

6-3-1892

In the Senate of the United States. Letter from the Secretary of the Interior, transmitting, in response to the resolution of the Senate of the 26th ultimo, information as to whether instructions have been sent to the Indian agent for the Coahuilla Reservation in California to remove Cabazon and to place one Williams as chief of the tribe, etc.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>

 Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

S. Exec. Doc. No. 108, 52nd Cong., 1st Sess. (1892)

This Senate Executive Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

IN THE SENATE OF THE UNITED STATES.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

In response to the resolution of the Senate of the 26th ultimo, information as to whether instructions have been sent to the Indian agent for the Coahuilla Reservation in California to remove Cabazon and to place one Williams as chief of the tribe, etc.

JUNE 6, 1892.—Ordered to be printed and lie on the table.

DEPARTMENT OF THE INTERIOR,
Washington, June 3, 1892.

SIR: I have the honor to acknowledge the receipt of Senate resolution of 26th ultimo, in the following words:

Resolved, That the Secretary of the Interior be directed to inform the Senate whether instructions have been sent to the Indian agent for the Coahuilla Reservation in California to remove Cabazon, the hereditary chief of the Coahuilla Mission Indians, and to place one Williams as chief of the tribe against the will of a majority of the Indians; also, what has caused the discontent now existing in said tribe, and what steps, if any, have been taken or are contemplated to allay the same; also, what legislation, if any, is necessary.

In response thereto I have the honor to transmit herewith copy of a communication of 2d instant from the Commissioner of Indian Affairs and its inclosures, which, it is believed, contains the information sought by the resolution.

I have the honor to be, very respectfully,

JOHN W. NOBLE,
Secretary.

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 2, 1892.

SIR: I have the honor to acknowledge the receipt, by Department reference the 27th ultimo for report, of a resolution of the Senate of the 26th ultimo, as follows:

Resolved, That the Secretary of the Interior be directed to inform the Senate whether instructions have been sent to the Indian agent for the Coahuilla Reserva-

tion in California to remove Cabazon, the hereditary chief of the Coahuilla Mission Indians, and to place one Williams as chief of the tribe against the will of a majority of the Indians; also, what has caused the discontent now existing in said tribe, and what steps, if any, have been taken or are contemplated to allay the same; also, what legislation, if any, is necessary."

In reply I would respectfully state that the copies of correspondence herewith furnished contain all the information in the possession of this office bearing upon the subject of the inquiry, directly or indirectly.

It will be seen that the correspondence contains no instructions from this office to the Indian agent for the Coahuilla Reservation in California to remove Cabazon, the hereditary chief of the Coahuilla Mission Indians, and to place one Williams as chief of the tribe against the will of a majority of the Indians.

It may be well, however, to state that it has been the general policy of the Government for some years past in the legislation upon, as well as in the administration of, the affairs of the Indian population of the country to ignore and disregard the claims and pretensions of chiefs among the tribes, and to deal directly with the heads of families and individuals.

By the agent's reports, herewith, of July 4, 1891, and March 30, 1892, it is made to appear that Cabazon was deposed by the Indians themselves, and that Bill Williams was elected in his stead by a vote of 102 to 36, whereupon he, the agent, "commissioned Williams."

This office has no other information as to what has caused the discontent now existing in said tribe than is contained in the correspondence herewith furnished, aside from some statements that have appeared in newspapers indicating that some of the Indians under the jurisdiction of the Mission Indian Agency are dissatisfied with the management of affairs by the present agent. The agent's correspondence represents that his management of agency affairs has been seriously interfered with by some of the Indians, notably Will Pablo and Cabazon.

It is shown that upon request of the agent this office did ask the honorable Secretary of the Interior to call upon the honorable Secretary of War to arrest Will Pablo and confine him at some place remote from the agency "until such time as he shall satisfy the military authorities of his willingness to submit to the lawful authority of the agent."

I am informally advised that no request for this purpose was made by the honorable Secretary of the Interior upon the War Department. Subsequently, on December 11, 1891, a request of the agent for authority to construct a jail for the confinement of unruly Indians was disapproved, and he was informed that—

so long as the Mission Indians are so widely scattered and agency headquarters are upon no reservation, and the Indians themselves have so nearly, if not quite, the status of citizens, it seems to me it will be best for the agent to undertake to use coercive measures through the courts, as far as practicable, as would be done with white people. In the end, I am sure that this method will result in less embarrassment to the agent and greater benefit to the Indians than to undertake to establish temporarily such a system of agency control as obtains upon reservations where a large number of semicivilized Indians are under the immediate care of a resident agent.

A letter from Agent Rust, dated May 13, 1892, contains a request for instructions to call upon the United States marshal to arrest and confine in some prison Pablo and Cabazon. It also contains a renewal of the request for the erection of a jail. The action of the office upon these requests is contained in the letter to the honorable Secretary of the Interior of May 26, 1892, wherein it was recommended that an in-

spector of the Department be sent to investigate the charges against Will Pablo and his followers, and also the agent's actions toward the Indians of that agency.

This answers so much of the resolution as calls for information as to what steps, if any, have been taken or are contemplated to allay the discontent among the Indians.

With the information now before me I am not able to report that any additional legislation is necessary on this subject.

As to the funds received from pasturage and sales of grain, which form a part of the subject of the correspondence, it is proper to state that the agent was called upon for a statement as to the amount of such funds so received, and a copy of the statement submitted, under date of September 5, 1891, is herewith presented.

This office, on September 16, 1891, called his attention to the provisions of the law which required that such funds be taken up in the accounts of the agent and deposited to the credit of the United States, and directed him to so deposit the funds in his hands. In his accounts for the quarter ending December 31, 1891, Agent Rust takes up \$3,448.22, of which amount \$3,289.15 have been deposited and are now in the United States Treasury, the balance, \$159.07, being used in payment of storage, freight, etc., on the produce sold.

