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Report of the Secretary of the Interior, communicating, in compliance with a resolution of the Senate, a copy of the correspondence between the Department of the Interior and the Indian agents and commissioners in California.

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REPORT
OF
THE SECRETARY OF THE INTERIOR,

COMMUNICATING,

In compliance with a resolution of the Senate, a copy of the correspondence between the Department of the Interior and the Indian agents and commissioners in California.

MARCH 17, 1853.—Read, and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, March 17, 1853.

SIR: In obedience to a resolution of the Senate of the 21st instant, I have the honor to communicate herewith a report from the Commissioner of Indian Affairs of the 16th instant, accompanied by copies of all letters and correspondence between the department and the Indian agents and commissioners in the State of California, which have not already been published.

I am, sir, with much respect, your obedient servant,

R. McCLELLAND,
Secretary.

Hon. D. R. ATCHISON,
President of the Senate of the United States.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, March 16, 1853.

SIR: I have the honor to transmit herewith a copy of the correspondence between this office and the agents and commissioner of the department in California, as required by the Senate resolution of 21st January last, referred here by your predecessor on the 22d of the same month.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

Hon. ROBERT McCLELLAND,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, April 14, 1849.

SIR: I have the honor to enclose herewith an appointment for you as sub-Indian agent on the Sacramento and San Joachim rivers, in California, to include the Indians at or in the vicinity of those places, and any other that may hereafter be designated by this department. Your compensation will be at the rate of \$750 per annum, to be in full for pay and all emoluments whatever.

You will execute a bond in the penal sum of \$2,000, with two or more sureties, whose sufficiency must be certified by a United States district judge or district attorney.

So little is known here of the condition and situation of the Indians in that region, that no specific instructions relative to them can be given at present; and the department relies on you to furnish it with such statistical and other information as will give a just understanding of every particular relating to them, embracing the names of the tribes, their location, the probable extent of territory owned or claimed by each respectively, the tenure by which they claim it, their manners, habits, disposition, and feelings towards the United States, and whites generally, and towards each other; whether hostile or otherwise; whether the tribes speak different languages, and where different the apparent analogies between them; and, also, what laws and regulations for their government are necessary, and how far the law regulating trade and intercourse with the Indian tribes, a copy of which I enclose, will, if extended to that country; properly apply to the Indians there, and to the trade and intercourse with them, and what modification, if any, will be required to produce the greatest degree of efficiency.

You are authorized to employ one or more interpreters, not exceeding more than one at the same time, unless otherwise absolutely necessary to aid you in the discharge of your duties, whose compensation, if employed by the year, will be at the rate of \$300 per annum. It is very desirable that the greatest economy shall be observed, and it is therefore hoped that the employment of one permanent interpreter will be sufficient; and that the services of any others will be but temporary, and for as short periods as possible, consistent with a proper discharge of your duties.

You will report direct to this office, and will lose no opportunity of doing so, as it is extremely desirable that the department be kept well advised of the state of affairs in that region.

It is probable you will wish to avail yourself of the military escort about to leave St. Louis, and funds will therefore be placed in the hands of the superintendent at that place, to be turned over to you as follows:

One year's salary for self.....	\$750
One year's salary for interpreter.....	300
Pay of interpreter temporarily employed.....	100
Contingent expenses, including presents to Indians, purchase of two horses for yourself and your interpreter, collection of statistical information, forage for horses, house rent, fuel, stationery, &c., together with your travelling expenses.....	1,200
	<hr/>
	2,350

You are authorized to purchase two horses, one for yourself and one for your interpreter, for which you will be held accountable as public property.

In making presents to Indians you will be as economical as possible, and confine yourself to such cases only as will effect some important object.

It is supposed that there are captives or prisoners, either Mexicans or Americans, among some of the Indians of California or New Mexico. If you should find such to be the case among the Indians of your sub-agency, you will demand and endeavor to procure their release and surrender, whether Americans or Mexicans; but it must, if possible, be done without any compensation whatever, as to make compensation would but encourage a continuance of the practice of making captives. And any demand must be made under circumstances not calculated to produce mischief or hostile feelings on the part of the Indians.

I enclose blank forms to guide you in rendering your accounts, which must be done quarter-yearly, or as nearly so as possible.

In rendering your accounts you will account for the money placed in your hands under the following heads of appropriation, viz:

Pay of sub-agents.....	\$750
Pay of interpreters.....	400
Contingencies Indian department	1,200
	2,350
	2,350

I also herewith enclose a copy of the late treaty with Mexico; and also copies of the reports of Messrs. Fremont, Emory, Abert, and Cooke, which you will find useful to you.

Very respectfully, your obedient servant,
W. MEDILL, *Commissioner.*

ADAM JOHNSTON, Esq., *Present.*

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, May 2, 1849.

SIR: Your bond as sub-Indian agent, transmitted with your letter of the — ultimo, has received the approval of the Secretary of the Interior.

Very respectfully, your obedient servant,
WM. MEDILL, *Commissioner.*

ADAM JOHNSTON, Esq.,
Sub-Indian Agent, St. Louis, Mo.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 24, 1849:

SIR: I have the honor to enclose herewith a commission constituting you sub-Indian agent on the Sacramento river, in California, to include

the Indians there or in the vicinity thereof, and any others that may hereafter be designated by the department.

Your compensation will be at the rate of \$750 per annum, to be in full for pay and all emoluments whatever.

You will execute a bond in the penal sum of \$2,000, with two or more securities, whose sufficiency must be certified by a district judge, or United States attorney, or by the commandant of a military post.

This sub-agency lately included the valley of the San Joaquin, but is now separated, and two distinct sub-agencies formed out of it; the one on the Sacramento to be held by you, and that on the San Joaquin by the present incumbent, Adam Johnston, esq. It would be well for you to communicate with Mr. Johnston and have an understanding as to the relative boundaries of separation between the two.

Very little is known here of the condition, situation, and locality of these Indians, and the department looks to you to furnish it with such statistical and other information as will give any particulars relating to them, embracing the names of the tribes, the location, the probable extent of country owned by each respectively, the tenure by which they claim it, their manners, habits, disposition towards the United States and whites generally, and towards each other, whether hostile or otherwise; whether the tribes speak different languages, and where different the apparent analogies between them; and also what laws and regulations for their government are necessary, and how far the law regulating trade and intercourse with the Indian tribes, a copy of which I enclose, if extended to that country, properly applies to the Indians there and to trade and intercourse with them, and what modification, if necessary, will be required to produce the greatest degree of efficiency.

You are authorized to supply one or more interpreters; but it is supposed more than one will not be required at any one time, and no more should be employed unless it is absolutely necessary to aid you in the discharge of your duties. The compensation of the interpreter, if employed by the year, will be at the rate of \$300 per annum; but where employed temporarily, you will procure their services on the best terms you can, and for the shortest possible periods.

You are authorized to purchase two horses, one for your own use and one for the use of your interpreter, for which you will be held accountable as public property. Two hundred dollars will be allowed for this object.

The sum of three hundred dollars per annum will be allowed you for contingent expenses, and such small presents as you may from time to time find it proper to make; but in these you will confine yourself to cases where some object is to be effected of importance to the government or to the Indians.

As the country of California is under military law, it will be proper for you to confer with the military governor, or the commandants of the military posts in your vicinity, and obtain their co-operation in all cases where you find assistance necessary, either in obtaining the restitution of captives among the Indians, whether Americans or Mexicans, or in any other manner. There being no appropriation out of which payment can be made for the restoration of captives, of course you will incur no expense on that account.

I enclose blank forms to guide you in rendering your accounts, which must be done quarter-yearly, or as nearly so as possible.

You are authorized to draw for the following sums, after your bond shall have been approved, and will account for them under the following heads of appropriation, viz:

Pay of sub-agents, 1 year.....	\$750 00
Pay of interpreters, 1 year.....	400 00
Contingencies, to include purchase of two horses and presents.....	500 00
	<hr/>
	1,650 00
	<hr/> <hr/>

Very respectfully, your obedient servant,
ORLANDO BROWN,
Commissioner.

JOHN A. SUTTER, Esq.,
San Francisco, California.

P. S.—Copies of this letter have been forwarded to Sacramento and to Sutter's Mills. Your commission and accompanying papers are forwarded, with this, to San Francisco.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, November 24, 1849.

SIR: I enclose you a number of circulars, requiring to be filled up for the tribe of Indians under your care, and will thank you for the replies.

I also transmit you a copy of a bibliographical catalogue, by which you will perceive that this office is desirous of obtaining copies of any publication in the Indian tongues, or upon their principles.

Very respectfully, yours, &c.,

ORLANDO BROWN,
Commissioner.

ADAM JOHNSTON, Esq.,
Sacramento, California.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, November 24, 1849.

SIR: The Secretary of the Interior has directed that two sub-agencies be formed out of the one now held by you, and has appointed John A. Sutter, esq., of California, sub-agent for all the Indians on the Sacramento river, your own to be confined to those in the valley of San Joachim.

Mr. Sutter's commission has been forwarded to him, and he has been requested to communicate with you as to the dividing-line between

your agencies, so that the relative boundaries may be perfectly understood between you.

Very respectfully, your obedient servant,

ORLANDO BROWN,
Commissioner.

ADAM JOHNSTON, Esq.,
San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, February 18, 1850.

SIR: Your letter of the 28th December last to the Secretary of the Interior, asking for copies of your former communications, has been referred to this office.

In compliance with your request, I herewith enclose copies of the only communications from you on file in this office, being two in number.

I beg leave again to remind you, that all official letters on Indian affairs should be sent direct to this office.

Yours, &c.,

ORLANDO BROWN, *Commissioner.*

JOHN WILSON, Esq.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, February 19, 1850.

SIR: Your letter from San José of 28th December last, to the Secretary of the Interior, was referred to and answered by this office on yesterday, addressed to you at San Francisco, California. The copies of your former communications were enclosed therewith.

With regard to boundaries of agencies and sub-agencies, I can only remark at present, that this office is not in possession of such maps or other information as to enable it to act knowingly in the premises, and that it relies for the necessary data to enable it so to act, upon its agents at those remote points.

You will please give all the geographical and statistical information in your power, accompanied by such suggestions, plans, &c., as you propose in your last communication.

Colonel Johnston is sub-agent for the San Joaquin river, west of the Sierra Nevada, and Colonel Sutter for the valley of the Sacramento. The Sierra would seem to be a proper geographical boundary between your agency and that of sub-agent Johnston. Before fixing upon definite limits, however, I must await the reports of the proper officers of this department.

In reply to your inquiry as to whether you have any control over the action of sub-agent Johnston, I have to inform you that you have none whatever, there being an express law to that effect.

Yours, &c.,

ORLANDO BROWN, *Commissioner.*

JOHN WILSON, Esq.,
Indian Agent, San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, September 6, 1850.

SIR: I have the honor to inform you that Edward Cooper, esq., of New York, has been appointed to succeed you as Indian agent at Salt Lake, in Utah.

I will thank you to turn over to Mr. Cooper all public money, public property, books, papers, &c., belonging to the agency, taking his receipts therefor as vouchers in the settlement of your accounts, which you will be pleased to render as early as possible.

Very respectfully, your obedient servant,

A. S. LOUGHERY,
Acting Commissioner.

JNO. WILSON, Esq.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, October 10, 1850.

SIR: I have the honor to enclose herewith a commission constituting you Indian agent in California.

I also enclose the form of a bond, which you will execute, in the penal sum of \$5,000, with two or more sureties, whose sufficiency must be certified by a United States judge or district attorney. You will be pleased to return it to this office as soon as it is completed.

At the proper time the necessary instructions will be forwarded to you.

Very respectfully, your obedient servant,

A. S. LOUGHERY,
Acting Commissioner.

REDICK MCKEE, Esq.

Same to George W. Barbour and O. M. Wozencraft.

[Telegraph.]

OFFICE INDIAN AFFAIRS,
October 15, 1850.

Your commission and instructions will be sent to-morrow, at New Orleans. Address your associate, Redick McKee, at New York, care of Grant & Barton.

A. S. LOUGHERY,
Acting Commissioner.

O. M. WOZENCRAFT, Esq.,
New Orleans.

[Telegraph.]

OFFICE INDIAN AFFAIRS,
October 15, 1850.

O. M. Wozencraft is in New Orleans. His commission sent to him there. Requested to communicate with you, at New York. Put yourself in communication with him.

A. S. LOUGHERY,
*Acting Commissioner.*REDICK MCKEE,
*Wheeling, Virginia.*DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, October 15, 1850.

GENTLEMEN: I have the honor to enclose herewith a copy of a letter from the Secretary of the Interior, by which you will find that your functions and salaries as Indian agents are suspended; and that you are appointed, with the sanction of the President, commissioners "to hold treaties with various Indian tribes in the State of California," as provided in the act of Congress approved September 30, 1850. Your commissions are also enclosed.

Your compensation, as provided by law, will be eight dollars per day for every day you are actually employed, and ten cents per mile for your travel, by the usually travelled route, to your place of destination. After your arrival in the country in which your duties lie, you will be allowed your actual travelling expenses from place to place, where duty may call you.

You will be allowed a secretary, to be appointed by you after your arrival in California, whose compensation must not exceed five dollars per day for his services, and his actual travelling expenses will be allowed.

It is not probable that his services will be required for the whole time, continuously, and you will therefore employ him only for such time as may be actually necessary.

The services of interpreters will be indispensable in your negotiations. You are therefore authorized to employ such number, and for such periods, as you may find requisite, confining yourselves to the smallest number, for the shortest periods, and for the lowest compensation that competent persons can be obtained for. These precautions of economy are made solely with reference to the small amount of the appropriation, when compared with the great object to be attained.

The first named gentleman of your board, being present, has been intrusted with the duties of disbursing agent of the commission, and the sum of \$25,000, the whole amount of the appropriation, has been placed in his hands for disbursement. The other two commissioners, together with all other expenses of the commission, will be paid by him.

You will find, on your arrival in California, Adam Johnston, esq., sub-agent at San Joachim, from whom you will doubtless receive much

valuable information, as his residence in the country for considerable more than a year has enabled him to collect a great deal relating to the Indian tribes, their location, their manners, habits, customs, disposition towards the whites and each other, and the extent of civilization to which they have arrived. Mr. Johnston will be directed to afford you all the aid in his power, and give you all the information in his possession, that may be of use to you in the discharge of your duties.

The department is in possession of little or no information respecting the Indians of California, except what is contained in the enclosed copies of papers, a list of which is appended to these instructions; but whether even these contain sufficient data to entitle them to full confidence will be for you to judge, and they are given to you merely as points of reference.

As set forth in the law creating the commission, and the letter of the Secretary of the Interior, the object of the government is to obtain all the information it can with reference to tribes of Indians within the boundaries of California, their manners, habits, customs, and extent of civilization, and to make such treaties and compacts with them as may seem just and proper. On the arrival of Mr. McKee and Mr. Barbour in California, they will notify Mr. Wozencraft of their readiness to enter upon the duties of the mission. The board will convene, and, after obtaining whatever light may be within its reach, will determine upon some rule of action which will be most efficient in attaining the desired object, which is, by all possible means, to conciliate the good feelings of the Indians, and to get them to ratify those feelings by entering into written treaties, binding on them, towards the government and each other. You will be able to judge whether it will be best for you to act in a body, or separately, in different parts of the Indian country.

It is expected that you will keep a journal of your daily proceedings, and report fully to this office everything that occurs in your operations. Copies of these reports you will forward from time to time, the whole to be reserved by you for a general report, accompanied by such treaties as you may make, when your mission shall have been brought to a close.

Another commission has been authorized, consisting of Messrs. C. S. Todd, Robert B. Campbell, and Oliver P. Temple, to procure information and make treaties with the Indians on the borders of Mexico. Should you meet at any time, which is scarcely to be expected, you will co-operate and act in concert, so far as may be agreed on between you: and it is requested that, whenever this may be the case, there will be no misunderstanding as to your relative powers, or collision in your understanding of your relative duties; it being regarded that each board is independent of the other, and it is expected that all intercourse between them will be harmonious.

Yours, &c.;

A. S. LOUGHERY,
Acting Commissioner.

Messrs. REDICK MCKEE,
GEO. W. BARBOUR, } *Commissioners.*
O. M. WOZENCRAFT, }

P. S.—Since writing the above a telegraphic communication has been received from Mr. Wozencraft at New Orleans; and he has been notified, through the same channel, that his commission, and a triplicate of these instructions, will be sent to him at that place.

A. S. L.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, October 15, 1850.

SIR: Messrs. Redick McKee, Geo. W. Barbour, and O. M. Wozencraft, Indian agents for California, have been appointed commissioners to make treaties with the Indians in California, and as your residence in that country for some time has enabled you to obtain much useful data, they have been referred to you to aid them in the objects of their mission. I have therefore to request that you will afford them all the assistance you can, as well by communicating to them whatever of information you may possess, as by your personal attention to their requests, and co-operation with them in the discharge of their duties.

Very respectfully, your obedient servant,

A. S. LOUGHERY.

ADAM JOHNSTON, Esq.,
Sub-Indian Agent, California.

[Telegraph.]

DEPARTMENT INTERIOR,
Office Indian Affairs, October 16, 1850

Instructions detained: will be mailed to-day for Wheeling.

A. S. LOUGHERY,
Acting Commissioner.

REDICK McKEE,
Wheeling, Virginia.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, October, 28, 1850.

SIR: I have had the honor to receive your letter of the 19th inst., and beg leave to inform you, in reply, that the circumstance of the letter transmitting your commission as Indian agent in California being dated the 10th inst., does not interfere with the time of the commencement of your salary as such.

Your commission was dated 1st October, and your pay commenced on that day.

I return the letter from this office enclosed by you.

Very respectfully, your obedient servant,

A. S. LOUGHERY,
Acting Commissioner.

REDICK McKEE,
(Care of Messrs. Wilbur & Scott,) New York.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, October 24, 1850.

SIR: I transmit, herewith, Corcoran & Riggs's check for ninety-eight dollars and ninety-five cents, payable to your order, at the Bank of America, in New York city, it being the amount of your account for nine days' pay as Indian agent, and your claim for personal expenses while in this city waiting for your instructions, &c., which has been allowed.

Very respectfully, your obedient servant,

A. S. LOUGHERY,
Acting Commissioner.

REDICK MCKEE, Esq.,
Wheeling, Virginia.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 4, 1850.

SIR: Your letter of 26th ultimo, enclosing your official bond, was received this day. I find, on examination of it, that the district attorney has omitted to place his name to the certificate of the sufficiency of the sureties to it; I therefore return it, that the omission may be supplied. I have taken the precaution, in the event of your having left New Orleans, to address this letter to yourself and the district attorney jointly, that the latter may perfect the bond and forward it to this office without your presence.

Very respectfully, your obedient servant,

L. LEA, Commissioner.

O. M. WOZENCRAFT, Esq.,
New Orleans, Louisiana.

[Telegraph.]

OFFICE INDIAN AFFAIRS,
November 4, 1850.

Your bond has not the signature of the district attorney. It will be sent by mail to-day, that the omission may be supplied, under cover to yourself and said officer. Arrange with him to have it perfected and returned here in case of your absence.

Mr. McKee was at Pittsburg on the 1st, en route for New York, to sail the first steamer after the 8th instant. Communicate with him there, care of Wilbur & Scott.

Mr. Barbour left Wheeling for New Orleans, *via* Kentucky, on 31st ultimo, expecting to sail with you. It is suggested that you await his arrival. Your letter for him will be enclosed to his address at New Orleans; notify him accordingly.

Acknowledge receipt by telegraph.

L. LEA, Commissioner.

To O. M. WOZENCRAFT,
New Orleans, Louisiana.

[Telegraph.]

OFFICE INDIAN AFFAIRS;
November 9, 1850.

An order for arms to the quartermaster, No. 6 State street, New York, goes by telegraph. Put yourself in communication with him. No order for medicines; nor can they be purchased on public account. A letter explaining will be sent you by mail to-day.

Very respectfully yours, &c.,

L. LEA, *Commissioner.*

REDICK MCKEE,
(Care of Wilbur & Scott,) *New York.*

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 9, 1850.

SIR: Your telegraphic despatch was received this morning, and application was immediately made to the Ordnance department for the arms required by you and your party. General Talcott has forwarded a telegraphic message to the quartermaster United States army, No. 6 State street, New York, directing the delivery of the arms. You will, of course, communicate with that officer without delay, so as to enable you to accomplish your object in time.

Your application for medicines has been declined by the War Department, but it is presumed your escort will be provided with a surgeon, who could, no doubt, furnish all you may require.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

REDICK MCKEE, Esq.,
(Care of Wilbur & Scott,) *New York.*

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, November 9, 1850.

SIR: I have received your letters of the 31st ultimo and 1st instant. Your request for arms, medicines, &c., forms the subject of another communication of this date.

Of the books you desire to procure for your party I can furnish only a volume of Indian treaties, published in 1837, which is sent by mail to-day. Copies of your letters to this office are herewith transmitted.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

REDICK MCKEE, Esq.,
Commissioner, &c., (Care of Wilbur & Scott,) New York.

OFFICE INDIAN AFFAIRS,
November 9, 1850.

SIR: Your bond as Indian agent in California, enclosed in your letter of the 26th ultimo to the Secretary of the Interior, referred by him to this office, is satisfactory.

Yours, &c.,

L. LEA, *Commissioner.*

G. W. BARBOUR, Esq.,
Frankfort, Ky.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 30, 1850.

SIR: Your letter of the 11th instant, addressed to the Secretary of the Interior, enclosing your oath of office, has been referred to this office and placed on file.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

GEORGE W. BARBOUR, Esq.,
Commissioner, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 29, 1850.

SIR: I have received your letter of the 9th instant, in which you communicate the fact of your having made the purchases of goods for presents to the Indians of California, and perfected your arrangements for their transportation. Your suggestions in reference to increase of salaries, &c., will be considered.

Your letter of the 11th instant, advising me of your draft for \$50 on this office, being for amount advanced you by Messrs. Grant & Barton, New York, for purchase of personal arms, &c., has also been received. I regret to inform you, that in consequence of their being no fund applicable to its payment, the whole amount for the commission having been placed in your hands, the draft has been returned to Messrs. Grant & Barton.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

R. McKEE, Esq.,
Commissioner, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, January 25, 1851.

SIR: Having failed to render your accounts within the period required by the second section of the "Act concerning the disbursement of the public money," approved January 23, 1823, you have been reported

to the President, who directs that you be written to and required to make your returns forthwith, accompanied by such reasons for the apparent delinquency as it may be in your power to offer.

The only accounts received from you are those rendered to October 14, 1849; and until it is shown by the rendition of further returns that the moneys placed in your hands have been properly expended for authorized objects, no more payments can be made to you. You will, therefore, see the importance of attending to the requirements herein contained without delay.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

ADAM JOHNSTON, Esq.,

*Sub-Indian Agent, (care of Messrs. Crane & Rice,
San Francisco, California.*

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, April 12, 1851.

GENTLEMEN: The third section of the "Act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1852," approved February 27, 1851, is in the following words:

"*And be it further enacted,* That hereafter all Indian treaties shall be negotiated by such officers and agents of the Indian department as the President of the United States may designate for that purpose; and no officer or agent so employed shall receive any additional compensation for such service."

By this law you will perceive that your offices and functions as commissioners are abrogated and annulled; but the negotiations in which you are engaged are not thereby to be suspended, as immediately on receipt of this communication you will enter upon the duties of your appointments as agents of this department, and as such are designated to negotiate with the Indians in California, which you will do under the instructions heretofore given to you as commissioners.

A full report of your proceedings, and a statement of your accounts, in the capacity of commissioners, should be transmitted without delay

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

Messrs. REDICK MCKEE,

GEO. W. BARBOUR,

O. M. WOZENCRAFT.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, May 9, 1851.

GENTLEMEN: On the 12th ultimo I addressed you a communication in which you were informed that your offices and functions as commissioners were abrogated and annulled, and directing you to enter upon

the duties of your appointments as agents of this department, and as such designated to negotiate with the Indians in California.

I have been informed that it is deemed necessary by the War Department to commence active military operations against the Indians in California, and in that event it will be highly important that one or more of the agents shall accompany each detachment of troops sent against them, so as to be in readiness to act in the capacity of negotiators, should occasion require. What particular negotiations may be required it is impossible for this office to foresee; nor can it give any specific directions on the subject. Much must be left to the discretion of those to whom the business is immediately intrusted. It is proper, however, to state that in reference to this matter, and all others pertaining to the conduct and management of Indian affairs in California, the government desires and expects that there shall be the utmost harmony and concert of action between the officers of the army and of this department. I am advised by the Secretary of War that instructions to this end have been given to the officer in command of the army in California, and I trust that nothing will be wanting on your part to give effect to the wishes of the government in this important particular.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

Messrs. REDICK McKEE,
GEO. W. BARBOUR,
O. M. WOZENCRAFT,
Agents, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, May 22, 1851.

GENTLEMEN: Your letters of March 5th and 25th, 1851, the last enclosing copy of a treaty entered into with chiefs, captains, and headmen of six tribes of Indians, in California, and one from agent McKee of March 24, 1851, have been received.

The department fully appreciates the difficulties with which you have had to contend in executing the important trust confided to you, and is highly gratified with the results you have thus far achieved; especially with your energy and despatch in procuring a location for several tribes of Indians and promptly removing them to it.

The provisions of the treaty, a copy of which is acknowledged above, are approved of; but the *original treaty* is the only document that can go before the Senate. You will, therefore, transmit it in time for the preliminary examination to be made by the President and officers of the department, before submitting it to the Senate for ratification.

As so much uncertainty exists as to the number of Indians in California, and as Congress appropriated so small an amount for negotiations with them, cutting down the sum asked for—\$75,000—to \$25,000, the department does not approve of the suggestion to district the State and assign to each a separate division.

The suggestions contained in the letter of agent McKee, in regard to establishing a superintendency at San Francisco, or Sacramento City, for the Indians in California and Oregon; the necessity for alterations in the Indian laws to adapt them to the Indians on the Pacific coast; and the propriety of bringing to Washington and the Atlantic cities a deputation of Indian chiefs, will be duly considered.

You are directed to inform yourselves upon the subject of alterations in the Indian laws and report to this office such changes as you think necessary; or the outlines of a code for its examination, in order that, if the department deem it advisable and proper, suitable measures may be prepared and submitted in due time for legislative action.

It would doubtless have a favorable effect if a delegation of chiefs were to visit Washington and the Atlantic cities; but as there is no appropriation applicable to such object, the consent of Congress is requisite before it can be sanctioned.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

Messrs. REDICK MCKEE,
GEO. W. BARBOUR,
O. M. WOZENCRAFT.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, June 24, 1851.

SIR: Your letter of 14th ultimo, in regard to the importance of prompt action in negotiating treaties with Indians in California, has been received, and its details will form the subject of another communication at an early period. At present, to reach the next mail which leaves for California, I merely state that a remittance will be made for the purposes specified in a letter to agent McKee, of this date.

Very respectfully, your obedient servant,

C. E. MIX,

Acting Commissioner, ad interim.

O. M. WOZENCRAFT, Esq.,
San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, June 24, 1851.

SIR: Your letter of 13th ultimo, with the accompanying papers, including copy of a treaty made with several tribes of Indians, April 29, 1851, has been received, the contents of which will be the subjects of more enlarged communications at an early period. At present, in order to reach the next mail that leaves for California, I will merely state that a remittance of \$7,500 will be made, to be disposed of as

follows: \$1,500 to each agent for salary, \$500 to each agent for interpreter, and \$500 to each agent for incidental expenses.

Very respectfully, your obedient servant,
CHARLES E. MIX,
Acting Commissioner, ad interim.

REDICK MCKEE, Esq.,
San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, June 25, 1851.

SIR: I have this day requested that a remittance of \$25,000 be made you, under the appropriation for holding treaties with the various tribes of Indians in California.

In the copies of the treaties made with several Indian tribes, heretofore transmitted to this office, there are provisions for delivering to them sundry articles in 1851, which cannot be complied with, as Congress will not be in session in time to make the necessary appropriations.

Should you conclude other treaties you will fix the time of payment, under any stipulation, at a period sufficiently in the future to allow of Congressional action to meet the requisition.

Very respectfully, your obedient servant,
CHARLES E. MIX,
Acting Commissioner, ad interim.

REDICK MCKEE, Esq., *Indian Agent,*
San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, June 27, 1851.

SIR: With your letter of 13th ult., a joint one from yourself and colleagues of 1st ult. was received, in which it is stated that you have ceased to act as a board, and have divided the State into three districts, in conformity with the plan submitted in your joint communication of March 10, 1851; and though this department did not approve of the suggestion to district the State, as you were apprized by letter of 22d ult., yet, as you are upon the ground, and must necessarily be better acquainted than it can be, at a point so remote from the scene of operations, with what will best subserve the public interests, it acquiesces in the decision to which you have come.

The remittance of \$25,000 made you on the 25th instant is for the purpose of negotiating treaties with the various tribes of Indians in California, which, after consultation with your colleagues, you will divide as the work in your respective districts requires.

You will have perceived that though \$75,000 were estimated and asked for the service in which you are engaged, Congress appropriated only \$25,000, the amount remitted you on the 25th instant, which, with the \$25,000 heretofore placed in your hands, is all that is applicable to

the negotiation of treaties in California; and when the funds referred to have been exhausted, you will close negotiations and proceed with the discharge of your duties as agents simply, as the department could not feel itself justified in authorizing anticipated expenditures beyond the amount of the appropriation made by Congress.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner, ad interim.

REDICK MCKEE, Esq.,
Agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, June 27, 1851.

SIR: I enclose you copy of a letter this day sent to R. McKee, esq., for your information and guidance in the matters to which it relates.

Very respectfully, your obedient servant,

C. E. MIX,
Acting Commissioner, ad interim.

O. M. WOZENCRAFT, Esq.,
Indian Agent, San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, June 27, 1851.

SIR: I enclose you copy of a letter sent this day to R. McKee, esq., for your information and guidance in the matters to which it relates.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner, ad interim.

G. W. BARBOUR, Esq.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, July 16, 1851.

SIR: Your letter of May 14, 1851, transmitting copy of a treaty concluded by you at Camp Belt, with several tribes of Indians in California, has been received.

Your attention is directed to the following extract of a letter to agent McKee, June 25th, 1851, to which you will conform your action in future negotiations of treaties: "In the copies of the treaties made with several Indian tribes heretofore transmitted to this office, there are provisions for delivering to them sundry articles in 1851, which cannot be complied with, as Congress will not be in session in time to make the necessary appropriations. Should you conclude other treaties, you will fix the time and payment, under any stipulation, at a period suf-

ficiently in the future to allow of Congressional action to meet the requisition."

Very respectfully, your obedient servant,

CHAS E. MIX,
Acting Commissioner, ad interim.

G. W. BARBOUR, Esq.,
*Agent for Indians in California,
San Francisco, California.*

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, July 9, 1851.

SIR: Your letter of 28th February, 1851, transmitting copy of a treaty negotiated by you with several tribes or bands of Indians in California, has been received.

You will forward to this office diagrams of the country ceded by the Indians to the United States, and of the lands reserved for them, in all treaties you have concluded or may hereafter negotiate with them; and also transmit in every case the estimates of the money that will be required to fulfil the stipulations that may have been agreed upon.

Very respectfully, your obedient servant,

C. E. MIX,
Acting Commissioner, ad interim.

O. M. WOZENCRAFT, Esq., *Agent,*
San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, August 9, 1851.

SIR: Your letter of the 30th June last, with accompanying papers, was received at this office on the 7th instant. In one of the accompanying papers—your letter to Mr. Wozencraft of the 4th June—you state, "nor has the department ever condescended to acknowledge the receipt of a single communication from me since I left New York."

It is proper, therefore, as these remarks have been submitted to the consideration of this office, that I should state, where cause of complaint exists against the department, it should be first made known to the Commissioner of Indian Affairs; and I deem it proper also to add, that your attention to this matter is called, not so much on account of the complaint referred to in your letter to your late colleague, but because, from your letter to this office, you state the fact of having "written to Mr. Stuart, Secretary of the Interior," and "gone more fully into this subject (the one upon which you were then addressing this office,) and some other transactions of a kindred character;" to all of which you say you feel it your duty to call the attention of the Commissioner. It is because of these remarks that I call your attention to page 27 of the "office copy of the laws, regulations, &c., of the Indian Bureau for 1850," with which you have been furnished, and to paragraph 126, which reads as follows: "All communications on Indian affairs must be directed to the Commissioner of Indian Affairs." In future, there-

fore, I would suggest that, whether there be cause of complaint, as indicated in your letter to Mr. Wozencraft, or suggestions touching Indian relations proper to be communicated to the Secretary of the Interior, as appears from your letter to this office, you will adopt the requirement of the paragraph in the regulations referred to, and address the Commissioner of Indian Affairs, for obvious reasons the proper and only channel of communication between all agents for Indians and the head of this department.

Owing to the great press of business upon this office, consequent upon the reorganization of the department of Indian affairs, in accordance with the late act of Congress, it was not until the 12th of April last that the Commissioner advised your joint commission that your offices and functions as commissioners were abrogated and annulled, and was able to give you such instructions as were deemed necessary under the present organization.

On the 9th May you were again addressed by this office, and referred to the Commissioner's previous communication. On the 23d June your letter of the 13th, and a joint letter from your commission of the 1st May, were received. In the former you referred to the want of funds, the meagreness of the appropriation made by Congress, and stated that thereafter each of you would act on his own judgment and responsibility.

The day after the receipt of these communications, \$7,500 were remitted to you on account of your and the pay of agents Wozencraft and Barbour, the pay for interpreters, and incidental expenses to each; and the day thereafter this office remitted to you, and of which you were advised, \$25,000—the whole amount of the appropriation for holding treaties with the various tribes of Indians in California. On the 27th of the same month another communication was addressed to you, in reply to the two letters just referred to. I make this statement in order that you may see that there was no neglect on the part of this office to communicate; and will only add, that where your individual communications, or those from your joint commission, remained unanswered, it was because answers, under the circumstances, were not deemed necessary.

It is hoped that long ere this the remittances referred to have been received by you, and that agents Wozencraft, Barbour, and yourself have again resumed active operations among the Indian tribes of California, as far as the means placed at the disposal of this department by Congress will enable you to do.

With regard to the agreement and award thereon entered into between Mr. Adam Johnston, sub-agent, &c., and Messrs. Stone & Marks, to which you call attention, I have to state that it will receive due consideration; and the conclusions of this department in reference to it will be made known to you upon the return of the Secretary of the Interior, who is now temporarily absent from Washington.

Very respectfully, your obedient servant,

CHAS. E. MIX,

Acting Commissioner, ad interim.

REDICK MCKEE, Esq.,

Agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, August 12, 1851.

SIR: Your letter of June 24, 1851, giving an account of your proceedings as sub-agent for the Indians in San Joaquin valley, for the three months preceding that date, has been received.

The motives which prompted you to furnish additional subsistence to the Indians, and employ a physician to vaccinate them and prescribe for the diseased among them, are duly appreciated by this office, and as there are no appropriations now applicable to such expenditures, the department will recommend the subject to the favorable consideration of Congress, that such action may be had by that body as shall provide for them.

Under the circumstances, your licensing traders, and permitting them at once to enter upon their business, is approved.

It will be proper for you to confer with the agent for the Indians in California most accessible to you, on matters pertaining to the business of the agency, in order that there may be that entire harmony and concert of action between you which should always characterize the intercourse and operations of the officers of this department. By adopting this course you might obtain means from the agent, out of the public funds in his possession, to meet arrangements which may be necessary for the comfort of the Indians, or the interests of the government.

You state in your letter that you have charged \$1,000 on the license granted to Messrs. Dent, Vantine & Co., \$1,000 on the license granted to George Belt, esq., and \$1,200 on the license granted to James D. Savage & Co. In this particular you have fallen into error, as there is no authority given to agents to charge for license issued to traders among the Indians. You will therefore forthwith correct this error.

In reference to the award of the arbitrators upon the claims of certain parties residing within the reservations, and the course you adopted in view of it to promote the welfare of the Indians, I have to state that so soon as the Secretary of the Interior, now absent, returns to Washington, the subject will be submitted to him, and the decision of the department thereon will be communicated to you.

Very respectfully, your obedient servant,

CHAS. E. MIX,

Acting Commissioner, ad interim.

ADAM JOHNSTON, Esq.,

Sub-agent for Indians, San Francisco, California.

(Care of Redick McKee, *Agent for Indians.*)

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, August 18, 1851.

SIR: Your letter of June 24, 1851, transmitting license granted by you to Dent, Vantine & Co., to trade with the Indians residing upon the reservation between the Tuolumne and Stanislaus rivers, with their bond and the accompanying papers, has been received.

Though there are several instances of want of conformity with the

regulations governing such cases in the papers transmitted, the license is returned approved, but to be retained by you until the dates of the bond and license are made to agree. The bond, when thus perfected, must be forwarded to this office.

You state in your letter that you have placed the traders upon the reservation at \$1,000 per annum. As there is no authority for making a charge for granting license to trade with Indians, you are directed to correct this error at once.

I enclose you copies of the regulations for your guidance in future.

Very respectfully, your obedient servant,

CHAS. E. MIX,

Acting Commissioner, ad interim.

ADAM JOHNSTON, Esq., *Sub-agent,*

(Care of Redick McKee, *Agent, San Francisco, Cal.*)

[Similar letter, same date, touching license to George W. Belt, esq.; also, touching license to J. B. Savage & Co.]

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, August 23, 1851

SIR: I have received your letter of 15th ult., requesting a remittance of funds for the service of the Indian department in California.

As a reply to your communication, I beg leave to refer you to two letters from this office, of 24th and 25th of June last, advising you of the remittance of \$25,000 on account of "holding treaties with the various tribes of Indians in California," and of \$1,500 for your salary. Amounts similar to the latter were remitted at the same time for Messrs. Barbour and Wozencraft.

Very respectfully, your obedient servant,

CHAS. E. MIX,

Acting Commissioner, ad interim.

REDICK MCKEE, Esq.,

Indian Agent, San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, September 11, 1851.

SIR: I enclose, for your information, a copy of a letter this day addressed to Messrs. Wm. Hoge & Co., of New York, on the subject of the non-payment by this office of your draft in favor of Messrs. Tallant & Wilde for \$6,750.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

REDICK MCKEE, Esq.,

Indian Agent, San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, September 15, 1851.

