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SAN FRANCISCO, *October 14, 1851.*

SIR: Referring to my communication of the 30th ultimo to the department, I now proceed to make a brief statement relative to the appearance, manners, habits, and customs, of those Indians with whom I have negotiated, and a brief summary of the negotiation.

The Indians of this country do not differ from those of the Atlantic States as materially as is generally represented. They are evidently one and the same great family, extending over the entire American continent, differing only so far as the climate and the products of the soil are calculated to produce.

That the characteristics of the human organization are modified by climate and the products of the soil and country, I presume does not admit of successful controversy. We find in tropical climates, abounding in fruits, and but few or no wild animals suitable for food, that the natives are mild and indolent. The enervating effects of climate and the bounteous provisions furnished by nature may justly be ascribed as

the controlling causes of these characteristics. Those living, again, in the mild and temperate zone, partake of the nature of the climate, modified more or less by the quality and quantity of the numerous products suitable for food. In such a climate we would expect to find the natives mild, but more active, possessing a higher physical and mental development. And, finally, those living in a colder region, abounding in fruits and plentifully supplied with game, we find of a better physical organization and a higher tone of mental development.

The aborigines of this country are as much the products, if I may so speak, of the climate, soil, and its fruits, as of that of any of nature's works. This being admitted, we readily show the difference between the Indians of California and those of the Atlantic States, at the same time designating their leading characteristics.

In the valleys we find a mild, equal, and temperate climate throughout the country; the indigenous products, suitable for food, not so abundant, however, as in the tropical latitudes, constantly requiring of the natives, in order to supply their wants, a great portion of their time in procuring their food. There is an abundance of game in these locations, such as the elk and antelope, both of which are with difficulty captured, being found on the open plains. The rivers abound in fish, obtained at certain seasons. In procuring their food, a degree of industry is requisite; and thus we have a full type, in the higher organization of the climate, of the animal and vegetable products of the country. These Indians, like the climate, are mild, passive, and tranquil, industrious through necessity, and only so far as necessity requires in providing for their daily wants.

The large game above referred to being so difficult to procure, they content themselves with the vegetable products, and the lesser animals, more easily obtained, from the *hare* down to *small vermin*; thus procuring their food through patient perseverance, and showing the valley Indians to be mild, patient, submissive, and tractable.

The mountain Indians differ from those in the valleys as materially as do the climate and its products. There they have a cold bracing atmosphere, abounding in game, with but a sparse vegetable product. The climate requiring a full animal diet, compels them to pursue the chase and encounter its perils. The deer abound in the mountains, and it becomes necessary for the Indians to toil in their pursuit if they expect to procure their meat for food; in doing which they undergo great physical exertion, which the climate and its products are well calculated to sustain. And thus we have a race of beings immediately adjacent to the former, yet differing widely from them in every respect. Here are athletic, wild, brave, independent, and measurably intractable beings; their physical and mental organization far superior to those in the valleys. And there is a third and intermediate race, whose abodes are between the plains, and immediately within the foot-hills: thus forming three separate and distinct races, all within a few degrees of longitude of each other. These tribes possess intermediate characteristics of the other two, showing as perfect gradation in their leading traits as there is in the climate and products of the country in which they live.

The marked characteristics of the mountain and valley Indians, as

spoken of previously, not only exist within one or more degrees of longitude, but in latitude we find a perfect gradation from the extreme south to the extreme north, imperceptible, it is true, in adjacent tribes; but by comparing the valley Indians of the south with those of the headwaters of the Sacramento, the great difference is very apparent. Here they are fearlessly brave and unyielding in their independence, contending heroically for supremacy on the soil of their ancestors.

The valley Indians are mild and tractable, making good and faithful laborers, submitting to correction; and, if in fault, to correction without murmuring. In this respect is apparent the greatest dissimilarity between the Atlantic and Pacific tribes. The former possess an unconquerable spirit of independence; in subduing that spirit you destroy the being. Not so, however, with the latter; they are mild, passive, and intuitively obedient to the white man, and are more easily domesticated than those on the Atlantic. With judicious management their condition can be materially improved, and in a short time placed beyond want. This can be effected with the mountain Indians. After having been located in the valleys and foot-hills for some years, they will assume the traits of those tribes; but, as stated in a former communication, this will require time and judicious management.

The foregoing statements are not made to substantiate a preconceived theory; but are based upon mature reflection, after having seen, studied, and compared the different tribes, one with the other, from the Colorado river south, to the headwaters of the Sacramento north, living in the mountains, plains, and foot-hills.

It is a difficult matter to obtain from them a reason for the performance of many of their ceremonies, or their belief in relation to a previous or future state of existence. Their ceremonies are numerous, which they perform with great devotion—showing evidence of intense feeling. This is innate and peculiar to all human beings; and the most enlightened will fail to give a more satisfactory reason than that of yielding to intuitive feeling of sorrow for the dead, or joy for the bounteous gifts of Providence.