A copy of the account current of Agent Rust for the above-mentioned quarter showing this transaction is herewith inclosed.

Very respectfully, your obedient servant,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., May 26, 1892.

SIR: Referring to office report of July 29, 1891, submitting the complaints of Agent Rust, of the Mission and Tule River (consolidated) Agency, Cal., against a medicine man by the name of Will Pablo, who the agent charged with many acts of interference with his administration of the affairs of the agency and recommended that the Secretary of War be requested to issue such orders to the proper military authorities in the vicinity of the Mission Agency as would result in the arrest of said Pablo, and in his confinement at some place remote from the agency until such time as he could satisfy the military authorities of his willingness to submit to the lawful authority of the agent, I have the honor to inclose herewith copy of a letter dated May 13, 1892, from Agent Rust, again complaining of the acts of said Pablo, and also against the pernicious and meddlesome influence of one Cabazon, and recommending that they be arrested and confined in some prison "until they would quietly submit to proper authority, and stop their aspirations to be chiefs."

In view of the repeated complaints of the agent against these parties, I am of the opinion that an investigation of this matter should be made as well as of the general conduct of the agency by Agent Rust, and I have the honor to recommend that the matter be referred to an inspector of the Department, with instructions to thoroughly investigate the charges against Will Pablo and his followers of the Mission Agency, and also the agent's action toward these Indians, as well as the general management of the affairs of the agency by the said agent, and report the result of such investigation to the Department.

In connection with this subject, I also transmit herewith a copy of the office report of May 24, 1892, relative to a statement appearing in the St. Louis Republic, on the condition of the Coahuila or Mission Indians, and charging wrongful conduct on the part of Agent Rust in connection with the rental of Chief Pablo's land, and respectfully recommend that this matter be also thoroughly investigated and reported upon by the inspector.

Very respectfully, your obedient servant,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, May 24, 1892.

SIR: I am in receipt, by your reference for the attention of this office, of a communication dated May 12, 1892, from Mr. Alex. J. P. Garesche, St. Louis, Mo., inclosing clipping from the St. Louis Republic relative to the condition of the Coahuila or Mission Indians.

Said clipping publishes a communication signed by R. F. Canterbury, Albany, Oregon, and embodies two points which may be briefly stated as follows:

(1) That the Coahuila Indians are entitled to two townships of land near Banning, Cal., and have tried all ways known to them to have their reservation recognized by the Government and the boundary established by act of Congress and the same surveyed, so that the tribe can move on it and build houses, cultivate land, and establish schools; and

(2) That Capt. William Pablo, the managing chief, told the writer "that the agent had taken from him his land which he had put in cultivation, and had rented it out to a white man and had collected the rent, several hundred dollars, and refused to pay to him or any one having authority to receive it; that when Capt. Pablo asked him for the money threatened to have him arrested and put in jail. This, I presume, is the reason for the removal of the old chief by the agent."

With respect to the desire of the Indians that their reservation near Banning be recognized by the Government and the boundary established, I have the honor to state that by executive order, dated December 27, 1875, there was withdrawn from sale and set apart as a reservation for the Coahuila Indians certain sections of land, numbering twenty-seven.

By executive order dated March 14, 1887, an additional section was reserved for said Indians contiguous to the others and making in all twenty-eight sections.

The act of Congress, approved January 12, 1891 (26 Stats., p. 712), entitled "An act for the relief of the Mission Indians in the State of California," provided by section 1 thereof, for the appointment by the Secretary of the Interior of three commissioners to arrange a just and satisfactory settlement of the Mission Indians residing in the State of California upon reservations.

Section 2 of said act made it the duty of said commissioners "to select a reservation for each band or village of the Mission Indians residing within said State, which reservation shall include, as far as practicable, the lands and villages which have been in the actual use and possession of said Indians, and which shall be sufficient in extent to meet their just requirements, which selection shall be valid when approved by the President and Secretary of the Interior."

Section 3 provided that the commissioners, upon the completion of their duties, shall report the result to the Secretary of the Interior, who, if no valid objection exists, shall cause a patent to issue for each of the reservations selected by the commission and approved by him in favor of each band or village of Indians occupying any such reservation.

Section 4 provided that whenever any of the Indians residing upon any reservation patented under the provisions of this act shall, in the opinion of the Secretary of the Interior, be so advanced in civilization as to be capable of owning and managing lands in severalty he may cause patents to be made to such Indians out of the land of such reservation.

The commission was duly appointed and instructed, and by office letter of December 19, 1891, their report was transmitted to the Department. Said report shows that the lands recommended by the commission for reservation for the Coahuila Indians are identical with those reserved for them by the Executive orders above mentioned, except that an additional half section was included by the commission because an Indian had his house and other improvements on it.

By Department letter dated December 30, 1891, said report was returned and this office informed as follows:

"By the order of the President of the 29th instant, you will see that the same is approved, except so much thereof as relates to the purchase of lands from and exchange of lands with private individuals, which is also approved, subject to the condition that Congress shall authorize the same, and that all the lands mentioned in said report are withdrawn from settlement and entry until patents shall have issued for said selected reservations, and until the recommendations of said commission shall be fully executed and, by the proclamation of the President, the lands or any part thereof shall be restored to the public domain.

"The above action has this day been communicated to Mr. Painter by telegraph, with directions to advise the commission and parties interested.

"I also inclose herewith a communication of the 29th instant from the honorable Assistant Attorney-General for this Department, to whom the report was referred, and have to direct that a draft of a bill be prepared, authorizing the Secretary of the Interior to purchase or exchange the lands as recommended.

"You will also please prepare a list of the lands mentioned in said report of the

commission, which are to be withdrawn by the order of the President, for file in the General Land office. This list should be sent without delay."

