and desirable reservation, and its products would be abundant for the subsistence of the Indians now there, and as many more as could be gathered in from the bands of Indians scattered through that portion of the State.

The attention of the department has repeatedly been called to the importance of establishing a permanent reservation at Tule river, and of purchasing the Madden tract for that purpose. The late Commissioner, D. N. Cooley, esq., in his report to the Secretary of the Interior, dated June 26, 1866, says :

In the southern part of the State the Indians whom it will be necessary for the government to provide for can be accommodated and sustained on a reservation which could be established by the purchase of Mr. Madden's farm, and the reservation of the adjacent public lands as recommended in the communications of Superintendent Maltby, of December 6, 1865, April 16 and April 20, 1866. If this was established as a permanent reservation, improvements of a more permanent and substantial character would be speedily made. Much of the labor required would be performed cheerfully by the Indians, and in a few years the property would be worth two or three times the cost of the Madden tract. It can be purchased for \$10 per acre in *gold coin*, as may be seen from Mr. Madden's letter of May 16, 1866, in answer to a letter from Superintendent Maltby of May 11, 1866, now on file in your office.

The Indians are very much attached to Tule river, and are always troubled when they hear any suggestion about the probability of removal.

Special Agent John W. Miller returns as the product of this year, so far as the harvest has progressed, 237,780 pounds of wheat; 38,400 pounds of barley; 33,720 pounds of rye; 6,000 pounds of turnips; 1,000 pounds of peas; 50 tons of hay.

The Mission Indians, in southern California, manifest great industry and thrift, with the exception of a few who are under the influence of bad white men and outlawed Californians. These Indians have been as well provided for by this superintendency as the limited appropriations would warrant. Those inclined to be industrious have been supplied with agricultural implements and

seed for sowing and planting, working tools, blankets, clothing, &c. Those unable to work have been supplied with blankets, clothing, and a limited supply of food only, depending chiefly upon their relations and friends for fish, meats, and vegetables. Many of the Mission Indians had lands allotted to them under the secularization laws of 1834, but there were many irregularities in the distribution, and but few of them have any record evidence or paper title showing what they are entitled to. They continually complain of encroachments upon their centennial possessions by white settlers and land speculators.

I respectfully recommend that a suitable place be selected in the southern part of the State as a reservation expressly for the Mission Indians, and that they be gathered in as speedily as practicable, and then kept from all contact with the whites, except so far as may be necessary to dispense beneficial gifts and education, and protect them from intruders. They now number about three thousand. Many of them are intelligent and religious, and speak both Spanish and English. If any one class of Indians is any more worthy of the fostering care of the government than another, it is this class. The general practice has been to deal most liberally with those who give us the most trouble. A liberal expenditure of well-directed leaden bullets for the latter, and an ample supply of blankets, clothing, and food for the former, would meet my approbation much better. The Mission Indians cannot much longer be well protected where they are. Lands are becoming valuable, and every legal advantage that can be taken of them will be enforced by persons claiming under some patent from the State or general government.

The Indians are too numerous to be removed to Tule river or any reservation now established, and, besides, it would cost the government more to remove them than to establish them near where they now reside. They are mostly located in Los Angeles, San Bernadino, and San Diego counties, many of them from 300 to 500 miles from Tule river, and more than a thousand miles from the next nearest reservation.

I have no hesitation in saying that if these Indians could be fairly located on a good piece of land which they could occupy without molestation, and have schools established among them for the education of their youth, they would in a very short time supply themselves with all needful articles of clothing and implements of husbandry, and raise an abundant supply for their own subsistence, so that the Indian department would be wholly relieved from any further taxation in that quarter. I would respectfully call the attention of the department to the careful report of J. Q. A. Stanley, special Indian agent at Los Angeles, of November 9, 1865, for valuable statistical information in regard to the Mission Indians; also his report of 1866, found on page 102 of the report of Indian affairs of that year.

HOOPA VALLEY.

This reservation was selected in 1864, and the settlers immediately gave up their improvements and such personal property and agricultural implements as were wanted for the use of the reservation. March 3, 1865, an appropriation was made of \$60,000 to pay settlers for their improvements, and the same has been expended for that purpose according to the specific instructions given. A separate appraisement of the personal property, I am informed, was made and sent on, amounting to about \$4,267, but no appropriation has ever been made to meet the payment, that I am aware of. The settlers are becoming uneasy and often question me about this money.

The crops at Hoopa this year are very light, probably not more than half the crops of last year. This is attributable to a combination of untoward circumstances entirely beyond my control. On my first visit to that reservation last February I found it entirely destitute of suitable teams for ploughing and other heavy farm work. There are nominally on the property returns seven mules,

seven horses, and four mares, but there is not a good working team among them all. The mules are not less than 30 years old and very small, fit only for light work. The horses are light riding horses, and used chiefly in driving and hunting cattle, and riding about to the different Indian ranches after laborers, and in preserving order among the Indians. The insufficiency of teams and agricultural implements, the cold and stormy weather, which lasted late in March, and finally the murder of Agent Stockton and others, and the subsequent flight and resignation of several of the employés, rendered it almost impossible to raise produce enough for the subsistence of the Indians on that reservation.

I hired several good teams and repaired some very inferior ploughs, and made a vigorous commencement towards putting in a winter crop.