SIR: I have received your letter of the 18th of July, 1851, with which you transmit a copy of a treaty made with ten tribes of Indians, and a return of expenditures, contracts, and disbursements, from May 3d to July 22.

Very respectfully, your obedient servant,
L. LEA, *Commissioner.*

O. M. WOZENCRAFT, Esq.,
Agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, December 4, 1851.

SIR: Your letter of 8th October, 1851, in relation to your proceedings as sub-agent for the Indians in California, has been received, and will be duly considered.

Very respectfully, your obedient servant,
L. LEA, *Commissioner.*

ADAM JOHNSTON, Esq., *Sub-agent, &c.,*
(Care of R. McKee, *Agent, &c., San Francisco, Cal.*)

DEPARTMENT OF THE INTERIOR,
December 5, 1851.

SIR: Your letter of 12th September last, in regard to your visit to several tribes of Indians in California, and other matters pertaining to your agency, has been received.

Very respectfully, your obedient servant,
L. LEA, *Commissioner.*

R. McKEE, Esq.,
Agent, &c., San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, December 5, 1851.

SIR: Your letter of October 14, in relation to the character of the Indians with whom you have negotiated treaties, has been received.

Very respectfully, your obedient servant,
L. LEA, *Commissioner.*

O. M. WOZENCRAFT, Esq.,
Agent, &c., San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, December 23, 1851.

SIR: I have been informed, unofficially, that you returned several weeks ago from California, and have gone to Kentucky. It has been

so long since the department has received any communication from you, that I am at a loss to account for your silence. I hope you will be able to give a satisfactory explanation of what appears to be a gross neglect of official duty, and you are directed to make at once a full report of all your proceedings as agent of the department, setting forth, particularly, the circumstances under which you took the liberty of drawing on the Secretary of the Interior for such large amounts of money. The report required should be made without delay, as it is due alike to your own character and to the government.

Very respectfully your obedient servant,

L. LEA, *Commissioner.*

Col. GEO. W. BARBOUR,
Princeton, Caldwell County, Ky.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, January 9, 1852.

SIR: You will cause the enclosed letter to be forwarded to Adam Johnston, sub-agent for Indians in California, by which you will perceive that his connexion with this department terminates on its reception by him; and you are directed to receive from him all the public property in his possession, and receipt for the same.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

O. M. WOZENCRAFT, Esq.,
Agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, January 9, 1852.

SIR: Your connexion with this department as sub-agent for the Indians in California will terminate on the receipt of this communication, and you are directed to turn over to agent Wozencraft all the public property in your possession, and take his receipt for the same.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

ADAM JOHNSTON, Esq.,
Sub-agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, January 30, 1852.

SIR: Your attention is called to the enclosed copy of a letter, and of the extract to which it refers, addressed by the Secretary of War, on the 23d, to the Secretary of the Interior, and referred to this office on the 26th instant. I am induced, from the high official source from which this information comes, to direct that you will inquire into the

subject, and draught such measures for the correction of the abuses referred to in the extract therewith as may appear to you proper, should they be found, on examination, to exist. A report of the facts, with your action in the premises, should be reported to this office without unnecessary delay.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

R. McKEE, Esq.,
Agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, February 4, 1852.

SIR: Your letter of 29th December, 1851, in relation to your expedition to northern California, has been received.

As I cannot perceive that the public interests will be promoted by your presence in Washington, you will forward the treaties in your possession to this office by the first opportunity.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

REDICK McKEE, Esq.,
Agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, February 26, 1852.

SIR: Your two letters of 3d and 7th October, 1851, in relation to your transactions since 12th September, 1851, and the conclusion of a treaty with twenty-four bands or tribes of Indians in California, have been received.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

REDICK McKEE, Esq.,
Agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, March 20, 1852.

SIR: Your letter, without date, forwarding your accounts for fourth quarter of the present year, has been received.

The returns for the third quarter, with your letter of the 30th September enclosing them, were received previously.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

O. M. WOZENCRAFT, Esq.,
Indian Agent, San Francisco, California.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, March 20, 1852.

SIR: Your accounts, rendered to the 5th February last, transmitted with your letter of the 17th ultimo, have been received.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

REDICK MCKEE, Esq.,
Indian Agent, San Francisco, California.

[Telegraph.]

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, May 8, 1852.

SIR: You are requested to report in person to this office at your earliest convenience.

L. LEA, *Commissioner.*

E. F. BEALE, Esq.,
*Chester, Pa., (care of J. C. Vandyke, Esq.,
No. 140 Walnut street, Philadelphia, Pa.)*

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, May 10, 1852.

SIR: Having heretofore requested you to examine carefully the treaties made with the Indians in California, I have now to request that you will submit to me in writing, and with the least possible delay, your views as to the merits of said treaties, and particularly as to the expediency of ratifying or rejecting them.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

E. F. BEALE, Esq.,
Superintendent, &c., Present.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, May 17, 1852.

GENTLEMEN: It is feared a considerable length of time may yet elapse before the necessary appropriations are made to enable the superintendent of Indian affairs for California to repair thither and enter upon the duties of his office; I have, therefore, to request that, at the earliest practicable period, you make a full and detailed report directly to this office of all contracts, debts, and liabilities made and incurred by the agents of the department in California. These are matters that have given rise to much discussion here as well as in California, and the agents owe it to themselves and to the government to place the department in possession of all facts and circumstances tending to elu-

cidate transactions of so much importance, and yet of such a character that they cannot be approved.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

Messrs. R. McKEE, and

O. M. WOZENCRAFT,

Agents, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, May 17, 1852.

SIR: My attention has been called to a letter from General Hitchcock to Adjutant General Jones, dated March 31, 1852, and I enclose herewith a copy for your information and such explanations as you may have to make. I am unwilling to believe that the imputations against you are at all well founded, and it is to be regretted that you are exposed to unjust prejudice in consequence of your son's connexion with the transactions in question.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

R. McKEE, Esq.,

Agent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, May 31, 1852.

SIR: I enclose herewith, for transmission to him, the commission of Pearson B. Reading, esq., of California, as one of the agents for the Indians in the State.

I enclose also the form of a bond, which you will direct him to execute, should he accept the appointment, in the penal sum of \$5,000, with two or more sureties, whose sufficiency must be certified by a United States district judge or district attorney. When executed, he will place it in your hands for approval and transmission to this office.

You are directed to give him the necessary instructions for the discharge of the duties of his agency, and to assign him to such a position within the State as in your judgment will best subserve the public interest.

His salary is fixed by law at \$3,000 per annum, and will commence on the day of the date of his bond and oath of office.

Very respectfully, your obedient servant,

L. LEA, *Commissioner*

E. F. BEALE, Esq.,

Superintendent, &c., Chester Pa.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, August 2, 1852.

SIR: That you may not fail to take the steamer of the 5th, your instructions have been sent to New York, to care of Messrs. Grant & Barton, No. 123 William street, to whose care also your funds will be transmitted to-morrow.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

E. F. BEALE, Esq.,
Superintendent, &c., Chester, Pa.

[Telegraph.]

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, August 4, 1852.

Have you sent Reading's commission to him, and does he accept?

L. LEA, *Commissioner.*

E. F. BEALE, *Superintendent.*

(Care of Grant & Barton, Nos. 123 and 125 William st., N. Y.)

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, August 5, 1852.

SIR: Your accounts, rendered to the 30th June last, which accompanied your letter of the 1st of July, have been received.

Very respectfully, your obedient servant,

C. E. MIX,
Acting Commissioner.

REDICK MCKEE, Esq.,
Indian Agent, San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, September 4, 1852.

SIR: I enclose herewith, for transmission to them, the commissions of Samuel Sheldon and Benjamin D. Wilson, recently appointed agents for Indians in California—the former in place of Pearson B. Reading, who declines, and the latter in place of O. M. Wozencraft, removed.

I enclose, also, forms of bonds, which you will direct the parties to execute, respectively, in the penal sum of \$5,000 each, with two or more securities, whose sufficiency must be attested by a United States judge or district attorney. When executed, they will place them in your hands for approval and transmission to this office.

You are directed to give them the necessary instructions for the discharge of the duties of their agencies, and assign agent Sheldon to the northern, and agent Wilson to the southern district of the State.

Should they accept the appointments, their salaries will commence, respectively, on the day of the date of their oaths of office and the execution of their bonds.

On the receipt of this letter, you will inform O. M. Wozencraft that his connexion with this department has terminated, and direct him to turn over to you any public property in his possession.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

EDWARD F. BEALE, Esq.,

Superintendent Indian Affairs, San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, September 4, 1852.

SIR: Your successor in office has been appointed, and your connexion with this department will terminate on the receipt of this letter, or on your being informed of the fact by superintendent Beale, to whom you will turn over any public property in your possession.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

O. M. WOZENCRAFT, Esq.,

San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, September 4, 1852.

SIR: By the act approved 30th August, 1852, there have been appropriated for the Indian service in California for the present fiscal year, the following sums, to wit:

For salary of superintendent.....	\$4,000
For salary of clerk to superintendent.....	2,500
For office rent, stationery, fuel and lights, and postage on official letters.....	3,500
For interpreters.....	3,000
For the preservation of peace with those Indians who have been dispossessed of their lands in California, until permanent arrangements can be made for their future settlement.	100,000
For furniture for superintendent's office.....	500
For flags for distribution among the tribes.....	500
Total.....	<u>114,000</u>

Inasmuch as some days will elapse before these amounts will be brought on the books of the treasury, and the consequent impossibility of making remittances to you by the steamer of the 6th instant, I have concluded to authorize you to draw for the several amounts hereinafter named, under the following heads of account, to wit:

"Expenses of California superintendency," per act of August 30, 1852.....		\$6,300
(Viz: Salary of superintendent.....	\$1,300	
Salary of clerk.....	1,250	
Salary of interpreter.....	1,500	
Office furniture.....	500	
Office rent, fuel, &c.....	1,750)	
"Preservation of peace among the Indian tribes of California,"—same act.....		75,000
"Pay of superintendent and Indian agents," per act of February 27, 1851.....	\$2,400	
"Pay of superintendent and Indian agents," per act of August 30, 1852.....	5,100	
		<u>7,500</u>

Of the appropriation of \$100,000 made for the preservation of peace among the Indian tribes of California, the treaties having been rejected by the Senate, it has been determined to apply \$25,000 to the purchase of suitable presents for those Indians who have been dispossessed of their lands, and for transportation of the same. This purchase will be made by or under the direction of Pearson B. Reading, esq., of whose experience, and knowledge of what is most suitable for the Indians in California, the department desires to avail itself; and it will be made in time for the goods to be shipped to your address, by the steamer of the 20th instant. Only such articles will be purchased as can be conveniently transported across the isthmus, and which may be difficult or impossible to procure in San Francisco, at reasonable rates. Heavy articles, such as blankets, clothing, &c., can doubtless be procured by you in California at suitable points, and in such quantities as you may deem it advisable to procure. The cost of the transportation of the goods in California must be paid out of the \$75,000 which you are authorized to draw for. In reference to the disposition of the balance of the fund, the department, relying upon your knowledge of the wants of the Indians, and the condition of Indian affairs in your superintendency, leaves it altogether to your discretion.

You are already aware of the purchase of flags for distribution among the Indians; these flags will also be forwarded to you with the other goods.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

EDWARD F. BEALE, Esq.,

Superintendent, &c., San Francisco, California.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, September 10, 1852.

SIR: Under the power of attorney filed by you in this office, there has been paid to Mrs. Beale, on account of your salary, for the months of July and August last, the sum of \$673 91.

This amount you will charge yourself with, and account for the same in your quarterly accounts.

Very respectfully, your obedient servant,
 CHAS. E. MIX,
Acting Commissioner.

ED. F. BEALE, Esq.,
*Superintendent Indian Affairs,
 San Francisco, California.*

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, September 15, 1852.

SIR: You are hereby appointed a special agent of this department for the purchase and shipment of goods for the Indians of California. I enclose herewith the form of a bond, which you will execute in the penal sum of \$5,000, and return to this office. For this purpose a remittance of \$25,000 will be made to you at New York, when further instructions will be given you.

Very respectfully, your obedient servant,
 L. LEA, *Commissioner.*

PEARSON B. READING, Esq.,
Washington City, D. C.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, September 17, 1852.

SIR: With reference to your appointment as special agent of this department for the purchase and shipment of goods for the Indians of California, your bond having been received and approved, and a remittance of \$25,000 having been made to you to the care of Grant & Barton, at New York, I have to remark that the said amount forms a portion of the sum of \$100,000 appropriated, by the act of 30th August last, "for preservation of peace with those Indians who have been dispossessed of their lands in California, until permanent arrangements can be made for their future settlement." Of this appropriation, the sum placed in your hands, it is deemed advisable, should be expended in New York in the purchase of suitable articles for those Indians, reserving so much thereof as will pay the expense of transportation to San Francisco. To your judgment and discretion, as you are familiar with the style of goods suitable for these Indians, is the selection and purchase of the goods confided. I have, therefore, to direct that you will proceed to execute the duties of your trust with all possible despatch, and without delay to have the goods shipped by the first steamer to superintendent E. F. Beale, at San Francisco, making all necessary arrangements for their safe conduct over the isthmus.

The amount which you will receive at New York will be charged to you, and you will account for the same under the head of appropriation before referred to. Upon the purchase and shipment of the goods, you will at once advise this office. Superintendent Beale will be informed

without delay of your appointment and of these instructions, and will be directed to allow you a reasonable compensation upon your arrival in California for the expenses incurred and services rendered by you by virtue thereof.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

PEARSON B. READING, Esq.,
Washington City, D. C.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, September 17, 1852.

SIR: Referring to my letter to you of the 4th instant, in which you were advised that \$25,000 of the appropriation made by the act of the 30th August last would be applied to the purchase of suitable presents for the Indians in California who have been dispossessed of their lands, and for transportation of the same by Pearson B. Reading, esq., I now, for your further information, transmit to you copy of a letter which I have this day addressed to that gentleman, from which you will perceive that he has been appointed a special agent to carry out the views of this department, as intimated to you in my letter aforesaid, and that he is instructed to purchase and ship the goods without delay. You will also perceive that you are to allow him a reasonable compensation for his services upon his arrival in California.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

EDWARD F. BEALE,
Superintendent Indian Affairs, San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 9, 1852.

SIR: I have received your letter of the 30th September, together with your accounts for the quarter ending at that date.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

E. F. BEALE, Esq.,
Superintendent Indian Affairs, San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 16, 1852.

SIR: Your letter of the 8th ultimo, advising of having drawn upon this office for \$88,800, has been received.

The draft has been presented, and a requisition upon the treasury issued for its payment.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

E. F. BEALE, Esq.,
Superintendent Indian Affairs, San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, December 3, 1852.

SIR: As soon after the receipt of this communication as the business of your superintendency will admit of your leaving, you are directed to repair to this city and report to this office.

Very respectfully, your obedient servant,
L. LEA, *Commissioner.*

E. F. BEALE, Esq.,
Superintendent Indian Affairs, San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, January 18, 1853.

SIR: Your letter of the 28th November last, enclosing copy of a correspondence between yourself and agent McKee, respecting your relative powers and duties, and informing me that, for the reasons therein set forth, you have suspended him from office, has been received.

The general rule requiring agents to obey all legal instructions given to them by their respective superintendents, is applicable to the agents in California, and there is nothing in the instructions heretofore given to agent McKee, in any capacity, that impairs or interferes with your authority to superintend and control his official conduct. Not being prepared to recommend the appointment of any one as his successor, and taking it for granted that he will cheerfully obey your instructions when advised of the views of the department, I have to direct that you will immediately enclose him a copy of this letter, and again assign him to duty.

Very respectfully, your obedient servant,
L. LEA, *Commissioner.*

ED. F. BEALE, Esq.,
Superintendent Indian Affairs, San Francisco, Cal.

ST. CLAIRSVILLE, OHIO, *April 26, 1849.*

DEAR SIR: I have here enclosed you my bond, which I should have sent a day or two ago, but could not meet with the Hon. Judge Leavitt until to-day.

Yours,

ADAM JOHNSTON.

WM. MEDILL, Esq.,
Commissioner Indian Affairs.

N. B.—You shall hear from me in the course of a few days.

A. J.

ST. LOUIS, *May 3, 1849.*

I am detained for want of notice of acceptance of my bond, order for subsistence, transportation, and arms. Give immediate attention, and oblige

A. JOHNSTON.

For Mr. GODDARD,
Home Department.

OFFICE OF WESTERN TELEGRAPH COMPANY,
Washington, D. C.

The following message was received at this office at 6 o'clock p. m., dated Wheeling, October 15, 1849:

A. S. LOUGHERY:

Telegraphed Wozencraft, New Orleans, to meet me at New York Monday week, or at Chagres.

R. MCKEE.

CITY OF SAN FRANCISCO,
Alta California, January 31, 1850.

SIR: I arrived within the limits of my official duties on the 3d day of November last, and should have rendered an account, under my letter of instructions, before this date, but for the following reason. When at the city of the Great Salt Lake, I was advised by mountain men that the season was then so far advanced, it would be impossible for the train of wagons to cross the Sierra Nevada mountains this winter. Being anxious to reach my place of destination, I abandoned my wagons, left the escort, and pushed forward for the mountains as rapidly as possible. On separating from the train I placed my trunk, containing some of my papers, under the care of Capt. Morris of the escort, who retained a few of his light wagons, with which he intended to cross the mountains. As I travelled more rapidly than his train, I reached the city of Sacramento several days in advance of him. From that place I came to Benicia, for the purpose of turning into the Quartermaster's department such public property as I had on hand, and after one day's delay there, came to this city. Captain Morris did not come here, as he expected to, but remained at Sonora, and I am yet without some papers and vouchers necessary in rendering a proper account of my appropriations and expenditures. On receiving them I shall lose no time in rendering my accounts.

Soon after my arrival here the rainy season set in, and, with few intervals of fair days, has continued ever since, rendering it impossible to pass over the interior of the country. I have consequently been able to visit only a few points by water communication, for the purpose of gathering such information touching the objects of my mission as I could obtain from persons who have resided for some length of time in

the country. When the rains cease and the roads become passable, I shall lose no time in prosecuting the investigations required by the department. In the mean time I shall endeavor to collect from reliable persons and other sources such information as will enable me to report to the department at the earliest possible time.

I have been informed that some years ago, there was at the mission of Santa Barbara an ancient manuscript history of the aborigines of California, or the Indians residing west of the Sierra Nevada. It was in the possession of Padro Gonzales, of that mission. I have written to him regarding it, and if not taken to Mexico during the revolution, I hope to obtain it, at least for inspection.

The Indians residing in the vicinity of the old missions, or the ranchos of this county, so far as I have been able to observe, are of mixed breeds, and in many instances it is difficult to determine whether the aboriginal or Spanish blood prevails. They are in general stupid, indolent, and ignorant, and in intellect far inferior to any of the tribes east of the Rocky mountains. This does not perhaps apply to the pure Indians inhabiting the more mountainous part of this country, but to those residing at or near to either a mission or a rancho. They seem to consider themselves an appendage thereto, belonging to the priest of the mission or the owner of the rancho. I have not yet learned that any of those Indians hold prisoners, either Mexicans or Americans; but, on the contrary, they think themselves the property of the owners of the respective ranchos where they reside, as much as does the negro of the south to the owner of his cotton plantation. Indeed, the owner of a rancho looks upon them as his property; and in estimating the value of his lands, he always counts upon the services of his fifty or one hundred Indians, as the case may be, to enhance its value. In connexion with this subject I would call your attention to the situation of the mission lands of this country, and the object for which they were originally granted. Those lands were granted by the King of Spain to the Jesuits, for the purpose of Christianizing the Indians. On the suppression of that order, the Dominicans, or order of Saint Francis, came into possession of them, under like trusts and restrictions. The priests at one time usurped power over the lands and property of the missions, and managed them rather to enrich themselves, than for the benefit of the Indians.

In 1835 the supreme government annulled the jurisdiction of the priests, allowing them only their religious powers, with a salary or compensation; at the same time sending to every mission its administrator to manage its temporal affairs, for the use and benefit of the Indian population. There was at each mission an administrator up to the time of the war between the United States and Mexico. Such being the original object of those grants, it has occurred to me that no change was made by the treaty, and that the property held in trust for the Indians by administrators under the government of Mexico might properly pass into the hands of Indian agents under the government of the United States, to be held in trust for the Indians, as they formerly were under agents of the government of Mexico.

Should this not be the case, then those lands under the government of the United States become a part of the public domain; and in either

view, it seems to me they should be guarded from the most unjustifiable and wholesale land piracy carried on here, that has ever developed itself in any country. I am informed that much of those mission lands have been unlawfully seized and held in possession by persons without any color of title whatever in some cases, and in other instances under false or pretended titles from persons having no right to sell or grant the same. I have made these suggestions in order that the Department of the Interior, under whose care the matter so fully comes, may adopt such measures as it may deem proper in the premises. My own opinion is, that it may be advisable to appoint a commission for the purpose of investigating and settling such titles, at as early a day as practicable.

I have the honor to be, your humble servant, &c., &c.,

ADAM JOHNSTON.

ORLANDO BROWN, Esq.,

Commissioner of Indian Affairs, Washington, D. C.

SAN FRANCISCO, CALIFORNIA, *March 1, 1850.*

SIR: In the last communication which I had the honor to transmit to the department I briefly referred to the gross depredations which were being committed by various individuals and combinations of speculators upon the public lands, and those known as mission property, in this recently acquired territory. Since the date of that communication I have been engaged in investigating the condition of the Indian population of this country, and collecting from all reliable sources such facts and information regarding them as are required by my letters of instruction. My opportunities of ascertaining the true character of those people, under the various revolutions and changes of government in Alta California, have been too limited, as yet, to give a full and accurate account of them at present. I am satisfied, however, that much valuable information may be obtained during the present month touching their past and present condition, which I shall lose no opportunity to elicit and communicate to you. I know that the Department of the Interior should be kept fully advised of all that is going on in this remote region touching the public interest.

The most unscrupulous schemes of speculation have been carried on (principally by foreigners) against the public property of the United States, and what is known here as mission property, in which I conceive the Indian population of this country have always had more or less interest.

In view of the gross frauds going on, touching both the rights of the Indians and the interest of the government, I have caused a notice to be published in the "Daily Journal of Commerce," of this city (a copy of which I have forwarded to you,) touching these numerous unwarrantable seizures and disposition of the lands aforesaid. I regret that I am not able, at this time, to give you a more detailed account of these transactions, but shall do so by the going out of the next mail which leaves this port for the States.

I observe two slight mistakes in the publication of the notice: one in my official address; the other touching the bounds of my agency—Captain Sutter having been appointed for the valley of the Sacramento. I have had a conference with him, and it is our intention to start out on our respective routes as soon as the weather becomes settled and the waters of the streams subside, that we can traverse the country with safety. I was glad to learn his appointment, as he is known to almost all the Indians of this country, and is, perhaps, better calculated for success with them than most men.

I have the honor to be, your humble servant, &c.,

ADAM JOHNSTON.

HON. ORLANDO BROWN,

Commissioner of Indian Affairs, Washington City.

SACRAMENTO CITY, CALIFORNIA,

May 23, 1850.

SIR: Your favor of November 24, enclosing a commission "constituting me sub-Indian agent on the Sacramento river," &c., has been received and is before me. You will permit me to tender my sincere thanks for this honor and distinguished mark of confidence, while I must, at the same time, decline its acceptance, from the following considerations: My old age, and the decline of life, together with the multiplicity of my private business, would render it impossible for me to discharge the duties of the office in such manner as would be satisfactory to myself or acceptable to the government. While I decline accepting the commission myself, I hope I may be permitted to recommend to your favorable consideration Colonel Johnston, who is at present holding a similar office in the San Joaquin district. Colonel Johnston is fully competent to discharge the duties of this and the San Joaquin district; and I would respectfully suggest the propriety of but one sub-agent for both valleys, and to pay him a salary in keeping with the business and prices of the country. It will also be necessary to make provision for more interpreters, as every tribe speaks a different language. It will also be necessary to allow a much larger sum for contingent expenses, and in fact all other matters connected with the office. While I freely admit that, had it been in my power to perform the duties of the office at this advanced age of life, I would not have interposed the pecuniary sacrifices necessarily consequent upon it, as an objection to its acceptance; yet I cannot pass the matter without calling the attention of your department to the fact that the Indians of this country are scattered over a very wide extent of country, made up of many very small tribes, and treaties must be made with each of these, if treaties are made at all.

With high consideration of regard, I have the honor to be, your obedient servant,

J. A. SUTTER.

CHICO, CALIFORNIA, July 6, 1850.

SIR: Difficulties of somewhat a serious character have recently taken place between some of the Indian tribes and the white population on the headwaters of the Sacramento, which was originally included within the bounds of my agency. The more recent occurred on the waters of Bear river and Wolf creek, where several white men were killed, and some property destroyed by fire. At the time of these difficulties I was south of San Francisco, and did not hear of them for several days. Indeed, I was not sure, after the appointment of Captain Sutter as agent for that region, and my own agency having been designated for the valley of San Joaquin, that the scenes of those difficulties came properly under my notice. Being aware, however, that Captain Sutter had declined accepting the appointment, and that no other agent had been appointed, it occurred to me that some good might result from the presence of a government Indian agent in that region of country. I accordingly set out for "Camp Far West," situated on Bear river. I reached Sacramento city on the morning of the 29th May, where I met with Major General Thomas J. Green, of the California militia, who informed me that he had just returned from above, and not only chastised the Indians who committed the crimes attached to them, but had also entered into an armistice or treaty with them. General Green, and his excellency Burnett, were about leaving for San Francisco on board the steamer. The General, expecting to leave for the States soon after arriving in that city, desired me to examine his treaty, and to approve or recommend its adoption to the department, if, on examination, I thought it such as to warrant me in doing so. I therefore concluded to return to the city with them. On my way down, and after reaching San Francisco, I gave to the document a careful examination, but could not give it my approval, or recommend its adoption to the government.

On the 3d day of June I again left the city of San Francisco for the scene of those difficulties, and on the 7th reached "Camp Far West," a government military post, under the command of Captain Day, of the 2d infantry, an accomplished officer, to whom I am indebted for his hospitality and friendship during my stay in that region of country. It was not far distant from this cantonment that the Indian depredations were committed. On inquiry I found the people of that vicinity did not view the transaction of the 23d as of very great importance or utility in controlling or restraining the Indians. Such transactions sometimes receive much of their magnitude from being reduced to paper. From all that I could learn in the vicinity of the difficulty, and from my knowledge of the Indian character in this country, and their present condition, I am of the opinion it would be miserable policy on the part of the government to adopt the treaty as it stands.

My reasons for coming to this conclusion are the following:

First. The occasion was isolated, having been committed by but few individual Indians, and perhaps provoked on the part of the whites; and under no circumstances was it of sufficient magnitude to call for a treaty.

Second. The chiefs present were but few in number, and without power to bind the balance of the numerous surrounding tribes.

Third. The object of the treaty seems to have been the purchase of peace and friendship from the most stupid wretches of the country. That kind of consideration does not seem to me such as should enter into any arrangement the government might be disposed to make with them.

Fourth. The payment of one thousand dollars as a semi-annual annuity to the several tribes represented in the treaty, by the government of the United States, for the purpose of obtaining peace and friendship from the most degraded and unwarlike beings on the continent, would not only be unnecessarily expensive to the government, but wholly useless to the Indians. They have not the least conception of the value of money, and the consequence would be, it would fall into the hands of a few avaricious whites, without benefiting the Indians.

With due respect for those connected with the formation of the treaty, I must, for the above reasons, dissent from their opinions in regard to its adoption by the government of the United States. I visited the region of country in which the treaty was concluded, principally to meet the several chiefs whose names appeared upon the treaty, and to ascertain whether they fully understood its import, and the contingency of its adoption or rejection on the part of the government. I was, however, disappointed, as I did not get to see any of the intelligent chiefs, they having gone to one of their annual festivals or councils on the headwaters of Feather river. After remaining a few days at and in the neighborhood of Nevada, I returned to the mouth of the Yuba, and from thence continued up Feather river. On my way I visited the several tribes inhabiting the shores of that stream: the "*Hocks*," near the residence of Captain Sutter, and from whom the celebrated Hock farm takes its name; the "*Yubas*," the "*O-lip-as*," the "*Bogas*," the "*Hohil-le-pas*," (properly the Jollillepas,) the "*Erskins*," and the "*Ma-chuc-na*;" and have had some talk with most of the chiefs of these tribes. They reside in villages at some distance from each other, and number from 70 to 150 in each family or tribe. They are independent of each other, but possess much the same characteristics—live in the same manner, and speak almost identically the same language. Like all Indians west of the Sierra Nevada, they are the least warlike or savage of any Indians on the face of the globe. They possess no weapons of war except their bows and arrows—no war-club, scalping-knives, nor savage tomahawks. They are a wild and ignorant people as yet, and, though not warlike, they will steal and commit murders on individuals; but, in my opinion, it requires but little time to remedy these evils.

They seem to have some sagacity in locating their villages on the most beautiful spots to be found on the banks of the streams. The whites have generally, in locating their ranchos, built their houses near those of the Indians, not only on account of the beauty of the situation, but that they can the more readily command the services of the Indians. Some of them are used as domestics by the ranchoses, while others work at some of the more simple arts of husbandry—such as cutting and cleaning barley, wheat, &c. In some instances the whites have not only built their own houses close to those of the Indian villages, but have laid out towns around and over them, which must eventually drive them from such homes.

Their means of subsistence, which have heretofore been limited, are

now greatly diminished on account of the immigration overrunning their country. The miners have destroyed their fish-dams on the streams, and the majority of the tribes are kept in constant fear on account of the indiscriminate and inhuman massacre of their people in many places, for real or supposed injuries. They have not any particular boundaries or fixed homes for any great length of time together, but change their locations as taste or their necessities may require. Yet they all have an indistinct and undefined idea of their right to the soil, the trees, and the streams. From these they have heretofore obtained their subsistence, which consisted of grass-seeds and roots from the earth; acorns, pine-seeds and berries from the trees and bushes; and fish from the streams. They became alarmed at the immense flood of immigration which spread over their country; it was quite incomprehensible. I have been told of several acts of depredation which were instigated by the chiefs of certain tribes, through the apprehension that their people must die of starvation, in consequence of the strangers overrunning their country, feeding their grass, burning their timber, and destroying their dams on the streams. For these innovations they claim some compensation; not in money, for they know nothing of its value, but clothing, blankets, and something to sustain life upon. So far as I have been able to ascertain, all the tribes in the valley of the Sacramento would not only be satisfied, but greatly gratified, with an arrangement for a small annuity to be paid in clothing, blankets, and food, at stated periods. That they have some cause for complaint, no one familiar with their mode of life, their present condition, and, in some instances, the cruel treatment by a few whites, can doubt. I have seldom heard of a single difficulty between the whites and the Indians of the valley or mountains, in which the original cause could not readily be traced to some rash or reckless act of the former. In some instances it has happened that innocent Indians have been shot down for imaginary offences, which did not in fact exist. For instance, on one occasion, when cattle were missing, it was quickly supposed that they had been stolen by the Indians, and the lives of several Indians taken on this supposition. Again, when a man was absent a few days longer than he was expected to be, his death was *imagined*, and attributed to the Indians in the neighborhood, and the lives of several paid the penalty of the supposed murder. In the one case, the cattle were found in the course of a few days; and in the other, the man also returned, but the innocent Indians were no more.

Several similar instances have been related to me where the lives of Indians have been taken for supposed injuries. The consequence of such acts, inflicted on Indians knowing themselves innocent, has been revenged on their part. They possess a principle similar to the *old Jewish law*, which required "an eye for an eye," and "a tooth for a tooth." If one of their number be killed by a white man, they require the blood of a white man; and it seems to matter little whether or not he be the guilty person—the blood of one is required for the blood of the other. This kind of retribution is a matter of religion with most of the tribes of this country.

As the Indians of California have been undoubtedly disturbed in their possessions, and the means by which they have heretofore sustained

life rendered more difficult to obtain, I beg leave to suggest a plan for their management, which I think would not only ameliorate their present condition, and gradually bring them into civilization, but be the least expensive to the government.

It is to stipulate with the various tribes in the valley of the Sacramento to pay them semi-annually a certain amount in clothing, blankets, and provisions. The climate is mild, and they would require but little clothing, although I find they readily adopt the apparel of the whites, where they can by any means obtain it, and this seems as much to cover their nakedness as for comfort. It seems to me this course would be less expensive to the government than any other method for managing the Indians of the country, and it certainly would be more beneficial to the Indians themselves. To pay them money, would only be indirectly to put it into the hands of a few unscrupulous whites, without benefiting the Indians, as they know nothing whatever of the value of money. They will readily give all they may have for any article they may fancy. In order to carry out this plan, it might be necessary to establish two or three depots in the valley of the Sacramento; say one at Plumas, near the present residence of Captain Sutter, and one about two hundred miles up Feather river, and one about the same distance up the Sacramento river. These would be sufficient to supply the whole of the tribes in the valley of the Sacramento and adjacent country. It would be well if some means could be adopted by which to insure those who labor for the whites a reasonable compensation. Heretofore, those living near to the ranchos have labored for little or no compensation. A calico shirt, worth, perhaps, fifty cents, would be given for a week's labor. Captain Day, of the 2d infantry, who has resided some time in the country, kindly furnished me with his observations regarding the present condition of the Indians of the mountains, which agree with my own. They are as follows:

"These Indians, unlike any heretofore treated with, have no nationality, but are divided into small bands, each under sub-chiefs, and wander independent of each other; inhabiting, by undisputed possession, the hills and mountains of the Sierra Nevada; most of the year subsisting on vegetable productions, but occasionally on wild game, and principally on the fish of the streams, both of which are debarred them now by the mining population. It becomes a question, how are they to be provided for in mere charity, to say nothing of their native rights in the soil? Remove them further west, *unless it be beyond the west*, and into the Pacific, is out of the question. To the east of the Sierra Nevada, into the desert, would be more unreasonable than utter extermination. The alternative would seem to be their domestication at the farms or settlements in the valley, with a liberal allowance of subsistence *in kind* from the United States. Of money they have no idea, and therefore an annuity in coin would only fall into the hands of avaricious white men. One-half of the bread and meat rations of a soldier might, together with such items of the vegetable kingdom as are to be found, and to which they are accustomed already, form ample subsistence for them.

"H. DAY, *Captain 2d Infantry.*

"JUNE 9, 1850."

These observations agree in general with my own, although made in regard to the Indians inhabiting the mountains.

Under some such regulation as I have recommended herein, I am convinced it would require but little time to induce the entire tribes of the valley and mountains to abandon their present mode of living and adopt a civilized life.

During the last few months I have been engaged in collecting such statistical information as is required by the department. I find it tedious, and not unfrequently difficult, on account of not being able to obtain proficient interpreters. In many cases, the Indians have no words in their language to express the ideas I would wish to impress them with; and I have not found either a white man or a native of California who could speak the full extent of even their limited language. There are many who have become acquainted with the most common terms, and are able to make themselves understood in ordinary matters, but this is about the amount they ever acquire. So with some of the Indians; they have acquired a few words of the Spanish, but not sufficient to make themselves understood to any extent, or to understand more than a few ideas. This applies to the Indians of the Sacramento valley; those on the San Joaquin and southern part of the State have become more proficient in the Spanish language.

In order that my agency be of efficiency, it is necessary that the salary be increased considerably, as it is immensely costly to travel or to live in any position in this country. There should also be more facilities afforded me in cases of necessity. I should, when necessary, have authority to call upon the military posts, and to co-operate with them under certain circumstances.

On my return, I shall be able to furnish the department with such statistics as I have collected.

I have the honor to be, very respectfully, your obedient servant,
ADAM JOHNSTON.

HON. ORLANDO BROWN,
Commissioner of Indian Affairs, Washington, D. C.

SAN FRANCISCO, *September 12, 1850.*

SIR: I have this day drawn my first, second, and third bills of exchange on you, as Secretary of the Department of the Interior, in favor of D. J. Tallant & Co., of this city, for the sum of \$500. You will please have the same charged to my account as Indian agent for the valleys of the Sacramento and San Joaquin rivers, California.

Oblige your humble servant, &c.,

ADAM JOHNSTON.

HON. JOHN A. PEARCE,
Secretary of Dep't Interior, Washington, D. C.

SAN FRANCISCO, *September 15, 1850.*

SIR: I have the honor to transmit, herewith, a statement of accounts for the first two quarters of my official duties. By the mail which

leaves this place on Tuesday next, I will transmit statements of other quarters of subsequent date, and bring accounts up to the present. My delay in not having transmitted statements heretofore was occasioned by having a trunk, containing my vouchers and papers, lost, for a time, in the confusion of transportation here. Hereafter, I hope to have no difficulty in reporting once in each quarter, unless I may be far in the interior, beyond communication with the mails.

I have never had any blanks whatever, except those of the Indo-American language. Those I have used were obtained from Captain Sutter, who, on declining to accept the appointment for the Sacramento valley, handed his papers to me, and I have made use of a portion of them. Will you do me the favor to have some forwarded to me?

I have the honor to be, yours, very respectfully, &c.,

ADAM JOHNSTON.

SAN FRANCISCO, CALIFORNIA,
September 16, 1850.

SIR: I have the honor to transmit herewith so much of the language of the Indians of California as I have been able to procure. My greatest difficulty has been in obtaining proficient interpreters. None of the many who profess to know the language of the Indians, understand more of it than enough to trade with them or to transact the most ordinary business. Even those who have spent years among them are greatly at fault when they attempt to interpret the language beyond common business transactions.

Since the third day of June last, I have traversed more than eight hundred miles through the great valley of the Sacramento, and along the tributaries of that river which take their rise in the mountains of the Sierra Nevada. In my route I visited ten distinct tribes of Indians, besides meeting many wandering families or communities gathering acorns, pine-seeds, &c., for subsistence.

The men and children are, in general, naked. Some of them have obtained a few articles of clothing from the whites, such as shirts, handkerchiefs, &c., of which they seem quite proud. The females are also without any covering, except what they call the "*Du-ch*," or breech-clout. This is nothing more than a bunch of grass or rushes, about one foot in length, suspended from a belt or girdle around the waist, in front and in rear.