It thus appears that the reservation for the Coahuilla Indians has been duly "recognized," the land selected for them having been approved by the President and the Secretary of the Interior, and the only thing needed to be done at present to relieve the disturbed state of mind attributed to them by the newspaper article under consideration, is that the land be formally patented to them and the outboundaries thereof surveyed. The patent for this reservation may, under the law, be issued by you at any time.

The outboundaries may be surveyed whenever funds are available for that purpose; but in view of the fact that numerous requests for surveys of boundaries have not been granted of late on account of the condition of the appropriations for the current fiscal year, and in view of the further fact that these Indians are living upon lands which they have been occupying for years, I can not recommend the survey out of Indian appropriations at this time.

The public surveys border the north line of this reservation and surround it so closely on other sides that the Indians should not have much difficulty in approximately locating their reservation, or experience a great deal of trouble for want of definite locations for a short time.

The charge of wrongful conduct on the part of the Indian agent in connection with the rental of Chief Pablo's land, will receive proper attention.

Mr. Garesche's letter is herewith returned.

Very respectfully, your obedient servant,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

UNITED STATES INDIAN SERVICE, MISSION AGENCY,
Colton, Cal., May 13, 1892.

SIR: I have the honor to report that I have so often made complaint regarding the insubordination of Will Pablo and the need of a jail to enable me to assert my authority that I repeat complaints with reluctance.

Pablo conspires with Cabazon, who has been once imprisoned for general insubordination, and travels from village to village saying that I am deposed, or that he will do it, and practices as a medicine man, playing upon their superstitions; has a strong influence, especially with the drinking portion, who dislike any restraint.

He promises them much and keeps them constantly uneasy. He has issued some twenty commissions to "his captains," who are pleased to do his bidding if contrary to my wishes. They have plowed and closed old roads long used by the public, and he allots lands and locates his friends in a most unreasonable manner. By his lieutenants he directs in many ways little matters which constantly cause irritation and uneasiness. Now comes a complaint that his captain forbids another Indian to cross an unoccupied field when he needs to go to harvest his crop, said captain having set his fence posts in the old road. This will oblige me to make a journey of 30 miles or send my policemen.

Several weeks ago I was called to the desert to punish an Indian for stealing a horse. I decided he should work under his captain's directions for sixty days, and 30 Indians were present and all seemed satisfied. I now learn that he ran away and found refuge with Will Pablo's uncle, who, always with Pablo, defied authority, he being a captain in a village of not more than 10 people all told. He refused to give up the thief to the captain who had him in custody.

I have felt obliged to send the police and return the thief, but had neither irons or jail in which to hold him.

Pablo has issued twenty commissions to his lieutenants in different villages, assuming authority and defying mine. Several letters have come to me inquiring if I am still agent, as Pablo has told that I was deposed. One letter from an Indian says Pablo told him that he should depose me, and orders the Indian as if having full authority.

A few days ago our policeman Ramon lost his horse. He went to recover it, and offered to pay any damages, but Pablo said, "No, you must go to San Bernardino," 30 miles, "and be punished." They tied him, put him in a wagon, and left the reservation on the way to San Bernardino. Near Banning he was rescued by C. O. Barker and Indians. They sent for an officer, who arrested them, and they are under bonds for trial in civil court, June 15. All this nonsense causes waste of time and constant trouble.

I fully believe if I had had a jail I could have controlled him from the first and his fellows.

Now, I believe should you write me a letter directing a United States marshal to arrest Pablo and Cabazon and confine them in some prison until they would quietly submit to proper authority and stop their aspirations to be chief, I have no doubt they would give it up at once; but so long as I am powerless to punish them, and evil-minded persons are encouraging them to do this, they will continue to cause trouble.

Old Cabazon was confined once by a former agent and kept quiet for some time, but prevented his men from accepting goods from the Government.

I will be obliged for advice, and unless you can see a better way I would ask for the arrest of Pablo and Cabazon. I would also recommend the building of a jail, costing \$125.

I feel sure this would break all opposition and requests.

Very respectfully, yours,

HORATIO N. RUST,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

UNITED STATES INDIAN SERVICE, MISSION, ETC., AGENCY,
Colton, March 30, 1892.

SIR: I have the honor to report that while on a visit to the Desert Indians on the 13th ultimo, I met at the hotel J. H. Gilmour, a correspondent of the San Francisco Chronicle. Before introduction I was told of his character and was cautioned to be guarded in speech as he would be likely to misrepresent me. I was careful to treat him with politeness and say only that which I wished him to repeat or publish. I assure you I am very careful not to speak of breaking up tribal relations or in any way to differ with the Indians when I can avoid it, and now believe I have the confidence of a large majority of the Desert Indians.

When they came to me more than one year ago asking that Cabazone be deposed and obliged to return to them some \$372 which he had collected to pay his expenses to Washington, and had squandered it, I tried to induce them to drop the matter and permit him to remain as chief. They soon returned, however, to renew their request, when I told them they could hold an election if they so desired. They made three appointments before they could hold an election for the reason that Cabazone would not attend. After the election they brought me the names of 138 Desert Indians who voted, 102 of which were for Bill Williams and 36 for Cabazone. I then commissioned Williams, feeling sure I could not do less. Since then Will Pablo and Cabazone have conspired to make all the trouble they can, and this man Gilmour incites them by writing this article and putting Pablo's picture in the Chronicle.

I can assure you that most of the tribe have shown a disposition to accede to my wishes and accept all that the Government wishes them to have. For years Cabazone has refused to receive anything from agents, and was locked up in jail once for insubordination. I can not help but believe that the best good of all would be promoted by arresting Pablo and Cabazone and confining them until they would promise to stop their opposition to reasonable regulations.