They are evidently controlled and governed by a belief in some great spirit; and, like most of the ignorant and imbecile of the human family, they are actuated by fear. This spirit of theirs is considered as an evil one, and afflicts them with all the evils that "flesh is heir to." They sometimes attempt to conciliate it by offerings in order to obtain fish, fruits, and seeds; and again will torture and burn it, making an effigy, to subserve their purpose—all of which is done for and in behalf of their dead, thereby assisting them to reach good hunting-grounds, or to cross a stream which is very difficult—in fact so much so, that none but the good are supposed to cross it. They burn some of the bodies of the dead that the wolf and the bear may not devour them, believing that if such were the case, they would be transmigrated into the form of the animal that destroyed them.

Their general appearance will not compare favorably with that of the Atlantic Indians, particularly those living in the valleys. The women are low in stature and heavily set, yet remarkably well made, and possessing small feet and delicately tapered hands; great slaves to their lords and masters, gathering all the food from the vegetable

kingdom and preparing it for consumption. They are faithful. Infidelity to their husbands is punished with death; and this is one of the fruitful causes of difficulty between the whites and themselves. They are not prolific in child-bearing; indeed, they rarely wean their children until they are six or eight years old. Their incessant toil and manner of life, may be another cause tending to repress sexual desire. There is nothing to excite the imagination, as the men are entirely nude. Polygamy is common, some chiefs having several wives.

The men are finely formed, with the exception of the head—(it lacks the bold contour of the Atlantic Indians, with low and heavy features;) their average height, about five feet five inches, though I have measured with several of my height (six feet one inch.) Some of the valley Indians are large, particularly those of the Sacramento and Feather rivers. Low down at these points they get an abundance of fish, and this may be a favoring cause.

The Willie, Cohas, and Hoak Indians are the largest of the valley tribes. Some of the former have sandy hair and hazel eyes—an exception to their race generally—the causes of which are yet to be ascertained.

Those tribes living high up in the mountains are generally larger and finer-looking, with fairer skins and higher cast of features, and, as previously stated, more independent. The country affords them a great variety of products, from which they collect their food. The acorn being their great staple of consumption, one of the first causes of their complaints is that the white man is destroying their oaks. The mansanette, a small apple, is also an article of food with them. Indeed, there is a great variety of seeds, berries, and vegetable products that have hitherto supplied their wants. But their broad fields are fast disappearing, and will continue to do so, as the white population increases, until their resources and bounteous nature are gone from them. In the meanwhile we would wish to teach them husbandry, that they may learn to produce from small fields a sufficiency to supply their wants.

The salmon abound in these streams. The Indians construct dams entirely across the river, driving down poles in a peculiar manner, holding the maul or driver up in the air, while they repeat an invocation. They then fill it up by wicker-work of the willows. In adopting which method for trapping the fish, they cut off, in a measure, the supplies of those living above on the same streams. At all events they are there abundantly supplied, and this may be the favoring cause of their superior development.

The Indians living higher up cannot construct these dams, owing to the rapidity of the current. They use the spear and seine, which they make from the native hemp.

They are singularly expert in the water. I saw an Indian swim out in the Pitt river, dive down and bring up a large salmon, suspend it above water, and then hold it while he swam for the shore, using his feet only, as both arms were engaged in holding aloft the fish.

It is to be regretted that, in most of the reservations given to them, there is but little good tillable soil; and yet it was difficult, if not impossible, to locate them elsewhere. The Indians would not consent to

move further from their mountain homes than the foot-hills; and, indeed, I could not take them down in the valleys, as there the soil is in the possession of the husbandman, producing for the pressing demands of a large and increasing population.

The reservations between the Stanislaus and Tuolumne rivers will be about eight by twelve miles square, and very poor soil. Indeed, some of it, on a dry creek intermediate between the two rivers, if possible to irrigate, might produce well. Some little on the banks of these streams may be made to produce; with this exception, the balance is poor, and gravelly soil. Indeed, the Indians complained very much, and only consented to go that they might have a home in which they would be protected from the white man. There is no gold as yet found in this reservation, but such as is washed down these rivers.

The reservation in El Dorado county is about ten miles in breadth and about twenty-five miles in length. In this there are some good valleys that can be cultivated; the balance is broken and poor. There is more or less gold in some portions of the reservation; but, as it is placer diggings, (there being no quartz claims that I could hear of,) it will soon be washed out.