I could discover no distinction in their customs, habits of life, or their general language, which could induce me to think they were not originally the same people. Indeed, their customs and manner of living are in many respects almost identical. Their huts or lodges are constructed in the same manner. They do not *scalp* those whom they kill, but universally throw the dead body into water. They all burn the dead of their own people, and their manner of mourning for lost friends is the same; that is, the nearest of kin cover themselves—hair, head, face, arms, and body, down to the waist—with black tar or pitch, which is permitted to remain upon them until worn off by time.

They all subsist on roots and grass-seeds from the earth, acorns and

pine-seeds from the trees, and fish from the streams. Acorns, nuts, and small fish are gathered in great quantities and stored in magazines, prepared for the purpose. They universally lay up enough of these things for two years' subsistence, and thereby guard against a failure in the future crop of the coming season.

The acorns and nuts are ground into a kind of flour, which is done by means of mortars or deep basins drilled into rocks. Into these the acorns and nuts are placed and pounded as fine as flour. Before baking, the Indians not unfrequently mix with the flour berries of various kinds. All this is the work of the squaws, or, as they call them, "*mo-hales*." Indeed, the same characteristics mark the whole of the tribes in the great valley of the Sacramento and its adjacent territory. They have an indefinite idea of their right to the soil, and they complain that the *pale-faces* are overrunning their country and destroying their means of subsistence. The emigration are trampling down and feeding their grass, and the miners are destroying their fish dams. For this they claim some remuneration, not in money—for they know nothing of its value—but in the shape of clothing and food.

In my last communication I recommended the establishment of about three depots in the great valley of the Sacramento, for the purpose of furnishing the various tribes in that region with subsistence and clothing. Their wants are few, and little of clothing and something to sustain life upon will readily satisfy them. This policy, I believe, would not only be the most economical for the government, and vastly more beneficial to the Indians, than annuity in money, but must be by far the best means of reaching the wild mountain Indians and bringing them into a state of civilization. I have been informed by Americans who have lived for years on the borders of the mountains, that where the mountain Indians have been well treated by the whites, they return to their tribes with sentiments of the highest regard for the Americans. There is, however, a class of men here, who, as I have been informed, shoot down Indians wherever they meet them. This is not only cruel to the Indians, but works great injury to the whites. The known custom of the Indians is revenge, and their vengeance frequently falls upon the innocent. They must be avenged, and their best friends often pay the penalty of the rash or reckless acts of others. It seems to be a kind of religious sentiment with them to have "blood for blood."

The Indians of the valley of the Sacramento are not a warlike people. They possess no *war-clubs*, scalping-knife, or tomahawks, so universally used by the Indians east of the Sierra Nevada. They are mostly indolent, docile, and tractable, but many of them are thievish. They are fond of dress of almost any kind, and readily learn the more simple arts of agriculture.

The construction of their huts and villages is much the same. They are constructed by excavating the earth the size of the room or lodge they desire, some five feet deep. This is covered over with a dome-like top, several feet above the surface of the earth; in the centre of the roof or dome there is generally an aperture or opening, which serves the double purpose of admitting light and letting the smoke escape. This is the only opening in the lodge except the entrance, which is in the side, and barely large enough to admit a human body. Through

this they enter, feet foremost, on their hands and knees; when once inside, these lodges are not uncomfortable. The thickness of the earth over them prevents the sun from penetrating them in the hot season, while in the colder seasons they protect them from the winds, &c.

The names of the tribes which I have visited in the great valley of the Sacramento and adjacent mountains are as follows:

The "Hocks." This tribe reside upon the celebrated Hock farm, and near the residence of Captain Sutter. They number from 80 to 100.

The "Yubas," located at the mouth, or rather junction, of the Yuba with the Feather river, and number about 180.

The "O-lip-pas," located on Feather river, about 32 miles above its mouth. This tribe numbers about 90 or 100.

The "Bogas," located a short distance above the O-lip-pas, on the opposite side of the river, and number about 70.

The "Ho-lil-le-pas" reside at the base of the mountains near the Feather river, and number about 150.

The "Erskins," on Butte creek, near to Neal's rancho, and number about 80.

The "Ma-chuck-nas" reside in the valley near to Potter's rancho. Number about 90.

The "Cush-nas." This tribe is located in the mountains, on the waters of the south Yuba. They number about 600.

The "Tagus" are also in the mountains, above the headwaters of Butte creek. Number unknown.

The "Nim-sirs," also in the mountains, not far distant from the Tagus tribe. The number of this tribe I could not obtain.

Within the short period since the occupancy of this country by the whites, the red man has been fast fading away. Many have died with disease, and others have fled to the mountains to enjoy, for a brief period, their primeval sports of hunting and fishing. Almost the entire tribes of *Costanoes*, or coast Indians, have passed away. Of the numerous tribes which but a few years ago inhabited the country bordering on the bay of San Francisco, scarcely an individual is left. The pale-faces have taken possession of their country and trample upon the graves of their forefathers. In an interview with a very aged Indian near the mission of Dolores, he said, "I am very old; my people were once around me like the sands of the shore—many, many. They have all passed away—they have died like the grass. They have gone to the mountains—I do not complain; the antelope falls with the arrow. I had a son—I loved him. When the pale-faces came, he went away; I know not where he is. I am a Christian Indian; I am all that is left of my people—I am alone." His age, his earnestness, and decrepit condition, gave full force to his language, and I left him under the deepest sense of sympathy.

I am, sir, your most obedient servant,

ADAM JOHNSTON.

HON. ORLANDO BROWN,
Washington City, D. C.

[Washington and New Orleans Telegraph line.]

NEW ORLEANS, *October 14, 1850.*

My commission, as Indian agent for California, has not arrived. I am in hopes you have or will give me the central district, as it is my place of residence.

O. M. WOZENCRAFT.

HON. A. STUART.

WHEELING, *October 19, 1850.*

DEAR SIR: I have duly received your instructions, with accompanying commission, copies, and documents, mailed on the 17th instant. I have been setting my house in order, so as to sail per steamer of 28th inst. for Chagres, on the route to California; but meeting our good friend Gov. Crittenden, and Col. Todd, (of the boundary commission,) last evening, on their way to Kentucky, I learned that it would be impossible for Mr. Barbour to join me at New York by the 28th, and have therefore postponed my departure from here to the 28th, and from New York to the 11th proximo. I have a great desire that Dr. Wozencraft and my son, both now at New Orleans, should join Mr. Barbour and myself at New York, and all go out together. I have heard from them at New Orleans, and if I sailed on the 28th they would have arranged to join us at Chagres. By waiting till the 11th November, I hope we shall all be prepared to make a fair start from New York. When our instructions were prepared it was supposed Dr. Wozencraft would join us in California, as he will do so probably at New York. I shall assume, unless instructed to the contrary, that it is the wish of the department that he should be allowed salary, mileage, &c., equally with Mr. Barbour and myself.

In the enclosed letter from your office to me, in reference to my commission as Indian agent, there is an error in the date, which I suppose occurred in copying, and for its correction herewith return it. My commission was delivered to me on the *1st instant*, the day I handed in my bond, and not on the *10th*.

If anything further by way of instructions should occur to you, letters will reach me here, up to the 28th, and afterwards, to the sailing of the steamer, at New York, care of Messrs. Wilbur & Scott.

I am, very respectfully, your most obedient servant,

R. McKEE.

A. S. LOUGHERY, Esq.,

Acting Commissioner of Indian Affairs, Washington City.

FRANKFORT, KY., *October 26, 1850.*

SIR: I have received, through the favor of the Hon. J. J. Crittenden, a package covering a commission as Indian agent in California, and

one as commissioner "to hold treaties with the various Indian tribes in the State of California," with the accompanying instructions, &c., addressed to me through the department over which you have the honor of presiding.

In acknowledging their reception, permit me, sir, to tender to you my respects, together with my acceptance of the office conferred; and be assured, sir, that it will be my aim to faithfully and honestly discharge the high and responsible duties required of me.

You will please find the bond executed, and oath of office taken as required, enclosed herewith, to the entire satisfaction, I hope, of the department.

With sentiments of the highest respect, I am your most obedient servant,

G. W. BARBOUR.

Hon. A. H. H. STUART,
Secretary of the Interior.

NEW ORLEANS, LA., October 26, 1850.

KIND SIR: I have the honor to acknowledge the receipt of my commission as Indian agent in California, with accompanying bond and documents; the bond has been executed, and I herewith return it to the Department of the Interior. I likewise have received my commission as commissioner to treat with the Indians in California, with accompanying document notifying me that my duties and salary as Indian agent are suspended until after the performance of the duties of commissioner shall have transpired: both of which I thankfully accept, and promise faithfully to perform my duties to the best of my ability.

I expect to start on the 8th of November. I learn that Mr. McKee will start about that time. If Mr. Barbour is yet in Washington city, you would do me a favor by requesting him to telegraph me.

Respectfully, your friend and obedient servant,

O. M. WOZENCRAFT.

A. S. LOUGHERY,
Acting Commissioner.

NEW ORLEANS, LA., October 26, 1850.

KIND SIR: I have the honor to acknowledge the receipt of my commission as commissioner to treat with the Indians in California. I am thankful to you for it, and likewise for that of Indian agent. I will endeavor to do my duties to the best of my abilities.

I expect to start on the 8th of next month for California.

Respectfully, your friend and very obedient servant,

O. M. WOZENCRAFT.

Hon. ALEX. H. H. STUART.

WHEELING, October 30, 1850.

DEAR SIR: I was duly favored with yours of the 24th, enclosing check on New York for \$98 95.

I understand Mr. Wozencraft has sailed from New Orleans, and will await the arrival of Mr. Barbour and myself at Chagres or Panama. Mr. Barbour is now hourly expected here, and by to-morrow I hope we shall be *en route* for New York, and be prepared to sail in the first steamer after the 8th prox.

You will confer a favor upon us by obtaining from the proper officer in the War Department an order for personal arms for the commissioners, their secretary and commissary. I cannot well specify what will be desirable, but will be governed by the information we may obtain in New York; also, a supply of medicines, and some few surgical instruments. Please address me, care of Messrs. Wilbur & Scott, New York.

I am, very respectfully, yours, &c.,

R. McKEE.

A. S. LOUGHERY, Esq.,
Acting Commissioner, &c., Washington City.

PITTSBURG, November 1, 1850.

SIR: I wrote you last from Wheeling, on the 30th ult., requesting an order for personal arms for our party, to be sent to me at New York. On the 31st, the day I left Wheeling, Mr. Barbour arrived from Kentucky, and after a short interview (in which I advanced him on account of his salary and mileage the sum of \$2,000) he set out on his return to his family, with the understanding that, with Dr. Wozencraft, he would meet me either at Havana or Chagres, via New Orleans. At his suggestion, I write now to request the favor of your procuring for our party, from the State Department, a full copy of the Digest of the Laws of the United States, a copy of the volume of Indian Treaties, and any other books you may find there calculated to throw light upon our contemplated duties in California. The above we think it important to have with us, and I hope you may be able to send them per express, to care of Messrs. Wilbur & Scott, New York, prior to the 11th inst.

In haste, but very respectfully,

R. McKEE.

A. S. LOUGHERY, Esq.,
Acting Commissioner, &c., Washington City.

Add some copies of Hon. T. B. King's report on California, and some copies of the Republic or Intelligencer with the laws of the last session relating to California.

[Bain's Telegraph.]

NEW YORK, *November 8, 1850.*

LUKE LEA: Will you send requisition for arms and medicines, or shall I purchase?

R. MCKEE, *Commissioner.*NEW YORK, *November 9, 1850.*

SIR: I have the honor to report that my purchases of Indian goods, for presents, &c., in California, amount to some \$6,500. About one quarter of these I propose taking with me over the isthmus, sending the rest round the Horn in a fine Baltimore-built brig, to sail in 8 or 10 days. I should take the whole with me, as a matter of choice; but the lowest offer I have had for transportation is fifty cents per pound, which I deem exorbitant. The goods I take with me, in the steamer "Georgia," to Chagres, I will re-ship myself, and thus save considerable expense. Having no instructions from the department in relation to these matters, I have acted just as if all were my own. To the cost of the goods I have added 10 per cent., and taken insurance in an office recommended by Messrs. Grant & Barton.

In view of the very limited appropriation under which we go out, I have confined my purchases to a few limited articles most likely to be immediately useful to the Indians—as 2½ and 3 point blankets, red flannel shirts, sashes, calicoes, shawls, &c. From information received here, I think it probable we shall find it necessary to purchase provisions to a considerable amount after we get into the country, to aid in the subsistence of some of the tribes driven out of the valleys by the whites. To avoid starvation the Indians will continue their predatory incursions, unless some provision be made to subsist them, at least in part; and this, in the end, may be the cheapest way to protect the lives and property of our own people.

After paying for our goods and appropriating \$2,000 each to the commissioners for the use of their families, and some \$2,500 for travelling expenses and freights, I shall have left only some \$10,000 for our operations in California. You will at once perceive the utter inadequacy of the means at our disposal; and, at your earliest convenience, send us—in drafts on San Francisco, if to be had—such additional sum as Congress may deem expedient to appropriate. Ignorant, as I am, of the expenses we shall have to incur in travelling, for the pay of interpreters, a secretary, commissary, &c., &c., I cannot even venture an estimate of the proper amount to ask for; but as, from all accounts, every expense is two or three times greater there than in this country, and many more goods will probably be wanted, I shall deem an appropriation of one hundred or one hundred and fifty thousand dollars quite small enough for our proposed operations.

Allow me here to suggest that a special and more liberal provision should be made by law for the salaries and travelling expenses of commissioners and agents, and for the payment of interpreters, &c., in California; or it may be difficult, and even impossible, to obtain good

men to perform the service. By the present law the pay of commissioners is \$8 per day; interpreters, \$4; secretary, \$5; mileage, I believe, 10 cents. In the old States these rates do well enough; but in *California* a very different state of things exists. I am informed that a good interpreter will expect at least what he could make at ordinary work—say, half to one ounce per day; and that to a secretary we shall have to pay about the same wages as clerks get in the custom-house or stores—say, \$300 to \$400 per month. It will be our constant object and aim to economize, as far as possible, in all our expenditures; but the customs of the country cannot be remodelled in a day. Special legislation will, I apprehend, be indispensable in relation to all the public servants in California. There is another matter which, as I am writing on this subject, though personal to myself, I will mention here: it is, a fair and liberal commission to the agent charged with the care and disbursement of the public money.

Just before I left the West for this city, I wrote to the acting secretary of your office for a requisition on the proper officer in this city for personal arms and medicines, and for the laws of the United States, treaties, &c., from the State Department, and as yet I have no replies. The Georgia is to sail on Monday, the 11th instant, at 3 p. m. Until further advised, please address any communication for myself, or colleagues, to care of the collector of the port, San Francisco.

In acknowledging the receipt of this, you will oblige by enclosing copies of my previous letters to your office.

I am, very respectfully, your obedient servant,

R. McKEE.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington City.

PRINCETON, KY., *November 11, 1850.*

DEAR SIR: Upon reflection I have concluded that it would be but prudent at least, if not necessary, before entering upon the discharge of my duties as commissioner in California, to take an oath of office, although it was not required in the instructions sent to me.

I have taken the oath, which you will please find enclosed herewith. I hope the form will answer.

With sentiments of high regard, I am your obedient servant,

G. W. BARBOUR.

HON. A. H. H. STUART,

Secretary of the Interior, Washington.

I, George W. Barbour, swear that I will well and faithfully, to the best of my skill, serve the United States in the office of commissioner to hold treaties with the various Indian tribes in the State of California; that I will carefully attend to all such orders and instructions as I shall from time to time receive from the President of the United States, the Secretary of the Interior, Commissioner of Indian Affairs, or the person

under whose direction I am or may hereafter be placed; and that in all things belonging to my said office, during my continuance therein, I will faithfully, justly, and truly, according to the best of my skill and judgment, do equal and impartial justice, without fraud, favor, or affection.

G. W. BARBOUR.

Sworn and subscribed before me, F. W. Urey, a justice of the peace in and for the county of Caldwell, and State of Kentucky, 11th November, 1850.

F. W. UREY, J. P. C. C.

NEW YORK, *November 11, 1850—2 p. m.*

SIR: I found on application to the United States ordnance department in this city for personal arms for service of myself and colleagues, that the proper description could not be obtained; hence, at this late hour, (the steamer having to depart at 3 p. m.,) I have purchased some arms for my personal use; and as my funds are all put up for the voyage, I have given a draft on you for the amount, in favor of Messrs. Grant & Barton, who have advanced the same—say fifty dollars—trusting that you will approbate and duly honor my draft.

As more arms will be required, and understanding that the proper kind can be obtained at the United States ordnance store in San Francisco, California, I will thank you to cause a requisition on that department to be forwarded to me through Messrs. Grant & Barton, of this city, who will see that it is properly transmitted.

Very respectfully, sir, your obedient servant,

R. McKEE.

LUKE LEA, Esq.,

Commissioner Indian Affairs, Washington.

SAN FRANCISCO, *November 15, 1850.*

SIR: I have this day drawn upon you, as Secretary of the Department of the Interior, for the sum of eight hundred dollars, in favor of Messrs. Crane & Rice, of this city; my first, second, and third bills being of the same tenor and date. You will please have the same placed to my account as Indian agent for the valleys of the Sacramento and San Joaquin rivers, in California, and oblige

Your obedient servant, &c.,

ADAM JOHNSTON.

HON. ALEX. H. H. STUART,

Secretary of the Interior, Washington City, D. C.

PANAMA, NEW GRENADA,
December 6, 1850.

SIR: My last was dated at New York 11th ultimo, just prior to my sailing in steamer Georgia, for Chagres. We reached that port in safety about 11 p. m. on the 23d. On the 25th I got my goods ashore, and immediately commenced the voyage, in canoes, to Cruces. After five days' hard work (the river being unusually high) and continual exposure, we reached Cruces, and after two days succeeded in obtaining mules with which to cross the mountains. On the night of the 4th instant I reached this city in time to take passage for San Francisco on the steamer Constitution; but the goods not having arrived, I have remained to superintend their shipment, and hope to sail on the 10th per steamer Northerner. Dr. Wozencraft and family sailed in the Constitution yesterday. Col. Barbour did not join us at Havana, as expected, having probably been delayed in his arrival at New Orleans, by low water in the Ohio. From the incessant rains since my arrival at Chagres, I expect our blankets, &c., are as thoroughly wet as my own baggage, but I hope not materially injured. I will examine and dry them as soon as I get them on board ship. Expenses on this route are enormously high, and the exposure very great. Shipments round the Horn are not only cheaper, but safer.

I have here met several old friends from California, returning to the States on business, by one of whom, J. W. Garrison, of St. Louis, I send this, to be mailed at New Orleans. He informs me that the Indians on the waters of the Sacramento are in a very dissatisfied and unsettled state. Just before he left there was an outbreak, in which blood had been shed on both sides; and the next news from that quarter will probably announce increased disturbances, if not a general war, between the whites and the Indians.

From the information I have, the Indians on the waters of Weaver creek repeatedly notified the whites to keep off their ground—*i. e.*, abstain from digging or mining in the immediate neighborhood of their camp or settlement. This the whites disregarded; and a Dr. Dickinson, and some three or four Delaware Indians in his employ, were finally surrounded by a party of the resident Indians, and shot down. As soon as this was known, the whites raised a company of about one hundred volunteers, under command of Col. McKinney, and proceeded to the place to revenge the death of Dickinson and his men. The Indians avoided an engagement; but finally Col. McK. overtook one of their chiefs, and in a personal rencontre was killed by an arrow. The Indian was in turn killed; but his party being much more numerous than the whites, the latter gave way, and returned to the settlements for the purpose of increasing their force, and then taking ample revenge. They were mustering volunteers at Sacramento city, and at other points, when my informant left, and bloody work was anticipated. What is to be the result of this state of things I cannot even conjecture. The Indians claim the country as their native soil, or hunting and fishing ground; and the whites want to explore it for gold, and, if they find the metal there, will insist upon retaining its possession. The Indians are very likely incited to resistance by interested Mexicans, Chilian and Spanish traders and gold-hunters, who have gone among them to avoid

the tax levied upon foreigners by the authorities of California: still, as a general thing they have evinced a peaceable disposition, and our own people have, it is thought, generally been the aggressors in every quarrel or outbreak that has occurred. Whether there is any district of country in California or Utah, or Oregon, to which these tribes can be removed out of the way of the whites; or, if there is, whether they can be induced to remove from the graves of their fathers, is of course unknown to me. Our attention will, at an early day after our arrival, be turned to this subject; and it seems to me to be a vital question, involving, if not the destruction and extermination of the Indians, at least the peace of that frontier. The commissioners regret that their instructions from the government at Washington, on these and other questions likely to arise and demand their immediate attention, are so meagre and indefinite, and throw upon them necessarily so much responsibility. In the absence of direct and positive instructions, or even counsel and advice, we must do the best we can, relying upon your approval of what we may do, based upon an honest desire to promote at once the best good of the Indians, while we maintain the honor and evince the benevolent designs of our government towards the unfortunate aborigines.

Pray write us fully and freely on receipt of this hasty despatch.

Very respectfully, your most obedient servant,

R. McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

SAN FRANCISCO, *January 13, 1851*

DEAR SIR: I have the honor to report the arrival of Dr. Wozencraft and family on the 27th, my own arrival on the 29th ultimo, and Colonel Barbour's on the 8th instant. We have all been busily occupied in gathering information touching the general subject of our mission, and in reference to the most expedient method to be pursued. We have concluded, at least for the present, to act together, and shall to-morrow go down to San José (the capital) to consult with the governor and members of the legislature, and, if possible, ascertain *facts* in relation to the recent (reported) disturbances upon the Sacramento and San Joaquin rivers, as well as in other parts of the State. We have here had reports of outbreaks and disturbances, first in one quarter then another, almost daily, since our arrival, the most of which we have since discovered to be greatly exaggerated or wholly untrue. Of one thing there is no doubt—the Indians are in a very destitute, dissatisfied, and unsettled state throughout this whole region, and we think, as do many intelligent citizens of the State, that our arrival has been very opportune. Enclosed you will receive a printed copy of a circular or address we have made to the people of this State, and shall be happy if the views we express shall meet the approbation of the President. We have employed Mr. John McKee as our secretary, with an assurance that his salary shall be made equal to that of other good clerks in this country. Upon no other terms could we secure his services, or those of

any other competent person. With a view to economy, we have not yet appointed a commissary or employed interpreters, but I suppose we shall have to employ both as soon as the weather and roads permit our setting out on a general "visitation of our parish."

In one of my former despatches I called your attention to the expenses which I foresaw we should necessarily incur in this country; to the inadequacy of our own *per diem* allowance; the necessity for additional legislation on the subject, and of the early transmission of additional funds. As Congress is now in session, we hope these matters have all had your attention. Exchange here is against New York some 6 or 6½ per cent. As the government has always immense sums lying idle in the custom-house here, I would suggest your obtaining a check, for whatever sum you may wish to send us, from the Treasury Department. Two of our bales of blankets were carried away and lost in a small river on the isthmus. I shall forward to Messrs. Grant & Barton, New York, the necessary vouchers to enable them to recover the amount from the insurance office. I have requested them to send the amount to my family at Wheeling, and will, when advised of the remittance, charge myself with the amount. Our goods were all wet in the transit between Chagres and Panama, but, so far as I have been able to examine, they are not materially injured. I am informed they will be very acceptable to the Indians. We have not yet met with Mr. Adam Johnston, nor can we learn what, if anything, he has accomplished. In our next despatch I hope we shall have some of your favors to acknowledge, and some more satisfactory information to communicate.

With regard, your most obedient servant,

R. McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

P. S.—To give you some idea of the actual expenses of living and travelling in this country, I will add a few items: Landing from the ship, each person, \$2 to \$3; trunk, &c., portorage, \$1 to \$2; board per week at first hotels, \$45 to \$50; board per week at good private houses, \$25 to \$30; (these rates we pay;) washing, \$6 per dozen; shaving, 50 cents; hair-cutting, \$1; passage on steamers, *about* 10 cents per mile; meals on ditto, *in addition*, \$1 50 to \$2 each; *berth to sleep in*, \$1 50 to \$2 per night. On land, meals \$1 50; horse-feed \$1 to \$2; average expenses, 30 to 40 cents per mile. After visiting San José, we propose to visit Benicia and Sonoma, the residence of General Smith, and under his advice, and with his aid, organize our travelling party. Reliable and intelligent interpreters are scarce, and will cost us from half an ounce to one ounce per day, besides subsistence. Common laborers from \$4 to \$6; mechanics, \$8 to \$12 and \$16.

STOCKTON, CALIFORNIA,

February 11, 1851.

SIR: My last letter, of the 14th ultimo, announced our safe arrival, and covered a printed copy of our address to the frontier people of the

State. I hope the views therein expressed have met your approval, as I am happy to find they have with thinking, intelligent men here. That the paper would be approved by the politicians, who are seeking, through the Indian disturbances, to make themselves great heroes, and the only friends of the emigrant and miner, we did not expect. The present governor of this State (McDougal) is very belligerent in his feelings, and has ordered the sheriff of the county of Mariposa to call out two hundred men to *chastise* the Indians in that quarter. Volunteers expect to be paid from five to ten dollars per day, and another pretty little claim will thus be made up against "Uncle Sam," who is expected, eventually, to foot the bills. The governor tendered us a volunteer escort, but this we respectfully declined, as General Smith had ordered one for us, with every aid and assistance his department could afford. We are now *en route* for the Mariposa country, with an escort of one hundred and one picked men, ten officers, three six-mule covered wagons, and some one hundred and fifty pack-mules to carry our provisions, ammunition, and Indian goods, all under the command of Capt. E. D. Keyes, an experienced and excellent officer, from whom we feel assured, not only of protection, but of cordial co-operation in our endeavors to pacify the Indians with the olive-branch rather than the sword. We arrived here, by steamer, from Benicia, on the 8th instant; yesterday evening the horses and mules for transportation arrived; to-day we are arranging for the journey, and expect to be on the road, in the direction of the Tulare lake, early to-morrow morning. At Benicia we employed Captain Carson (brother of the celebrated Kit Carson, and known to the Indians of this country as the *one-eyed captain*) as interpreter, but as yet he has not joined us.

Col. Barbour and Dr. Wozencraft left early this morning for Dent's ferry, on the Stanislaus, about forty miles east, where there is a large rancheria of friendly Indians, with a view of getting some of their head men for guides, interpreters, and runners, to communicate with the tribes further south and in the mountains. At present it is considered unsafe for white men to visit the tribes in the disturbed districts. I remained here to superintend the landing of our goods. We expect they will overtake us about the crossing of the Merced. We are gathering all the information we can, and by no means despair of effecting, in the name of their great father, the President, a very general pacification; but it will be a work requiring address, time, and probably a large outlay of money for goods and provisions. So many direct injuries have been inflicted on these Indians by the whites, and so many promises made them of restitution and redress, all of which remain unfulfilled, that they have lost all confidence, and are now, we are told, fighting with desperation for their lives and country. The whites have driven most of the southern tribes up into mountains, from whence, as opportunities serve, they sally out into the valleys to steal and drive off cattle and mules, as an only alternative for starvation. Then comes up the cry of Indian depredations, invasion, murders, and the absolute necessity for exterminating the whole race! You will see, therefore, that we have a two-fold difficulty to meet, and, if possible, obviate. What we may be able to accomplish is known only to Him who has the destinies of all nations and races of people in his hand; but we go out

in the hope that our efforts will result in great good to the Indian population, to the State of California, and to the credit of our common country. In this land of gold every movement involves immense expense, and you must be prepared for meeting large requisitions, under the most economical course we can possibly adopt. We received at San Francisco the report made by you to the President, touching the affairs of your bureau, and were gratified by its perusal. The message of President Fillmore, and the reports from the various departments, have met very general approval throughout this country. We hope by the first mail—at all events, by an early steamer—to receive from you further remittances, and any further instructions you may deem useful. We will write you from time to time, as we may find opportunities of sending to the bay, as to our progress and operations.

In haste, but very respectfully, your most obedient servant,
 REDICK McKEE.

HON. LUKE LEA,
 Commissioner Indian Affairs, Washington.

CAMP NEAR GRAYSONVILLE,
 San Joaquin River, February 17, 1851. ✓

DEAR SIR: We had supposed that, through Colonel McKee, one of the commissioners, your department had been *officially* informed of the organization of our board, the election of a secretary, and of our proceedings since, up to a late date; but we have learned from him that the communications by him have been rather of a *private and individual character* than a formal report. We therefore hasten to lay before your department, briefly, our actings and doings, as well as such information as we have been enabled to gather, touching the mission with which we have been intrusted.

On the 13th January last, and within a few days after our arrival in the country, the three commissioners met in San Francisco, and proceeded at once to organize; after doing so, we elected Mr. John McKee, a very excellent and competent young gentleman, (and son of Colonel McKee, of the commission,) secretary for the board. We then visited San José, the seat of government, for the purpose of obtaining from the members of the legislature, then in session, such information as they might be able to impart, in relation to the Indians and the Indian difficulties in their respective districts. After paying our respects to his excellency Governor McDougal, and spending a few days at the capital, Dr. Wozencraft repaired to Benicia, for the purpose of calling upon General P. F. Smith, of the United States army, for the necessary escort of troops, &c.; the other two commissioners remaining in San José, with the view of prosecuting their inquiries more fully; and we flatter ourselves that the information we obtained has been, and will be, of infinite service to us in prosecuting the object of our mission.

We learned, among other things, that hostilities of a deadly character existed between the Indians and whites in different portions of the State, threatening, indeed, a general border war. From the southern part of the State, and particularly in the Mariposa country, murders by the

Indians were of almost daily occurrence, besides frequent depredations on the live stock and other property of the whites. On the Sacramento and Klamath rivers and their tributaries like depredations and murders were being committed, but not to so great an extent.

We determined to repair first to the southern districts, and with that view determined on leaving San José, with the intention of joining the escort, as soon as the troops were ready to march, at San Francisco; but on the day that Messrs. McKee and Barbour were to leave San José, Mr. John McKee (our secretary) was taken violently ill, and his father (Colonel McKee) was necessarily detained a few days on account of his extreme illness.

Dr. Wozencraft and Mr. Barbour in the mean time, having met at San Francisco, proceeded at once to prepare for the expedition, General Smith having readily agreed to furnish the required escort, &c. In a few days Colonel McKee joined them, and as soon as the troops could be got under marching orders, the commissioners, with an escort of one hundred men, under the immediate command of Captain E. D. Keys, started for the scene of the Indian troubles in the south.

On reaching Stockton it was deemed advisable that Dr. Wozencraft and Mr. Barbour should diverge from the line of march to this place, where the troops had to come for provisions, &c., and visit some tribes of friendly Indians on the Stanislaus and Tuolumne rivers, and again join the command at this place—Colonel McKee remaining with the command to superintend the baggage, &c.

Accordingly, on the 11th inst., Dr. Wozencraft and Mr. Barbour left Stockton, and after a travel of forty miles over the plains, at the foot of the hills of the Sierra Nevada, they reached Dent's ferry, on the Stanislaus river. They here found some three or four hundred Indians. On the morning of the 12th they had a talk with these Indians, (Judge Dent, one of the gentlemanly proprietors of the ferry, volunteering to act as interpreter.) They communicated to the Indians the object of their mission, their plans, &c. The Indians seemed highly pleased, and immediately runners were started out to bring in the principal chief and the captains of the tribe known as the Stanislaus or Kossus Indians. On the 14th, the chief Kossus and the greater number of his captains had assembled; a long talk was had, and it was finally agreed that, within four months, a final treaty should be entered into. This tribe numbers about four thousand persons, divided into some thirty bands, or *rancherías*, as they are called, extending from the Calaveras river on the north, to the Tuolumne river, on the south.

They are *generally* dirty, lazy, and ignorant, subsisting principally on acorns, which they pound into a fine meal or flour, using for that purpose a smooth stone for a pestle, and an excavation made in a large rock for a mortar: the flour is mixed with a little sugar when they can get it, and made into a mush or jelly called *penocha*, or *penona*. They are very fond of beef, hard bread, and fish: the latter they catch in large quantities at certain seasons of the year. They have no idea of a future state of rewards and punishments, but believe in the doctrine of transmigration, and imagine that when they die they are transferred to the grizzly bear, or cogote, (a species of the wolf.) They burn their dead, with all his or her personal effects: even the mule or horse of the

deceased is killed and burnt with its master. They are generally stout and robust, with mild countenances and good features, and are certainly susceptible of much moral and mental improvement.

On the evening of the 14th we left the Stanislaus river, and travelled south over plains to Horr's ferry, on Tuolumne river, (distant from Dent's about fifteen miles :) we there had an interview and *talk* with a friendly chief (Cornelius) and some of his captains, making the same arrangement with them for a final treaty.

It would perhaps be well to explain why we did not at once close a treaty with those tribes: the reason was, that we had but few goods for presents, and we wished to retain them for a treaty with the hostile tribes in whose vicinity we then were.

We succeeded in getting one of the captains (Cipriano,) with four of his men, to undertake to bring in the hostile chiefs from the headwaters of the Mariposa, Mercede, and Tuolumne rivers, which they promised to do, if possible, by the 24th instant: they are to meet us near Cornelius's rancheria, or settlement, on the Tuolumne river, about forty-five miles from its junction with the San Joaquin; but owing to the hostilities that have existed from time immemorial between the mountain (now the hostile) and valley Indians, we entertain strong doubts of their success in persuading the hostile chiefs to come in, and more particularly as the season is fast approaching when they can cross the Sierra Nevada, and thus bid defiance to any force that might be sent against them. We shall move our camp in a day or two, so as to be on the ground at the time agreed on, the distance from hence being about forty miles.

Should we succeed in effecting a treaty with the chiefs for whom we have sent, we hope soon to have quieted all difficulties in the southern part of the State by permanent treaties with all the southern tribes; but, on the contrary, should we fail in this, there will be no telling when we shall be able to treat with them. They are numerous and wild, inhabiting the mountain fastnesses that are almost inaccessible to the white man; they cannot be approached by a large body of men, and small parties are sure to fall a prey to their savage hostility.

Rumors are reaching us every day of fresh outbreaks and new outrages, some of them of the most cruel and revolting character. In many instances the whites have by their own bad conduct superinduced the difficulties; in others the Indians have perpetrated outrages of the most shocking character, from mere wantonness or to indulge their *natural propensity* to steal and plunder; men have been butchered by them in cold blood, and in one instance a white man was bound and *flayed alive*.

The consequence is, that the miners and citizens generally are in a high state of excitement, not knowing what will be the final result.

The governor has called out the militia in the Mariposa district, and kindly tendered to us any force we might desire; but we declined his offer, assuring him that General Smith had already furnished us with such escort as we required. In an interview with Colonel J. Neely Johnson, who has command of the State's troops, he promised us that he would hold his command in abeyance until we had made an effort to treat with the Indians. If we were unsuccessful, he would then make

war upon them, which must of necessity be one of extermination to many of the tribes.

We have many difficulties to encounter in the discharge of the high trust confided to us, not the least of which is the difficulty, or rather impossibility, of securing the services of *competent men* for the necessary duties pertaining to the mission at the prices to which we are restricted by instructions from the department; in fact, the common day-laborer is receiving better pay than we are as commissioners—to say nothing of the prices that we are authorized to pay assistants; and when we take into the estimate the high price that not only labor, but everything else, commands in this country, you will, we think, see at once the necessity for an increase not only in the pay allowed to interpreters, &c., but also to the commissioners themselves. The State is paying her *common soldiers* ten dollars per day and rations; and as we are desirous of executing our mission profitably to the government and creditable to ourselves, we hope you will pardon us, sir, for calling your attention to this subject.

There are other matters to which we beg leave to call your attention, and ask advice, in the first place, as regards the Indian title to lands in this country: whether we are to recognise even a possessory or usufructury right in them or not, to any particular portion of the territory, before such lands as may be necessary for their subsistence shall have been set apart for their use? In the second place, whether or not we shall establish posts, with a small force, at suitable points, for the protection of both the white man and the Indian, and to secure a faithful compliance with the terms of such treaties as we may be able to make? And lastly, to what extent (if any) do our powers as *commissioners*, authorize the appointing of suitable persons to trade with, superintend, and manage the various tribes, in our absence, with whom we may have made treaties? Something is absolutely necessary to be done besides merely treating with the Indians, in order to make available any treaty that may be made with them. They are scattered in small tribes over an extent of country four hundred miles in width, by about seven hundred in length, partly mountainous and partly valley; and what with their ignorance, degradation, and disposition to steal and murder, and the contempt of the white man for them, with a feeling too often to wrong and abuse them, that, without some one to constantly look after them, and to whom they in return could look for trade, instruction, and protection, treaties would be of little service, as they would be violated as often as made, and a continual warfare kept up until the Indians would be annihilated, at the sacrifice of many valuable lives and the loss of much property on the part of the whites.

In the exercise of our better judgments, with an eye to the interest of the government and the welfare of the Indians, we shall, under the instructions heretofore given us, and in compliance with the demands of humanity, as we conceive, act affirmatively on all those questions until otherwise directed.

With sentiments of high regard, we are, your obedient servants,

G. W. BARBOUR.

REDICK McKEE.

O. M. WOZENCRAFT.

Hon. LUKE LEA, Esq.

CAMP ON THE MARIPOSA RIVER, CALIFORNIA,

March 5, 1851.

SIR: We wrote you on the 17th February last from our camp on the San Joaquin, giving you the particulars of our organization and subsequent proceedings to that date; we now take the liberty of addressing you, informing you of our proceedings, &c., up to this date.

On the evening of the 18th February we crossed with the train to the east bank of the San Joaquin river, and on the morning of the 19th started for the point on the Tuolumne river, at which we expected, by the arrangement of which we advised you in our last, to meet some, if not all, the hostile chiefs. We travelled up the Tuolumne river about forty or forty-five miles to the place of meeting, accomplishing the march in two days. The country through which we passed consists of extensive plains, too sandy and dry for vegetation, except occasionally a small valley binding immediately on the river. Some of them are very rich and productive, and with a little labor could be well irrigated, the river affording at all seasons of the year an abundant supply of water; but the quantity of productive land, or such as might be made so, is very inconsiderable indeed, when compared with the entire surface of the country.