A few weeks ago Will Pablo came to me and told me he had given up opposition and would do all he could to help me and the school. I replied I hoped he would, and that if he did so I would forget the past and be his best friend. We shook hands and parted as friends, but I had no confidence that he was honest, and yet I treated him as if I believed him.

As I can not send you a copy of the San Francisco Chronicle I send you a reprint of the article in the San Bernardino Courier.

I dislike to trouble you with this matter, which I consider only the morbid desire of an unprincipled newspaper correspondent to create a sensation regardless of facts.

Very respectfully,

HORATIO N. RUST,
United States Indian Agent.

Hon. T. J. MORGAN,
Commissioner of Indian Affairs, Washington, D. C.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, December 11, 1891.

SIR: I have looked over, with care, your communication of the 2d instant, and also that of July 4, last, in regard to the evil influence of William Pablo, on the Potrero Reservation and school, and the need of the erection of a jail at Potrero.

I do not see how the establishment of a jail, at a point several miles distant from the agency, can be made very useful. It certainly would not do to leave the matter of arresting, confining, and guarding unruly Indians to Indian police without competent and authorized supervision. Moreover, the prisoners would have to be fed, and properly looked after, and any failure to use the proper means for caring for the prisoners would involve criticism and complications which would be as difficult to deal with as the offending Indians at large.

So long as the Mission Indians are so widely scattered and agency headquarters are upon no reservation, and the Indians themselves have so nearly, if not quite, the status of citizens, it seems to me it will be best for the agent to undertake to use coercive measures through the courts, as far as practicable, as would be done with white people. In the end I am sure that this method will result in less embarrassment to the agent, and greater benefit to the Indians, than to undertake to establish temporarily such a system of agency control as obtains upon reservations where a large number of semicivilized Indians are under the immediate care of a resident agent.

Respectfully,

T. J. MORGAN,
Commissioner.

H. N. RUST,
United States Indian Agent, Mission Agency, California.

UNITED STATES INDIAN SERVICE, MISSION, ETC., AGENCY,
Colton, December 2, 1891.

SIR: I have the honor to report that in connection with my communication of the 1st instant in reference to the depletion of the Potrero school.

That in compliance with instructions in the regulations I did, about December 18, 1890, refuse to recognize Will Pablo as captain of the Potrero Indians, and for the following reasons, as his father had been captain for some years, and being a habitual drunkard had no good influence: I knew Will Pablo had a bad reputation, having killed a man at Redlands in a drunken row, and refusing to support his wife and child, being a loafer and doing no kind of work, but constantly fomenting trouble, inciting lawsuits, and hindering those who desire to work. For these reasons, I told the Indians that they must elect a sober man; that I would not recognize as captain any man who got drunk. Will Pablo induced them to elect him, and I refused a commission, explaining that I would recognize any sober man they might elect. He influenced the majority, and joined with Cabazon, an old chief who lives on the desert, and who, for years, has prevented his people from accepting goods from the agent, and always fomenting trouble. About three years ago he induced his people to raise money to send him and a lawyer named John Brown to Washington to secure their rights. They gave him \$372, but neither Brown nor himself went to Washington, but spent the money.

About one year ago Will Pablo was employed as policeman at the St. Boniface school, and ever since he has been constantly traveling among the Indians and doing all he can to prejudice them against the agent. In this he has help from white people, who ought to have rebuked rather than encouraged him. When Inspector Junkin was here we had a talk, and he (Junkin) signified to Pablo and the other Indians his approval of my course. This action I reported by letter to the Department December 20, 1890, which was approved by letter 40018-90. On February 4, 1891, I again reported Pablo as fomenting trouble, and regretted the need of a jail. I also answered his complaint. June 22 I repeated the report. Next came Col. Gardiner, who heard the complaint and rebuked the Indian. July 4 I reported him more fully, and urged the necessity of controlling him, and asked instructions; I received no answer. July 11 I reported him further, and recommended that Pablo be confined, as Col. Gardiner suggested, "as other troublesome Indians had been;" no answer. July 14 I gave my reasons for asking for a court of Indian offenses, feeling sure if that was provided a jail would be considered a necessity. November 2 I again repeated further the trouble and causes.

Thus, I believe, I have shown fully some of the causes which have led up to the present conditions, and which have depleted the Potrero school. The opposition now centers upon John Morongo, who I consider, after two years' acquaintance, by far the most intelligent, careful, and reasonable Indian in Potrero. He lives well, supports his family, manages his affairs with prudence, is exemplary in all directions, never drinks or uses bad language, is a member of the Christian church, and I be-

lieve that I ought to encourage such a man even if all the bad men of Potrero oppose him. I did not use him until I had known him one year, watching him that I might know if I could trust him.

Recently this man's haystack was fired and consumed, and a lieutenant of Will Pablo, named Sequondo, fired at Morongo and Rev. Mr. Weinland one night, intending, if possible, to kill them. He is now in jail at Los Angeles.

I have thus recalled the matter hoping to secure that attention which I believe the case demands. I have endeavored to be judicious all the way through, but have been powerless to enforce authority and protect the right.

I have found myself in the same condition when I evicted Sam Black and Mrs. Toutaine. The law forbids them from trespassing but provides no penalty, and, of course, they defy it, and have told me, moreover, that they would go back as often as I put them off. I await your reply.

Very respectfully,

HORATIO N. RUST,
United States Indian Agent.

Hon. T. J. MORGAN,
Commissioner of Indian Affairs, Washington, D. C.

UNITED STATES INDIAN SERVICE,
Mission Agency, Colton, December 2, 1891.