In relation to this, I would suggest the policy of permitting those who may wish to mine within the reservation to do so, requiring of them to conform to the laws and regulations of the Indian Bureau. I believe if this is not done, there will be a good deal of dissatisfaction, if not difficulty. The very fact of a prohibition being placed on their going into a reservation will induce many to violate the restrictions, either through that perverse feeling which is common to the human organization as well as the lower animals, or under the belief that it must be rich in gold. I regret that the precious metal is found here, as it was the best reservation I could find, there being no other location with less objection than this, and those hostile, who had caused so much trouble and expense to the State, could not be induced to come in elsewhere.

The reservation between the Yuba and Bear rivers is about twelve miles square. Camp Far West is included in it.

There is a portion of one or two other small valleys that is good tillable soil; the balance very poor and broken, although well cultivated for an Indian country, and would not, most probably, have been occupied by the whites, were it not adjacent to a rich and populous mining region.

As stated in a former communication, there are some improvements made by squatters in these valleys, with a view of permanency; and there is a claim or grant, a portion of which is within the boundaries; all of which I should have avoided had it been possible to do so in justice to both parties, (the whites and Indians.) I could not act otherwise.

I have treated with bands of Indians, a portion of whom had been negotiated with on a former occasion by an officer of the State. They were patiently awaiting the fulfilment of that treaty, and in the meanwhile were acting in conformity with those stipulations themselves by refraining from all aggressions and hostilities. They were jealous of their rights, and contended for their old homes; and I am confident, had

I refused this reasonable request, they would have fled to the mountains and immediately commenced hostilities. As it is, they are now pledged to peace and to bring in the mountain tribes, which I pledge they will adhere to if allowed to retain their present possessions.

I refer to this more particularly, as it was a subject made use of to subserve political purposes prior to the late State election. The effect has been to cause considerable discontent with those living within the reservation and induce them to make an appeal to Congress to redress supposed grievances, which, if granted, must result very unfavorably to the negotiations already effected.

I trust the department will accredit me with having performed my duties in this instance to the best of my abilities, both to the government and to the citizens of California.

The reservation of the Chico treaty lies under the foot-hills, north of the Feather river; is about twenty miles in length, and six in breadth; the soil poor, with the exception of a small portion on Dry creek, which is rich; and if the Artesian wells are introduced here, (of which I have no doubt of the practicability,) it will be amply sufficient for the support of the Indians. There are some small bodies of good land in the Butte and Chico creeks, within the boundaries. No gold, as yet, is discovered in this section, with the exception of that washed down the Feather river; and but one improvement, and that to a limited extent.

The reservation made in the Cottonwood treaty is a very favorable one for the Indians, being about thirty-five miles square, embracing within its boundaries an amount of good tillable land—sufficient to support the numerous Indians living within its limits and those in the adjacent Nevada, Shasta, and coast ranges. This reservation is the head of the great Sacramento valley, surrounded by the above-mentioned range of mountains. It is supposed there may be gold within it, it having been found as usual in the main streams—*i. e.*, the Sacramento and Pitt rivers. There are no improvements on it; nor does any white man live within it. The Indians living adjacent to it, particularly on the McCloud fork of Pitt river, are very troublesome. Marauding bands are continually passing down from the mountain fastnesses, sweeping the country of its stock, and on several occasions going into the town of Shasta and firing the buildings and property. But a short time prior to my visit there, they had captured an entire train of pack-mules, with their cargoes, and killed the muliteers.

Immediately after negotiating the treaty at Major Reading's, which I had considerable difficulty in accomplishing, owing to the fact that Major R. was absent—the Indians manifesting but little or no confidence in any one but him—I proceeded to the head of the Sacramento valley, some twenty-five miles distant, and there perfected the arrangements to go among those troublesome Indians on the North Pitt river. Twenty-five men were detailed to accompany me, commanded by Lieutenants Stoneman and Wright; some thirty-odd of those Indians who had been under the controlling influence of Major Reading accompanying me, proposing it voluntarily, and appearing desirous of showing their fidelity to me, as well as a wish to encounter the Ukas, their enemies. The balance of my escort were left at camp in command of Major Fitzgerald, himself and a number of the soldiers being