The chief Cipriano and his men, whom we had sent to the hostile chiefs with an invitation to meet us, did not return until the 25th. He brought with him two of the hostile chiefs, (Willouma, the chief of the Mercedes tribe, and Potawackata, chief of the Potawackaties) with some of their "braves." Excuses, in which we had but little reliance, were sent in by some three or four other chiefs. The tribes from which the two chiefs we have named came, are small, not numbering more than two or three hundred warriors, with an entire population not exceeding, in the first-named tribe, four hundred persons, and the second not more than one thousand.

We had a long talk with those chiefs, explaining to them the object of our mission, and that it was the wish of the government that they should live on terms of friendship with the whites; that protection would be extended to them upon the condition that they would cease their depredations upon the persons and property of the whites, and of each other; that if they would act honestly and use industry, lands should be set apart for them, seeds to plant and implements to work with furnished them, schools established for them, and capable persons appointed to teach them how to cultivate their lands, to make and repair their tools, clothing, &c. We then tried to impress upon them the advantages that would result to them by submitting at once, and adopting the course we had pointed out to them. On the other hand, we told them, that if they persisted in their hostility to the whites, and continued their depredations, destruction, and even the entire annihilation of their whole tribe, would be the inevitable result. They listened with much apparent interest; but when we proposed they should use their influence with the other hostile chiefs and get them, with all their own men, women, and children, to meet us at some suitable time and place, for the purpose of entering into a formal written treaty, they seemed to hesitate; but on being pressed to come to some definite conclusion, and after much consultation with Cornelius, a very honest, correct, and

friendly chief, they agreed to meet us with all their tribes, and as many more as they could influence to do so, on this (the Mariposa) river, on the 9th day of this month, (March) and try to come to some definite terms. The next morning, (25th) after we had prepared to move our camp to the Merced river, distant some 20 miles, and just as we had gotten under way, we learned from an Indian runner that had been sent in, that two of the hostile chiefs (Hawhaw and Newmasecawa,) who had sent in their excuses for not meeting us on the day before, were now on their way to see us. We sent a messenger and the chiefs with whom we had conferred, together with the two friendly chiefs (Cornelius and Cipriano) to meet them, repeat to them what we had said to the others, and apprise them of the contemplated meeting and treaty on the 9th instant, and request them to bring their tribes. We afterwards learned they had promised to do so.

We moved on to the Merced river, and encamped on its southern bank. The country between Tuolumne and Merced is very poor and sterile indeed. On the Merced we found a few valleys of rich and productive land, and more easily irrigated than those on the Tuolumne.

On the 27th of February, two other chiefs, Mulla and Aloe, with some of their tribes, came to camp. We had about the same conversation with them that we had with the others—the substance of which we have before given—and they agreed to meet us on the 9th instant at the grand feast and council. We expect, and have good reason for believing, that the following tribes will meet us on the 9th, to wit: the Merced, Potawackaties, Tiposies, Keeches, Mikechuses, and Yosemite. These constitute about one-half of the hostile tribes that live north and east of the San Joaquin river, from the Sierra Nevada mountains to the coast range. The tribes here named live among the hills at the foot of the Sierra Nevada, on the headwaters of the Tuolumne, Merced, and Mariposa rivers. The other hostile tribes living north and east of the San Joaquin, and of whose attendance at the general council we have but little hope, are the Chouchillas, (a very large tribe,) the Powhawneches, Chuckehalins, Pitchackies, Talinches, and Hawitches. These tribes are generally large and warlike. They inhabit the hills at the foot of the Sierra Nevada, on the headwaters of the Mariposa, Chouchilla, Fresno, and the San Joaquin rivers, and number, *altogether*, perhaps ten or twelve thousand persons. By far the greater portion of the hostilities, murders, and robberies have been perpetrated by the Chouchillas. Several engagements have recently taken place between them and companies of the miners and citizens, in which the success was uncertain. They are almost in the daily habit of attacking small parties of white men, and of robbing small settlements and driving off mules, horses, cattle, &c. But two nights since, a war party of the tribe attacked a company of eight white men who were encamped within a few miles of our encampment, and within a few miles of the encampment of the State's troops, killed one man and wounded four others, and then drove off all their mules and horses. There have been other instances of hostility and robbery by them since we started runners to them with a proposition to treat, which go to satisfy us that they, at least, do not intend to treat. The troops that have been raised by the State are, at our request, awaiting the result of the meeting on

the 9th instant; and those tribes that have been known to be hostile, and that do not come in on that day, will be attacked immediately by them, and such aid will be rendered them by the troops who accompany us, as circumstances may justify.

We hear of depredations being committed by the Indians in other parts of the State—in many instances, no doubt, superinduced by the whites. Such things will necessarily occur frequently until treaties have been made, and the relations of the white and red man properly defined by such rules and regulations as will secure the rights and protect the person and property of each.

When we first arrived in the country, knowing as we did but little of its geography, and less of the locality, number and disposition of the Indians, and with a view to economize as much as possible the very limited sum of money placed at our command, we deemed it prudent to act together as a joint board; but since learning more of the country, the number and extent of the Indian tribes, and that they are scattered in small tribes over the entire surface of the country, and hostilities existing between them and the whites in different sections of the State, with a prospect of an increase, unless prevented by speedy treaty stipulations, we have come to the conclusion that the interest of the government, and of all the parties concerned, requires that we should, as soon as practicable, separate. By so doing we could accomplish in one-third of the time, as much as we could by acting conjointly.

From the best information that we can obtain from "old settlers" in the country, and such as have travelled extensively among the various tribes, their numbers within the boundary of the State of California are variously estimated at from *two to three hundred thousand* souls, scattered pretty equally over the whole extent of the country.

We have not as yet had an opportunity from actual observation to determine upon the precise lines of division for an equal distribution of the labors, territory, tribes, &c., to be assigned to each one, as contemplated by the instructions from your department, nor indeed could we do so short of several years' travel and observation; consequently we have to rely very much upon the information of those persons who are well acquainted, and who are *reliable men*, for such information as will enable us to report to you the proper lines or divisions of the State.

Two plans present themselves, either of which we believe would be equitable. The first is, to assign to the southern division all the country west and south of the San Joaquin river to the head of that stream; from thence a line due east to the eastern boundary line of the State; second division to include the country north of that line to the valley of the Sacramento river, up that river and valley, including all its tributaries, to its source; third division to include the coast range north from San Francisco to Klamath, Trinity, Humboldt, Trinidad, and Rocky Point rivers, with all their tributaries, to the Oregon line. The other division would be by lines of latitude: as there are ten from the northern to the southern line of the State, give four degrees of latitude to the southern division, and three to each of the others. Either of those divisions we are *satisfied* would be equitable and just; and, if made, we believe that all the tribes in the State could be treated with in the same time that under our present organization either one of the departments

could; and that, too, at a much less expense to the government, and *decidedly* more to the satisfaction of the people of the State and to the interest of the Indians.

There is now much vacant territory in the State on which the Indians could be located without prejudice to the claims of any white occupant; but from the rapid influx of population, and from the fact that gold is to be found in greater or less quantities in *every part* and *portion* of the State, but a short time will elapse before the whole country will be covered with miners, farmers, &c., and there will be no place where the Indians can be located without prejudice to both the white and red man, and expense to the government. Hence the necessity, as we conceive, for prompt and speedy action.

We would at once adopt the course of separate action as contemplated, or rather as allowed, by our instructions from your department; but we are unable to do so for the want of funds, having learned from Colonel McKee, the disbursing member of the commission, that the funds placed in his hands by the government have been already nearly exhausted, and without funds little could be done in this country. We therefore most respectfully request that you will divide the State into three departments, according to either of the plans suggested.

We would likewise request, if there should be any additional instructions to those already received by us, touching our powers, duties, &c., that they be forwarded to us, respectively, at as early a day as practicable.

With an earnest desire to accomplish as speedily as possible the object of our mission to the interest of the country and all parties concerned, we hope you will pardon us for urging the propriety of placing us in a *condition* so that we may act separately, believing, as we do, that much of the success of our mission depends upon it.

With sentiments of respect, we are your obedient servants,

G. W. BARBOUR.

O. M. WOZENCRAFT.

Hon. LUKE LEE.

In concurring with my colleagues in the foregoing report, I beg to say that my information as to the number of Indians in the State would greatly reduce the number mentioned; still there is no possible way of ascertaining at present, and what is said on that point can go for what it is worth. I presume we shall have no difficulty, if the State be divided into three districts, of selecting or choosing the one we may severally prefer for our permanent location.

In haste, yours truly,

R. McKEE.

MARIPOSA, CALIFORNIA,

March 7, 1851.

SIR: Since my last communication to the department I have spent most of my time among the Indian tribes of the San Joaquin valley and those located on the tributaries of that river, along the western side of the Sierra Nevada.

On my return from a tour through the valley of the Sacramento I received information that the Indians of the San Joaquin valley were exhibiting feelings of discontent, and occasionally committing depredations on the persons and property of the whites. The mining region was threatened, and fears were entertained that serious consequences would ensue if something was not immediately done to quiet the Indians, and put a stop to their thefts, which were becoming daily more frequent and daring. I was solicited to go to that part of the country at the earliest possible day. It was thought that a few presents and fair promises might quiet them for a time—at least until I could communicate with the department and obtain instructions for future action. I was then without funds, but thought the circumstances would justify me in drawing for a small amount; and accordingly, on the 15th day of November, 1850, I negotiated a draft on the Department of the Interior for the sum of eight hundred dollars. A few days were occupied in selecting and purchasing proper articles for presents, and in making other necessary arrangements, previous to leaving for their location. On the 21st day of November I left San Francisco, intending to push as rapidly as possible to the camp of Mr. James D. Savage, situated in the mountains, on the headwaters of the Mariposa. Mr. Savage has been for some years with the Indians of California, speaks the languages of several tribes fluently, and possesses a powerful influence over them. I therefore viewed his camp as the most favorable location for effecting my purpose, and especially for obtaining facilities in opening a communication with the wild Indians of the mountains. Difficulty in obtaining transportation from Stockton to Mariposa delayed me in reaching his camp, until the first of December. Mr. Savage was then at another camp or trading-post, which he had recently established yet further in the mountains, on a river or stream called the Fresno. I remained at his camp on the Mariposa for a few days; but, as he did not return, I procured an Indian guide and proceeded to the Fresno, where I found him in the midst of numerous wild and rather war-like looking Indians. The Indians in that region are quite numerous and fine-looking, especially the "Chowchille" and "Chook-chancy" tribes. The most of them are wild, though they have among them many who have been educated at the missions, and who have fled from their real or supposed oppressors to the mountains. Those speak the Spanish language as well as their native tongue, and have intermarried with the wild tribes. Many of the tribes are, therefore, in a doubtful state—rather inclined towards barbarism, than to cherish such ideas of civilization as they may have acquired. This may be said of all the tribes inhabiting the western side of the Sierra Nevada, along the whole valley of the San Joaquin.

Mr. Savage has done much to open communication with the Indians of California, and to keep them on terms of friendship with the Americans. He had often told them, before I reached the Mariposa, of the Great Father at Washington; that he had sent a man to see them, who would talk with them and make them a few presents. They were therefore expecting me for some time before I reached them. On my arrival on the Fresno the Indians there seemed greatly gratified, and despatched couriers to other tribes announcing the fact that I had

reached them. I remained on the Fresno several days, during which time I had various interviews with the chiefs, braves, and men of authority among their respective tribes, the most powerful of which is the Chouchille. In an interview with the chief of that tribe on one occasion, he said to me, "This is our country; why do the Americans come here? They are good and brave, but they come upon the land of my people. What do they intend to do? I want to know, and must know, *right now.*" I was not exactly prepared for so imperious a demand, but made such explanations as seemed to satisfy his majesty. After some time he said, "Heretofore my people did not permit any stranger to pass over our country or stop in it, except Mr. Savage—he made us many presents;" and he added, "If you will make us presents, too, you may remain in our country *awhile.*" I endeavored to explain my mission; told him that the Great Father had sent me to talk with them, and to make them some presents as a token of his friendship and regard for them, but that they must not expect many presents at this time.

At the close of our *talk* the chiefs seemed fully satisfied, and assured me that their people should not steal or commit any depredations on the Americans. At the same time, they told me they could not control others. I set Christmas day as the time for a general meeting; and as my presents were limited, it was my intention to procure some beef cattle and make a feast for them.

I left the Fresno with the prospect of at least being able to arrest hostilities until the commissioners (of whose appointment I had then heard) should arrive. In the mean time I visited the rancheria, or villages, of other surrounding tribes. They all professed great friendship for the Americans, when at the same time they contemplated hostilities, as I had before been secretly informed. I of course conferred with them in such manner as seemed to me best calculated to arrest their designs. My efforts, however, were of no avail, as there was doubtless a general understanding among the various tribes that they should commence a predatory war, at an appointed time, all along the valley of the San Joaquin, if not along the entire base of the Sierra Nevada, from the northern to the southern boundary of the State. As an evidence of this, murders and robberies were committed simultaneously at various points.

The first serious depredations committed in this region were on the Fresno, and in the very camp which I had but a few days before left. On the 17th of December about five hundred Indians assembled at the camp on the Fresno, and murdered Mr. Savage's clerk and two other men—one alone escaping, through the efforts of the chief. I was then at the Mariposa. Soon after hearing of this outbreak we also discovered that all of the Indians in that vicinity had suddenly disappeared. Every day brought news of thefts and murders in various parts of the valley. This established beyond doubt the fact that a general hostility existed. I had obtained information that the Indians *declared open war* upon the whites, and every day's report confirmed the fact.

On the 20th day of December I left the Mariposa, with thirty-five men, to bury the murdered men on the Fresno, and, if possible, to punish the Indians. We expected to meet them there, not only in considerable numbers, but to some extent fortified. Our force being small, we thought it necessary to take them by surprise. In order to do so,

we must travel all night, which we did, and reached the Fresno about daylight, but found no Indians there. The destruction of property, however, and the bodies of the dead before us, filled with arrows, presented a horrid scene. We immediately proceeded to inter the remains of the deceased. Our force being small, we concluded not to pursue the Indians further into the mountains, but to return that evening on our way back to the Mariposa. This determination was perhaps fortunate for us, as I have since learned the Indians were not far distant, knew of our arrival, and intended to attack us that night; had we remained upon the ground.

On reaching the Mariposa we learned that most of the Indians in the valley had hurriedly taken their women and children to the mountains. This is always looked upon as a sure indication of hostility.

Knowing the meagre force of United States troops here, and having no authority to call upon them, I immediately repaired to the seat of government to ask aid from the State.

My communication to the governor (a copy of which I herewith transmit) was laid before the legislature, and that body acted as promptly as possible in furnishing aid and protection to the mining region of this country. Two hundred volunteers, under authority of the State, are at this time encamped within a few miles of this place. They are ordered by the governor to await the arrival of the commissioners, who desire to make an effort for peace before opening the campaign. I have been in company with the commissioners for the last few days, during which time we met several of the more friendly Indians, of the few who yet remain in the valley. Some of them have been induced to go to the mountains for the purpose of inducing the wild tribes to meet the commissioners near this point. I fear, however, even if they can be induced to come in, which I doubt, no good can be accomplished with the hostile Indians until they are severely dealt with. In the first place, they are entirely ignorant as to the strength of the Americans. So rapidly have the whites emigrated into this country, that but few of the mountain Indians have any idea of their number. They see the miners among them, and believe the whites have moved their camps from their old camping grounds upon their own. Others, who know something of the numbers in various towns and cities here, look upon San Francisco, Sacramento, and the United States, as about the same size. The commissioners entertained some hopes of effecting a peace, but I am satisfied that nothing can be done, for some time to come, with many of the mountain tribes. They are now in the valleys and cañons of the mountains, living on animals and provisions plundered from the whites, and if not subdued before the snows leave the Sierra Nevada, they will doubtless give the government much trouble, and in all probability a protracted war.

Again: if a treaty could be effected, my opinion is, it will not be respected by either Indians or Americans. The Indians are notoriously treacherous and thievish, and doubtless will continue their depredations. On the other hand, many of the whites in this region have lost either property or friends by the Indians, and openly declare they will shoot down any and all Indians they meet with, whether a treaty be made or not.

There is one way, and one alone, by which peace can be maintained between the whites and the Indians here; and that is, by establishing a line of small fortifications along the valley of the San Joaquin. Let the Indian agent of such district reside at a post of this kind, and punish the white man who murders an Indian, as promptly as an Indian who would commit the same crime. In my opinion, about five posts of this kind, with from ten to twenty soldiers and a few extra stands of arms, would be sufficient to maintain order and peace throughout this border. Some such regulation, under the present state of society here, is, in my opinion, indispensable.

I have obtained some of the Indian languages of the San Joaquin valley, and other matters of interest, which I will transmit with the present mail.

I have the honor to remain, your most obedient servant, &c.,
ADAM JOHNSTON.

Hon. L. LEA,
Commissioner of Indian Affairs, Washington City.

CAMP GIBSON, ON THE CHOUCILLE RIVER, CAL.,
March 24, 1851,

DEAR SIR: My last communication to you was from Stockton, on the 11th ultimo. On the 17th idem, and 5th instant, if I recollect right, joint communications, prepared by Colonel Barbour, were forwarded, and will have given you advice of our movements and operations up to the time of our arrival at Camp Fremont, on the Mariposa. In the latter, I sent a slip intimating my intention to write you by this mail. A letter of this date, now preparing by Colonel B., will convey the gratifying intelligence of our success in treating with six tribes or bands of the Mountain and Merced Indians, on the 19th instant, at Camp Fremont, and of their amicable settlement upon lands we have allotted to them for their future home between the Merced and Tuolumne rivers. We gave them all the land they asked for, not considering it of any real value to the government, or to the whites in the neighborhood, except at one or two points where ferries have been established, and some temporary improvements made. A copy of the treaty will be enclosed, and give you the stipulations which Colonel Barbour, who drew it up, thought it expedient to embody. It is not exactly, either in its diction, direct provisions, or restrictions, such as I could have wished; but as it met the approbation of the author, and of Dr. Wozencraft, I yielded my assent, intending to try *my hand at treaty writing* upon the next occasion or opportunity. With the general provisions of the compact I fully concur, and trust they will meet the approval of your department, and of the President. The Indians in this portion of California have, I am disposed to think, been greatly underrated, both as to physical and mental powers: Many of them have both courage, shrewdness and enterprise, and are, I think, quite as susceptible of improvement as their brethren east of the Sierra. You will have noticed that to the statement in our last joint letter about their reputed numbers, I dissented. My colleagues gave it as their

opinion that the State has an Indian population of 200,000 to 300,000 souls. By reference to Colonel Fremont's letter to your predecessor, you will find that his estimate is 40,000. This I incline to think is too low; if there are as many on the eastern slope of the Nevada, and on the Klamath, as reported; still I think it approximates the truth much nearer than the estimate referred to from my colleagues. There may be, in the whole State, from 50,000 to 75,000; but this, from all the information I have that I consider reliable, is the extent. We design, in accordance with our instructions, making estimates as we proceed, both of those we treat with and those who refuse; so that, after awhile, we shall know much more about their numbers than we do now. It seems to me, also, that until we do reach some estimate more to be relied on than any we have, the matter of dividing or districting the State had better be postponed, though on this point I have no private or personal views to gratify. In a division with reference to the permanent settlement of the *three agents*, regard should be had not only to natural divisions or lines, but to population, similarity of language, &c.; to ascertain which was, as I understand our instructions, a prime object of the department in sending us out. So far as it regards compacts or negotiations with tribes in different parts of the State at the same time, so as to economize time, and enable us to close up our present work the sooner, no new instructions are, I apprehend, necessary; for it is expressly left with us to act separately, or jointly, as we may deem best. For reasons which I have recently expressed in a private letter to my friend, A. H. H. Stuart, I incline to think the commission had better act jointly, at least for some time yet; though, if on this point either my colleagues or the department think differently, I shall make no objection to separate action. In this event, assuming an appropriation has been made, and the amount transmitted to me as disbursing agent, I shall be pleased to have instructions as to the amount. I am to pay over to each of the other commissioners at the time of separation, or whether I shall furnish them, from time to time, with whatever may be needed, upon their own requisition. From the information I now have, and much more that I hope to collect during the present summer and fall, I incline to the opinion that the Indian relations of Oregon and California should be confided to the superintendency or management of some one man, to reside at San Francisco or Sacramento city; from whence, as a centre, he could communicate with all parts of both States, and at least once a year visit all Indian *pueblos* or *settlements*, and then report the results to the government at Washington. The old Indian laws and regulations will have to be very much modified to suit the Pacific coast. If it shall meet your approval, and I am required to return home during the rainy season next winter, when travelling in this country will be impossible, I will probably be able to furnish you with some important information bearing upon these points. I would also here suggest whether much good might not result from my taking with me to Washington and our large Atlantic cities half a dozen or ten of the principal chiefs of the tribes we may treat with, so as to give them some idea of the power and resources of our country. In my letter to Mr. Stuart I referred to this subject, and presume you will see him before you reply. You will please forward

the enclosed communication, as addressed, to my family at Wheeling. It contains a specimen of gold and some flower-seeds. Please address a copy of your late report to my son, *A. W. McKee, Wheeling, Virginia.*

In haste, but very respectfully, your most obedient servant,

REDICK MCKEE.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington.

P. S.—The only letters I have yet received from you are under date of 9th and 29th November, 1850.

R. McK.

CAMP GIBSON, ON THE CHOUCILLE RIVER, CAL.,

March 25, 1851.

SIR: We wrote you from the Little Mariposa, under date of the 5th instant; we then apprized you that, according to agreement, we expected to meet on the 9th inst., at Fremont's old camp, on the Little Mariposa, several of the hostile tribes. On the morning of the 8th we broke up our camp, and started for the place designated for the treaty, which we reached the same evening, after a march of some twelve miles. The country through which we passed, being nearer the foot of the Sierra Nevada, assumed a more broken appearance than any through which we had hitherto travelled.

On the 9th, the day agreed upon for the meeting, but one small band or tribe of Indians came in, to wit, the Coconoons; but we learned from their chief (Nuella) that others would be in within a few days, and we determined to await their arrival. In the mean time we had several interviews with Nuella and some of his men, for the purpose of learning something of the character, manners, habits, &c., of his people. After waiting several days, the chiefs Tiposey and Bautiste (both hostile,) with portions of their respective tribes, came in. They told us that others of their tribes, principally the old men, women, and children, would be in camp in the course of a day or two.

After awaiting their arrival, and all having come in that we now had a right to expect, on the 15th inst. we met the three tribes (Coconoons, Segantes, and Potoyantes) in council. Through the interpreters we apprized them fully of the object of our mission, the policy of our government as relates to the Indian, and the particular course that we desired to take with them, &c.; the substance of which we have heretofore communicated to you, and which you will again find more fully explained by the provisions of a treaty subsequently made with them and three other tribes, a copy of which we have the honor of herewith forwarding to you.

After submitting our propositions to them, we desired them to retire and consult among themselves upon the terms that we had proposed, and in an hour we would again meet them and learn their decision, as well as hear propositions from them, if they desired to make any. When we again met them they expressed themselves satisfied with the terms we offered, except their removal from their mountain fastnesses to the

plains immediately at the foot of the mountains. We then explained to them the necessity of such a removal and location, and that we could treat with them upon no other condition, believing that if they were permitted to remain in the mountains, constant conflicts between the Indians and miners would take place; that the Indians could not, nor would they attempt to support themselves, otherwise than by stealing horses, mules and cattle from the farmers in the plains, and by depredating upon small parties of miners in the mountains. After we had explained these matters fully to them, they again consulted together, and finally agreed to remove their families to the plains, as we desired.

It was then agreed that a delegation of the Indians, accompanied by the commissioners should go the next day to the Merced river, (on which we proposed settling them,) and examine the lands to be agreed upon for their settlement, and then return and draw up and sign a formal written treaty. Accordingly, on the 16th Dr. Wozencraft and Mr. Barbour, accompanied by two of the Indian chiefs, started for the Merced river: on reaching the river they were met by a courier with a note from Dr. Owens, on the Tuolumne river (distant some twelve to fifteen miles,) informing them that three other tribes (two hostile and one friendly) were encamped near his "ranch," and desired to treat with the commissioner. These tribes had promised to meet us at "Fremont's camp," near the Mariposa, on the 9th, but had failed to do so; and fearing the consequences of their failure to meet us as they had promised, no doubt they adopted this course of falling upon our rear, sending word that they desired now to treat, &c., and thus elude the punishment due to their crimes and bad faith, that was ready to be inflicted on them by the "State's troops," who were encamped near us, and were only awaiting the result of our meeting, as before stated.

Dr. Wozencraft, accompanied by the interpreter and two friendly Indians, immediately started for their camp, whilst Mr. Barbour remained to examine and point out the lands designed to settle the before-mentioned tribes upon.

Dr. Wozencraft and party returned the next day, having arranged with those tribes on the Tuolumne to meet us in two days at our camp (Fremont,) and, with the three tribes already there, consummate, if possible, a final treaty.

Mr. Barbour having in the mean time selected lands entirely satisfactory to the Indian delegation that accompanied them for that purpose, they returned to camp.

On the day agreed upon, the three tribes, to wit: the Apangasse, Apache, and Awalache, reached our camp, and after the Indians had all feasted and danced, on the 19th inst. a treaty (the copy of which we send you) was concluded, drawn up, and, after a correct interpretation and a full explanation to them, duly and formally signed, attested, &c.

On the 20th the six tribes under the charge and supervision of Col. McKee, of the commission, and Col. A. Johnston, agent, with a small escort, left for the new homes of those tribes; but before leaving, "runners" were with much difficulty obtained from them, to visit other hostile tribes, and to propose to them to meet the commissioners on the Fresno river, as soon as practicable, (say within 15 days) for the purpose of treating.

Before leaving our camp we learned that a party of the State's troops, under Captain Kuykendall, had surprised and attacked a large body of Indians on the waters of the San Joaquin river, and after killing some of them, the remainder fled, but soon after sent in messengers asking for a cessation of hostilities, and permission to *burn* their dead, and at the same time expressing a willingness to treat, and a desire to meet the commissioners. Capt. Kuykendall complied with their wishes, as far as was in his power, and hastened to inform us of what had taken place, and that he had arranged with those Indians to meet us on the Fresno, to which place we will move in a few days, having halted at this place only for a few days in order to get supplies, &c.

We earnestly hope, from the prospects now before us, that in a few weeks we will have been enabled to treat with most of the hostile tribes in this vicinity, and thus restore peace to this part of the country; but we are apprehensive that there are some two or three tribes in this portion of the State that will have to be "whipped" into terms; yet we shall use and exhaust all mild terms before we give them over to the forces that have been sent out against them. We find them generally to be a wretchedly ignorant, indolent and degraded set of beings, scarcely capable of discriminating, in the main, between right and wrong, and consequently slow to see that it would be to their interest to make treaties and live on friendly terms with the whites: hence we desire to use all mild means before resorting to harsh ones to bring them to terms.

Col. McKee has just returned from locating those tribes with whom we have treated, on lands set apart for them. He reports them as being well pleased with their new homes, and the whites living in the vicinity as having expressed a willingness, as far as in their power, to aid and further the benevolent designs contemplated in the treaty.

Our success heretofore has been much retarded and our movements slow, from the fact that the deadliest hostility existed between the whites and Indians; and the latter were concealed in their mountain fastnesses, too hostile to be reached with any safety by small parties, and too timid and wild to be approached by a large body of men; consequently we have been compelled to use only such agencies as we could *procure*, and not such as we would have *preferred*; but having now opened the way, we hope to be able to proceed more rapidly, particularly if we are successful in negotiating a treaty with those whom we expect and hope to meet on the Fresno river.

Hoping to hear from you at your earliest convenience, and that what we have done, as well as what we may hereafter do, in relation to the high trust confided to us, may be entirely satisfactory,

Your obedient servants, respectfully,

G. W. BARBOUR.
REDICK McKEE.

Hon. LUKE LEA.

O. M. Wozencraft is absent upon a flying visit to his family at San Francisco.

JNO. McKEE, *Secretary*.

INDIAN RESERVE, MERCEDE RIVER, CAL.,
April 11, 1851.

SIR: I had the honor to receive, by the last express which reached our train, a communication from you under date of January 25, reminding me that I had not been prompt in rendering my accounts under the "Act concerning the disbursement of public money," approved January 23, 1823.

I certainly owe an explanation of my seeming delinquency in not regularly forwarding statements of my accounts-current to the department, as required by the law. It was, however, with no intention of not strictly complying with the requisitions of the act "concerning the disbursement of public money," that my seeming delinquency exists, but owing wholly to other circumstances.

The duties prescribed in my instructions, such as to obtain "statistical information relative to the Indians of this country, the number of tribes, their location, the probable extent of territory claimed by them, their language," &c., required me to be almost constantly moving from point to point. Owing to the insecurity in carrying papers over this country, where we are exposed to the weather, and are frequently obliged to spend night after night without any covering whatever, I deposited such papers as were of value to me at the mission near San Francisco for safe keeping. On my return from the valley of Sacramento in November last, it was my intention to close up my accounts with the department, for I felt that I had even then neglected too long to do so. Rumors from this region in regard to anticipated trouble with the Indians, induced me to set about reaching this part of the country as soon as possible. It was thought that if I were among the Indians with a few presents, they might be quieted for the time being, and I hastily left without forwarding statements of my accounts up to that date. Soon after my arrival in this part of the country, the Indians declared open war against the whites, and I have almost constantly been moving over the country, from day to day, ever since.

On the receipt of your letter of January 25, I endeavored to get my papers together, and on reaching this place began making out statements of accounts up to January 13, 1851, which I have the honor herewith to transmit.

I did not meet the commissioners until the 13th day of February last, since which time I have been mostly with them up to Tuesday last, when I left them at Camp McLean, on the Fresno river, for the purpose of locating several tribes or bands of Indians, with whom they had effected a treaty on the 19th day of March last.

In connexion with this subject, allow me to say, I anticipate great difficulties in maintaining the stipulations of this treaty, or any other that may be entered into, unless a sufficient force be placed at the disposal of such persons as may have charge of the respective reservations. That force is more necessary *immediately* in locating the Indians and making a beginning, than it will be at any other time. In the first place, the Indians are not to be trusted or depended upon where they possess any advantage. On the other hand, the whites have lost friends, property, &c., by the Indians, and many of them will kill certain Indians whom they suspect, whenever opportunities present themselves.

I have two Indians right here whose lives are threatened by white men, who supposed they were engaged in killing their friends. I am alone here at present, but shall endeavor to prevent any revenge of the kind being taken, as I know a single outbreak at this time would be disastrous.

Another source of difficulty results from retailing ardent spirits to the Indians and reckless whites in the vicinity of the Indian rancherias. Within this reservation there are some four or five houses retailing liquor, and as many more within a few miles on the opposite side of the river. I have written notices to those within the reservation, giving them the law in regard to selling Indians liquor, and shall endeavor to suppress it as far as possible, for I know it to be the great obstacle in managing the Indians.

There is a public road running through this reservation which branches off to two ferries, and one ford on this river, all within three miles of this spot. At each of the crossings there is a public house or tent where liquor is retailed. The house or tent from which I write is one of them, on the bank of the river, and within one hundred yards of the Indian rancheria, near to which the public road runs to reach the house and ferry.

These things multiply the difficulties in managing the Indians. Several have already taken place at this point, and I am gratified to learn that, on reaching here a few evenings ago, I was the means of preventing bloodshed, and in all probability an entire blow up of the treaty.

A young man, having first heated himself with liquor at this house, proceeded, about 12 o'clock at night, to the Indian rancheria, and demanded a woman to sleep with for the night. Not being supplied as promptly as he expected, he set about appropriating the wife of an Indian to himself, when he was seized and tied by a portion of the Indians, while others ran to me to know what they should do with him. By the time I got out of bed, the man had broken loose from them and rushed into the tent, followed, or rather surrounded, by a large number of Indians.

Both parties were clamorous and noisy, the Indians telling me their story in Spanish and Indian, (all at a time,) and the white man swearing lustily and loudly that he would massacre all the Indians.

I told them I could not decide the case in the dark; that both parties must appear before me in the morning, when I would decide it. After some time the Indians became partially pacified, and returned to their rancheria, as did the white man to his wagon.

In the morning the Indians promptly assembled. I then *went to the white man* to get him face to face with the Indians. Some eight of the Indians stated that the white man had rudely attempted to defile one of their women before their eyes. The white man protested that he was "only looking for a mule," when the Indians jumped upon and tied him. Being a white man, he elicited the sympathy of several others around, who occasionally let slip half-suppressed oaths at the Indians. Having no power at hand to adjust the matter properly, I told the Indians that the man was drunk, and did not know what he was doing.

As this was the first offence, I wanted them to forgive him. They said they would, but that the white man must do so no more.

After the Indians left, I told the white man they were quite dissatisfied and enraged. He soon got across the river, and on his way no doubt rejoicing.

This is only one instance of the numerous difficulties that will naturally occur, under existing circumstances, here.

In my last communication I recommended the establishment of small fortifications along the valley of the San Joaquin, and I again urge the necessity of so doing, at such places as may be set apart as reservations.

I am, very respectfully, your humble servant,

ADAM JOHNSTON,

Indian Sub-agent, Valley San Joaquin.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

CAMP BARBOUR, SAN JOAQUIN RIVER, CAL.,

May 1, 1851.

SIR: Our last joint communication to you, under date of 25th March, from Camp Gibson, enclosed a copy of the treaty concluded by us on the Mariposa river with the Si-yau-te, Poto-yau-te, Co-co-noon, Apangape, Aplache, and Awallache tribes of Indians.

We have now the honor to report that on the 27th March we left that camp, and that evening reached Camp McLean, on the Fresno river, where we remained till the 12th of April, awaiting the return of our couriers, or runners, sent up into the mountains to invite the Indians to meet us there or on this river. It was finally agreed that we should move over to the San Joaquin, where we were promised a meeting with numerous tribes, or bands. We arrived, accordingly, at this camp on the 15th ultimo; found some Indians on the ground, and others continued to arrive daily until the 26th, when, having meanwhile treated the red men and their families to as much provisions as they could eat, and finding them in excellent good humor, we met them in council, explained to them the object and purposes of our mission, and submitted to them our propositions for a general treaty of peace, and a settlement of all existing difficulties. On the 28th we met them in general council again, heard their replies, and finally, on the 29th ultimo, entered into a formal treaty with the following sixteen tribes, whose country we are now in, viz:

The How-ech-es,	} Under the grand chief Nai-yak-qua.
Chook-chau-ces,	
Chou-chill-ies,	
Po-ho-nee-ch-es,	
Nook-choos,	

The Pit-cach-es,	}	Under Tom-quit.
Cas-soes,		
Toom-nas,		
Tal-lin-ches,		
Pos-ke-sas,		
The Wa-cha-hets,	}	Under Pasqual.
I-tech-ees,		
Cho-e-nim-nees,		
Cho-ki-me-nas,		
No-to-no-tos,		
We-mal-ches,		

A copy of the treaty will accompany this letter, and give you the general outline of the tract of country assigned them for their future homes, together with the provision we have made for their subsistence during two years, and for their protection and subsequent improvement.

The district assigned these tribes will extend along the lower foothills of the Sierra Nevada for about 50 miles; general course, N. W. by S. E., and 15 miles in width, extending down some distance in the plains, or valleys, in which there are occasional strips of tolerably good farming land; enough, perhaps, with the aid of their much-loved acorn, wild potato, wild onion, &c., and an abundance of fish in the rivers, at certain seasons, to subsist five or ten times their present number. With several of these tribes there are connected large bands or parties called "Monas," or lost or wild Indians, who are still in the mountains. It is almost impossible, therefore, to form anything like a correct estimate of their numbers. From partial counts or census taken by our secretary, there are now settled upon reserve No. 1, between the Merced and Tuolumne, some 600 or 700 souls, which may be increased, when the "Monas" come in, to 1,000 or 1,200. At this camp we have counted 711. When all come in they may number, on this reservation, some 2,000 to 3,000. Before we make up our final report, Mr. Adam Johnston, the sub-agent, who will be left in charge of these two reserves, will have made a more satisfactory estimate of their numbers.

These two treaties have, we think, broken the confidence of the hostile tribes in their ability to contend with the whites, and we trust will end the war and bring about a general pacification on this whole frontier. Such is the opinion also of the oldest settlers in this country. The district assigned these tribes, while apparently liberal in extent, is not likely to be ever coveted by the whites; and, as a general thing, is of no value for common agricultural purposes. It is also outside the mining or gold district; and so far as we can ascertain, not more than one Mexican grant, and that of very doubtful authenticity, covers any part of it.

The Indians we have met here are generally a hale, healthy, good-looking people, not inferior to their red brethren in the southwestern States; and from having among them many who in early life were attached to the old missions of this country, have already some knowledge of letters, of stock-raising, and agriculture. We think they will

therefore make rapid improvement when schools, &c., shall be established among them.

We have found by experience that the best way to keep these Indians of California quiet and peaceable is to give them plenty of food. With beef occasionally, and a little flour to mix with the pulverized acorn, making their favorite *panoli*, nothing can induce them to quarrel with the whites. If ever the secret history of the late disturbances is written, we have no doubt but nineteen out of every twenty will be found to have had their origin in direct aggression on the part of unprincipled white men, or failure on their part to supply the Indians with beef and flour, as the promised reward of their labor.

We have, therefore, been under the necessity of making pretty liberal provision under the head of "subsistence;" and now advertise you that this course will have to be pursued throughout the whole State. The cost of beef-cattle *in this part of the country* varies from eight to fifteen cents per pound. In the southern part of the State, where the large ranchos are mostly situated, it can be bought much lower—say from three to five cents per pound. For present pressing demands we have to do the best we can, fully satisfied that our policy is correct, and that it is in the end *cheaper* to feed the whole flock for a year than *fight* them for a week.