Several hundred acres were sown while I was there. Soon after I left stormy weather set in again and lasted for several days. In the latter part of March farming was going on prosperously when the agent was killed, which created a great panic in the entire valley. Farm labor was partially suspended, and some of the most reliable employés resigned. I immediately sent Mr. Hoffman, the office clerk, (in company with other employés to fill the vacancies,) to the reservation, but the season was too far advanced, and several hundred acres of the best land in the valley was permitted to grow a very indifferent crop of volunteer grain, (but a prolific crop of weeds and bushes,) a portion of which only was fit to cut even for hay, and none of it for threshing. There will be no grain or potatoes on that reservation fit for seed for another year's crop. New seed should be procured by all means, not only to renovate and improve the next crop, but as a necessity growing out of the scanty allowance of breadstuff for the present year's subsistence for the Indians. By a judicious expenditure of \$20,000 for good teams, first-class agricultural implements, seed wheat, oats, barley, peas, beans, potatoes, &c., &c., for that reservation, it can be made as productive and more successful than Round valley—more successful because the land titles are settled, and outside interference will not be so likely to occur. There is really not a single plough, harrow, threshing machine, reaper or harness on Hoopa reservation that is at all fit for use, and scarcely anything worth repairing. Many of them were of an inferior quality, and much worn two years ago when they were turned over to the Indian department by the settlers. They have been in use ever since and handled chiefly by Indians, who are not usually remarkably careful of anything except themselves where there is no white man with them.

It is my purpose, if permitted by the Indian department to exercise my own judgment, to purchase a better class of agricultural implements, working tools, and teams, especially for Hoopa and other permanent reservations; also a better quality of all kinds of Indian goods for distribution. It is most shocking economy to purchase miserable shoddy goods for the Indian department and pay a large bill for transportation to the remote and mountainous Indian country where they are to be used, then find, when it is too late to remedy the evil, that they are of no service or practical utility whatever. Without going into particulars, or desiring to advert to the past any more than is absolutely necessary to illustrate my views, you will pardon me if I call your attention to the "satinette" goods purchased for distribution last year. Those sent to this superintendency were not worth the buttons and thread and the trouble of making them up. The shoes were but little better. The blankets were mostly purchased at the Mission mills in San Francisco, and were of most excellent quality. I respectfully submit that as transportation is so large an item of expenditure in the administration of Indian affairs in California, the superintendent be permitted hereafter to purchase all Indian goods for distribution in this State in San Francisco, and of most durable quality. There is nothing needed in the department that cannot be purchased cheaper in San Francisco than it can be in the Atlantic States and shipped out here.

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SMITH'S RIVER INDIAN FARM

Was rented from David Buel, soon after the great freshet in 1861 which swept away the arable land and buildings belonging to the Klamath reservation. The Indians were removed from the Klamath to Smith river, and on the 31 day of May, 1862, the Secretary of the Interior directed all the lands within certain boundaries intended for a reservation (not occupied by pre-emption) to be withdrawn from sale for Indian purposes. At that time nearly all the land fit for cultivation within those boundaries was occupied and claimed by the whites, and a portion of it has been rented for Indian purposes ever since. Most of the lands not claimed by whites is a dense forest, and although it may be valuable at some future period, it is at present of but little service as an Indian reservation.

In my quarterly report, forwarded April 14, 1867, I recommended the removal of the Indians from Smith's river to Round valley, or a part to Round valley and the remainder to Hoopa valley. I would respectfully suggest again that the system of renting lands for the use of the Indians is unprofitable to the government and not at all satisfactory to the Indians. It is a great consolation to the Indians to know that they have a permanent home selected for them. They are more contented, for they venerate the graves of their fathers; they are more useful, for they take pride in making permanent improvements where they expect the full fruition of their labors. I would, therefore, recommend an appropriation for the purchase of the arable lands of the valley, or else an appropriation of \$5,000 for the removal of the Indians. The most valuable portion of the reservation property consists in horses and cattle, which could be driven over a mountain trail to Hoopa and Round valley at a loss of not more than 10 per cent. The 90 per cent. remaining, if successfully removed to Hoopa, would be worth 25 per cent. more than where they now are, and at Round valley 15 per cent. more. My estimates are predicated partially upon an experiment of my own and partially on the experience of others. I removed cattle from Smith's river to Hoopa last June, starting with 81 head and getting through with 79. A band of 150 were started from Oregon, not many miles from Smith's river. They crossed the Klamath and reached Humboldt county with 125. Even this he called a successful drive, considering all the dangers of loss and the greatly increased value of the stock in Humboldt. The balance of the personal property at Smith's river could be sold at public or private sale.

The crops of this year are very light, on account of the cold, wet winter, which rendered the sowing and planting very late, and the excessive dry weather after the rains were over, which caused the land to bake and become very hard. The report of the agent shows the crops to be somewhat less than last year. I have reason to believe, however, that is no fault of the agent or employes. Dr. Wright's report upon the sanitary condition of the Indians at this reservation shows a decrease in about the same ratio of other localities where too much intercourse is had with the whites. From July 1, 1866, to July 1, 1867, he reports sixteen births and twenty-seven deaths.

Many of the discontented Indians who left this reservation two years ago and went back to Humboldt county have been brought back, and express themselves willing to remain if the government will purchase a permanent home for them, and not remove the agents whom they become attached to.

I would respectfully call the attention of the Commissioner, in conclusion, to the fact that the Indian department in California has suffered materially within the last five years from sudden and unexpected changes. It is not the fault of the reservation system, but is attributable to the removal of agents and superintendents whose plans were never allowed to mature. To these frequent changes may be traced many of the evils and shortcomings of the department, and the little disappointments of those dealing with it. I would most earnestly

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recommend the speedy adjustment of all suspended and unpaid accounts, so that all unnecessary annoyances may be avoided and the way fully cleared for a more successful and systematic administration of Indian affairs in this State.

With assurance of the most profound respect, I am, sir, very truly, &c.,

B. C. WHITING,

Superintendent of Indian Affairs, California.

Hon. N. G. TAYLOR,

Commissioner of Indian Affairs, Washington, D. C.