SIR: Replying to yours of the 27th ultimo, I have the honor to report that the reason of the nonattendance at Potrero school is primarily because a priest from San Boniface school, more than one year ago, went among them and urged them to send to his school, and as an inducement offered board and clothing. This induced several to leave Potrero school. I protested. The priest was removed. Rev. B. F. Hohn took his place, and I made an agreement with him that he should return two pupils and solicit or receive no more pupils who lived within a radius of 3 miles about any Government day school. I believe Rev. Hohn has faithfully kept this agreement until recently, when he notified me that he wished to be relieved from the agreement, and intimated that he should be governed by the letter of the contract, which allows him to take any young pupils as soon as old enough to enter school, they not having been in school the year previous.

You will remember that my 3-mile-limit agreement was approved by the Catholic bureau and by yourself.

To return to causes. Will. Pablo, the immediate cause of the depletion of the school and other disaffection, was employed at San Boniface as a policeman until, as Rev. Hahn told me, the sisters would have him there no longer. About the same time he aspired to be medicine man and captain. The uneasy element and Catholic Indians were influenced to uphold him, and from that day he has been unceasing in his efforts to deplete the school and to destroy the agent's influence in many ways. He has done this not only in Potrero, but has traveled hundreds of miles from reservation to reservation counseling the Indians not to be directed by me, but to obey him, telling them that I would soon be removed and that he would be in authority and do much for them. I have known much more of this than I can write. On my last trip I have been told of it, and several captains have come to me to ask if I was removed; also that Will. Pablo traveled over the reservation in company with Rev. Hahn. One teacher writes that Indians have been told they will die if they attend her school. A multitude of these influences have combined with that of white people in Government employ to weaken my influence and encourage the Indians to believe I would soon be removed.

To counteract this influence I long ago urged that I might build a jail at Potrero. as I am powerless to punish without it. I fully believe that if I had had a jail one year ago I would have controlled W. Pablo and filled the school, but I did not dare to arrest him and take him off the reservation to confine him, lest some lawyer take him away from me. He is very cunning, and I find it difficult to get good testimony, such as will be sure to warrant me in holding him. I think I have found it within a few days, and intend to consult a lawyer in Los Angeles and learn if I can hold him in Los Angeles jail. He has forbidden an Indian (whom I put on the Toutain place) to work, and drove him off, saying he, Pablo, would give the land to another. This, with other things, I hope will be considered enough to warrant me to hold him in the county jail and try him by the Indian court or United States commissioners.

Pablo is now instigating Indians to demand \$10,000 from a railroad company for occupying an old Indian cemetery at Redlands for a depot. I shall see that their rights are protected, and he will not handle the money until after I do.

This is the influence which has depleted the school.

Very respectfully, yours,

HORATIO N. RUST,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

I fully concur with the above statement, so far as Will. Pablo's influence in concerned and the Catholics.

C. T. BEACH, *Superintendent.*

I concur in above statement as a whole.

JOHN CHARLTON.

UNITED STATES INDIAN SERVICE, MISSION, ETC., AGENCY,
Colton, December 1, 1891.

SIR: Replying to yours of November 9, I have the honor to report that the agreement spoken of was made by me with Father Hahn, and reported under date of October 29, 1890, and, I believe, approved. In it I stipulated that Father Hahn should not solicit pupils within a radius of 3 miles from any Government day school. I believe that the above-named gentleman adhered to this agreement until he took the pupil "Ramone Charlie," of whom he writes me that he (Ramone) joined him at Port La Cruz, and that he did not solicit at Mesa Grande. About the same date he sends me the descriptive statement of 10 pupils taken from the Potrero, and asks to be released from the above-mentioned agreement. I inclose his letter of November 21, showing that he did recognize an agreement; also that he repudiated its obligations.

I understood yours of November 19, 1890 (E. 355,116-90) as an indorsement of our agreement, to which I alluded November 7.

My reason for proposing the 3-mile-limit agreement was that I thought it reasonable to consider all pupils within 3 miles of a day school as provided for, and that outside of that limit there would be more than enough to fill the contract schools. When I stipulated that they should not solicit pupils within that limit I hoped they would respect the spirit of the agreement. I am confident that the two systems can not be conducted amicably so long as parties traveling among the Indians tell them that the contract schools are much the better, and offer as a reason that they provide food and clothing; this is a strong argument to an Indian. The result is apparent at Potrero, where this teaching was given about one year ago and children induced to leave the day school. Now they have been out of school for a year and the contract permits them to be received in the contract school. To meet this influence I have urged that I be permitted to build a jail, by which I hoped, with confidence, I could enforce authority and thus counteract the evil influence of Will Pablo, who has been the most active Indian in depleting the Potrero school.

In compliance with recent instructions relative to "compulsory attendance," I will describe more fully the means used to deplete the above school.

Respectfully,

HORATIO N. RUST,
United States Indian Agent.

HON. T. J. MORGAN,
Commissioner of Indian Affairs, Washington, D. C.

UNITED STATES INDIAN SERVICE, MISSION, ETC., AGENCY,
Colton, October 26, 1891.

SIR: I have the honor herewith to submit an estimate for jail at Potrero, to be constructed of stone with water cement, to be 8 by 12 feet and 8 feet high in the clear, with iron roof and cement floor:

For 9 barrels cement, at \$4	\$36.00
For hauling stone, at \$6 per day for seven days.....	42.00
For iron for roof and door bars, etc.....	27.00
For woodwork and material.....	13.00
For fifteen days labor, at \$3.50 per diem.....	52.00

170.50

I propose to employ Indians in the hauling of stone, mixing mortar, and in any way they can be made useful, and thus materially reduce the cost of labor. Would be glad to have your reply at as early a moment as possible.

HORATIO N. RUST,
United States Indian Agent.

HON. T. J. MORGAN,
Commissioner of Indian Affairs, Washington, D. C.

MISSION, ETC., AGENCY, CAL.

The United States in account-current with Horatio N. Rust for the quarter ending December 31, 1891, under bond dated April 1, 1890.