We have now concluded, in view of the almost interminable extent of country to be traversed in carrying out our instructions, to cease acting *as a board*, and address ourselves to the work individually. We have made a temporary division of the State into three districts, for the purpose of negotiating treaties with the various tribes upon the general plan submitted in our joint letter of 10th March. For our respective districts lots were drawn to-day, and the northern fell to the writer (R. McKee,) the middle to O. M. Wozencraft, and the southern to George W. Barbour. The latter will proceed on south with our present escort; the other two will obtain smaller escorts from the commander of the division at Benicia, and proceed immediately, after the receipt of expected remittances, to their respective posts. Mr. John McKee, our secretary, will accompany the writer to act in that capacity, and to keep his accounts as disbursing agent. The other two commissioners will employ secretaries when it may be found necessary. Our object is to expedite and finish these settlements and negotiations at the earliest practicable day, and thus economize both time and expense. We are now largely indebted for flour and cattle, and await the arrival of the mail with anxiety. If further remittances do not reach us soon, our operations must necessarily be suspended.

We remain, very respectfully, your most obedient servants,

REDICK McKEE.

G. W. BARBOUR.

O. M. WOZENCRAFT.

HON. LUKE LEA,

Commissioner Indian Affairs Washington City.

SAN FRANCISCO, May 13, 1851.

SIR: By this mail I transmit, in another envelope, a joint letter from myself and colleagues, dated at Camp Barbour, on the Upper San Joaquin river, 1st instant, accompanying a copy of a highly important treaty, concluded, on the 29th ultimo, with sixteen more of the mountain tribes—making a total of twenty-one tribes treated with and happily settled in a little short of three months. Referring to that communication for all particulars, I now beg to report, that on the 3d instant Dr. Wozencraft, our secretary, and myself, left that camp and arrived here on the 8th instant. I was quite disappointed in not finding remittances or despatches from you, by the steamer which left New York on the 26th of March. By the mail due here the 20th instant I shall hope to receive answers to some of the numerous communications I have addressed to your office since I left New York. You will see by the papers that another awful calamity has visited this city, and also Stockton. Many millions of property was destroyed. Fortunately, twenty bales of my New York purchases were stored in a different part of the city, and are safe. Our only loss is five bales blankets, shirts, &c., stored in Stockton; these are a total loss: original cost \$481 12.

On the San Joaquin I turned over to Col. Barbour, for his southern district, all the goods we had left; original cost \$2,257 17. In that delightful climate but little clothing is required by either whites or Indians. To the latter, presents of *beef* and *flour* are far more useful and acceptable than *money* or *clothing*. And for mere trinkets, (as rings, beads, &c.,) they have far less regard than any other Indians I have met. There is a small description of beads, white and blue, which they use as a representative of value, as we do money, and serve as a circulating medium for the settlement of debts of honor—gambling debts. Gambling with sticks and cards is an accomplishment of which they are very fond, and for which they are indebted to the Mexicans. In all our treaties you will observe that we have dropped the old custom of stipulating for annuities of money, and substituted expenditures during a few years for provisions, farming stock, school-houses, teachers, &c. In the end I think this will be found the safer and cheaper plan, and hope it will meet your approval.

If the report I see in the papers, of your estimate for our purposes in California being cut down to \$25,000, be correct, I shall deeply feel the mistaken policy of Congress. And if the Indians on the frontiers shall again become dissatisfied, and a war breaks out, it will be found when too late that no greater blunder could have been made. The sum you asked for, \$75,000, is the very lowest that should have been named. Enclosed I will hand you copies of letters which, as disbursing agent of the commission, I have deemed it proper to address to my colleagues, Col. Barbour and Dr. Wozencraft. From these letters you will gather my views, and render it unnecessary for me to write you in this letter as fully as I should otherwise do. My ledger as disbursing agent shows the following results, which give a *bird's-eye view* of the present state of our finances:

Folio 14. Travelling expenses, &c.....	\$2,329 70
16. Provisions account.....	5,522 25
18. Merchandise account, for presents, &c.....	8,055 98
19. Interpreter's account.....	538 10
23. Salaries (to 9th April).....	7,047 00
Advance to Col. Barbour for expenses	500 00
" to Dr. Wozencraft.....	1,080 80
	<hr/>
	25,073 83
	<hr/>

To the credit of the government I will have the original appropriation of \$25,000; amount remitted by Grant & Barton, per my order, to my son in Virginia; amount of reclamation for two bales lost on the Isthmus, \$144 10; and some \$50 or \$60 received for shirts and blankets sold to soldiers of our escort at the request of their officers. With this you will also receive, if the copy can be completed in time, a full transcript of our journal while acting as a joint board. Hereafter each of us will act on his own judgment and responsibility.

With due regard, your most obedient servant,

REDICK McKEE.

LUKE LEA, Esq.,

Commissioner Indian Affairs, Washington City.

P. S.—The transcript of our journal to the 4th of April is all that can be made ready for this mail. The remainder will go by next steamer.

R. McK.

SAN FRANCISCO, *May 13, 1851.*

DEAR SIR: Referring to Captain Keyes for the incidents of our journey from San Joaquin, and of the destructive fires here and in Stockton, (by the latter we lost our five packages Indian goods stored with Davis and Smith—our goods here are fortunately all saved,) I enclose invoice of Indian goods turned over to you at Camp Barbour, and seventy-two pairs of pantaloons sent with Captain Keyes' baggage, amounting in all, at prime cost, to \$2,257 17. The pantaloons are not exactly the article I desired to get for the Indians, but are the best I could find in this market at any reasonable price. I also enclose your account from my books as disbursing agent of the commission. After crediting you with \$600 mileage, and \$1,456 (182 days at \$8) for six months' salary as commissioner, up to the 9th ultimo, and charging the funds sent you herewith by Captain Keyes, a balance of \$500 will remain in your hands, to be accounted for hereafter, accompanied by appropriate vouchers. I regret to say no additional funds have as yet come to hand from the department at Washington, and in consequence I can send you by this opportunity no larger sum. What I do send is from my own private purse. As soon as remittances reach me I will advise you, by way of Stockton, authorizing your drafts for such additional sums as you may find absolutely necessary for expenses in your progress south. I see by the last "Intelligencer" that instead of \$75,000, the appropriation for our purposes in California is only \$25,000, for the

year 1851. This will render the strictest economy doubly necessary in all our outlays and contracts; and unless an arrangement can be made with some of the large ranch owners down south for the supply of cattle at fair rates, to await appropriations at the next session of Congress, almost the whole amount now understood to be appropriated will be required to make good our arrangement for the subsistence of the Indians last treated with, and settled on reservation No. 2. If there is no mistake in the printing of the Indian appropriation bill, the department or the committees of Congress have made a most unfortunate estimate of our wants for the public service in California. That the peace and security of a frontier of nearly two hundred miles depends upon our ability to keep the Indians in good humor by liberal appropriations for their subsistence, there can be no doubt. How this is to be done by means of a pitiful grant of \$25,000, is beyond my arithmetic. In a letter to the department as early as November 9, 1850, I suggested that at least \$100,000 or \$150,000 should be appropriated to this work, and was disappointed, as you know, on finding that Mr. Lea, in his annual report, has asked for only \$75,000. If his estimate has been cut down to \$25,000, I shall consider it a most egregious blunder. The responsibility, however, will not rest upon us. In all our future treaties I suppose we shall have to confine ourselves to a small outlay for provisions *at and during the treaty*—to a distribution of the goods we have on hand as presents, and the promise of cattle and flour for subsistence for the years 1852 and 1853, instead of 1851 and 1852. It is fortunate, perhaps, that the treaties already made provide for the tribes which have been engaged in open hostilities and are the most destitute. In other parts of the State, supplies of provisions may with less danger be postponed. Since my arrival here, I have met gentlemen from the southern part of the State, who report that *good cattle* can be purchased from the ranches in that quarter at from \$12 to \$16 per head, according to age and weight. After you get down into that region, I will be pleased to hear from you on this subject. A gentleman from Humboldt bay informs me that cattle are quite plenty there, and can be bought at from five to eight cents per pound net. Shortly after the arrival of the next steamer from Panama, I design going north to make inquiries and arrangements for holding *talks* with the Indians at some future day. It is not probable I shall be gone over twelve or fifteen days, and on my return will be happy to find letters from you at Messrs. Tallant & Wildes'. If you are in want of any more goods for presents, let me know and I will execute your orders. Your son Kit has concluded to go up with Captain Keyes. There are rumors here that, in consequence of short appropriations for the Quartermaster's and Commissary's departments, it may be necessary to withdraw or at least reduce your escort. If on inquiry I find this is seriously contemplated, I shall advise that at least part of the four companies composing Captain Keyes' command may be organized into posts at our Indian reservations on the Mercede and San Joaquin rivers. I consider it highly important that the Indians should have some protection from bad white men while making their new settlements, and until regular agents, teachers, &c., are established among them. I will address a letter, in substance like this, to our colleague, Dr. Wozencraft, and send copies of both, with a tran-

script of our journal while *acting as a board*, to the Indian department at Washington, by the steamer of the 15th instant. Whether I shall require an escort in my tour to the northern district I do not know, but will ascertain when I get to Humboldt bay or Trinidad. In the hope that my next will convey more agreeable news, and that I shall soon and frequently hear from you, and your success in treating with the tribes in your southern route, I remain, very respectfully, your friend and most obedient servant,

REDICK McKEE.

Col. GEO. W. BARBOUR,
King's River, California.

P. S.—From the foregoing you will judge whether it will not be best to withdraw part of the cattle furnished by Don Pablo de la Toba from the San Joaquin and give them to the King's River Indians, or Four Creek tribes, for present supplies. As I returned through Stockton, I ascertained that instead of having a *bargain* in the offer of flour from Waddington & Co. at \$6 50, the ruling rates there during March and April was \$5 25 to \$5 37½, and in this city the rates in those months were \$4 25 to \$4 75. I can now purchase first-rate brands at \$4 50 to \$4 75 per hundred pounds.

SAN FRANCISCO, *May 13, 1851.*

DEAR SIR: Enclosed I hand a copy of my letter of this date to our colleague, Col. Barbour, at King's river, in relation to the very limited appropriation made at the late session of Congress for our operations in California, and my views as to the course which will be expedient for us to adopt in our further operations. As the disbursing agent of the commission, I deem it quite inexpedient either to incur any large personal responsibility, or, by our action, implicate the Indian department, until the ways and means are provided by Congress. As the five packages of blankets, &c., stored with Davis & Smith, Stockton, were destroyed by the late fire, I will, if you deem it advisable, turn over to you a part of the goods we have remaining of my New York purchases, and of a small invoice of pantaloons purchased in this city; and if you think of any other articles which you would like to take with you to the Stanislaus or Sacramento, for presents, I will go into the market and purchase them. Herewith I also hand your account from my books, as disbursing agent, in which I have credited you with \$500 for travelling expenses or mileage from New Orleans to San Francisco, and \$1,456 (182 days at \$8) for six months' salary up to the 9th ultimo—leaving in your hands, as commissioner, \$1,080 80 to be accounted for hereafter, accompanied with appropriate vouchers. As soon as remittances from the department reach me, I will authorize your drafts for such additional sums as can be spared from the fund, and as may be found absolutely necessary for expenses on your proposed tour through the central or Sacramento district.

Wishing you good health and success in your labors, I am, respectfully, yours, &c.,

REDICK McKEE.

Dr. O. M. WOZENCRAFT, *San Francisco.*

CAMP BELT, ON KING'S RIVER, CALIFORNIA,

May 14, 1851.

SIR: I have the honor of enclosing herewith a copy of the treaty entered into and agreed upon on yesterday between myself, on the part of the government of the United States, and twelve tribes of Indians residing in this (the southern) part of the State.

On the 2d inst., as you will have learned from a joint communication addressed to you by the three commissioners from the San Joaquin river, we concluded that we could better serve the government and expedite the object of our mission by separating than by continuing to act together.

After determining upon the districts to be visited by each, and the southern one having been allotted to me, I immediately employed Indian runners to visit the various tribes between King's and Kern rivers, desiring them to meet me at this place as soon as practicable.

On the evening of the 3d I left Camp Barbour, on the San Joaquin, accompanied by the escort with which we started out, and moved down the river ten or twelve miles, in order to get upon the plain over which we had to march to reach this (King's) river. We encamped for the night without pitching our tents, that we might make an early start, so as to avoid the heat as much as possible in crossing that part of the plain which is destitute of water and timber—a distance of between twenty-five and thirty miles.

The morning of the 4th we were under way by 3 o'clock, and at 4 o'clock in the evening reached our encampment on this river, having travelled some thirty-five miles over a sandy desert.

In the evening a few Indians came into camp, and I procured other runners to start out. The next day (5th) a delegation from one of the tribes (hostile) came in; other messengers were despatched on the morning of the 6th, and delegations from the various tribes treated with continued to come in until the 11th, when I ascertained that all the tribes that could be prevailed upon to meet me at this place had sent in their chiefs and headmen.

On the morning of the 12th we commenced the treaty, and on the 13th agreed upon the terms, which you will find in the copy herewith sent to you.

The twelve tribes included in this treaty number about four thousand one hundred and twenty (4,120) persons, one thousand of whom are warriors; they have all been hostile, and a majority of the depredations upon the lives and property of the "whites" in this part of the State have been committed by these tribes; they are more athletic and warlike than any Indians I have seen in the State, and more intelligent. They have heretofore possessed and occupied all that district of country between King's and Kern rivers, from the Tulare lakes to the Sierra Nevada mountains, a large portion of which, known as the "Four Creek" country, is regarded as the very best section of land in the State.

In the treaty I have succeeded in getting them to remove from the best portion of that country, and to settle upon lands not so good, yet sufficiently so for all practical purposes, so far as they are concerned.

From all I can learn, there are but three tribes left untreated with north of Kern river, from the "Sierra Nevada" to the "Coast Range;" they live immediately on Kern river, and from what I have learned of them, can, in all probability, be prevailed upon to cross that river and settle on the south side, where I contemplate, if possible, making another treaty and settlement.

You may probably think that the amount agreed to be given to those tribes with whom we have treated too great; but when you take into consideration their *poverty*, the country they surrender, and *particularly* the *expense* of a *war with them* that would necessarily last for years, to say nothing of the gold mines which they give up, I do not think you will conceive that we have given them too much.

Hoping that what I have done, as well as what I may do, will meet with your approbation, as well as the approval of the President and Senate, I have the honor to be, your obedient servant,

G. W. BARBOUR.

Hon. LUKE LEA.

SAN FRANCISCO, CALIFORNIA, May 14, 1851.

SIR: We, as a joint board of commissioners, having dissolved for the time being, with a view of proceeding to the three several districts of country simultaneously, I avail myself of the earliest opportunity of placing before the department such suggestions as the occasion may require, and such information as may be in my possession.

In the first place, I would respectfully, but most urgently, impress on the department *the great necessity* of quieting and pacifying the Indians in this country before they become *accustomed* to the *usages of war*—before they learn and gain that dangerous experience.

It is my opinion, if they should gain that knowledge, we will have the most formidable of all the aborigines of this continent to contend with, and a protracted war, terminating only by their extermination, and at a fearful cost of life and treasure.

They do not lack the *nerve* and *daring* of the best of the Atlantic Indians; they but lack the experience, and with that their mountain fastnesses will be *impregnable*; in fact, they are measurably so now, with their imperfect defence. There are but few, of the Caucasian race who can endure the hardships and privations of their eternal snows, and *none* who can chase them down.

You have been advised of the policy which we have deemed expedient to adopt: permit me to say a few words in relation to it. The common and favorite place of abode of the Indians in this country was in the valleys and within the range of mountains; the greater portion were located, and had resided, as long as their recollections and tradition went, on the grounds *now being turned up for gold*, and now occupied by the gold hunters, by whom they have been displaced and driven higher up in the range of mountains, leaving their fisheries and acorn grounds behind.

They have been patient in endurance until necessity taught them her lesson, which they were not slow to learn, (as it is measurably intuitive

with the Indian;) and thus they adopt from *necessity* that which was deemed a virtue among the Spartans; and the result is, we have had an *incipient* border war—many lives have been lost, an incalculable amount of property stolen, and the development and settlement of the country much retarded; and this will ever remain unavoidable so long as they are *compelled*, or *permitted*, to remain in the mountains. They can come down in small marauding parties by night, and sweep off the stock of the miners and farmers, and before the loss is known they will be beyond pursuit; and I venture the assertion that this would be the case in defiance of all the troops that could be kept here.

Our policy is, as you have been informed, to get them down from their mountain fastnesses and place them in reservations along in the foot-hills bordering on the plains; the miners will then be *between* them and the mountains, making a formidable cordon, or barrier, through which it would be difficult to take their families unobserved, and in those reservations there will be no place for concealing stolen stock, and they can there have all the protection which can and should be afforded them against their persecutors; and lastly, they will there learn the ways of civilization, and thereby become useful members in the community, instead of being an expense and dead weight upon the general government.

The country set apart for them so far is very poor soil; only a small portion of it is adapted to agricultural purposes, but remarkably well adapted to the raising of stock, and we think it would be good policy to supply them liberally with *brood stock*, in addition to the beef cattle, (which is indispensable for *present consumption*.) as the faithful fulfilment of the treaties on their part will measurably depend on it. *They must have food.*

We think that it will not only be good policy, but will also be a good investment, so to speak, to both parties. The *increase* will soon be sufficient to place them beyond the necessity of receiving aid from the general government. The consumption of beef in this country, owing to the great emigration, is supposed to be greater than the increase of the stock; consequently, the investment in brood stock at this time will result in a profit, as stock must increase in value: thus they will become the recipients of so judicious an investment.

This will require money, and it is a subject of surprise and regret that the appropriation for our use has been cut down *so small*. The amount required will be seemingly large; but by pursuing the foregoing policy, it would be found to be small in comparison to all treaties where annuities are given.

The middle district having been allotted to me, (commencing at the San Joaquin river south, and extending up through all the Sacramento valley north to the headwaters of the Sacramento and Feather rivers,) it being the one for which I expressed a preference to the department soon after learning of my appointment, I am in hopes it will now be assigned to me.

On this occasion, I deem it due to the department and myself to state that, so long as we were acting conjointly, most all of the contracts and purchases were made by the disbursing officer, without my knowledge or *participation*. The department having placed the funds in his

hands, I presume he alone will be held responsible; but now, acting as I do, in my individual capacity, I hold myself responsible for all the contracts and disbursements that may be contracted by me for the above-mentioned district.

I have made the preliminary arrangements to meet, talk, and treat with a portion of the Indians in this district, and am only awaiting the arrival of the mail in which we expect the communication in relation to means, without which nothing can be done. In this country everything depends on the ready money.

All communications may be addressed to me here.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT.

HON. LUKE LEA,

Commissioner Indian Affairs.

DENT AND VANTINE'S FERRY,

May 28, 1851.

SIR: Having this day concluded a treaty with six bands or tribes of Indians, the copy of which is herewith enclosed, based on the terms agreed on when acting jointly, deviating, however, somewhat, in some of the clauses, which was deemed essential; for instead of increasing the number of brood cows, and diminishing the amount and number of other articles stipulated, believing, as I do, that it is essentially necessary to give them an amount of brood stock sufficient to place them beyond the necessity of claiming aid from the general government.

I fear the number allowed them will be found insufficient; yet I would wish to consult economy as far as practicable; and with a view to that end, I have instituted a clause securing to them the right of the crossings on the rivers within and bounding the reservations, which will be a source of great profit, and, indeed, by judicious management, may be sufficient for their support hereafter. I would respectfully, but most urgently, recommend that the department adopt measures at an early day to secure to them a full and exclusive right to ferries now established, as well as to those that may hereafter be established, within the limits of the reservations. Learning that goats can be procured on this coast in abundance, I am satisfied that it would be a judicious investment to purchase for them a number: being so prolific in their increase, they would soon have an ample supply for consumption. I have accordingly specified them in the treaty, with the hope that it will meet with the approval of the department.

Hostilities having recently commenced between the confederated bands of Indians and the whites in Eldorado county, and within the district allotted me, I have taken preparatory measures by sending out couriers among them, inviting them in, with a confident hope of securing a peace.

A small escort of mounted men has been ordered to accompany me, and I expect to proceed to the appointed place of meeting immediately after the arrival of the mail steamer, which is due on the 4th proximo, being necessitated to await the arrival of the mail, with the hope of get-

ting an order from the department for funds which were expected by the last mail, but did not come to hand; in consequence of which, I have been obliged to raise money on my own account, in order to meet the appointments at this place. Should it fail to come by the next steamer, I apprehend it will be of serious moment, having made two appointments to meet, and, if possible, to pacify those Indians in the Sacramento valley who are now committing depredations on the whites, and believing, as I do, that a permanent treaty can be established by visiting them, and pursuing the policy heretofore pursued by us.

It is of the greatest importance that this be done immediately, as urged in a former communication; and as evidence of this, I would state that the captain of a band of Indians came in while we were making this treaty, representing to me that his people formerly lived down in the foot-hills on the Calaveras; but, owing to the aggression of the whites, he has been forced high up in the mountains, where, as stated in a former communication, it became necessary that they steal to prevent starvation.

He asks for protection for himself and his people within the reservation set apart for them; this being promised, he will bring them all down, and change his mode of life. This is all they ask, and as little, I think, as they should expect.

As before stated, it is manifestly necessary that they be furnished with provisions for some time to come, if we would avoid a border war; and I would again respectfully urge on the department the importance of this subject. Without funds in our hands we will be compelled to make prospective contracts if we would carry out the policy commenced, and at a serious disadvantage to the general government, owing to the high rates that money commands here.

I look upon the Indians here, in this country, as beings that can be domesticated probably more readily than any of our Atlantic tribes. They, not unlike their climate, are mild and inoffensive, and if the disturbing elements are not exerted to motion, they will become useful members of society, for which now they express a lively desire, as also to adopt the habits of civilized men; but if their latent passions are incited to development by ill usage and kindness withheld, we may anticipate a storm of war, in which they must be annihilated.

Respectfully, your obedient servant,

O. M. WOZENCRAFT,
U. S. Commissioner.

HON. LUKE LEA,
Commissioner of Indian Affairs.

SAN FRANCISCO, *May 29, 1851.*

SIR: By the steamer hence 15th instant, I transmitted to your address a joint letter from myself and colleagues, written at Camp Barbour, on the San Joaquin, 1st instant, accompanying copy of a treaty made on the 29th April with sixteen important tribes residing in that region; also a letter from myself, with copies of letters addressed to my colleagues, and memorandum of my accounts as disbursing agent, to the

13th instant; also copy of our journal to the 4th of April. The remainder of our journal, to the 2d instant, will be enclosed in this, (sent in a separate envelope.)

On the 22d instant I returned from Benicia, the headquarters of Major Sewall, the present commander of this military division, from whom I expect to obtain a small escort of mounted men, to accompany myself, secretary, interpreters, &c., in an exploring tour through the northern part of this State. We are embarrassed in arranging for this journey by the want of money in the military chest, as well as the lack of reliable information as to the numbers and location of the Indian tribes inhabiting those wilds. From all the information I have yet collected from traders, miners, and travellers, who have visited the coast and penetrated the interior of that till lately unexplored district, the Indians are quite numerous, and by far the most warlike of their race in this State. Their principal settlements are said to be on Russian, Eel, Trinity, Scott, and Klamath rivers. In general they are hostile to the whites, who have intruded on their lands, and have very little idea of their numbers or power, and none at all of our government. Their languages are represented as extremely various, meagre, and limited—scarce any two tribes can understand each other's lingo. This will render intercourse with them difficult, and possibly, in some cases, impossible. It will also involve a much larger outlay for interpreters, runners, &c. In all other parts of California there can be found among the wild tribes some who can understand Spanish, or at least the corrupted mongrel *lingo* of the native Mexicans.

I was again disappointed in the receipt of advices from your department by the last steamer, which brought New York dates to the 11th or 12th April. If the next steamer, due here 5th or 6th proximo, brings me checks on the collector for the amount appropriated, I will be able to move in a few days; otherwise I shall have to remain here inactive until "the sinews" of *Indian negotiations*, as well as of *war*, do reach me.

I have a letter from Colonel Barbour, dated 16th instant, at Camp Belt, on King's river, advising of his having closed a treaty, which he had previously arranged for, with twelve more of the tribes in that quarter, numbering some 4,200 souls, and leaving but three small tribes unprovided for on that whole frontier of some two hundred miles, extending along the foot-hills of the Sierra Nevada, south to about the latitude of Los Angeles. A copy of this treaty has not yet reached me, but has, I presume, been forwarded to you. I am fearful we shall be involved in difficulty in meeting the stipulation for subsistence for these tribes in 1851.

Colonel Barbour doubtless acted on the supposition that Congress had placed at our disposal at least the sum requested in your report, \$75,000, while my present understanding is that only \$25,000 were granted.

Dr. Wozencraft left this on the 24th instant to meet the Indians near Dent's ferry, on the Stanislaus, about fifty miles east of Stockton, and the same about whom we wrote you in February from Camp Grayson.

Enclosed is a copy of my letter to him of that date, giving the amount

of money and goods turned over to him. We shall soon be out of *goods*, as well as *money*.

Very respectfully, your obedient servant,

REDICK McKEE.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington City.

P. S.—In making up my accounts for the quarter ending 9th April, as rendered to my colleagues 13th instant, I credited Colonel Barbour and myself with mileage from the interior of Kentucky and Virginia, 6,000 miles at 10 cents, \$600, and Dr. Wozencraft from New Orleans, 5,000 miles, \$500. The Doctor complains of this, and, upon the strength of conversations with Senator Gwin and Colonel Weller, (late boundary commissioner,) claims an allowance of \$750 for mileage. I will enclose an extract from a note I wrote him in reply on the 22d instant, and will thank you to let me know, on receipt of this, the proper amount to allow myself and colleagues by way of credit for this item. I suppose the allowance made to the members of Congress from California may be allowed to us. On this point I desire your particular instructions. Please forward the enclosed letter to my son at Wheeling.

R. McK.

Extract of a letter from R. McKee to O. M. Wozencraft.

SAN FRANCISCO, May 22, 1851.

SIR: On my return from Benicia, arranging for a small escort for my contemplated journey north, I have found on my table your favor of the 16th, and note contents. With Senator Gwin's views on the subject of mileage I was acquainted some days since, and would have allowed you more than \$500 if I could have estimated the distance from New Orleans to this city at over 5,000 miles, and had not been restricted by the letter of our instructions to *ten cents* per mile. Colonel Barbour's residence in Kentucky, and my own in Virginia, is much more than 1,000 miles further off than New Orleans; nevertheless, I assume as the basis of my entries 5,000 and 6,000 miles.

As you deem this to be too low, and claim an allowance of \$750, I have concluded to submit the whole question to the department at Washington, and will hereafter make such alterations in our accounts as Mr. Lea may order or authorize.

It is customary, as I understand, to pay salaries quarterly; and as our commissions as *commissioners* bear date 9th October, 1850, I made my entries for the first two quarters on the 9th April, 1851, allowing each commissioner credit for 182 days, at eight dollars per day. As to the item of \$11 80 for telegraphing, you expressed yourself satisfied at Camp Barbour, and I supposed you were so. I will repeat the explanation I then gave you. Six dollars and eighty cents was paid at Wheeling for my second despatch to you at New Orleans, on the 16th October, at the suggestion of Mr. Loughery, acting Commissioner, and \$5 was paid at Baltimore on the 4th November for my third despatch

to you, stating that your draft for \$2,000 should be paid in New York. I supposed this was all for your accommodation; but if you think the expense should fall on me, say so, and I will pass the amount to your credit. I do not, therefore, see any necessity for altering my entries at present, or changing the account rendered you on the 13th instant, by which a balance stands at your debit of \$1,080 80. I will examine the invoice of the goods remaining on hand in this city, and turn over to you a full proportion of the packages, reserving a small lot which Colonel Barbour has just requested me to ship for him by way of Los Angeles, and a few packages for my own district.

SAN FRANCISCO, *May 24, 1851.*

SIR: Your note of last evening is received. Enclosed I hand you my check for \$150, making, with balance as rendered, in all at your debit on my books, \$1,230 80. I also enclose invoice of six packages Indian goods this day shipped to Stockton for your use—amount at original cost, \$584 05. The five packages previously left for you at Davis & Smith's, Stockton, are said to have been all destroyed at the late fire, the original cost of which was \$481 25, as per memorandum herewith. If any of these were saved, you will please get them, and report to me the number and amount. In the estimate of my accounts sent the department to the 13th instant, the purchase of the drove of cattle from Pablo de la Toba, 139 head at \$40, \$5,560, and of 14 head from Scott & Montgomery, was *not* included, and will have to be settled for out of the first remittances I may get from the department.

Respectfully, yours,

R. McKEE.

Dr. O. M. WOZENCRAFT,
Indian Commissioner.

Journal of United States Indian Commissioners for California.

AT CAMP McLEAN, *April 5, 1851.*

The chief Bontista returned this evening and reports that he overtook a portion of the Nookchoo Indians in the mountains and prevailed upon them to return with him; that the Yosimities had crossed the mountains, and a severe snow-storm prevented him following them, but prevailed upon several of the Nookchoo braves to wait, and when the storm subsided endeavor to overtake and induce the Yosimities to return; that all they had heard of the treachery of the commissioners was false, &c.

The principal chief of the "Nookchoos" returned, with such of his tribe as were with him, to camp, with Bontista; and now, instead of finding five or six chiefs to treat with, we have but *one*, because the "Chouchillies" have, by threats of punishment, lying, &c., prevented others from coming in to us. Major Savage, of the volunteers, visited camp last evening, and after all the above facts were discussed and examined by the commissioners, it was deemed expedient that he (Major

Savage) might arrange and march to the mountains as early as possible, and force the "Chouchillies" to come to terms, with his whole force. One pair of blankets, one pair of pantaloons, one flannel-shirt, and one handkerchief, were presented to the chief Bontista by the commissioners, upon his return from the mountains this evening, as a reward for his services.

APRIL 6, 1851.

A few Indians came into camp to-day for provisions, which were supplied them. It is now a well ascertained fact that the Chouchillie tribe of Indians are the controlling tribe for some distance along the mountains, north and south, and it is supposed they number *one thousand warriors*. Also, that they have given strong evidence of their hostility to the government, rejecting all overtures of peace, with the determination to kill, burn, and destroy any persons or property they can surprise, as heretofore; also that they, by threats and persuasions, prevent the smaller tribes from making or uniting in treaties of peace, &c., with the government, through the commissioners.

The question, "what course shall be pursued towards the Chouchillies?" is now under consideration, as it is useless to send courier after courier, endeavoring to effect arrangements with smaller tribes, while threatened with summary punishment as above.

MONDAY, April 7.

Indian runners came in to Major Savage this morning, stating that the "Chouchillie" tribe were on their way in, to effect a treaty. This is deemed to be from good authority. It will require four or five days from thence to reach us, and nothing can be done elsewhere until this powerful tribe are taken care of. The small portion of the "Nookchoos" that returned with Bontista are still encamped some three miles above us, and are supplied with provisions.

TUESDAY, April 8.

Colonel Adam Johnston left camp to-day to proceed to the Indian settlement between the Merced and Tuolumne rivers, and if possible prevent the traders supplying the Indians with whiskey, &c.; also to prevent any other abuses, and supply the Indians with such food as may be actually necessary. Mr. Mallard, the claimant of the three horses in possession of the Indians, (as mentioned under date of 31st ultimo,) came into camp to-day to prove his title to them. By mutual agreement the matter was left to the arbitration of Capt. E. C. Keyes, of this escort, and Capt. Bolen, of the volunteers. These gentlemen met, and called upon said Mallard to produce the three bills of sale to him of said horses, produced by him as evidence of his title before R. McKee, while conversing upon this subject a day or two since. These bills of sale he professed to have *lost*. As these *bills* were deemed *forgeries* by R. McKee, Captain Keyes refused to hear any evidence until the said bills were produced, so as to examine the matter thoroughly. The horses are now in the commissioners' possession, to be so held until the rightful owner shall prove his property.

The Nookchoo band are still encamped near us.

WEDNESDAY, April 9.

Nothing new to-day. Tedious to wait so long at one place. A few of the Chouchillie women have come in from the mountains, and report that others of their tribe are on the way. Capt. Haler, our guide, has been sent to the San Joaquin river to visit the Indians there, and expecting our arrival there, and tell them the commissioners will be detained here longer than expected, but will be there *sure* after awhile. We may remove our camp to the San Joaquin soon.

THURSDAY, April 10.

Indian affairs have been under special consideration to-day. Mr. Savage visited camp to-day, and reports that he expects runners in from the mountains; their report will govern the movements of the commissioners. All the packages of Indian goods ordered from San Francisco but five arrived this evening per wagon train. The Indians above us are, as usual, supplied with subsistence.

FRIDAY, April 11.

Nothing as yet from the Indian runners. Capt. Haler returned from the San Joaquin this evening, and reports that there are about 400 Indians upon that stream without provisions, and others are coming every day, and say they cannot go back for fear of the Chouchillies. It will be determined to-morrow what course to pursue in regard to those Indians upon the San Joaquin. Two wagons were despatched yesterday, and an order forwarded to-day for *flour* at Stockton, and the remaining five bales of Indian goods. It has been deemed expedient that the camp should be removed to a point upon the San Joaquin river. The flour sent for is a lot of thirty sacks shipped by Morehead, Whitehead & Waddington.

RIO SAN JOAQUIN, Saturday, April 12.

The Chouchillie captain, Horocho, one of the expected runners, arrived at the Indian camp to-day, and reports the cause of the delay of the "Chouchillies" in coming in to be the severe illness and expected death of their *principal chief*, who had been severely wounded in an engagement with the whites; and as soon as possible after his death, (expected hourly,) and the observance of the funeral rites, they would come in for a talk. O. M. Wozencraft, with Lieut. Hamilton as interpreter, rode up to the Indian camp, and arranged with them to come over to treat with us on this river, leaving a bullock for them. Our camp was struck at 6 p. m.; and the commissioners, accompanied by their escort, after a night-march, reached this stream at 11 p. m.

Distance 15 miles; total, 165.

SUNDAY, April 13.

Remained in camp all day; the quartermaster's department engaged in crossing wagons, provisions, &c., over this river, which is here a deep, rapid stream, about 75 yards in width.

AT CAMP BARBOUR, *Monday, April 14.*

We marched to-day at 2 p. m., and reached this camp at 5 p. m., situated at the foot of one of the principal foot-hills, and nearer the Sierra Nevada than any of our previous camps. We are immediately on the southern bank of the San Joaquin. Some 200 or 300 Indians are encamped below us. Indian men, women, and children living in wigwams of bushes and branches of trees, the most of them nearly nude. Distance 8 miles; total, 173.

TUESDAY, *April 15.*

Indians encamped below us supplied with provisions as usual. A portion of them are those dismissed from Camp McLean. Indian affairs discussed to-day, and the speedy death or recovery of the Chouchillie chief ardently desired.

WEDNESDAY, *April 16.*

Six Indian runners were despatched this morning to the Chouchillies to hurry their movements. The Indians encamped near us appear to be well pleased with their treatment, and have united in several peace dances, ornamented with feathers, &c. All are active, well-formed Indians.

THURSDAY, *April 17.*

Still feeding the Indians encamped below us. Heavy rains have fallen last night and to-day. No further Indian news. The miners in this neighborhood have returned to work in exposed situations with confidence. We have yet to learn of any late Indian disturbances. Three bullocks were killed to-day for the Indians.

FRIDAY, *April 18.*

At a meeting of the commissioners this morning in Col. Barbour's tent, it was at his suggestion agreed that a regular meeting for consultation and the despatch of business shall hereafter be held every morning, immediately after breakfast. The minutes under date of 2d April ordered to be amended. (See minutes of that date.)

SATURDAY, *April 19.*

The commissioners met this morning. Minutes of yesterday and of 2d April, as amended, approved. On motion of G. W. Barbour, it was agreed that on Wednesday next, the 23d instant, treaties should be made with all Indians then present, unless further intelligence should be received, warranting a postponement of the day. It was moved by O. M. Wozencraft, that a proposition should be made to J. J. Allsbury, a claimant of the land we are now encamped upon, that he should quitclaim to the government of the United States a sufficient quantity of land in this vicinity to establish a military post upon, in case such establishment should be deemed expedient by the proper authorities. This was not agreed to by Messrs. McKee and Barbour, on the ground that it was not within the purview of the duties of the commissioners. O. M. Wozencraft also moved that, as soon after the Indians were

treated with as practicable, the commissioners as a board should separate, and treat with the Indians in different parts of the State separately. This was concurred in by Mr. Barbour; Mr. McKee expressed no opinion.

SUNDAY, *April 20.*

The commissioners met this morning; minutes of yesterday read and approved. On motion of Mr. Barbour, it was agreed to furnish the Indians with three beeves to-day, and also that the bill of flour procured by Captain Haler for the Indians, while here on his mission from Camp McLean, should be paid—150 pounds of flour.

MONDAY, *April 21.*

The commissioners met this morning; minutes of yesterday read and approved. There being no business before them, they adjourned. Major Savage, of the volunteers, visited camp this evening, in company with fifteen or twenty Indian men, a portion of those left near our camp on the Fresno. He says he marched with his command into the mountains, until the rain, snow, and mud rendered the crossing of the mountains impossible; that the Chouchillie tribe had sent him word to "*Come on, we are ready for you,*" evidently displaying a disposition to continue hostilities; that he left his command in a valley among the mountains, as nothing could be done until the mud dried up, and the rains and snows ceased.

TUESDAY, *April 22.*

The commissioners met this morning; minutes of yesterday read and approved. On motion of O. M. Wozencraft, it was ordered that two bullocks should be given to the Indians that arrived yesterday from the Fresno, to be driven by them to their camp on that river, for food for their squaws and children, while the headmen of the tribe are engaged at this camp uniting in a treaty. A running discussion arose as to the disposition to be made of the three horses taken from the Indians by R. McKee, at Camp McLean. Messrs. Barbour and Wozencraft in favor of returning them to the Indians, lending the horses to them to pack acorns until the treaty was made, and then return them wholly to the Indians.* R. McKee preferred retaining the animals until the rightful owner should appear. It was agreed that R. McKee should purchase from McLean any cattle that may be needed for Indian purposes. Many Indians arrived to-day, and report many on the way.

WEDNESDAY, *April 23.*

The commissioners met this morning; minutes of yesterday read and, as amended, approved. In consideration that the principal chiefs have despatched runners to hurry the movements of the Indians coming in, and expressed the wish that the talk should be postponed until all should be present, their wish was agreed to. We have now a fair prospect of arranging a treaty with many Indians.

