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**Message of the President of the United States, communicating papers from the Secretary of the Interior relative to the removal of the California Indians.**

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## MESSAGE

OF THE

### PRESIDENT OF THE UNITED STATES,

COMMUNICATING

*Papers from the Secretary of the Interior relative to the removal of the California Indians.*

FEBRUARY 5, 1855.—Read, referred to the Committee on Indian Affairs, and ordered to be printed.

*To the Senate and House of Representatives of the United States :*

I communicate to Congress, herewith, for its consideration, the accompanying papers from the Secretary of the Interior on the subject of the proviso of the act of July 31, 1854, in relation to the removal of the California Indians.

FRANKLIN PIERCE.

WASHINGTON, February 4, 1855.

DEPARTMENT OF THE INTERIOR,  
*Office Indian Affairs, January 31, 1855.*

SIR: With respect to the communication of the superintendent of Indian affairs in California, of the 8th of December, wherein he speaks of the inconvenience and almost insuperable obstacles resulting to the management of our Indian relations from the operation of the proviso of the act of Congress approved on the 31st July last, which is, that "no more than twenty thousand dollars shall be drawn by the superintendent, or be in his hands unexpended at one and the same time," which I referred to you on the 5th instant for such action as you might deem expedient, and upon which you now do me the honor to ask my opinion, I have to report that the inconvenience complained of is cause of embarrassment, and to be remedied only by a repeal of the proviso.

With this limitation existing, as is set forth by the superintendent, and as stated, it would be very embarrassing to his conducting the affairs of his superintendency properly; and Congress, it seems to me, should leave to the executive the control of the funds appropriated, as circumstances may demand, he having the power to remove, whenever he is of opinion that an improper use is being made thereof. Such would prevent an improper application to as great extent as any other

means which would not produce too much detriment to the public service.

I can see no objection to the modification proposed, as, should it be adopted, it is the intention of this office to make remittances to the superintendent quarterly instead of only semi-annually, as heretofore. The letter of Mr. Henly is herewith returned.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,  
*Commissioner.*

HON. R. McCLELLAND,  
*Secretary of the Interior.*

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OFFICE SUPERINTENDENT INDIAN AFFAIRS, CALIFORNIA,  
*San Francisco, December 8, 1854.*

SIR: I have the honor to acknowledge the receipt of yours, bearing date 2d November, enclosing letters from the Departments of the Interior and of the Treasury informing me that the sum of \$120,143 has been placed to my credit in the office of J. R. Snyder, esq., agent of the treasury, San Francisco, California, subject to the limitations and restrictions of the act of 31st July last.

The restrictions of that act are inconvenient, owing to the nature of this service. Some restriction is proper enough, and is certainly not objectionable to me. The distance between this and Tejon is five hundred miles. It is impassable during most of the rainy season, which continues more than three months. Nome Lackee is three hundred miles distant in an opposite direction. It may often happen, as is the case at this moment, that more than \$20,000 is due at each place at the same time. The vouchers cannot be had until the money is paid. The persons to whom it is due are eight hundred miles from each other. Much time is necessarily consumed in making the payments; and much individual inconvenience is the result of the delay.

I have also an Indian farm on the Frezrio, and in the spring shall be required to establish a third reservation, both subject to the same inconveniences which I mentioned.

I can scarcely see, under the contemplated extension of the service, how it will be possible to conduct it with the limitations alluded to. I take the liberty, therefore, to suggest that if the limitation was made applicable to the estimates for each quarter, it would, in my opinion, to a great extent remove the difficulty.

Very respectfully, your obedient servant,

THOMAS J. HENLY,  
*Superintendent Indian Affairs.*

HON. G. W. MANYPENNY,  
*Commissioner Indian Affairs.*