DR.		CR.	
To amount disbursed per abstract of disbursements.....	\$5,480.54	By balance from quarter ending September 30, 1891.....	\$1,184.44
Deposited to the credit of the United States in the Los Angeles National Bank of Los Angeles, proceeds of pasturage, etc.....	3,280.15	By amount from United States Treasury draft dated November 30, 1891..	4,681.00
Balance.....	543.97	By amount from pasturage, etc., on Potrero Reservation, Class III.....	3,448.22
Total.....	9,313.66	Total.....	9,313.66
		Balance due United States.....	561.17

I do solemnly swear that only \$3,448.22, miscellaneous funds, were received by me during the period embraced in the — quarter, 18—, and that the above account is just and true as stated; that the disbursements have been faithfully made for the objects expressed in the vouchers; that the accounts given embrace all the public money received by me and not heretofore accounted for; and that of the balance of funds due the United States \$543.97 are on deposit to my credit with the Los Angeles National Bank, and \$17.20 in hand.

HORATIO N. RUST,
United States Indian Agent.

MISSION, ETC., AGENCY, December 31, 1891.

Subscribed and sworn to before me this 4th day of February, 1892.

GEO. L. HISOM.

If no such funds have been received during above period, erase the word "only" and insert the word "no." See circular 94.

UNITED STATES INDIAN SERVICE, MISSION, ETC., AGENCY,
Colton, Cal., September 5, 1891.

SIR: Replying to your communication, A 25769-91, July 21, 1891, I have the honor of submitting for your consideration the accompanying statement of miscellaneous funds, a portion of which has been held by my predecessor and the balance by myself. It has been my intention, should I receive the authority, to construct for the Potrero Indians with these funds a stone ditch which will supply every family with an abundance of water for many years. I would not expect, of course, to begin the work until they had received their allotments. It was from this fund that I proposed to pay for mowing machine and horse rake.

Very respectfully,

HORATIO N. RUST,
United States Indian Agent.

HON. T. J. MORGAN,
Commissioner of Indian Affairs, Washington, D. C.

Statement of funds received for one-fifth of the grain grown on shares, on the lands of the Potrero Indians, from October, 1890, to September 5, 1891, and also for suitable pasturage and bee range.

Total receipts.....	\$1,875.71
Expenses as per subvoucher on file.....	505.91
Balance.....	1,569.80
On hand, 2,200 sacks of barley, which at 90 cents per sack will realize....	1,980.00

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, September 16, 1891.

SIR: I am in receipt of your communication of 5th instant inclosing a statement of funds in your hands designated as miscellaneous receipts, and showing the sources from which they were derived.

By comparison of this statement with your cash and property accounts it is observed that neither the funds you report having received nor the barley (presumably grown on Potrero lands) have been taken up.

The funds referred to being the proceeds of the sale of products of an Indian reservation, not the result of the labor of any individual member of any of the tribes, are covered by the provisions of law as found in the U. S. Stats., Vol. 22, p. 590, and which is as follows:

"The proceeds of all pasturage and sales of timber, coal, or other product of any Indian reservation, except those of the five civilized tribes, and not the result of the labor of any member of such tribe, shall be covered into the Treasury for the benefit of such tribe under such regulations as the Secretary of the Interior shall prescribe; and the Secretary shall report his action in detail to Congress at its next session."

Under provisions of this law all such funds should have been deposited by you in the nearest United States Depository, and the certificates of deposit forwarded to this office and the Treasury Department in the usual manner. After such funds had been covered into the Treasury they were subject to expenditure under direction of the Secretary of the Interior for the benefit of the Indians for whose benefit such funds were covered in, as provided in U. S. Stats., Vol. 24, p. 463:

"That the Secretary of the Interior is hereby authorized to use the money which has been or may hereafter be covered into the Treasury under the provisions of the act approved March 3, 1883, and which is carried on the books of that Department under the caption of 'Indian moneys, proceeds of labor,' for the benefit of the several tribes on whose account said money was covered in, in such way and for such purposes as in his discretion he may think best, and shall make annually a detailed report thereof to Congress."

You will, therefore, at once deposit to the credit of the United States, for the benefit of the proper tribe, the \$1,875.71 received by you, and will accompany your letter of transmittal of the certificate of deposit to this office with a full statement in detail showing the sources from whence it was derived. You will also take up the 2,200 sacks of barley (in pounds or bushels) on abstract C to your property account, and at the proper time, upon authority to be obtained from this office, this barley should be sold and the proceeds covered into the Treasury as hereinbefore directed.

In regard to the \$305.91, stated to be "expenses as per subvouchers on file," I have to say that under the law you had no authority to make any such expenditures, the money should have been covered into the Treasury and then drawn therefrom on proper requisition, and expended only by authority of the honorable Secretary of the Interior, but in view of the circumstances in this case, if you will forward to this office vouchers showing all the expenditures made by you, and such expenditures appear to have been right and proper, such action will be taken looking to your reimbursement as may be warranted.

When the funds hereinbefore directed to be deposited have been so deposited, if you will submit an estimate for mowing machine and horse rake asked for in your letter of July 11th last, showing the probable cost of each delivered at the agency, the question of purchasing them will then be considered by this office.

Respectfully,

R. V. BELT,
Acting Commissioner.

H. N. RUST,
United States Indian Agent, Mission Agency, Cal.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, July 29, 1891.

SIR: I have the honor to transmit herewith copies of two reports of July 11 and July 21, 1891, respectively, from Horatio N. Rust, United States Indian agent for the Mission Tule River Consolidated Agency, Cal., making complaint against a medicine man by the name of Will Pablo, who he charges with advising the Indians of his agency to oppose his authority on the reservation, and to assault John Morongo, sent by him to corral certain stock trespassing upon the Potrero Reservation.