* Amendment: Insert, "*believing them to be the right owners.*"

THURSDAY, *April 24.*

The commissioners met this morning; minutes of yesterday read and approved. At the suggestion of R. McKee, it was agreed that the secretary should proceed to take a census of the Indians present to-day. Commissioners adjourned.

FRIDAY, *April 25.*

The commissioners met this morning; minutes of yesterday read and approved. The secretary reported, according to his census, 528 Indians present, and many coming in daily. On motion of Colonel Barbour, it was agreed that, on to-morrow morning, the commissioners should proceed to make a treaty with all then present. Some 150 Indians arrived this afternoon, and were supplied with provisions.

SATURDAY, *April 26.*

Commissioners met this morning, the day appointed to commence treating with the Indians present. It was agreed that R. McKee should be spokesman upon this occasion, and that the same train of thought should be expressed in council to-day as at Camp Frémont. The commissioners compared views as to the extent and locality of the country to be set apart for these Indians. A general plan was agreed upon, and then adjourned to a tent erected, in which the chiefs, &c., were assembled. Present: the commissioners, secretary, A. Johnston, sub-agent, Captain Keyes, and several other officers of this escort; Lieutenant J. Hamilton and Mr. Gregory as interpreters, and Major Savage of the volunteers; Indian-chief Tomquit and his captains, Domingo Perez Koshish, Hat-chu la, and Choket, of the Pit-cat-chee tribe; Nai-yak-qua and his chief captains, Co-tum-si, Po-ho-leel, Po-tol, and Pan-a-wach, representing the Haw-on-chee tribe; Pas-qual, and his chief captains, of the Wa-che-ries, with their interpreters. R. McKee opened the council in a speech to the Indians (through Lieutenant Hamilton, interpreter,) explaining the object of the Great Father, the President, at Washington, in sending out his commissioners, "to be the furthering the true interests and welfare of his red children in California. We are happy to meet so many Indians in council to-day, evincing a desire to live on terms of peace and friendship with your white brethren, under the protection of the Great Father at Washington." Interpreters having rendered this into Spanish, and again into the Indian tongue, R. McKee resumed: "What we commissioners say to you to-day is with a straight tongue, and there must be no fork in the tongue of the Indian. What we promise we will perform; what we promise, depending upon the sanction of the President, we will recommend; and what you Indians promise, you must live strictly up to." [Pause.] "The President has sent a few presents of blankets, shawls, &c., as a token of his good-will towards you, which we will give you after a treaty has been made. The President has discovered, by experience, in taking care of your many red brethren over the big mountains, that the Indian must have a home he can call his own; and the product of his labor should be his—not similar to the old missions in this country, where the labor of the Indian made the white man rich." It was impressed upon them that the products of their

labor should be their own. "To accomplish this the President will give you a district of country bordering on the rivers you already know, where you may settle yourselves and families out of the mountains, and will furnish you with farming implements, stock, &c., that you may draw your subsistence from the soil, and thus prevent the necessity for your stealing cattle and other property for a subsistence, as you do while you make the mountains your home. Also, when you are thus settled, the President can *protect* you both from bad whites and bad Indians. We (commissioners) believe it is good for you to make this proposition to you—that a district of country running along the foot-hills, extending into the plain, lying between the Fresno and San Joaquin rivers, shall be set apart for a portion of you; and a similar district of country, lying between the San Joaquin and King's rivers, shall be set apart for the residue, as you may prefer. We wish you to take a little time to talk this matter over among yourselves; and when you meet us again, come prepared to speak out your views plainly and fearlessly. In your deliberation you must consider that we are seeking your good, and have no other object in view; that the President will give you a farmer to teach you to farm, a blacksmith and a carpenter to work for you, and teachers to instruct yourselves and children; also stock, ploughs, some clothes, &c. If you take advantage of these things you will become a better people—your children learn to read and write, and the next generation may, perhaps, possess the knowledge of the whites; and, lastly, while you are making this change of living, he will give you some beeves and flour to assist in your support. Think of these things, and at 5 o'clock this afternoon meet us again and let us hear your reply."

All this was fully interpreted to them at proper intervals. The council was then adjourned until 5 o'clock p. m.

At the appointed hour the commissioners met the Indians in the council tent—same company present as at the morning session. R. McKee signified, in behalf of the commissioners, their readiness to listen to the reply of the Indians to the proposition made in the morning. The chiefs all expressed themselves satisfied with the general position of the land, and that they believed all would be well. A question here arose as to whether the Chouchillies present had authority to enter into a treaty binding the whole tribe; and, at the suggestion of O. M. Wozencraft, the question, "why so few of the Chouchillies were present?" was asked the chief captain, Po-ho-leel. He replied that he, and the seventeen braves with him, represented the Chouchillie tribe *proper*; that his chief was lying dangerously wounded at home, attended by a few of his braves and women; that many, the "Mona" or wild portion of the Indians under his chief, had run off and would not come down, and disclaimed any connexion with them. Upon being again questioned he replied, he would have no influence to induce this wild portion to come in, and that it would require four days to communicate with his chief. O. M. Wozencraft was not willing to recognise the Chouchillies present as having authority to treat for the whole tribe. Major Savage was requested to give his opinion upon this matter, and said that the chief, Po-ho-leel, present, was the brother of the principal chief, who would undoubtedly die, and then Po-ho-leel would be the chief, and that

he believed he had full power to act in behalf of his tribe. O. M. Wozencraft was still unwilling to recognise the deputation present. Messrs. Barbour and McKee thought they should be, and had full power to act. R. McKee then told them that, as to-morrow would be the Christian Sabbath, the council would adjourn until Monday morning, when the commissioners would tell them the quantity of land, stock, &c., to be given them.

MONDAY, April 23.

The commissioners met this morning. Minutes of Saturday read and approved. A proposition was received from Don Pablo de la Toba to deliver cattle for Indian supplies, as may be designated by the commissioners, at the rate of \$40 per head. This was accepted, and R. McKee closed a contract for 120 or 125 head, 40 to be left at the Indian reservation upon the Merced, to be distributed by Adam Johnston, Indian agent, and the remainder to be driven to this camp, payable \$500 cash, the balance as soon as funds are received from the Indian department for that purpose. The district of country to be set apart for the Indians in the proposed treaty was brought into consideration, and Major Savage and Captain Haler, who were intimately acquainted with the whole country and the habits of the Indians, were called upon for their opinion and assistance in locating natural points or objects as boundaries, &c. A general plan was adopted, and a plat drawn in pencil was prepared, the more readily to describe the land to the Indians.*

The amount of beef, flour, stock, farming implements, clothing, &c., &c., to be given them, was determined upon, and the commissioners adjourned to the council tent, where the same company of Indians, officers, and interpreters, were assembled as at Saturday's talks. R. McKee said, that the district of country the commissioners would give the fifteen or sixteen bands of Indians present, would commence at a point upon the Chouchille river; thence a line running south along the foot-hills crossing the Fresno and San Joaquin rivers; continuing south along the top of the Table mountain, at whose base we are now encamped, crossing King's river, to a point called the Loné mountain, near the first of the Four creeks. The western limit or line to be fifteen miles from the eastern. The Chouchille river and the first of the Four creeks (or a line near it) will be the northern and southern boundaries. This district was particularly described, in which the commissioners would insist their families should be settled, with the privilege of gathering nuts, acorns, roots, &c., for food, outside the boundaries. That they might locate themselves upon this land as they may prefer. After this was fully explained, the chiefs expressed themselves satisfied with the country. R. McKee continued, then, that they should be provided with 500 beeves, 260 sacks flour, 3,000 pounds iron; 500 or 600 pounds steel, all kinds of seed, and clothing, in each of the years 1851 and 1852; that they should be provided with a farmer, blacksmith, carpenter,

**Amendment.*—It was deemed expedient that the northern line should extend to the Chouchille river, and not stop at the Fresno as was agreed Saturday; and also south to the Cowier or first of the Four creeks.

teachers, and stock for farming purposes, which must not be killed, or the farming implements destroyed. Some of these things we will commence to give you now; others must have the sanction of the President. These things are intended for all the bands or tribes that will settle with you. Col. A. Johnston will be with you occasionally to assist you, and settle any difficulties that may arise. We will now give you time to talk of these things among yourselves, and at 5 p. m. we will meet you again here and hear your reply.

Adjourned.

At 5 o'clock p. m., commissioners again met the Indians in the council tent, and R. McKee signified their readiness to listen to the views of the Indians upon the subjects before them this morning, telling them to be careful—that anything they said now must be final; and if accepted, there must not be any other resource, &c. The chiefs, in their turn, said, we are well satisfied, and we will live peaceably together on this land. They were then told, these things would be written in a formal treaty, &c., and the nature and use of written articles explained to them. Council was then adjourned, until such time to-morrow as the treaty could be prepared in duplicate.

TUESDAY, *April 29.*

The commissioners met this morning; minutes of yesterday read and approved. At the suggestion of Col. Barbour, it was agreed, that as the signing of the treaty would be completed to-day, six beeves and a sufficient quantity of flour should be given to the Indians for a grand feast, and for a partial supply of food while removing from this place. A communication was received from Major Savage, of the volunteers, stating that he had received orders from the governor of this State to disband the troops under his command, unless the commissioners should express a wish to the contrary. This was replied to by Col. Barbour, and copy placed on file. It is, in substance, that it is more important the troops remain in service for twenty or thirty days *now*, than at any other time, but the commissioners disclaim all right to control their movements. Adjourned, to meet in council tent as soon as the treaty was prepared in duplicate.

At 5 o'clock p. m. the commissioners met the chiefs, captains and headmen of the Indians in council. The treaty was prepared by R. McKee, produced, read, and translated into the Spanish and Indian tongues by the interpreters. Each article was fully and fairly explained, and that their future conduct must be governed by this treaty. The chiefs expressed themselves ready to abide by its provisions. The duplicate copies were signed by the commissioners; then by the chiefs, captains and headmen of sixteen tribes or bands present. The Indian names were written by the secretary, and the mark of the Indian made by each in his turn. The whole witnessed by the secretary, interpreter, A. Johnston, agent, Capt. Keyes, of the escort, and several officers. A copy was given to the chief Nai-yak-qua, in behalf of the Indians, and exchanged. They were then told that Adam Johnston would be the agent for this district for a while, and they must refer to him in any difficulty, and that on to-morrow some presents would be distributed

among them; and so has ended an important treaty which the commissioners have been endeavoring so long to accomplish. Adjourned.

During the whole time we have been encamped here, daily social conversations and talks have been held with the chiefs and captains separately, as they reached our camp, by the commissioners; thus gradually bringing them to an understanding of their wishes.

WEDNESDAY, April 30.

Commissioners met; minutes of yesterday read and approved. It was agreed that the chief Pasqual should be requested to furnish runners to go out to several tribes on the Four creeks, and bring them into King's river to hold a talk with the commissioners when they reached that stream. The question (at the suggestion of O. M. Wozencraft) was brought up as to the expediency of the commissioners' separating and entering upon their duties in different portions of the State from this camp, and was considered. Mr. Barbour deemed it expedient, because the commissioners had been together a sufficient length of time to determine upon a definite plan of action, and had learned each other's views; that one or two important treaties had now been concluded, and Indians both north and south would be influenced to come in readily, and one will be enabled to do the same amount of work as the whole board; and lastly, that a very large extent of country was yet to be visited, and it was impossible to accomplish this as a board within any reasonable time. At the suggestion of R. McKee, it was laid over until to-morrow.

At 5 o'clock p. m., presents of blankets, shawls, shirts, calicoes, &c., were given to the chiefs of the three principal divisions, for the benefit of such of their tribe as were needy, and as a token of the good will of the President. (See memorandum on file.)

THURSDAY, May 1.

The commissioners met at noon to-day; minutes of yesterday read and approved. The secretary produced a memorandum of presents given to Indians yesterday and to-day, which was approved. On motion of O. M. Wozencraft, the question of the commissioners separating at his camp was taken up. As there was some difficulty as to which district of country each commissioner would assume as the ground of his labors, it was agreed to determine the choice of the divisions by lot, to be prepared by Capt. Keyes, of this escort, or any other entirely disinterested person. The mess-bill, or proportion which the commissioners should pay, was made up by O. M. Wozencraft and Lieutenant Gibson, and it was ordered to be paid, it being understood the bill of cigars and tobacco should be excluded from the calculation and considered as a present from the commissioners to the mess. Lots being cast to determine the future separate operations of the commissioners within certain temporary agreed districts, the northern district, or that portion of the State lying west of the coast range of mountains and north of 40° or 41° of latitude, until it reaches the headwaters of the Sacramento or its tributaries, fell to R. McKee. The middle district, extending from the San Joaquin on the south to the headwaters of the Sacramento, and east of the coast range to the eastern boundary of the

State, fell to O. M. Wozencraft. The southern district, extending from the San Joaquin south and west, and east to the State boundary, fell to G. W. Barbour. It was agreed, that if necessary or convenient in the settlement of tribes on either side of their temporary lines, said tribes may be treated with by either of the commissioners on the same, and located, without prejudice to the general understanding. R. McKee submitted the draught of a letter to the Indian department to accompany the last made treaty, and announcing "our design to operate separately," after the breaking up of this camp, which was approved and signed.

FRIDAY, May 2.

The commissioners met this morning; minutes of yesterday read and approved. As it is now necessary that the business of the commissioners, as a board, should be arranged and settled up, it was ordered that the different bills of expenses should be taken up.

On motion by Colonel Barbour, the following accounts were considered and ordered to be paid by the disbursing officer of this commission, viz:

H. S. Burton, Spanish interpreter, at \$4 per day and expenses	\$426 10
Lt. Vincenthaler, Indian interpreter and guide, at \$4 per day	112 00
Jno. McKee, as storekeeper, in charge of goods for Indian presents, and distributing the same, (less my account paid to S. S. Cummins,) at \$4 per day; 121 days	484 00
Thomas W. Lane, for beef at this camp	1,870 00
J. R. Reese, for expenses to San Francisco, and for killing and weighing cattle for Indians	48 00
O. M. Wozencraft, for expenses of trip to San Francisco and back	100 00
Strong, for taking care of horses	20 00
Amount of mess-bill, as per order of yesterday	801 85
T. Moore's bill, hard bread	25 00
Dr. W. S. King	32 00
Davis & Smith, Stockton	88 71
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	4,007 66

Commissioners adjourned, to meet again at 7 p. m.

JNO. McKEE, *Secretary.*

SAN FRANCISCO, June 10, 1851.

DEAR SIR: I now hand you enclosed invoice and bills of lading for three bales shirts, pants, and calicoes, as requested in your letter of 16th ultimo; amount, at cost, \$263 43. I also enclose copy of my respects of 5th instant, enclosing despatch from the Department of Indian Affairs, dated 12th April. I have nothing later from Washington, but hope to have by next mail-steamers, due here the 20th.

Don Pablo de la Toba has just called on me with Adam Johnston's (sub-agent for the San Joaquin district) receipt for 201 head of cattle, which he stated he delivered on the San Joaquin by your directions. For the amount, at \$40 per head, say \$8,040, I have told him he will, in all probability, have to wait an appropriation by Congress.

Dr. Wozencraft has gone to Eldorado county, and I hope will have no difficulty in settling all Indian difficulty in that quarter.

The late war in that section was, I am told, a greater piece of tomfoolery and humbug than even the former on the Fresno and the San Joaquin. The State has been involved for some eighty or one hundred thousand dollars more without the slightest necessity, or accomplishing the least good. The volunteers are, I understand, disbanded, which will enable the Doctor to step in as mediator.

Nothing new here. John is quite well, and so are your friends generally.

Very respectfully,

R. McKEE.

Col. GEO. W. BARBOUR,

With Captain Keyes's escort, at or near Los Angeles.

SAN FRANCISCO, June 6, 1851.

SIR: I have received your favor of 5th, acknowledging mine of 4th instant.

You say that my remark about the money advanced by Mr. King (\$1,000) "is rather ambiguous," and you request me to explain it. I was not aware of any ambiguity in the matter. You informed me that it was essential to your going up to the disturbed district in Eldorado county, that you should have an additional advance of that amount; that the collector would make it on the guarantee of Mr. Larkin, without my assuming any personal responsibility, merely giving my assent, &c.

I went with you to Mr. King, and, as you know, he peremptorily refused you the money unless I would, as disbursing agent of the commission, draw a bill on the department at Washington. Having no direct authority to draw, and expecting—agreeably to my repeated requests—that the money appropriated by Congress for our use would be sent to me *here* in checks on the collector, I agreed to this with some reluctance, and on condition that if the remittances came within two months my draft might be retired *here*. Hence it became proper for me to have some record or memorandum which could explain the transaction, and show that the money was obtained for your use and accommodation, and not mine. If the draft goes forward for payment at Washington, it will be charged to my account, and you will, of course, be debited therewith on my books.

Respectfully, your most obedient servant,

R. McKEE

Dr. O. M. WOZENCRAFT,

Indian Agent.

SAN FRANCISCO, June 4, 1851.

SIR: Enclosed I hand you a copy of a despatch from Hon. Luke Lea, Commissioner of Indian Affairs, dated 12th April, and received here by the last steamer.

From this you will see that our functions as *commissioners* are to cease, and that any further treaties we may enter into with the Indian tribes of California must be in the capacity of "Indian agents," specially authorized to treat, &c. In order to the making up of my accounts of the expenses of the commission, as requested by Mr. Lea, to this date, you will please render me an account of any expenses you have incurred, in your official capacity, from the time of our separation at Camp Barbour, on the San Joaquin. In sending a copy of this despatch to Colonel Barbour, I will make the same request, and thus bring all the accounts up to the same day. I regret to inform you that, notwithstanding my repeated requests to the department to forward funds for the use of our commission, in checks upon the collector of this port, (who has, I understand, nearly two millions lying idle,) no remittance has reached me, nor indeed has the department ever condescended to acknowledge the receipt of a single communication from me since I left New York. Having requested the money appropriated by Congress *to be sent here*, in the absence of all instructions upon the subject, I dislike to make drafts on the department, or ask Colonel King to make advances for this service.

The disturbances, however, between the whites and Indians in the Sacramento valley, if the published reports are at all to be relied on, makes it highly important that an authorized United States agent should reach that country at the earliest possible day; and as you say you *cannot* proceed without additional funds, I will make the arrangement with Colonel King, by which he will advance you the amount you require—*one thousand dollars*.

I am, very respectfully, your obedient servant,

R. McKEE.

Dr. O. M. WOZENCRAFT.

I also send you herewith a copy of the laws, regulations, &c., of the Indian Bureau. The laws of Congress having been extended over California, we shall have, as "Indian agents," occasion to refer to them frequently.

R. McK.

SAN JOAQUIN INDIAN RESERVATION,
Fresno River, June 20, 1851.

SIR: I have the honor to transmit herewith the application, bond, and license of Major James D. Savage and L. D. Vinsonhaler as traders upon the Indian reservation between the Chouchille river and the Cowier, or first of the Four creeks. Both of the applicants are well known to me and to the people generally of California. The first has resided several years among the Indians here, speaks their language, and has acquired immense influence over them.

He has recently been in command as major of the battalion of California volunteers, and his knowledge of the Indians here did much to surprise them in the mountains, and bring them to terms.

The other, L. D. Vinsonhaler, has been a traveller with Colonel Frémont, and is esteemed by him as a sterling man. The Indians of the San Joaquin river know him well, and seem to have great regard for him.

The application was made on the 12th of May last, in which they propose employing as clerks M. B. Lewis and William Randolph; both of whom I know personally, and can vouch for their good characters.

The bond dated May 20, A. D. 1851, in the penal sum of four thousand dollars, with the Hon. J. C. Frémont as surety, has been approved by me, being fully satisfied of its sufficiency.

I have already placed the applicants upon the reservation under the license, and charge them the sum of twelve hundred dollars per annum. The Indians are collected on the Fresno river to the number of about twelve hundred, and I doubt the capacity of any other man in California than Savage to manage them so satisfactorily as he seems to have done thus far.

His personal influence with them is of immense advantage in my intercourse with them, and he attends personally to their wants, &c.

For my apology in not first transmitting the papers connected with the application for license, as required by the second section of the act of June 2, 1834, I refer to my communications with other applications of a similar character.

Respectfully, your obedient servant,

ADAM JOHNSTON,
Indian Sub-agent, Valley of San Joaquin,

SAN JOAQUIN INDIAN RESERVATION,
Fresno River, June 20, 1851.

SIR: I herewith enclose a license to you and L. D. Vinsonhaler, by which you are authorized to trade with the Indians in the San Joaquin reservation. Its extent is from the Chouchille river to the Cowier, or first of the Four creeks.

You will place your trading-house on the Fresno river, at or near to the place now occupied by the Indians as their rancheria. Should it become necessary to establish another post hereafter, you will inform me in writing, together with the amount of capital and number of persons you may wish to employ.

As you will be held to strict accountability for any breach of the "Act regulating trade and intercourse with the Indian tribes," ample protection will be afforded you as a "licensed trader" by the authorities of the government of the United States.

Very respectfully, &c.,

ADAM JOHNSTON,
Indian Sub-agent, Valley of San Joaquin.

Maj. JAMES D. SAVAGE.

VALLEY OF SAN JOAQUIN,

Mercede River, Cal., June 24, 1851.

SIR: I have the honor to transmit, herewith, the application, bond, and license of Dent, Vantine & Co., as traders to the Indians located on the reservation between the Stanislaus and Tuolumne rivers. The application was made on the 29th day of May, A. D. 1851, by John C. Dent, James Vantine, and Lewis Dent, for license to trade on said reservation under the name and style of Dent, Vantine & Co., proposing to furnish a capital of \$10,000, and desiring to employ Henry Colter as clerk. The persons named in the application are so well known to me personally, and to the people of this community, that I did not deem it necessary to add testimonials beyond my own. The firm have for some time been engaged in business upon the Stanislaus river. One of its members has resided in California since 1847; was a member of the convention that formed the State constitution, and has lived much of his time among the Indians now with him. Their bond, in the penal sum of \$5,000, is regularly filed, with John W. Newberry and W. C. Harrington as sureties. I have approved it, and am satisfied of its entire sufficiency. There was no other formal application for the position; but if there had been, I am sure no better persons could have been selected. I have already placed them upon the reservation, under the license dated June 9, A. D. 1851, at the sum of \$1,000 per annum. In my absence, they attend to the business of the reservation with the same care that I could were I present in person.

I hope the necessity of so immediately placing authorized persons as traders upon the reservation may be readily perceived, and be sufficient apology for my hurried and irregular proceedings in not transmitting the papers directly to the Commissioner of Indian Affairs, as required by the second section of the act of June 24, A. D. 1834.

I am, sir, your obedient servant,

ADAM JOHNSTON,

Indian Sub-agent, Valley of the San Joaquin.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

KNIGHT'S FERRY, May 29, 1851.

SIR: The undersigned, John C. Dent, James Vantine, and Lewis Dent, hitherto trading at their ferry on the river Stanislaus, called Knight's ferry, under the name and style of Dent, Vantine & Co., have the honor to make application to you for license to trade with those Indian tribes about to assemble in the reservation lying between the rivers Stanislaus and Tuolumne, in accordance with the stipulations of the treaty exchanged at the said ferry on the 20th instant.

The places proposed to be selected for the purposes of trade by the undersigned, in case your answer should be favorable to their application, at present cannot be definitely indicated, owing to the absence of the Indians; but such points within the reservation on either or both the rivers constituting part of the boundary thereof would be agreeable, being most convenient and proper for said purpose of trade. The un-

undersigned further propose to furnish a capital of \$10,000 stock in trade, and Henry Colter we are desirous to employ as clerk. Should the demands of business warrant an alteration of the amount of capital and number of clerks, the undersigned will promptly inform you of the facts and be prepared with additional capital. All which we beg leave most respectfully to submit.

Very respectfully,

DENT, VANTINE & CO.

Col. A. JOHNSTON,
United States Indian Agent.

VALLEY OF SAN JOAQUIN,
Mercede River, California, June 24, 1851.

SIR: I have the honor to transmit herewith the application, bond, and license of George G. Belt, of Stockton, as a trader for the Indians upon the reservation lying between the Tuolumne and Mercede rivers. Mr. Belt has resided in California for several years, and is well known to the community as an energetic business man. His experience in the country and his business habits render him peculiarly fit for the position of trader in a community like that of California. The application was made on the 8th day of May last, but owing to my absence in the other reservations, I could not until now give it my attention. The bond, dated May 20, 1851, in the penal sum of \$3,000, regularly filled up with William J. Howard and John M. Montgomery, of Mariposa county, as sureties, is approved by me, having entire confidence in its sufficiency.

There was an application of Black & Morgan which reached me, but too late for consideration. I have placed him upon the reservation, under the license, at \$1,000 per annum from its date, June 10, 1851. Hoping my apology for the hurried and irregular proceedings of issuing the license before transmitting it to the Commissioner of Indian Affairs, as required by the second section of the act of June 2, 1834, may be found in the absolute necessity of placing an authorized trader among the Indians,

I remain your obedient servant,

ADAM JOHNSTON,
Sub-Indian Agent, Valley of San Joaquin.

Hon. LUKE LEA,
Washington City.

MERCEDE RIVER, *May 8, 1851.*

DEAR SIR: Having understood that you are the proper officer or agent of the United States to make application to for license and authority to trade with the Indians settled on the reservation between the Mercede and Tuolumne rivers, I, George G. Belt, of Stockton, California, do hereby make application to trade with the Indians of said reservation. The place at which I desire to establish a trading-post is

on the Mercede river, at a point known as Howard's Ferry. The amount of capital which I propose employing in trade will be from six to eight thousand dollars. The only person whom I expect to employ in my service immediately is my brother, Upton Belt, as a clerk. Should it become necessary to employ others hereafter, their names, and all necessary information, will be promptly furnished you.

I am, my dear sir, respectfully yours, &c.,

GEO. G. BELT.

Col. A. JOHNSTON,
Indian Agent.

VALLEY OF SAN JOAQUIN, CALIFORNIA,
Mercede Indian Reservation, June 24, 1851.

SIR: I have the honor to lay before you a synopsis of my proceedings during the last three months, as sub-Indian agent for the valley of San Joaquin. On the arrival of the United States Indian commissioners for California, the Indians of this valley and adjacent country were in a hostile attitude towards the whites. They had assumed this position about the middle of December last, fled to the mountains with their women and children, and were engaged in a general predatory war with the miners in the mountains, and persons who had located on the plains. They made frequent descents into the valley, cutting off travellers in small parties, and robbing them of horses and cattle. Their great object seems to have been to steal animals for food; but in doing this, frequent murders and other depredations followed. After becoming fully convinced that feelings of hostility were general among the Indians throughout the valley of the San Joaquin, I repaired to the seat of government to ask aid from the State on behalf of her citizens. The legislature was then about assembling, and the governor desired to lay the matter before the representatives of the people for their consideration. I transmitted to his excellency a statement of the facts connected with the original outbreak, which had come under my immediate notice. Knowing that considerable time must necessarily be consumed by the legislature in its organization before it could render any aid, and believing that prompt action would check, if not entirely arrest, further depredations by the Indians, I repaired immediately to Sonoma for the purpose of consulting with the then commander of the United States forces of the Pacific. A brief interview with that officer informed me of the opinion he entertained in regard to the Indian difficulties, and convinced me of his determination to maintain a "masterly neutrality" until compelled to do otherwise under orders of government. I was therefore induced to urge the organization of State troops, in order, if possible, to arrest a general Indian war, already commenced with some success on the part of the Indians. At this period of time the Indian commissioners for California arrived in the country, but were delayed in San Francisco for some time before proceeding into the valley of San Joaquin. I did not see them until about the 12th of February, when they reached the Tuolumne river, under an escort of

one hundred United States troops. At that place I joined the command, and proceeded in company with the commissioners through the valley as far as the Rio Rey, or King's river. Deeming it important to enter into the fulfilment of our contracts with the Indians, to get them from the mountains, at the earliest possible day, I returned through the valley for that purpose. For the last three months I have been arduously engaged in these duties, and I am satisfied great good has resulted from a prompt commencement with the Indians.

I have now under my immediate charge the Indians in the following reservations: that lying between the Stanislaus and the Tuolumne rivers, containing about one thousand Indians; that between the Tuolumne and Merced rivers, containing about eight hundred; that lying between the Chouchille river and the Cowier, or first of the Four creeks, including the San Joaquin and King's river, containing about eighteen hundred or two thousand; and another adjoining this latter reservation, as set apart by treaty recently concluded by Colonel Barbour, near to, or at, Tulare lake. I have not yet been in that reservation, on account of the absolute necessity for my constant attention to the Indians in the three former. I am, therefore, not prepared to state the number of Indians included in that reservation. My time has been wholly employed in passing over the former three, and regulating their internal affairs. In some of them I have had considerable difficulties to contend with, arising, mostly, from the destitute situation of the Indians for subsistence, and those feuds which naturally take place between the Indians and a mixed population like that of this country. The extent of country over which my duties extend is large. The civil authorities yet imperfectly in force over it, and without any military force for my aid, I have frequently felt my inability to carry out the laws "relating to Indian affairs," and more especially the "Act regulating trade and intercourse with the Indian tribes." I have, however, succeeded beyond my expectations in settling the Indians upon their lands, and maintaining the supremacy of the laws. In doing this, I have been obliged, in some instances, to depart from the strict letter of the law, and to act upon such policy as prudence dictated.

I would call your attention first to the situation of the Indians of this region before and at the time the respective treaties were entered into by them. They are an ignorant, indolent, and rather migratory people, who heretofore lived upon roots, grass-seeds, acorns, pine-nuts and fish. Their main subsistence, however, was acorns, which they usually gathered in large quantities and stored away in magazines. On the breaking out of the war in December last, the Indians returned to the mountains, leaving behind them their principal stores of subsistence, intending to return for them as necessity required. The whites, in pursuing them, burnt and destroyed all that fell in their way; consequently, at the time the different treaties were entered into, the Indians of this region were destitute of anything to subsist upon, even if left to range at liberty over their native hills. Under each treaty they were required to come from the mountains to their reservations on the plains at the base of the foot-hills. They were but children of nature, ignorant of the arts of agriculture, and incapable of producing anything if they had been placed on the best soil of the earth. They come from the mount-

ains without food, depending upon the small amount allowed in their treaties, with the roots and seeds to be daily gathered by their females. These have been found wholly inadequate to their absolute necessities. It was not then the season for acorns or the mansineto. Their new locations possess but little of grass-seeds, or the pappa so much used by them.

The consequences have been continual complaints for food, and I doubt not there has been some suffering among them.

I have been told by the chiefs that they desired to live up to the terms of their treaty. They had "kept it in their heads and in their hearts; but their people were starving—they must die of hunger or return to their hills." This want of food induced petty thefts from the miners and others, which resulted in difficulties between them, and if continued, must have ended in serious consequences.

Under this state of things, what was my duty? To say nothing of humanity under such circumstances, what was the best policy to be pursued by me for the interest of the government? In the absence of authority, and in view of the best interests of the government, I "*took the responsibility*" of furnishing greater supplies of beef to the Indians than was stipulated in the treaties, relying on the government for its payment in future. This was the only alternative to keep the Indians from returning to the mountains, and undoing all that the commissioners had effected. I have also changed the manner of delivering it to them. Instead of delivering beef cattle on foot by the head, I have ordered such as I give them to be killed and delivered by the piece or pound. My reason for doing so was, that the cattle of this country are wild and unmanageable. The Indians are without horses; and if they had horses, are ignorant of managing cattle, and many escape from them after being delivered.

Already had they lost, on different occasions, over four thousand dollars' worth of cattle purchased for them by the commissioners. I have placed the duty of delivering beef to them in the hands of the licensed traders of the respective reservations.

In furnishing them subsistence, I have an eye to the strictest economy, barely allowing enough to supply their absolute necessities. Besides their original destitution on entering into the treaties, the Indians of the reservations are gradually swelling in numbers from the "Monoes," or wild Indians, from the adjacent mountains. Those are as destitute as their friends, and must be fed, or they will all return to their covert places in the mountains, and depend upon thieving and plunder for subsistence.

In the course of my travels through this valley I have found considerable amount of disease among the Indians, demanding immediate attention. The most common are ophthalmia of various kinds, and syphilis. I first endeavored to make their own medicine-men treat those diseases, but they seem to know but little of the healing art. I have also had some apprehension that the small-pox might break out among them, which would in all probability spread among them to an alarming extent. In order to guard against that disease, which caused so much destruction among the Indians of the Sacramento valley a few years ago, I thought it but proper to obtain immediate and general

vaccination—a policy frequently pursued by the government with the northwestern tribes, but not provided for by treaty with the Indians of this valley. Should the small-pox break out among the Indians here, it would be destructive to them, and dangerous to the whites in this community. Deeming it a duty on the part of the government, as well as an act of humanity, to guard, as far as possible, these ignorant beings from such diseases, I appointed Doctor M. M. Ryer, who came to me well recommended, to vaccinate the Indians, and to give such medical or surgical attention to cases as might be *absolutely necessary*, coming under his notice.

I am aware that such matters should generally be incorporated in treaties, or, at least, the department should ordinarily be consulted. The distance from Washington, and the length of time which must be expended in getting advices, the danger of delay, and the necessity for immediate action, induced me to make the appointment as before stated. Vaccination and attention to the most virulent cases of syphilis, and other such cases, can cost the government but an inconsiderable sum, compared to the great good that may result from it. Should this, or any other proceeding of mine, not meet the approbation of the department, I hope to be so informed immediately.

I also deemed it important to enforce and maintain the law of the United States regulating trade and intercourse with the Indian tribes, over the reservations, at the earliest practicable date, in order to prevent, as far as possible, the influence of bad and irresponsible persons with the Indians, and the sale of spirituous liquors to them. In order the more readily to effect this, I licensed good and responsible persons as traders to each reservation. Everything has been regularly complied with under the law, except the irregularity of placing the individuals in immediate operation on the reservations before transmitting the papers, and reporting the same to the department. I knew this to be the only course by which bad influences on the Indians could be avoided, and the sale of liquors suppressed. The delay of awaiting an answer from Washington would have brought among the Indians petty traffickers of all kinds, to make the most of the Indians while they could. By placing an authorized trader immediately among them, other traders were prevented from locating upon their reservations, or trading with them. Besides, I obtain great assistance from them, and those around them, in enforcing the laws and regulations of the department. At the date of the treaties, there were but few traders or persons of any kind located on the land assigned to the Indians. Peace being restored, many were rushing upon the lands and venturing among the Indians, for the purpose of mining and trading with them. Two months' delay would have brought fifty times the number of persons in contact with the Indians, and caused me much trouble, had I not directly taken the course I did. By doing so, I have succeeded in foreclosing traders, and almost abolishing spirituous liquors and wines from the reservation.

The applications, bonds, and licenses of such persons as I have placed upon the several reservations, together with reports, are herewith transmitted.

The amounts charged on licenses are as follows: Messrs. Dent, Vantine & Co., of the reservation between the Stanislaus and the Tu-

lumne rivers, *one thousand dollars*; George Belt, of the reservation between the Tuolumne and Merced rivers, *one thousand dollars*; and James D. Savage & Co., of the San Joaquin reservation, between the Chouchille river and the Cowier, or the first of the Four creeks, *twelve hundred dollars*.

In order to carry out the objects of the government regarding Indian territory, I attempted, by arbitration, to extinguish the titles of persons residing within the reservations. Two cases were considered, but the award, especially in one case, was so extraordinary and exorbitant, that I had no other cases considered. As it was important to have those persons out of the reservation whose claims were considered on account of their keeping a tavern and trading-house, and were, in my opinion, calculated to do mischief with the Indians in my absence, I took possession of the property under the award, leaving the final disposition of the matter to the department. The papers connected with those transactions are also herewith forwarded.

I am, sir, your most obedient servant,

ADAM JOHNSTON,
Indian Sub-agent, Valley of San Joaquin.

SAN FRANCISCO, June 30, 1851.

SIR: Referring to my last despatches, under date of 13th and 29th ultimo, I have now to acknowledge the receipt of your letters of April 12 and May 9, contents of which are noted, and copies communicated to my colleagues, Messrs. Barbour and Wozencraft. Enclosed you will find copies of my letter to Col. Barbour of 10th, and to Dr. W. of 4th and 6th instant, which, being explanatory of business connected with my accounts as disbursing agent, I deem it proper to submit. The failure of your bureau to forward the funds appropriated by the late Congress has occasioned me no little inconvenience; and had it not been for the kindness of Mr. Collector King, in advancing on my informal draft \$1,000 for Dr. Wozencraft's expenses to the scene of the late Indian disturbances in El Dorado county, he could not have accompanied his escort, and the whole press of the country would have united in condemning the dilatoriness of the commissioners and of the administration. In my letter of the 13th January I advised you that exchange was against New York some 6 to 6½ per cent., and that it would therefore be better for you to obtain a check on the custom-house here and remit whatever sum Congress might place at our disposal. In several subsequent letters I referred to the same state of things, and repeated the same request; so that even when you sent me the paper containing the appropriation approved February 27, 1851, I was still at a loss to know whether you expected me to draw on you or await your remittance. Another result has been my own detention here for several weeks, which should have been employed in my long contemplated journey to the Indian settlements on Eel river, Humboldt bay, Trinidad, and the Klamath. This journey to and through an almost unexplored region will require some three months' time, and necessarily involve much labor and expense. For some weeks past

the news from that quarter has been of a very unsatisfactory description, and evinced the importance and the necessity of my presence in the country. During the past week I was waited on by a committee with the proceedings of a public meeting of American citizens at Trinidad, calling on the commissioners for protection; and in the event of our not being able to afford it, then on the governor of the State. I explained to the gentlemen my readiness, and, indeed, great anxiety, to visit their country and do all in my power to redress their grievances, and promised that, if at all possible, I would set out with an escort of United States troops immediately after the arrival of the steamer due here 4th July. If that mail brings me a remittance, very well; if not, I shall appeal to Col. King to cash my draft upon you for twelve or fifteen thousand dollars to pay our pressing liabilities and give me the means to travel on; but if in this I am unsuccessful, the public business must be postponed still longer, and indefinitely, until you do either send me the money or expressly authorize my drafts.