on the sick-list. I had transportation for six days' rations, only three of which were expended, and the men and animals were well-nigh exhausted in fruitless attempts to capture some of the Indians. They were apprized of my approach before I arrived in their country, by their sentinels, who were posted on the mountain-tops, and by signal-fires, by which they spread the alarm far and wide. I would frequently see them down on the banks of the river, and but a short distance from us. The rough character of the country would present almost impassable barriers to our movements. To them they were otherwise, ascending the rugged mountain-cliffs with the celerity of the wild goat. I was convinced that, without some stratagem, we could not expect success. The Indians with us were unwilling to go further in a chase than we could. I retraced my steps, crossing over a high mountain on the eastern branch of the river—one of our Indians making them a parting speech from an adjacent spur of the mountain, inducing the hostiles to believe that I was leaving their country. I encamped that night on a stream that empties into the east Pitt river, and early in the morning took four men, accompanied by Lieutenant Wright, and J. P. Harrison, the guide, proceeded along the banks of the stream at as rapid a pace as the rugged face of the country would admit of, and soon fell in with a band of the hostiles, and succeeded in cutting off the retreat of a few squaws and children, whom I took to camp, treating them kindly. From thence I was necessitated to take them down to Major Reading's, in order to procure an interpreter. On my arrival at that point I found that their language could not be understood or spoken by the interpreter—he promising, however, to bring me an Indian in the morning who could converse with them. The morning arrived and my captives had fled, and with them all my sanguine hopes of making a peace with these hostiles for the time being. Could I have explained to them my mission, and taken them back to their people, I should have succeeded in having a talk, and doubtless effected a peace. I look upon this as extremely unfortunate, as I was ambitious of success here, and had, by dint of great patience and personal exertion, so far succeeded that I looked to its final accomplishment with a degree of certainty. I felt it the more, as it was irremediable at the time. The rains admonished me to leave the high latitudes; most of the men were sick; my engagements below were pressing; and, should I go among them again immediately, I could not expect the same success. I was consequently compelled to leave them as I found them, troublesome neighbors to the whites.

I am now further confirmed in my communications to the department, that these Indians cannot be subdued by waging a war with them. The rugged face of the country forbids it; and the Indian can pursue his course without halt, whenever he will, and live upon the indigenous products of the soil, where the white Caucasian cannot tread or transport his food.

It affords me great pleasure to state that Major Reading called on me a short time since, and very kindly proffered to visit these troublesome tribes soon after his return home, and endeavor, if possible, to have a talk with them, and explain the advantages of their being at peace with the whites. He proposes taking a select party of the latter,

and a band of the friendly Indians, in which I am to accompany him, if my health is sufficiently restored to do so.

I feel extremely anxious to bring these Indians in, for, from my explorations in the above section of country, I am satisfied that it is rich in gold and other resources, which must remain locked up until they are pacified, whilst the surrounding country is left materially impeded in its developments.

I then proceeded down some sixty miles, and there made many ineffectual attempts to effect negotiations with several troublesome bands living on the eastern side of the coast and western side of the Nevada mountains. The whites have been prosecuting a war against these tribes of late, making it extremely difficult to approach them. I went out with three men and an interpreter, high into the Nevada range, but did not succeed in having an interview with them. In the mean while I had disposed of all the escort with the exception of ten men, under command of Lieutenant Wright. On my return I learned that my couriers had been equally unsuccessful with those on the coast range, and finally the valley Indians distrusted my motives.

I am sorry to say they have but little confidence in the white man. Their intercourse has been well calculated to make them skeptical as to his goodness and fidelity.

I find it very difficult to remove or correct this impression of theirs: they are slow to believe any good is intended them. I finally had a talk with a few of the captains, and they were evidently relieved from their forebodings of evil, and appeared inspired with some confidence as to the truth of what I had stated, promising to do all they could to have the Indians meet me when I should come again, which I promised them to do.

These are the mountain and valley bands I propose making a treaty with, and giving a reservation to, as mentioned in my last communication. I had but little trouble in concluding a treaty at Colusa. The Indians had been previously informed of what I had done for those on the Chico. The reservation given to them here is on the eastern bank of the Sacramento, opposite Colusa, three miles in depth by fifteen miles in length, unoccupied, and most of it good soil. It is on the Sutter claim. One of the purchasers, however, informed me that he had no objections to their remaining on it.

It will be indispensably necessary that the Indians should be protected from those claiming to be civilized beings. To effect this, there should be a military post established at Major Reading's, this point being so very far removed from any settlements.

It will be indispensably necessary to visit those Indians on the eastern side of the Nevada early in the spring. They are very numerous, and exceedingly jealous of the approach of the white man. They can be pacified without much difficulty, provided it is done previous to the whites commencing to make settlements in the country; but if it is delayed until those settlements are made, the difficulties we wish to avoid would be unavoidable.

There are parties now organized to take possession of that portion of the State early in the spring. It is supposed to be rich in gold, and there is certainly some very fine soil in it. There are sections of coun-



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try there more suitable for the Indian population than that given to them on this side, and I have no doubt but that the Indians west of the Sierra Nevada would readily go east, (after effecting treaties with those on the east, and getting their assent to it) in the event of a necessity occurring hereafter of removing them.

The department can make the estimates that may be required for this purpose, taking as a basis those transmitted by the last steamer, with this material difference—that if they are secured in the possession of a sufficient area of country, they will require very little in addition to keep them at peace, and I would humbly but most earnestly urge the subject for your favorable consideration.

Respectfully, your obedient servant,

O. M. WOZENCRAFT,

*United States Indian Agent.*

Hon. LUKE LEA,

*Commissioner of Indian Affairs.*

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