In a prior report of June 22, 1891 (copy also inclosed), Agent Rust states that Will Pablo, of Potrero, had for several months been using his influence to deplete the school and in many ways to destroy the agent's authority and influence among

the Portrero Indians; that he has a faction who wished him to be captain, but the agent declined to recognize him as such, and that he is practicing as a medicine man, having under his control the wife of another Indian whom he declares will surely die if she goes home, and whom her husband desires shall return.

In his report of July 11, 1891, the agent says that Will Pablo continues to use his influence as a medicine man; that he has gone to Sacramento with one John Brown to use his influence against the agent, and that he tells the Indians they must get rid of John Morongo who is used by Mr. Rust as captain of police, and who, unless the Indians can get rid of him, he says will die, intimating that he will be poisoned; that Cabazon has also told the Desert Indians the same thing; that the Potrero Indians, through the influence of this man, Pablo, have recently left their homes and work and gone up the mountain sides having been told that the flood was coming by the way of Salton and destroy them; that great terror has taken possession of the Desert and Coahuilla Indians, and these medicine men take advantage of the flood to frighten them. In concluding this report the agent says he is confident the sooner Will Pablo is confined the sooner order will be restored among the Indians.

In his report of July 21 the agent says that he is powerless to prevent the troubles caused by Pablo's influence over the Indians, having no police, no jail, etc.

In view of the great number of mission reservations under this agency, and their scattered situations, it has not been deemed advisable to establish a jail for the confinement of obstreperous Indians there. A jail would be required on each reservation, of which there are twenty, and some very small, from the fact that prisoners could not be brought through the State of California from one reservation to another with safety. The agent in his estimates did not estimate for police at the agency for the ensuing year, and no appointments of policemen were authorized there.

In view of the situation, I am of the opinion that the good of the service makes it necessary that this Indian, Pablo, be arrested by the military and confined at some place remote from the agency until such time as he shall satisfy the military authorities of his willingness to submit to the lawful authority of the agent.

As a precedent for this action I have the honor to refer to the action taken by the Government in the case of Skolaskin, chief of the San Puell Indians on the Colville Reservation in Washington, who was arrested by the military and is now confined in the custody of the War Department on Alcatraz Island, California.

I have the honor, therefore, to recommend that the matter be transmitted to the Secretary of War with request that such orders be issued to the proper military authorities as will effect the arrest and confinement of the said Will Pablo.

Very respectfully, your obedient servant,

T. J. MORGAN,
Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, July 6, 1891.

SIR: I am in receipt of your report of June 22, 1891, in which you state that recent events lead you to reconsider your report of March 24, 1891, respecting the establishment of a court of Indian offenses for your agency, and to ask for authority to organize such a court; you nominate as judges thereof John Morongo, Joseph Magill, and Louis Ventura.

In reply I have to say that, in view of the number of small reservations under the charge of your agency, and the fact that these reservations are scattered over a large area, some being far distant from the others, I deem it expedient, before authorizing the establishment of a court of Indian offenses, as you recommend, to have a report from you as to the events that have occurred to induce you to reconsider your recommendation heretofore made on the subject. State on what reservation or reservations you purpose this court shall hold its sessions, and the accessibility to the court from other reservations.

Very respectfully,

T. J. MORGAN,
Commissioner.

H. N. RUST, Esq.,
United States Indian Agent, Mission Agency, Colton, Cal.

UNITED STATES INDIAN SERVICE, MISSION AGENCY,
Colton, July 4, 1891.

SIR: Replying to "Land 15827-91" I have the honor to report that Will Pablo, Indian, of Banning, Cal., whose complaint is inclosed, is the Indian who has been causing discontent among the Mission Indians for a year past. He represents the worst element among the nonprogressive Indians of Potrero. I have refused to recognize him as a captain. He made his complaints to Col. Gardner and was rebuked by him. He has been, and sent messengers to distant tribes, urging them to sign a petition to have me removed as agent. He is practicing as a "medicine man," and a few days ago Ramon, who has been one of his followers, came to me urging me to go to Pablo's father's house, where he lives, and induce Ramon's wife to return home, she having been there three months. I called, but could not persuade her to return, Pablo telling her that he sees the spirit of her dead son, who says she will die if she goes home.

This same influence has led many to believe that the Messiah will come about July 4 and white men will be destroyed.

Will Pablo has joined hands with old Cabazone, chief of the Desert Indians, and John Brown, lawyer of San Bernardino, and Lawson, a disgraced Indian agent, of Colton, to drive me out as agent. Cabazone has been deposed by the Desert Indians in large majority, who are anxious to follow my directions and to assist and be assisted by Prof. C. C. Painter, who has been among them, Cabazone being opposed to the plans of the commission to benefit the Indians.

These combined influences constantly keep the Indians in trouble, and now about fifty families are camped high up on San Jacinto Mountain on west side of the desert, expecting their Messiah will run down the whites, and the overflow of the Colorado into the desert basin around Salton gives the medicine men hope and the Indians great fear.

This gives you some idea of Pablo's character, which is everywhere bad. He sowed a small piece of grain last spring far from home and any ploughed fields, on poor land, on purpose to attract stray cattle that he might impound them and collect fines. He also induced his followers to build a corral near by, but neglected to put in any other crop so far as I can learn.

Replying to the charge that I have leased grazing lands "without the consent of Indians in council," I have had the approval of the best men of the tribe in growing grain on shares by white men, also in renting the grazing lands complained of by Pablo. The results I explained and reported to Col. Gardner. The land to which Pablo refers as leased by me for \$30 per month I suppose to be lands I knew *not* needed by the Indians and for years previous used by the same man, who this season has paid me \$100 for the season. (His name is Lamb, of Banning.)

On the same range has lived for many years an old woman who grazed the same range and paid nothing. I have removed her from the reservation and rented her a distant unused cañon for her herd, and she pays to the Indians for the season two cows, such as the Indians may select from the herd.