I also enclose herewith copies of an agreement and award, which I have accidentally obtained, in relation to a very extraordinary transaction on our Indian reservation on the Merced river, between Mr. Adam Johnston, *sub-agent*, and Messrs. Stone and Marks. Hearing, a few days since, that Mr. Marks was here trying to sell a bill on the Indian department for twelve thousand dollars, I hunted him up to inquire into the transaction.

Being acquainted with the property, and knowing that the sum stated is three or four times its value, under any circumstances, I had the less hesitancy in telling him that the whole affair was unauthorized by law, and that I had no doubt whatever it would be instantly disavowed by your department. In a letter which I have written to Mr. Stuart, Secretary of the Interior, I have gone more fully into this subject and some other transactions of a kindred character, to all which I feel it my duty to call your attention, as well as his. Every day's experience in this country satisfies me more fully that a distinct system for carrying on Indian affairs in this State and Oregon must finally be adopted. It must have a head, *here on the ground*, clothed with power to appoint, suspend, or depose agents and sub-agents; make all contracts for supplies or for carrying out treaty stipulations; conclude new treaties; in a word, exercise in his department a kind of *alcalde* or *unlimited power*, without having to lose three or four months in submitting questions and awaiting instructions from Washington. On this subject I believe there is no difference of opinion among public men here, and the sooner it is taken up and acted on by the government at Washington, the better it will be for both whites and Indians.

I am, very respectfully, your obedient servant,

REDICK McKEE.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington City.

STATE OF CALIFORNIA, *Mariposa County*:

Whereas the United States Indian commissioners, Redick McKee, George W. Barbour, and O. M. Wozencraft, did, on the 19th day of March, A. D. 1851, enter into and conclude a treaty of peace with certain tribes or bands of Indians, by which a portion of land lying between the Merced and Tuolumne rivers was set apart for the sole use and occupancy of said Indians; and whereas Isaac H. Marks and Samuel Stone, with others, trading under the name and style of Stone & Marks, residing within the limits of said reservation so set apart for the use of said Indians, are carrying on a mercantile business connected with a tavern or house of public entertainment, and a ferry across the Merced river, for which the said firm has paid a license of three hundred dollars to the State of California, by order of the court of sessions for the county of Mariposa, for one year from and after the 1st day of March, A. D. 1851; and whereas said persons are desirous of complying with the United States laws "relating to Indian affairs," and in order to protect their rights, and the rights of those connected in business with them, it is hereby agreed between said Isaac H. Marks and Samuel Stone, for themselves and those connected in business with them, and Adam Johnston, United States Indian agent, to submit for consideration and adjustment what the amount of damages accruing to said firm of Stone & Marks shall be, to three disinterested individuals:

In order that said persons may the more properly and equitably conclude upon and estimate the amount of said damages, the following facts are agreed upon between the parties, to wit:

1. That the lands upon which said firm is located belong to the government of the United States.
2. That the right of possession is guaranteed to actual settlers by the laws of Congress.
3. Said firm is in occupancy of three canvass tents, or houses, on the northern side of the Merced river, and within said Indian reservation.
4. That the landing on the northern side of the Merced river, of the ferry belonging to Stone & Marks, is included within the Indian reservation.
5. Said firm has erected a corral and enclosed two garden lots near to their place of residence, which is now under cultivation.
6. Said Marks was a settler upon the Merced river sixteen months before the date of this agreement.
7. Possession of said premises, including tents, boat, ropes, together with all appurtenances, to be delivered to said Adam Johnston, Indian agent, on the 8th day of June, A. D. 1851.
8. The decision of said arbitrators to be final, and the amount awarded by them to the said firm of Stone & Marks, as damages, to be well and truly paid by the government of the United States on or before the 1st day of February, A. D. 1852—this agreement being concurred in by the United States government. And it is further agreed upon by and between the above-named parties to this contract, that Owen O'Connell, Jonathan L. Sampson, and James R. Reynolds, all of the county of Mariposa, and State of California, be chosen as such arbitrators, with full power to act in the premises, by whose decision we,

the aforesaid parties, do by this instrument bind ourselves to be governed.

Given under our hands and seals on this the 4th day of June, A. D. 1851.

ADAM JOHNSTON, [SEAL.]
United States Indian Agent.
 ISAAC H. MARKS. [SEAL.]
 SAMUEL STONE, [SEAL.]
By Jus. W. Laird, for Saml. Stone.

In presence of—

ALONZO W. ADAMS,
 CHARLES KRINFF.

We, the undersigned, having been duly sworn as "arbitrators," chosen by Adam Johnston, as the United States Indian agent, upon the one part, and Isaac H. Marks and Samuel Stone, with others, trading under the name and style of Stone & Marks, upon the other part, (all of the county of Mariposa and State of California,) for the purpose of settling and determining the amount of damage to be awarded to the said firm of Stone & Marks by the government of the United States for the value of their improvements, including a ferry-boat, hotel, gardens, corral, &c., together with their right of pre-emption to the one hundred and sixty acres of land upon which the said improvements are situated; the said firm of Stone & Marks having been ejected from the said premises by the said Adam Johnston, by virtue of his office as Indian agent, and the said Stone & Marks having delivered up to the said Adam Johnston, for the only use and behalf of the United States government, all their right, title, and interest in and to the said premises, houses, gardens, corrals, ferry, &c., with peaceable possession to the said Adam Johnston, as agent of the government, all of which premises are situated on the Merced river, and in the above-named county and State, the said Stone & Marks guarantying to the United States government the title to the said improvements;—we have awarded to the said Stone & Marks as damages, &c., the amount of twelve thousand dollars, (\$12,000,) to be paid by the government of the United States to the said Stone & Marks, as stipulated in an article of agreement between the said Adam Johnston, as Indian agent of the United States, and the said Stone & Marks, bearing date of June the 4th, 1851, which article of agreement or contract was submitted to us for our consideration by the aforesaid parties, and by which we, as disinterested arbitrators, were to be and have been governed, together with such other evidence as we have deemed necessary to the issue and making up our judgment and final decision in the premises. And we do further agree that the twelve thousand dollars, (\$12,000,) as damages to be paid to the firm of Stone & Marks, shall draw interest of six per cent. per annum from and after the 8th day of this month, (June,) until paid by the government of the United States.

Given under our hands and seals this the 5th day of June, A. D. 1851.

JAMES R. REYNOLDS, [L. S.]
Foreman.

OWEN O'CONNELL, [L. S.]
JONATHAN L. SAMPSON, [L. S.]
Arbitrators.

MERCEDE RIVER, MARIPOSA COUNTY, CAL.,
June 6, 1851.

I certify, on honor, that the accompanying documents are correct, and were executed for the purposes therein contained.

ADAM JOHNSTON,
U. S. Indian Agent.

CAMP MORRIS, SACRAMENTO VALLEY,
July 12, 1851.

SIR: Your communication, informing the joint board that their commissions as commissioners were abrogated by a late act of Congress, and instructing us to continue our negotiations with the Indians, and assume our duties as agents, has been duly received; as also one of a subsequent date, requesting the joint board to accompany the troops that may go out against the Indians.

Since my communication of the 28th May, I have spent my time in attempting to conciliate and pacify the Indians in El Dorado county.

The State having sent out troops against the Indians, after having several engagements they finally left them in the same position they found them, convinced of the difficulty, if not impossibility, of destroying or subduing them. They then went into a rancheria occupied by those who had been known to be friendly to the whites, and captured several as prisoners. Soon after the troops were disbanded, and the war declared happily terminated.

I have been informed that on former occasions those Indians who had been at peace with the whites have been cruelly persecuted by those who either killed or abused their men without assigning a cause therefor, all of which has been very unfortunate, making it difficult for me to have an interview with or conciliate them. When I am favored with a talk, they have but little confidence in my promises when they witness so many acts proving the reverse of my statements, that the white man is the true friend of the Indian.

I have, however, made preliminary arrangements by which I expect to consummate a treaty with them. This will take time, as it can only be done after inspiring them with confidence. In order to effect this, I have licensed traders who have sufficient influence with them to conduct their trade and disseminate the friendly talk; have sent men among them who speak their language, and are influential, and placed beef cattle under the care of the traders, in order to supply their pressing

necessities for food, and to induce them to come down from out of their mountain fastnesses; all of which it is to be hoped will have the desired effect of causing them to come in and conclude a treaty.

I speak of this as the only true policy. Further experience only confirms previous statements, that the Indians are numerous and formidable, and it is difficult, if not impossible, to subdue them by waging a war; it is possible to make terms with them by exercising a proper and humane policy, making them not only useful to themselves, but to the white community at large.

In order to accomplish this, there should be an efficient government force stationed at convenient points, so as to protect both parties, and aid in enforcing the laws. In relation to the latter I have caused to be published a communication relating thereto, as it is one fruitful in evil, and should be suppressed, if we desire an influence over the Indians.

Unless the laws and regulations of the department are enforced here, no attempt at conciliation can succeed.

The section of country in which I am now laboring, and in which so many obstacles have presented themselves in attempting to consummate a treaty, is that in which the discovery of gold was first made, in or near the south fork of the American river, extending to the Yuba on the north, the Sierra Nevada on the east, and the Mocalumne river on the south, embracing an area of country of say ninety miles square, within which there are, so far as can be ascertained, some forty thousand Indians: one fourth or one third that number are disposed to be friendly, and have more or less intercourse with the whites, and express great satisfaction after being told that it is the intention of the government to set apart lands for their use and assist and teach them to live like the whites.

Mr. Norris and others, who have been living here for many years, and who have had intimate communication with them, say that there have been at least eighty thousand Indians within a few years past within the above limits, and think that my estimate is too low. They have diminished very rapidly of late, the mortality having been great among them. The Indians themselves attribute it to the fact of putting on the clothing of the white man; and I have no doubt but this is one cause, as they are much more healthy in their nude condition.

The cholera has carried off a great many, as well as other diseases which have prevailed among them, and they are disappearing from the whites by going up into the wilds of the mountains.

As previously stated, they have learned to distrust the white man; and it would appear that the difficulty of treating with them is in due ratio to the comparative length of time that the whites have been among them.

The friendly relationship which so happily existed at first has been broken, and the Indians are on the move east, going up into the mountains, where they can carry on a war of retaliation, making it unsafe for the whites to go out with a view of further exploration; and, as before stated, it will be difficult to dislodge or subdue them; but by having the laws enforced against all aggressors, and making provision

for them, they can be brought in at a trifling cost in comparison to the expenses of a war.

I have had couriers sent out in different directions, requesting the headmen of the different tribes to meet me at this place, with some of whom I have had an interview, agreeing with them to meet at a point near the Yuba river, in the mountains, where I feel sanguine of collecting some thousand and concluding a treaty; from thence will proceed on as rapidly as possible, visiting, conciliating, and treating with them, as the disaffections and difficulties are increasing daily—consequently it is all-important this be done soon; yet, owing to the many difficulties presented from various causes and quarters—the want of funds leading to a want of confidence with the Indians in the fulfilment of stipulations and making them presents—owing to the *success* of those Indians who are in open hostility with the whites, and the distrust of those disposed to be friendly, it is difficult to assemble them: the first will defy me, and the latter deny me by keeping out of the way. Another difficulty here is owing to the peculiar organization, or, more properly speaking, the want of organization among these Indians, they having no influential chiefs who can control them. They are in small bands; consequently it is difficult to get them to act in concert even in one band, and much more so with different tribes, as they are generally at war with one another—therefore very distrustful when it is attempted to bring them together; and I have reason to believe, nay I am satisfied, there are some white persons who, through selfish motives, dissuade them from coming in to meet me. Owing, as above stated, to all these difficulties, my progress has been slow; but be assured that it is to be attributed to the foregoing causes, and not to a want of untiring exertion on my part, as I have the work at heart, and will leave nothing undone which may be within the compass of my ability; and I am yet confident in the belief that the most sanguine hopes may and will be realized in pacifying the Indians, and ameliorating the unfortunate state of affairs existing between them and the whites.

By the first proximo I will make up the quarterly returns—it will then have been three months from the time of our separation as a joint board—and thereafter monthly statements, if it be possible to do so.

The commander of the Pacific department has very kindly ordered out twenty-five mounted men, under command of Captain Stoneman, to act as escort, affording me ample protection when required; and at the same time they are enabled to move with rapid celerity, in comparison with larger trains. Additional force, however, has been placed under orders, to be used should it be deemed expedient.

Respectfully, your obedient servant,

O. M. WOZENCRAFT,
United States Indian Agent.

Hon. LUKE LEA,
Commissioner of Indian Affairs.

To the people living and trading among the Indians in the State of California.

From information received, as well as from personal observation while travelling among the Indians, and in conformity with the requests made me by the inhabitants, more particularly the miners, in sections of country occupied by Indians, it is deemed expedient to publish a communication advisory of the proper policy to be pursued towards the Indians, and the laws in relation thereto, that none may hereafter plead ignorance of the existence of said laws, and to inform them that those laws will be enforced in all and every instance on those who may become amenable to them.

It would appear that most of the difficulties that unfortunately have occurred between the whites and red men have been owing to an improper and short-sighted policy, or rather a want of true policy, with these children of the forest. Since the discovery of gold in this region, the section of country that was and is peculiarly the home of the Indians has been found rich in the precious metal, and consequently filled with a population *foreign* to them; and this has been done in most instances without attempting to conciliate or appease them in their *grief* and *anger* at the loss of their homes. I am sorry to say, that in many instances they have been treated in a manner that, were it recorded, would blot the darkest page of history that has yet been penned. Had they even been *foreign* convicts, possessing, as they do, a full knowledge of the evils of crime and the penalties therefor, and received the punishment that has been dealt to these poor ignorant creatures, this enlightened community would have raised a remonstrative voice that would have rebuked the aggressor, and caused him to go beyond the pale of civilized man.

Indians have been shot down without evidence of their having committed an offence, and without even any explanation to them of the nature of our laws; they have been killed for practising that which they, like the Spartans, deemed a virtue; they have been rudely driven from their homes, and expatriated from their *sacred grounds*, the grounds where the ashes of their parents, ancestors, and beloved chiefs, repose. The reverential and superstitious feeling of the Indians for the dead, and for the ground where they were deposited, is more powerful than that of any other people.

This is not only inhuman and unlawful, but it is bad policy. The Indians of the Pacific are not unlike this great ocean in that respect—they are pacific, and very *tractable*. We should adopt a policy towards them dictated by feelings of mercy, making due allowance for their ignorance of our habits and institutions, and bearing in mind that their habits and customs are very different from ours; treating them kindly, and with a firm perseverance teaching them the requirements of our laws; permitting them to remain among us; teaching them industrious habits; making them useful members of the community, instead of the most dangerous and implacable enemies.

In addition to the foregoing direct atrocious outrages so frequently perpetrated on the Indians by those claiming to be *civilized* men, there are those who *indirectly* caused as much mischief, endangering the lives

of the families in the community, and finally destroying the Indians, as surely, if not so speedily, as the first. It is those who, for present gain, steel their consciences against the future consequences, knowing them fraught with frightful evil; selling those sanguinary beings intoxicating liquor contrary to law, and in opposition to the dictates of their better judgments; and likewise selling them arms and ammunition; thus inciting them to acts of violence by intoxication, and then placing in their hands those instruments with which they may do and seek vengeance alike on the innocent and culpable.

I am happy to learn that there are but few who now prosecute this dangerous and unlawful traffic, and those few are supposed to be foreigners, and the law-abiding citizens freely proffer their aid in bringing them to justice.

As stated above, I will herewith publish the laws in relation to this traffic, that ignorance may not plead in extenuation.

“AN ACT to regulate trade and intercourse with Indian tribes, and to preserve peace, &c.

“SEC. 13. *And be it further enacted,* That if any citizen or other person residing in the United States, or the territory thereof, shall send any talk, speech, message, or letter, to any Indian nation, tribe, chief, or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquillity of the United States, he shall forfeit and pay the sum of two thousand dollars.

“SEC. 20. *And be it further enacted,* That if any person shall sell, exchange, or give, barter, or dispose of, any spirituous liquor or wine to an Indian, (in the Indian country,) such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, sub-agent, or commanding officer of a military post, has reason to suspect, or is informed, that any white person or Indian is about to introduce, or has introduced, any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, or places of deposit of such person, to be searched, and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited one-half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked, and his bond put in suit. And it shall, moreover, be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except military supplies, as mentioned in this section; and by

a subsequent act of Congress, imprisonment for a term of two years is also imposed upon all offenders."

It is also provided, that in all prosecutions for the offences mentioned in the first of the foregoing heads, "Indians shall be competent witnesses."

In relation to the proper policy to be pursued towards those Indians who are provided with fire-arms, I would suggest that they be disarmed, but not in the manner advocated by some, who would either shoot them or violently wrest their arms from them. It would be well to consider, first, that they *bought* those arms from the white man, and we would wish to teach them that the acts of the white man are good, and we would teach them to imitate them; and it is not correct for them to infer, that because one or more white men act badly, the balance are necessarily so.

The proper policy would be to require of those Indians who may be found with arms in their hands, to inform on those from whom they were purchased, taking him or them before the culpable trader, demanding a return of the amount paid by the Indian, and making him feel the consequences of his derelictions.

O. M. WOZENCRAFT,
U. S. Indian Agent for Middle District.

SAN FRANCISCO, *July 15, 1851.*

SIR: My last letter was dated 30th ultimo, since which time I am without any of your favors to a knowledge. I enclose a copy of a letter I addressed to Mr. Collector King on the 10th instant, in relation to an advance of funds, and his reply, agreeing to "take the responsibility" of advancing me the sum of \$5,000. This amount I received, and with between \$2,000 and \$3,000 paid off several of our most pressing liabilities: the remainder I retain for the purchase of provisions and expenses of my party in the northern portion of the State, for which I expect to set out in a few days. For \$1,000 advanced for Doctor Wozencraft last month, and the above \$5,000, I have given Mr. King drafts on you, payable out of the appropriation "for making Indian treaties," approved 27th February. He will retain them here till after the arrival of the mail steamer due 20th instant, so that if you have forwarded the funds to this place, as requested, I may retire them; otherwise they will go forward for payment at Washington. If Colonel Barbour, who is still progressing south, as I understand, should draw on me for funds, as I think quite likely, and the next mail shall not bring the checks from you, I will be forced to sell a bill on you to my bankers, on the best terms I can obtain. It will be better to lose a few hundred dollars in exchange, than have the government dishonored by the continued inability of its public servants to meet their accruing expenses. In this event I shall probably make a bill on you for \$6,750; *item*, "for compensation." My letter to Mr. King asking for his assistance in carrying on the business of our mission, you will observe, by the copies annexed, was strongly backed by notes from Messrs. Allen A. Hall, General S. D. King, General John Wilson, and Senator Gwin.

These gentlemen all know, either from experience or the report of others, how difficult it is to carry on public business in California, even with proper facilities; and much more so when these are withheld by the government at home.

I am, very respectfully, your most obedient servant,

REDICK MCKEE.

HON. LUKE LEA,

Commissioner of Indian Affairs.

SAN FRANCISCO, July 10, 1851.

DEAR SIR: Another mail has arrived, and I am again disappointed in the receipt of letters or remittances from the Indian department at Washington. Why the money appropriated for our use in California has not been forwarded, in checks on your office, or express authority given to me to draw for it, is beyond my power of *guessing*. The only excuse I can think of is absence or illness of Mr. Lea, the head of the Indian bureau. But even in that case, his chief clerk would have received our letters and seen the necessity of advising us one way or the other.

You are already apprized that it has been with the utmost difficulty we have been able to do anything in the line of official duty for the last two months, for want of funds; and without your kind assistance in advancing me \$1,000 for Dr. Wozencraft last month, he could not have visited the disturbed district on Sacramento river at a very critical time.

Some ten days since, a Mr. Walter Vandyke arrived here "express" with letters to Governor McDougal and myself, in relation to the Indian disturbances in the northern part of the State, and urged my immediate departure to that country. Of course I could not move without funds, though my escort has been ready for some weeks. Yesterday another "express" arrived (William Heyl, esq., formerly of Philadelphia) with the proceedings of another public meeting at Trinidad, and strong letters to the governor and myself, copies of which I enclose, calling for assistance in the way of arms and ammunition, if troops could not be furnished. I have, in view of the exigencies of the case, interested myself in their behalf so as to obtain for them a supply of arms, &c., for immediate personal defence, and the assurance of General Hitchcock that he will at an early day establish among them, at some proper point, a small military post. This is what is wanted, to repress the excitement and irregularities of both whites and Indians; and, from what I can learn, they are equally to blame. I promised Mr. Heyl that the moment I could raise funds I would set out for Trinidad, and at least use every exertion to settle the difficulties and restore quiet on that frontier. I am fully persuaded not only that the credit of our whig administration is involved in my early arrival and success, but also the lives of many of our people, as well as of Indians, and very possibly the existence or avoidance of a long, vexatious, expensive Indian war. But what can I do? Every movement in this country, as you well know, involves a large expenditure, and our exchequer is empty. I have made inquiry in the market about selling a

bill on the Indian department, but funds are wanted *here* for the purchase of gold dust, not *there*, and six or eight per cent. discount is asked; besides this, it is quite doubtful whether the government would allow me the exchange lost, without a controversy.

I see no alternative, therefore, but to be idle and let things take their course, or again to appeal to your regard for the public welfare, and ask you to "take the responsibility" and advance me, as disbursing agent of the commission, the amount of the appropriations approved February 27, 1851: say—

For compensation, &c.....	\$6,750
For making treaties	25,000

I think you may do this with entire safety, for if the funds have been forwarded from Washington it will have been done in checks on yourself. If you do not feel at liberty to advance the whole amount, so as to enable me to pay off our liabilities for expenses already incurred and accruing, a smaller sum, not, however, less than \$5,000, will meet the present emergency.

From the success which has already crowned our efforts in the middle and southern part of the State, I am not without hope that my visit to the north will be useful. Before I can go I must, however, have funds to purchase some provisions, &c., for presents, and to defray the expenses of my party.

I am, very respectfully, your most obedient servant,

R. McKEE.

HON. TH. BUTLER KING, *Collector*.

[On this letter were added the following:

I am decidedly of opinion that the emergencies of the case are such, as not only to justify the collector in making the advance asked for by Colonel McKee, but to make it his duty to "take the responsibility" of doing so.

ALLEN A. HALL.

I fully concur in the opinion expressed by Mr. Hall.

SAM. D. KING.

I am decidedly of the same opinion of Messrs. Hall and King, and, so far as I am concerned, will use whatever efforts of mine that I can make to satisfy the department of the absolute necessity of the course Colonel McKee wishes to carry out.

I spent some two months in that region last winter, and know something about the Indians there, and the great necessity of having some action taken by the commissioners.

Yours,

JOHN WILSON.

The alarming state of affairs in the northern portion of the State—the danger of a general Indian war there, as well as in Oregon—in my opinion, justifies the advance asked for the immediate necessities of the case—say \$5,000. As to the policy that has been or may be adopted by

the agents or the commissioners in their treaties with the Indians, I express no opinion; and although I may entirely differ with the agents and commissioners as to the policy they have or may adopt, yet I fully justify the collector in placing funds at the disposal of the recognised officers of the government to carry out the views of Congress in making the appropriation, according to their judgment and upon their responsibility.

WM. M. GWIN.

COLLECTOR'S OFFICE, CUSTOM-HOUSE,
San Francisco, July 11, 1851.

SIR: I have to acknowledge the receipt of your letter of the 10th instant, requesting me to advance the amount of the appropriations for the service of the Indian department, made by Congress at its last session, amounting to \$31,750, or so much, not less than \$5,000, as will enable you to proceed on a mission to the Indians in the northern section of this State, to endeavor to stifle the difficulties now existing in that region.

I must decline to advance the whole sum appropriated without some directions from the Treasury Department; but the circumstances of the case, supported by the opinions of Messrs. Hall, S. D. King, Wilson, and Gwin, induce me to consent to advance to you the sum of \$5,000 on your draft on the department.

Very respectfully, your obedient servant,

T. BUTLER KING,
Collector.

REDICK McKEE, Esq.

CAMP UNION, NEAR THE YUBA RIVER,
July 18, 1851.

SIR: I have this day concluded a treaty with ten tribes of Indians, (a copy of which is herewith enclosed,) numbering between thirty-nine hundred and four thousand souls, making similar provisions as in former treaties.

The reservation of land is partly within the foot-hills, and embraces two small valleys, well calculated for grazing stock and for agricultural purposes. In said valleys there are several improvements, and a few in other portions of the reservations.

I have studiously avoided including improved places as far as possible, but *here* it is impracticable to make a suitable reservation without doing so; in fact the whites have enclosed all the favorite grounds of the Indians, leaving them no alternative but to go higher up in the mountains or starve, in most instances denying them the privilege of working in the placers.

It is bounded north and south by Yuba and Bear rivers; the eastern and western lines are twelve miles apart, and it will not exceed fifteen miles between said streams. There is gold within the reservation, but

so far the work has been confined to the rivers; and this is the case in all the reservations yet made, unless in the extreme south. In fact it is impossible to make a reservation without there being more or less gold found in it, as it would appear, from further and continued discoveries, that the precious metal is found in every part of this country.

The best results may be anticipated from this treaty. It is confidently believed that the wild and hostile Indians, living not far distant, will be influenced to come in and receive provisions and protection, for there are those now waging a war of extermination against them.

On this occasion the only presents given to them, in addition to the beef and flour, was one coat to each of the chiefs and captains, trimmed with red cloth and gold lace, much to their fancy, (costing but a trifle.) This I consider as a means of designating the captains in their authority, and thus aiding them in the enforcement of it.

It is all-important, in keeping the Indians in subjection, that the captains possess authority and influence sufficient to control them. The captains *alone* are responsible for all of their people in making the treaties, and I think it good policy to aid and strengthen them in their office.

And I am now well satisfied that it is unnecessary, if not a useless expenditure of money, to make presents to all that may be represented in making a treaty. On former occasions, if the presents failed to go round, so that some were not supplied, there was evident dissatisfaction; they looked on it as a matter of right, that all should have alike. On this occasion they were all pleased; the captains were proud and pleased at their gaudy ensigns of office, and the people appeared well satisfied, and looked on their captains with deferential respect. And furthermore, I think that where a profusion of *presents* is made, they look on it as *buying* their favor, and consequently the most unfavorable results may be looked for.

Herewith is transmitted a return of expenditures, contracts, and disbursements, from May 3 up to July 22, inclusive. A statement of expenditures for the first month was handed to Redick McKee, which I presume has been forwarded to the department. I deem it prudent to include it with the vouchers and disbursements of provisions and goods to the Indians.

You will perceive that the first contract for beef is at \$5 per 100 lbs., less than the subsequent ones; and I will add, that I could have made contracts for \$8 per 100 lbs. on foot, had there been funds in my hands to pay. The first contract or purchase was made payable in one month; that time has transpired, and they write to me stating that they will expect interest on the amount.

I am in hopes that I shall be relieved from this *dilemma* by the arrival of funds soon. In the subsequent contracts the parties agree to furnish beef at the current cash price for net beef, at the place of delivery, delivering them on foot and wait for the money until an appropriation is made.

I would wish to state that there are accounts of service rendered by Mr. Belcher and Mr. Storms for interpreting, and assembling Indians, that could not be placed in the present returns, not having received from them the computation of expenses.

On this occasion, as in the former instance, I have permitted those

persons who have been trading with the Indians, and have influence with them, to continue their trade for the present, and thus secure their influence in bringing in the Indians, and have left beef in their charge to be distributed as before.

Respectfully, your most obedient servant,

O. M. WOZENCRAFT,
U. S. Indian Agent, Middle District, California.

SAN FRANCISCO, CALIFORNIA,

July 28, 1851.

DEAR SIR: I wrote you last from Camp Belt, on King's river, under date of 14th of May, enclosing a copy of a treaty concluded at that place between myself, as commissioner on the part of the government, and twelve tribes of Indians, which I hope you have received.

Since that time I have effected three other treaties, copies of which I should have forwarded to you from Los Angeles, but was prevented by severe indisposition, which lasted until after the departure of the mail steamer; and having determined to return through the Indian country to this place, I have deferred writing to you until my arrival here, which was this morning; and I now hasten to give you a brief account of my "actings and doings," from the date of my last letter to you to the date of my return to this place.

Immediately after concluding the treaty on King's river, I despatched runners to the tribes north of Kern river, desiring them to meet me on the Cahwia river, at a place designated, some thirty or forty miles distant from our camp on King's river. As soon as provisions arrived from Stockton (distant about one hundred and eighty miles) for the troops, we moved on to the place appointed on the Cahwia river. On my arrival there I found delegations had already arrived on the ground from some five or six tribes, and others were expected. I was somewhat surprised, from the fact that I had previously learned from the Indians at King's river that there were only three tribes north of Kern river, from the mountains to the lakes, untreated with. Whether this information resulted from their ignorance, or disposition to deceive, I cannot tell; but, at all events, by the 28th of May delegates from seven tribes, numbering from twelve to fifteen hundred persons, had assembled. Learning that there were yet other tribes north of Kern river, but that they were unwilling to come to the Cahwia to treat, but would meet me at some other point more convenient to them, I immediately commenced negotiating a treaty with the seven tribes represented. I found them ready and willing to treat. Having committed many depredations upon the lives and property of the whites, and dreading the consequences of their hostile conduct, I found them, with the exception of the "Ko-ya-te" tribe, willing to treat upon almost any terms. The "Ko-ya-tes" being a large tribe, and the chief—"Pedro"—a cunning, shrewd, and vicious Indian, I had some trouble in getting him to consent to leave the country in which he lived and remove to the country which I propose giving to them, (the same designated in the treaty, a copy of which I herewith enclose to you); though, after

much "talk" and counselling together, he finally agreed to the terms proposed, and on the 30th May the treaty was formally signed, &c.

The country given up by these tribes, or some of them, embraces some of the best lands in California, being a portion of what is known in this part of the State as the "Four Creek" country. The country given to them is generally inferior, but has a sufficiency of good soil, water, &c., to answer all their purposes for all time to come.

After agreeing upon the terms of the treaty, but before it had been drawn up and signed, I despatched runners to the other tribes north of Kern river, and desired them to meet me on Paint creek, at a point designated, some forty-five miles south from our camp on the Cahwia. By forced marches we reached the place designated on the evening of the 1st of June. I found the chiefs, captains, and principal men of four tribes, with many of their people, already on the ground. Those tribes number about two thousand; one portion of them living near Buena Vista lake, and the others on the headwaters of Tule river and Paint creek. Those living near the lakes have the reputation (to use the language of the country) of being "good Indians," having always been friendly to "the Americans," though, like the other tribes in the San Joaquin and Tulare valleys, uncompromising enemies to Spaniards and Mexicans or Californians.

I found them very willing to treat, after having explained to them the principles upon which we proposed treating with the Indians in California. I found them more intelligent, more athletic, and better qualified for either peace or war, than any Indians I had seen in California. They were a terror to the Spaniards, being greatly their superiors in war. They have great influence over the neighboring tribes; and, until very recently, have been at war with the Cahwia and other tribes inhabiting the "Four Creek" country. On the 3d of June I concluded a treaty with them, which was formally signed, &c., a copy of which I herewith enclose to you.

Having treated with all the tribes between the Sierra Nevada and the "coast range" north of Kern river, and learning that there were several tribes near the terminus of the Tulare valley and south of Kern river, I immediately despatched runners to them, requesting them to meet me at the Texon (Tahone) Pass, about seventy-five miles distant from Paint creek. I reached the pass at the southern extremity of the Tulare valley on the night of the 6th; on the 7th the chiefs and captains of eleven tribes or bands, with the most of their people, came in, and on the 10th I concluded a treaty with them, which was formally signed, &c., a copy of which I also enclose herewith to you. This treaty embraced the last of the tribes in the San Joaquin and Tulare valleys from the Stanislaus river north to Los Angeles south, including the whole country from the top of the Sierra Nevada to the coast, embracing a district of country from four to five hundred miles in length, and from one hundred and fifty to two hundred in width.

The tribes included in the last treaty are mostly small bands, mere remnants of tribes once large and powerful; but what with the draughts made upon them by the Spanish missions, (several of which are located just across the mountains within their immediate vicinity) for laborers, and the almost exterminating wars that from time to time have been

carried on among themselves, together with the ravages of diseases *intentionally* spread among them by the Spaniards, who feared them, they have in some instances been almost annihilated. The Uras, once among the most powerful tribes in the valley, have been by such means reduced to a mere handful, and do not now number more than twenty persons; and among the Texons I met with an "old man," the last of his tribe, at one time a large and powerful tribe, but war and pestilence had done their work, and he alone was left to prove that such a tribe had once existed.

After concluding the last-mentioned treaty, I started for Los Angeles, distant about one hundred miles. At that place I hoped to receive through Colonel McKee, the disbursing agent, the *means* necessary to enable me to prosecute my mission south to the Colorado river and to the southern boundary of the State, but in this I was disappointed. On reaching Los Angeles, on the 16th June, I received a letter from Colonel McKee, informing me that he had sent to me three small packages of goods which I had ordered, but informing me that he had no money. This information placed me in rather an unpleasant situation. When I separated with Colonel McKee on the San Joaquin river, about the 1st of May, he informed me that he could not furnish me with any funds, but that on his return to San Francisco he would send me some at King's river, about the middle of May. I received from him two hundred and thirty-one dollars, (\$231) which he informed me he had charged to my private or salary account. By the time I reached Los Angeles I had exhausted, in the way of presents to the Indians, all the goods (except a few blankets) with which I had been supplied. Finding myself without goods for presents to the Indians, without money—having not only exhausted the \$231, but, in addition, what little I had of my own private means, besides some that I borrowed on my own individual responsibility—and having pushed our credit as far as I deemed it prudent, I determined to discharge the escort that had accompanied me through to that place, and either return to San Francisco, or proceed down the coast with an escort of citizens, who kindly proposed to accompany me to the Indian villages in the vicinity. Another reason influenced me to dispense with the military escort at that place. I learned from persons well acquainted with the country through which I would have to travel to reach the Colorado, that at this season of the year it would be impossible to march a body of troops (foot) across the great sandy desert, over which we would have to travel to reach the Colorado, the distance across the desert being over one hundred miles, without one drop of water, or one blade of grass, or vegetation of any kind. Accordingly, on the 17th day of June I addressed a note to Captain E. D. Keyes, who had command of the escort, dispensing with the further services of his command; a copy of which, together with his reply, I herewith enclose.

Having determined on visiting some tribes of Indians living some fifty or sixty miles from Los Angeles, (between whom and a party of *lawless* white men a fight had recently taken place, in which some dozen of the latter had been killed) and try to effect treaties with them, I despatched runners to them, desiring them to meet me at a point named on a given day; but before the time for my departure to the

place designated, and before I had recovered from my illness, news reached me that an outbreak among the Indians in the Tulare valley, with whom I had treated, was threatened, and would in all probability take place. Under the circumstances, I concluded it would be better for the country, and more in accordance with the duties of my mission, to return, and if possible secure what had been done, and prevent the outbreak of a large body of Indians, who had but recently been engaged in open hostilities with the whites, than to prosecute a treaty with a few tribes who for years had been entirely at peace with the whites, with the exception of the recent affair of which I have spoken, and to which they were influenced by some of the citizens themselves, and for the doing of which they were sustained by the better portion of the community.

Although barely able to travel, I employed seven men, well armed and mounted, and with them and my interpreter and secretary, on the 30th of June I started for the Tulare valley. On reaching the valley I learned from the Indians that some lawless white men and Sonorians had visited their "rancheria," or village, and offered some violence to one of their "headmen," but were deterred from doing him any serious injury by the timely arrival of a party of *gentlemen*, who happened to be travelling through the country at the time. This affair had produced some little distrust on the part of these Indians.

I remained a day or two with them, called in the neighboring chiefs, held a talk with them, made them some presents, and left them *well* satisfied. I then proceeded to visit the most of the tribes at those villages in the Tulare and San Joaquin valleys. I found some distrust on the part of a few tribes; but after talking with them and making a few presents, they professed to be well satisfied; and I am *convinced*, that if the whites will not molest them, and the government will in good faith carry out the treaties that have been made with them, they will in good faith comply with the stipulation on their part. But much is to be feared from the conduct of reckless and vicious white men, too many of whom are to be found travelling over the country in bands or parties, murdering and robbing those who happen to be so unfortunate as to fall into their power; in truth, sir, I feel less fear of danger, in travelling through the country, from Indians, than from *white* men.

In conclusion, upon this subject, I can assure you that all the Indians in the San Joaquin and Tulare valleys, who a few months since were at open war with the whites, are now entirely peaceable and quiet; and instead of robbing the "ranchos" of the citizens, and driving off and feeding upon their mules, horses and cattle, are now at work, many digging gold, with which they purchase clothing, food, &c., whilst others are employed in fishing, hunting, or gathering the roots, nuts, seeds, &c., on which to subsist.

With many of them a feeling of emulation and interest has been excited; and I have no hesitation in saying that, with proper care and attention, in a very few years they will be greatly in advance of the Indians of the Atlantic slope in wealth, civilization and intelligence.

I had some trouble in getting the "miners" and others, on my return through the different "Indian reserves," to leave the reserves, but succeeded in prevailing on the most of them to leave. Although it was a

primary object with us to withdraw the Indians from the "gold diggings," and from the best portions of the lands in the country, in which we have succeeded beyond our most sanguine hopes, yet evil-disposed and jealous-hearted men soon succeeded in making an impression upon the minds of the miners that the "Indian reserves" embraced the richest mines in the whole country. At once an excitement was gotten up, and hundreds flocked to the "reserves," expecting to find "rich diggings." Finding, however, that they were *deceived*, and that there were no mines within "the reserves" that "would pay," many left; and the few that remained to "prospect" further were, with a few exceptions, prevailed upon to leave; and the few who *obstinately* remain, I think will leave in a short time, as I am well satisfied that there are no "diggings" within the Indian territories that will pay the *white man* for his labor.

The treaties not having yet been ratified, and there being so small a number of government troops in the country, as to preclude the possibility of having a sufficient force stationed at the different points absolutely necessary to the proper execution of the terms of the treaties by both whites and Indians, we are compelled to pursue towards the whites at least a *temporizing* course. This I find the more necessary from the *peculiar* character of the population of this country.