In this way I have saved for the Indians \$1,500, as reported to Col. Gardner, also to the Department. The money is now in bank here and I await the order of the Department, which I daily expect from Col. Gardner's report.

My intention has been to save this money and, as soon as the land of Portrero is divided in severalty, to purchase cement and hire the Indians to make a proper water ditch, which would save all the water and benefit every family of the tribe.

I am satisfied that I can not properly control these Indians and benefit them as long as Will Pablo is permitted to go at will among them, constantly influencing them against me and the school.

If I had a jail on that reservation I would have controlled him long ago, but I could not get one. Now I have a police, but no way to confine a prisoner. One of Pablo's assistants was locked up in Los Angeles jail for insubordination and old Cabazone was arrested at the same time a year ago; but if I should do it now I should expect John Brown would defend them and make more trouble, and I might lose more than I would gain.

Thus I have endeavored to show why Pablo complains. I will be glad to receive more definite instructions, and have awaited the turning over the money on hand, daily expecting a reply to my statement sent with Col. Gardner's report.

Very respectfully, yours,

HORATIO N. RUST,
United States Indian Agent.

THE COMMISSIONER OF INDIAN AFFAIRS.

UNITED STATES INDIAN SERVICE,
Mission Agency, Colton, Cal., February 4, 1891.

SIR: Referring to the following, I have the honor to report:

To my own report of discontent among the Indians at Potrero, under date of December 20, 1890, approved by L. 40018-90, I add as follows:

Will Pablo, Indian, of bad report, was employed for a time as policeman at the St. Boniface school at Banning; discharged (as told me by Father Hahn, in charge of the school) because the sisters did not want him about. He has induced the Indians to select and elect him as their captain, as reported, when he learned he could not induce me to commission him as captain, consulted a shyster lawyer named John Brown, and a delegation of Indians has been thirty miles and return to consult him. He, the lawyer, has been accustomed to advise these Indians for several years (his wife being part Indian), collecting fees and only making the Indian and the agent trouble.

Out of this, I am told, a petition signed by some 200 Indians has been sent to Washington, asking for my removal, saying that I am working for the white people and against the Indians. This Will Pablo has circulated the petition, and when asked what the petitions and accompanying letter meant could not explain. He has also said that he will bring to Potrero Indians enough to drive out all the whites and take all the lands. He does very little work, will not support his wife and child, and foments trouble among the Indians constantly.

John Morango will act as captain for me and the Indians will be cared for properly.

Very respectfully, yours,

HORATIO N. RUST,
United States Indian Agent.

Hon. THOMAS J. MORGAN,
Commissioner of Indian Affairs, Washington, D. C.

UNITED STATES INDIAN SERVICE,
Mission Agency, Colton, June 22, 1891.

SIR: I have the honor to report that recent events lead me to reconsider my request of March 24, 1891, and ask for authority to organize a court of Indian offenses. I desire also to nominate for judges John Morongo, Joseph Magill, Louis Ventura. These are among the best men of the tribe.

Very respectfully yours,

HORATIO N. RUST,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 12, 1891.

SIR: Referring to your communication, dated December 20, 1890, you are advised that your action in regard to the captain of the Potrero village is sanctioned by this office.

There seems to be (no) necessity of a captain for these villages, and the office should be abolished wherever practicable. In any event no person should be recognized as captain who is not an industrious and sober man.

Very respectfully,

T. J. MORGAN,
Commissioner.

HORATIO N. RUST, Esq.,
U. S. Indian Agent, Mission Agency, Colton, Cal.

UNITED STATES INDIAN SERVICE,
Mission Agency, Colton, Cal., December 20, 1890.

SIR: I have the honor to report that by reason of the drunkenness at Potrero Reserve Miss Morris was intimidated and made complaint, asking for my interference. Last year during the grape harvest the same trouble led me to put one man (whom I had reprimanded and who promised to do so no more) in jail. This season the same man made wine and with others was very drunken. I arrested him and let him off by his cutting 5 cords of wood for the school.

Next the captain, who is a drunkard and who has had no control for a year, had a fight, or his wife did, and she was punished in the civil court at Banning, I consenting because the Indians could not punish and I could not punish, as I had no jail.

This displeased the captain and his friends. I told him as they would not obey their captain nor me that the civil courts must be allowed to control them, and that I would no more recognize a drunken captain at all.

I urged Capt. John Morongo to accept the position of policeman, and he declined, as they decided they did not want a policeman.

Two days ago the old captain came with his son, Will Pablo, saying they had elected him captain. I knew he was a hard case. I asked if he did not have a wife and child that he did not live with and support; he said yes. I said, do you not wander about and do no work? He said yes. I said, I will not recognize a drunken, idle captain. Col. Junkin sat by, heard it, and said, "we must have a man who would set a good example."

My wish is that these people come under civil law as soon as possible. They know as well as I do their duty as citizens. Several take, read, and pay for a weekly paper. Their tribal relations should be broken up at once, and I feel that this is the time to begin. They rebel, being determined to have a captain.

I wish you would give me authority to say that I shall not recognize a captain again, that I can do all for them they need, that I will issue to individuals what we give them and not to any captain (who gives to his favorites and no one cares for communal property) and always has trouble on that account. I believe this is the best thing to do and now the time to do it. They will object in the future whenever this time comes, and now seems to be the time to begin here.

In another reserve I told them if they elected a drunkard I would not recognize him, so they elected the man I wanted. I have said as long as you elect a good man and obey him and me you can have a captain, but when you elect a bad man you will not have any captain. I hope this may meet your approval and indorsement.

I will await your reply.

Very respectfully yours,

HORATIO N. RUST,
United States Indian Agent.

HON. THOMAS J. MORGAN.

Commissioner of Indian Affairs, Washington, D. C.