Since reaching here, I learn from Colonel McKee, the disbursing agent, that he has no funds on hand, or, indeed, in prospect, to enable me at this time further to prosecute my mission in the way of treaty-making; that he has not been advised even of the means of realizing the \$25,000 appropriated by the last Congress, and that, were he able to do so, the whole amount would be required to meet the liabilities already incurred by us in the discharge of the trust confided to us.

I shall therefore, immediately after the arrival of the mail steamer from Panama, due here about the 1st of August, return to the San Joaquin, and by every means in my power try to maintain peace and quiet between the whites and Indians in the San Joaquin and Tulare valleys, until such time as I may be placed in funds or means to prosecute treaties with the Indian tribes in the extreme southern portion of the State and on the Colorado river.

I have now, sir, a request to make, which is respectfully to ask the permission of the department to visit my family in Kentucky during the next winter. I would not make this request if I believed that the interest of the high trust confided to me would, in the least, suffer from your compliance with it; but we may reasonably expect that the "*rainy season*" will commence about the 1st of November, (the usual time of its commencement,) after which time it is perfectly impossible to transact any out-door business of importance, and wholly impracticable to travel over any portion of the country before the middle of April or the 1st of May; hence I could render but little, if any, service in connexion with my mission in this country. Again: if you think it advisable, and would authorize me to do so, I could hire an escort of thirty or forty men to accompany me to the Colorado, and, if necessary, through to Texas or Missouri. On my way to the Colorado I could and would visit *all* the Indian tribes in southern California not yet treated with, (and there are many on the Colorado,) and if possible form treaties with them. From my knowledge of the expense attend-

ing the military escort that accompanied me on my late expedition through the San Joaquin and Tulare valleys to Los Angeles, I am *well satisfied* that, if my suggestion should be approved, I can save to the government, by employing such an escort instead of a regular military force, at least \$25,000. Such a force would move with more expedition, and require much less transportation and provisions, &c., than an escort of infantry troops—the only kind that would or could be furnished, in all probability, by the military commandant of this division, for such a service. However, sir, I only make the suggestion with a view to economize as far as possible; but, in view of all the circumstances connected with the discharge of the duties of my mission, I would again most respectfully ask that, by some order or otherwise, I be permitted to visit my family, whom I hastily left on the receipt of instructions accompanying my appointment. I hope, sir, you will pardon me for having pressed this matter upon your kind consideration.

In compliance with your instructions I will, at as early a day as practicable, prepare my report as commissioner, and forward it together with the original treaties entered into between myself and the various Indian tribes with whom I have treated.

With sentiments of the highest regard, I am, sir, your obedient servant, respectfully,

G. W. BARBOUR.

HON. LUKE LEA, *Commissioner*.

I would be pleased to hear from you on the subject of my return at your earliest convenience.

G. W. B.

CAMP MAGRUDER, NEAR LOS ANGELES,

June 17, 1851.

SIR: I have had the honor to receive your communication of this date, wherein, for reasons stated, you dispense with the further services of the escort under my command. The sentiments contained in the concluding portions of your letter, which I have shown to the officers with me, we trust we appreciate; and we cannot too sincerely thank you for their expression. All of us regard them as the evidence of that generous and noble character which we have learned to admire in you.

During nearly five months that we have been associated together in the public service, I have not failed to observe the stern integrity of your conduct, and the entire forgetfulness of self which has characterized your course.

You have labored to prevent war with the Indians with an intelligence and zeal which merit the approval of the country, and the remembrance of which must afford satisfaction to the succeeding years of your life.

It might have been anticipated that the hardships and deprivations to which we have been necessarily subjected in an uninhabited and inhospitable country for so long a time, would necessarily have developed occasional displays of temper and ill-feeling; but I remember no unpleasant emotion caused by yourself; and if I have ever offended you,

I crave your forgiveness, notwithstanding your letter assures me I have it in advance.

In conclusion, my dear sir, allow me to express my sincere hopes for your continued prosperity and happiness, in which I am joined by all the gentlemen with me.

I am, sir, respectfully and truly, your friend and servant,
E. D. KEYES,

Capt. 3d Artillery, commanding escort.

Col. GEO. W. BARBOUR,
Indian Commissioner.

LOS ANGELES, CALIFORNIA,

June 17, 1851.

SIR: Having effected treaties with the greater portion of the hostile tribes of Indians in this (the southern) part of the State, and west of the "great desert," and believing, from the *best information* that I have been enabled to obtain, that it would be impolitic, if not impracticable, to march your command across "the desert" at this season of the year, and being desirous, as far as possible, to save expense to the government, I have concluded to dispense, *for the present*, with a military escort; you are therefore at liberty to make such disposition of the troops under your command as your better judgment and duty may require.

At parting with *you* and the *gentlemanly officers* of your command, you will please to pardon me, sir, for expressing to you, and, through you, to *all the officers* and others connected with the command, my most heartfelt gratitude and thanks for the kind and gentlemanly treatment that I have received from each one during the long and tedious campaign through which we have just passed.

During that campaign, I cannot flatter myself that all my actions and declarations have been free of offence to all; but if I have offended in word or deed, I respectfully ask to be forgiven, upon the assurance that such offending (if any) did not result from any unkind or illiberal feeling to any one; and now, sir, wishing you, and each of the officers of your command, health and happiness,

I am your obedient servant and friend,

G. W. BARBOUR.

Captain E. D. KEYES.

SAN FRANCISCO, *July 29, 1851.*

SIR: Referring to the enclosed copy of my respects of the 15th inst., I have to acknowledge the receipt of your letter of the 22d May, per last steamer. The cordial approbation by the department of our *maiden* treaty with the Indians of California is very gratifying to me, and doubtless will be to my colleagues, to whom I have addressed copies. Our subsequent treaties have all, I believe, been based upon the general principles then adopted; and experience will, I hope,

continue to show that they are eminently adapted to the existing state of things in this country.

Yesterday, Colonel Barbour arrived on a visit to this city from the Indian country between Los Angeles and the San Joaquin, and informs me the Indians are all living quietly and well-contented on their reservations, many of them already engaged on the lighter kinds of agricultural work—others mining, either for the whites or for themselves. A few months since that region was almost depopulated; now, confidence being restored, it is again filling up, and will soon possess a very considerable American population. The Colonel has, I think, been eminently successful in effecting treaties in his district with no less than thirty-five small tribes or bands, some of them hitherto among the most troublesome on that frontier. He expresses entire confidence, that if Congress shall promptly and liberally provide the “ways and means” to fulfil our compacts, no further or future Indian wars are to be apprehended in that quarter. He will forward copies of these treaties by this steamer, and doubtless write you fully. We were apprized that the *original treaties only* can be submitted to the Senate for ratification, and have sent forward copies, retaining the originals to accompany our final report, in express accordance with our letter of instructions. The copies will enable you to make up estimates in time for your next report; and when we get through with the principal part of our labors, which we hope to accomplish by November or December, the originals will be sent forward.

At present I can form no satisfactory estimate of the amount of appropriations our treaties will require. It will, however, be pretty large—probably two to three hundred thousand dollars for the first year; and if they shall require even half a million, you may still be assured they are the cheapest treaties ever made by this government. The largest estimate will fall below the cost of a *California Indian war*, if one should unhappily become general, even of three months’ duration. Our arrival in the country was remarkably opportune, and has, I am happy to believe, saved the government the expense of protecting a double line of frontier of seven or eight hundred miles in extent.

When I last wrote to you I expected by this time to have been in the neighborhood of Humboldt bay, on my way to the Klamath; but the extremely limited number of troops in this military division, and the almost total want of money in the quartermaster’s department, has rendered it impossible for General Hitchcock to afford me a small escort of even fifty mounted men. I could have had a detachment of infantry, but was advised to await the arrival of Major Kearny’s division from Oregon. This arrived some days since, but the horses were, many of them, exhausted by a march of eight hundred miles, and required rest. I am this day advised by Major Wessells, of Benicia, that some thirty-five or forty mounted rifles will be ready to start with me in the course of four or five days. I am anxious to get off, so as, if possible, to make the journey before the rainy season sets in. I propose taking the Clear Lake Indians on my route, who are said to number three or four thousand, and will endeavor to make pacific arrangements with them before passing over the coast range. On the Klamath and Trinity rivers, from all the accounts I have

received, I shall find large bodies of the largest, wildest, most intelligent, and warlike Indians in California; and my friends here say, if I shall succeed in making permanent treaties with *them*, I may fairly claim to have "done the State some service." I shall keep you advised of the state of things in that country, and of my operations, as I progress.

As I anticipated, Colonel Barbour's drafts on me, as disbursing agent, for expenses of his late treaties in the south, to the amount of \$6,000 or \$7,000, have made their appearance: a few of the most pressing have been paid—others I have postponed for a short time. I will to-morrow give my bankers, Messrs. Tallant & Wilde, a draft on you for the appropriation for "compensation," &c., \$6,750, which they will forward for collection, and upon it advance me such sums as I *must have* to meet pressing demands. They will charge, I suppose, the customary market rates for interest till reimbursed. This, on the very best security, is five or six per cent. per month! If the funds have not been forwarded to this city I will expect the draft paid on presentation; if they have, let all my bills come back, *with that explanation*. In the former case, pray send forward checks on the collector for the residue of all the money you can possibly spare for our operations in this State by return mail. With the utmost economy we shall necessarily be largely indebted for beef and flour for the Indians, if the appropriations made are—\$6,750

25,000

31,750

As soon as I receive and have time to settle the accounts of Colonel Barbour and Dr. Wozencraft, I will forward my general account of disbursements *for the commissioners* up to the time I received your letter of 12th April, which was early in June. In the mean time I shall hope to receive definite instructions on the points presented in previous letters, especially as to the amount I am to allow the commissioners for *mileage*. *Vide* my letter of May 29.

I am, very respectfully, your most obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

P. S.—Our old friend, General Sam. D. King, says we should put into the estimates at least \$40,000 to pay for surveying and marking the Indian reservations.

SAN FRANCISCO, July 15, 1851.

SIR: My last letter was dated 30th ult., since which time I am without any of your favors to acknowledge.

I enclose a copy of a letter I addressed to Mr. Collector King on the 10th inst., in relation to an advance of funds, and his reply, agreeing to "take the responsibility" of advancing me the sum of \$5,000. This amount I received, and with between \$2,000 and \$3,000 I paid off

several of our most pressing liabilities. The remainder I retain for the purchase of provisions and expenses of my party in the northern portion of the State, for which I expect to set out in a few days.

For \$1,000 advanced for Dr. Wozencraft last month, and the above \$5,000, I have given Mr. King drafts on you, payable out of the appropriation for making treaties, approved February 27. He will retain them here till after the arrival of the mail steamer due the 20th inst., so that if you have forwarded the funds to this place as requested, I may retire them; otherwise they will go forward for payment at Washington. If Colonel Barbour, who is still progressing south, as I understand, should draw on me for funds, as I think quite likely, and the next mail shall not bring me checks from you, I will be forced to sell a bill on you to my bankers on the best terms I can obtain. It will be better to lose a few hundred dollars in exchange than have the government dishonored by the continued inability of its public servants to meet their accruing expenses. In this event I shall probably make a bill on you for \$6,750: item, "for compensation," &c. My letter to Mr. King, asking for his assistance in carrying on the business of our mission, you will observe, by the copies annexed, was strongly backed by notes from Mr. Allen A. Hall, Gen. S. D. King, Gen. John Wilson, and Senator Gwin.

These gentlemen all know, either from experience or the report of others, how difficult it is to carry on public business in California even with proper facilities, and much more so when these are withheld by the government at home.

I am, very respectfully, your obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington.

READING RANCHO, August 7, 1851.

SIR: Your communication of the 22d of May has just met my observation through the columns of the California Courier, published at the instance of Redick McKee, esq., who, it would appear, is yet in San Francisco. I am pleased to hear from the department; and at the same time to learn that our labors are not only appreciated, but have so far met with the approbation of the Indian Bureau.

In relation to that portion of your communication in reply to a letter from Redick McKee, esq., I presume that an expression of my opinion is required by you. Permit me to say, that the first intimation I have had of such a letter having been addressed to the department was the letter above referred to, as published in reply to it.

Mr. McKee's recommendation "to send a delegation of Indians to Washington" I disapprove of, as it would not only be attended with great inconvenience and expense, but I think such a measure wholly unnecessary. On one occasion I took an influential chief, who had been hostile, to San Francisco. On his return, he told me he could not induce the wild Indians to believe what he told them he had seen, and it would be necessary that all should see ere they would believe; and

I think if we would inspire the Indians of California with respect for our government by taking them to Washington, it would be an act of injustice to neglect any of the captains of tribes; and to avoid this, the delegation would consist of a chief commissioner at the head, I suppose, and some three hundred minor chiefs. At a moderate computation, this would cost \$150,000. I have placed the above amount at a minimum figure, as there are more than three hundred bands in this country, and each band possessing its own captain. I am satisfied, be the cost what it may, it would be far better expended in beef; they would be better pleased, and the results terminate far more beneficial, as it is my wish to teach them industrious habits, and this can only be effected by their remaining at home and attending to the wants of their people.

In relation to Mr. McKee's recommendation of appointing a superintendent for this State and Oregon, permit me to say that I think the department the most competent to judge as to the expediency or necessity of such a measure. He recommends that the laws and regulations of the department be modified, or others adopted suitable for this particular latitude. In conformity with the request from you that we report such as we deem advisable, permit me to say that I have no doubt but that there is a necessity for some modification, and probably additions, to the laws and regulations of the Indian Bureau applicable to the Indians of California particularly; but I fear I shall not find time from my duties to give the subject the attention it demands—not, at least, until I may have accomplished the object of my present mission. I doubt not but that Mr. McKee has anticipated your request by arranging something in accordance with his own suggestion, as, in my opinion, he has had ample time to do so.

There is a subject, however, that I would wish to present at this time for your consideration, with the hope that you may deem it of sufficient importance to cause it to be placed before Congress at an early period. It is in relation to those Indians who are located in the valleys, and who are unwilling to remove from their old homes. I think they should be permitted to remain, and be secured in their rights of possession, in accordance with the laws that formerly governed them. The Mexican government, on granting lands to her subjects, did so with a reservation in favor of the Indians who may be found located thereon, securing to them a free and uninterrupted occupancy of a certain portion of the soil and water privileges. This, I think, is not only due them, but I deem it a good policy as a means of domesticating and stimulating them to industry.

The legislature of this State has passed laws in relation to the government of Indians more particularly applicable to the above-named class; and it now only requires the action of Congress in securing them the occupancy of the soil, in order to make their situation such as no longer to be an expense to the government, and very materially improve their condition.

It would appear that Mr. McKee's letter, addressed to the department, has been published in a Washington paper, from which he publishes extracts here, where he states that he took the Indians to their reservation, pointed out the boundaries to them, and established them

thereon. It is a matter of perfect indifference to me whether Mr. McKee performs his duties through the medium of the press or in the field. All that I desire is, to come at the inference that would be drawn from his remarks; *i. e.*, that Colonel Barbour and myself were not attending to our duties. In relation to this, allow me to remark that Colonel B. and myself examined the country, located the reservation, and pointed out the boundaries to those Indians delegated to accompany us for that purpose. Mr. McKee at that time refused to accompany us; and I think it not only an act of supererogation on his part in accompanying the Indians subsequently to the reservation, but thereby incurring an expense wholly unnecessary.

On the 1st instant I concluded a treaty with twelve tribes, the original of which is herewith enclosed. Ten of said tribes are valley Indians, and very friendly disposed towards the whites; but have much just cause of complaint, as the whites have taken possession of their homes, and they, through necessity, are reduced to servitude. Their labor is required only in the harvesting season, and the balance of the year they may shift for themselves the best way they can. The two additional tribes were from the foot-hills, and are not so friendly. It was with some difficulty that they were brought in. I had reason to believe that they were confederating against the whites, and took measures to prevent it. The valley and foot-hill Indians have heretofore been inimical to each other; but, as before stated, they have been interchanging visits of late, and meeting in council, and I had reason to believe it was with a view of confederating against their common enemy, the whites.

The provisions of the treaty, you will perceive, are the same as the preceding ones. The land given to them is measurably unoccupied; and, for all agricultural purposes, would remain so for time to come, as it is very poor, with the exception of two or three small valleys. I gave a license to trade with the Indians to Mr. Bidwell, who has great influence over the Indians, and it is expected that he will bring in additional tribes from the mountains who are now troublesome. He was very kind, and rendered efficient service in forwarding my mission.

I should have mentioned that on the former occasion, in negotiating the Union treaty, Mr. S. Norris was active in doing all he could, sending out Indian couriers in all directions, and using his influence, which is very considerable.

I am now in the immediate vicinity of those hostile and very troublesome Indians, located on the Pitt fork of the Sacramento river, and intend going among them as soon as a treaty is concluded with those disposed to be friendly at and near this location.

Major Reading had prepared the Indians by informing them of my intended visit, and they appeared to be much pleased after my first talk, saying that it was good, and that it was true, for the great Shekta (Major Reading) had told them the same.

It is the opinion of all persons living in this section of country that pacific measures cannot be effected with those Indians until they are chastised and subdued; they are, and always have been, very inveterate in their hatred towards the whites, and very formidable from the time of the first aggressions by the whites.

The escort has recently been increased; they now number fifty well mounted men, commanded by Major Fitzgerald, a very gentlemanly and efficient officer. And here I would wish to state that my intercourse with the officers of the escort that accompanied us south, as well as those now on duty with me, has been of the most friendly and amicable nature; and I am the more gratified in this, that it anticipates the injunctions of your communication.

You will perceive that I anticipated your requirement, by sending the original of the treaty concluded on the Stanislaus river. The one concluded at Union camp, on the Yuba river, would have been sent but for a misapprehension. The original is herewith enclosed.

Respectfully, I remain your friend and obedient servant,

O. M. WOZENCRAFT,
U. S. Indian Agent.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

Minutes kept by John McKee, secretary, on the expedition from Sonoma, through northern California.

Sonoma, August 9, 1851.—Redick McKee, United States Indian agent in California, having been notified that an escort of thirty-six dragoons, under command of Major W. W. Wessells, United States army, would be in readiness to march, and accompany him on his proposed visit to the various Indian tribes in the northern part of California, on the 9th instant, he arrived at this post yesterday evening, and reported his readiness to proceed.

The necessary arrangements not being fully completed, it has been deemed advisable to defer marching until the 11th instant. Owing to the want of sufficient funds in the quartermaster's department, agent McKee has been compelled to employ men to take charge of the train of pack-mules designed to transport Indian goods, provisions, baggage, &c., and also a commissary, cooks, &c., &c. Two Indian runners were despatched to advise the Indians north, of the agent's approach.

Camp Santa Rosa, August 11, 1851.—Agent McKee moved with his escort from Sonoma, at 8 o'clock a. m., and the command is now encamped 19 $\frac{7}{10}$ miles up the Sonoma valley, on the Russian river valley trail. Mr. George Gibbs has been employed as Chinook interpreter, Walter McDonald as commissary, and Thomas Seabring as guide, to accompany the command as far as Humboldt. An arrangement has been effected with General J. M. Estelle, of Vallejo, to supply any number of beef cattle that may be required by agent McKee for Indian purposes, at such time and place as he may direct, said Estelle to receive the customary price of beef in the country where the cattle may be wanted.

JOHN McKEE, *Secretary.*

Camp below Fitch's ranche, August 12, 1851.—Agent McKee and escort have marched 15 miles to-day. At several ranches or farms on the route, on which Indians are employed, held several informal talks with them and the ranche owners; explained the plans of the government in colonizing and collecting the Indians into reservations, improving their condition, &c. Some of the Indians supposed they belonged to the ranches, and are generally lazy and half clothed. Indians from Clear lake and Russian river are employed upon several ranches in the vicinity. Distance $13\frac{3}{4}$ miles—total, $33\frac{1}{8}$ miles.

JOHN MCKEE, *Secretary.*

Camp Rincon, August 13, 1851.—Arrived at the camp at 4 p. m., sixteen miles from our starting-point this morning. We have left the Sonoma valley, and are now following a trail leading along the west side of Russian river. Our present camp is five or six miles below the first cañon, or defile, through which this stream flows, and through which a narrow, rocky, and dangerous trail is our only road. Distance $15\frac{6}{10}$ miles—total, 49 miles (about.)

Camp Rincon, August 14, 1851.—Remained in the camp all day recruiting our animals. General J. M. Estelle and staff, of 2d division California militia, overtook the command to-day, and reports that he has been ordered by the governor of this State to accompany the commissioner, and render him any assistance required, to effect treaties with the Indians on Clear lake and Russian river. R. McKee has informed him that, as yet, there is *no necessity* for calling volunteers into the field; that this frontier is at present free from Indian disturbances, but would be pleased to have him present at the anticipated meeting of the Indians at Clear lake.

JOHN MCKEE, *Secretary.*

Camp Friday, August 15, 1851.—Left camp this morning at 7 $\frac{1}{2}$ o'clock; the first four or five miles through a fine valley to the foot of the cañon. Then leaving the river, we directed our course over the mountains, to proceed around and avoid the cañon. The command is now encamped in a pretty valley, $11\frac{1}{2}$ miles from our last camp. Water scarce; route very mountainous, *barely* passable for the three wagons in our train. Distance $11\frac{1}{2}$ miles—total, $60\frac{1}{2}$ miles.

JOHN MCKEE, *Secretary.*

Camp near Fernando Felix, on Russian river, August 16, 1851.—Left camp at 7 $\frac{1}{2}$ a. m., and reached this point at 1 p. m. Most of the road to-day was over high hills and rough ground, very difficult for wagons. One of the Indian runners despatched from Sonoma to Clear lake came into camp this evening, and reports that he visited several tribes near and in the Clear Lake valley, and had arranged for several chiefs and their braves to meet agent McKee at the lake to-morrow. Upon consultation with Major Wessells, it has been deemed expedient that a small detachment of the troops composing the escort should accompany the agent and his party to Clear lake to-morrow, and that the main body of troops should remain at the present camp. Arrangements

were also made, and runners despatched to various tribes of Indians above and below us, on this river, for the purpose of collecting the chiefs and captains at some convenient point near this, so that the agent may meet them in council; and that any Indians that may arrive at this camp for the purpose of meeting him should be supplied with food, viz: bread and beef. Distance $12\frac{1}{2}$ miles—total, 73 miles.

JOHN McKEE, *Secretary.*

Camp Lupiyuma, near Clear lake, August 17, 1851.—R. McKee and party, composed of secretary, and Gibbs as interpreter, with a sufficient number of pack-mules to transport provisions and such presents as are designed for the Indians; also ten head of cattle, with a detachment of ten dragoons in charge of Major Wessells as an escort—all under the guidance of two Indian guides—left the main camp at an early hour this morning, and commenced ascending the mountains dividing the Russian river and Clear Lake valleys, following a narrow, precipitous trail leading in many places through a dense forest, with oak and chemisall undergrowth. The axes were used freely to permit the pack-animals to pass safely. Rain commenced falling when the summit of the mountain had been gained, which rendered the descent into this valley very difficult. Very much to the surprise of all, the rain has continued all the afternoon. We are encamped upon the table-lands immediately adjoining the lake. Several Indians have visited camp this evening, and we expect to have several chiefs in council to-morrow.

Distance estimated at 15 miles.

General Estelle and staff and Messrs. Price and Shirland (the two latter gentlemen residents at one time in this valley) have also accompanied the agent, and are encamped near us.

JOHN McKEE, *Secretary.*

Camp Lupiyuma, August 18, 1851.—According to agreement a number of the chiefs and braves of the Clear Lake Indians met agent McKee, at an early hour this morning, in council. Present: Mr. George Gibbs, interpreter; Major Wessells, of the escort; General J. M. Estelle, of the California militia, and staff; and Messrs. Smith, McDonald, and Whitehorn. After an hour spent in ascertaining names and location of chiefs present and their tribes, the secretary reported the following-named chiefs as being present:

Julio, representing the Ca-ba-na-po tribe and captains;
 Prieto, representing the Ha-bi-na-pa tribe and captains;
 Ku-kee, representing the Do-no-ha-be tribe and captains;
 Moh-shaw, representing the Moal-kai tribe and captains;
 Chi-bee, representing the How-ru-ma tribe and captains;
 Cal-i-a-hem, representing the Che-com tribe and captains;
 Con-chu, representing the Cha-net-kai tribe and captains; and
 Coe-ne, representing the Me-dama-rec tribe and captains.

Mr. Ed. Shirland, having lived for several months among the Indians in this neighborhood, offered his services as an assistant interpreter, which were accepted. Mr. George Whitehorn was also employed in

the same capacity. The chiefs Con-chu and Co-e-ne live with their tribes upon the hills dividing the waters of Clear lake from Eel river, and are not familiar with the language of the Clear Lake tribes. Two or three Indians present, and familiar with Spanish, were selected to communicate *directly* to the chiefs. Agent McKee addressed the chiefs, and said: "Brothers, listen to my talk. We come among you as friends to learn the cause of your troubles, if you have any, and your condition generally. What I say comes straight from the heart, and there shall be no crook in my path, nor fork in my tongue; listen attentively, and give me your minds after you have heard." Chiefs replied, "that they were happy to see us as *friends*, and that inquiry would be made as to their condition; this is what we want, and we will deal fairly with you; speak the truth only; we are glad to learn you will speak the truth." Agent McKee resumed: "I understand that several treaties have been made with portions, perhaps all of you, by officers of the Spanish-Mexican government and by private individuals. But I come from the Great Father, the President, at Washington, the most powerful and the *richest chief* on this continent, and anything I may do in his name will be final and binding upon you, if he approves. That Great Father, my chief, has conquered this country, and you are his children now, and subject in all things to him." Chiefs replied: "It is good." Agent resumed: "Brothers, we know you were the original owners of these broad lands, and that the Spaniards, Mexicans, and Californians have been in turn your conquerors and masters, until finally the President, my great chief, has conquered and owns this country. The President has learned that his red children in California are at war with the whites and among themselves; are very poor and ignorant; and he has sent three commissioners among them to inquire into their condition."

Chief Julio inquired who this Great Father, the President was, and where he lived, and said he wanted information concerning him; and if he is the good chief represented, that he was willing to live subject to him. The agent endeavored to give them a proper understanding of the locality and power of the United States, and of the President, and said that his warriors were more numerous than the leaves around this camp; that he had many other red children east of the big mountains, and had found by experience that it was good for them to live in one settlement, where they would be protected and taught the arts and habits of civilized life, draw their subsistence from the soil, and have a home of their own; that when once collected the product of their labor should be their own; that these settlements were not designed upon the old mission principle, where the Indian labored to make the white man rich. Some of the Great Father's children were bad men, but the great majority were good; he wished his red children to live together, that they might be protected both from bad whites and bad Indians, and that all who disobeyed his laws would be severely punished and compelled to acknowledge his authority. These matters were dwelt upon and repeated until the chiefs professed to have an understanding of them all. Chief Prieto inquired how the President collected his red children east of the mountains, &c. Agent replied that several tribes sometimes were brought into one settlement and

provided with farmers, mechanics, teachers, &c., &c. Several of the chiefs immediately inquired, with some earnestness, if it was intended for them (those present) *to live together* in one rancheria, or village, and thus make one people of them. This appeared to be an exciting question among the chiefs, as it might affect their authority. Agent McKee explained that they must live upon one reservation of land, and, if they chose, upon different portions of it; but that the President preferred they should all live in one village, and peaceably together, and the advantages of so doing were fully explained; further, that some six or seven treaties had been entered into with Indians in the southern part of this State, who were now living peaceably together, &c. The chief Ku-kee said he lived at the head of Clear lake, and inquired why he could not be subject to the President, and remain there. Agent McKee again explained the kind intention of the President in settling the tribes together. The chief Moh-shaw said he believed it was through *pity* for the Indians, and to improve their condition, that these arrangements were proposed; that heretofore the white men among them had derided and made sport of their distress. Chief Prieto said he had heard of the treaties made with the Indians on the San Joaquin river, &c., and he was glad to see the agent among them for that purpose, and that he would act in good faith, though they had been often deceived; that he was willing to do now what the agent might advise, and pledge himself and his people for his own good faith to-day.

Agent McKee resumed: "The President has very many red children living beyond the big mountains, and settled happily upon lands of their own, where white men were not permitted among them; that they were cultivating the soil, raising stock, &c., and had now no cause for war, neither among themselves nor with the whites. The President wishes to improve you in the same way, and has sent his agents among you for that purpose. He is well satisfied that is the best plan for you; if you will agree to be settled in this way you must give up all right to all other lands, and never move again without the President's permission. But your young men may hire out to work upon the different ranches, if they are well-behaved, and the agent gives them permission. Your families, however, must always remain at one place. The agent sent among you will settle all your difficulties and prevent the whites from injuring you, and will cause guilty Indians and guilty whites to be punished. The President will also give you teachers, farmers, and mechanics, to teach you many things and improve your condition very much." After the above was fully explained, the chief Julio said he was fully sensible of the great inferiority of the Indians to the whites, and that it was not important to him whether the teachers given to the tribes were *red or white*, so they were good men, and would treat his people kindly and improve their condition. He wished his young people to know more than he did, and live at peace with all the world; further, we have all heard your talk, and think well of it. Agent McKee said: "I do not know when these things can be done for you—the President must first give his permission: it may be one or two years; but I will advise it, and I think it will be done after awhile." Chief Julio said that they (the chiefs) would be governed by the wishes of the agent, as they believed it would result for their good.

Agent McKee again resumed: "It will cost the President much money and trouble to do all these things, and his laws must be obeyed; guilty Indians must be punished, and it must be distinctly understood that all Indians guilty of crime must be delivered up to the authorities of the State of California for trial. Such men must not be harbored among you, and it will be your duty to inform upon them. Whites will be dealt with in the same manner as Indians—equal justice to all. I wish you fully to understand that these arrangements cannot be completed for you now; but I have a few presents, and some hard bread and beef, which I will give you as an evidence of the good will of the President towards you; but he must first approve of my acts before you can receive any permanent benefit.

"I wish you chiefs to retire and consult upon these three points, viz: Concerning some tract of land you can all agree to live upon; 2. Whether you will agree to have any tribes of Indians, not represented here, live with you upon the same land; 3. Give me, as near as you can, the number of each of your tribes. This last I wish you to be very particular about. You may now retire, and meet me again in two hours." All of these remarks were explained through the interpreters, at suitable intervals, and all the gentlemen present were satisfied the Indians had received a proper understanding of the matters treated of. Council adjourned, to meet at 4 p. m.

JOHN McKEE, *Secretary.*

August 18—4 o'clock p. m.—Council convened, and agent McKee expressed his readiness to listen to any remarks the chiefs might have to make upon the subject given them for consideration in the morning. The chiefs, in turn, said they would prefer remaining at their own homes, if it could be so ordered; but they believed the agent had spoken in good faith, and they would do as he requested. Again, that any Indians the President might send to live with them would be received as brothers and treated kindly. The chiefs here produced several bundles of sticks or broken twigs, as the number of souls in each band. The secretary counted the same, and reported the number claimed by Con-chu and Coe-ne, from the hills in the direction of Eel river, 150 souls; Julio claimed 160; Cal-i-ahem, 91; Chi-bee, 40; Prieto, 65; Moh-shaw, 45; and Ku-kee, 70. These numbers included all at home and abroad. As these totals fell so far short of the number of Indians living about this lake as estimated by the two gentlemen present, who had lived among them, agent McKee determined to test the accuracy of the report by counting himself the men, women and children of two rancherias, or villages, near the camp, and requested the chiefs Julio and Prieto to bring *their whole tribes* together in the morning, which was agreed to. Agent again: "The ten cattle I have brought with me are intended as a present to you, and for your women and children, and I will have two bullocks killed for you this evening. You must divide the beef among all the Indians in this neighborhood."

Council was then adjourned, to meet at 10 o'clock to-morrow morning.

JOHN McKEE, *Secretary.*

Camp Lupiyuma, Tuesday morning, August 19, 1851.—R. McKee rode out early this morning, in company with several gentlemen, to examine this valley with reference to the expediency of setting it apart as an Indian reservation; returned and commenced the council at 10 o'clock, as per agreement. Present: interpreters, Major Wessells, and same company of gentlemen that were present upon yesterday morning; also the eight chiefs and their captains named in yesterday's minutes.

Chief Prieto reported that his men, women, and children were present. The secretary proceeded to number them, with the following result:

Present, 14 men; 17 women; 8 boys and girls. Reported absent, 15 men; 35 women; 5 boys and girls. Total tribe: 29 men; 42 women; 13 boys and girls—84.

Chief Julio was also near with his people.

Present, 52 men; 56 women; 23 children. Reported absent, 33 men; 25 women; 6 children. Total tribe: 85 men; 81 women; 29 children—195.

Their numbers, as counted, exceeded the account given yesterday, and Prieto and Julio, upon being questioned as to the cause of the discrepancy, replied that the names of some of their old people had escaped their recollection, but that they had endeavored to deal fairly, and wished to speak the truth. Agent, assuming that the whole number would be increased in same proportion, added 25 per cent. to the number given in by the chiefs yesterday, and estimated that the number of Indians living in the Clear Lake valley, who would be affected by a treaty, would be 900 or 1,000 souls, all told—far short of the generally supposed number. The following questions were asked the chief Julio:

Have you any knowledge of a Supreme Being, or prime cause of all things?

Reply. I know the grass grows, that the trees grow and produce acorns and leaves, but the cause I am ignorant of. I think there is some great power in the heavens, and that it has a good head and wishes the Indian well, but don't know much about it—how should I know?

Query. Is there a bad spirit?

Reply. I know there are bad men and bad animals, and suppose there must be a bad spirit somewhere; but there shall be *no more bad Indians* with us.

Query. What becomes of Indians after death?

Reply. I know that we must all die, and are liable to die at any time and place, but what becomes of us I don't know. You ought to know; you are a people of reason, and know more than we do.

Query. Do you think you live at all after death?

Reply. No idea—you must know.

Query. Why do you burn the body?

Reply. Because it has always been the custom with us; and, besides, it is of no more use.

Many questions of similar import received nearly the same character of replies. They have no definite idea of anything spiritual, but are aware the whites are familiar with these subjects. The object of this questioning of the chiefs was explained, and the council adjourned, to prepare copies of a treaty.

JOHN McKEE, *Secretary.*

Tuesday afternoon, August 19.—Council convened at 3 o'clock. Present: interpreters, Major Wessells, General J. M. Estelle, and same company of gentlemen and Indians as were present at the first meeting. Agent McKee proceeded to explain to the Indians the nature of the proposed treaty, and what he proposed giving them in the name of the President. He would give them all of the Clear Lake valley proper, upon condition they would all live in it peaceably, and agree that all other tribes the President may send among them to live should be received as brothers, &c. The eight chiefs, Coene, Kukee, Mohshaw, Julio, Prieto, Conchu, Chibee, and Caliahem, each in his turn agreed to live upon the reservation, upon the conditions; and those living now without its limits promised to move into it immediately, and use their best endeavors to induce other Indians to come with them. Chibee said he was sure a chief called Kabui, living near him at the foot of the lake, would come with him. Agent said provision would be made for all. A draught of the reservation was shown and explained, until the chiefs understood it fully, and said that this was the first time white men had talked together kindly. The several articles of the treaty were read and explained, as also the necessity of good behavior on their part, until all the Indians expressed themselves satisfied, and to have a full understanding of the agreement. Council was then adjourned, to prepare a duplicate copy. A bullock was ordered to be killed for the Indians, and a quantity of hard bread distributed. After the Indians had retired, R. McKee submitted the treaty to Major Wessells, of the escort, General Estelle, and several other gentlemen who have been present at the different councils at this camp, for the purpose of obtaining any advice or suggestions they might propose. The paper, with its several articles contemplating provision for 1,000 souls, was read and considered. Its stipulations were highly approved of by the several gentlemen, and the consummation of the treaty, as written, advised, as being honorable to the government and satisfactory to the people of California.

JOHN McKEE, *Secretary.*

Camp Lupiyuma, Wednesday morning, August 20.—Agent R. McKee met the eight chiefs, Prieto, Julio, Conchu, Coene, Chibee, Caliahem, Kukee, and Mohshaw, at an early hour. Interpreters, Major Wessells, General Estelle and staff, and a number of Indian braves, were also present. The several articles of the treaty as agreed upon were read separately, and again fully explained; also the duty due the government of the United States by the Indians. That no agent would be sent among them at present, and that any flour and beef given them this fall the chiefs must send runners for, as the mountains surrounding this lake are impassable for wagons, and it would cause the

President great expense to send it here now. The chiefs said they were perfectly willing to enter into and sign the treaty, and send after any food the agent might give them.

Agent McKee resumed: General Estelle's ranche is on the Bay of San Francisco, near Vallejo, and he has agreed to take care of any flour I may order for you, as some of your people are sick; and you must send to his ranche for it.

This was agreed to.

R. McKee again: Should any disturbances or difficulties arise among you, or with the whites, you must also go to General Estelle, as he has offered to advise you in these matters till I return. There are two gentlemen present—Messrs. Price and Shirland—who have property, cattle, and horses, upon this reservation. You must permit and assist them to remove their stock, and you must not destroy any of it.

These things were all agreed to. One copy of the treaty was placed in the hands of a gentleman present, and the other read aloud by the secretary, and after examination *pronounced duplicates*. The copies were then signed by R. McKee, the eight chiefs, and such of their braves as were selected; their names written by the secretary, so as to preserve the original pronunciation, and each Indian made his mark. Treaty was then witnessed by the secretary, interpreters, officers, and gentlemen present, and exchanged by chief Julio, he being selected to preserve one copy. R. McKee then proceeded to distribute presents of bread, blankets, shirts, axes, hats, pants, handkerchiefs, &c., to the chiefs, for themselves and braves. The remainder of the ten head of cattle were given them, and they advised to drive or kill and carry the meat home, for their women and children. Council was then closed, all expressing much gratification that an amicable arrangement had been effected with these bands, among whom it has been dangerous for whites to visit.

JOHN MCKEE, *Secretary*.

The Clear Lake Indians appear to be very poor, ignorant, and lazy. Some of the young men and women go off to the different ranches in Sonoma and Russian river valleys, and work for food and clothing, and thus acquire a knowledge of the Spanish language. Their principal food consists of fish and acorns, the lake affording quantities of the former, and the oak on the hills the latter. Many of them have beards and mustaches. The Indians met here are those against whom an expedition was sent about one year ago under Captain Lyons, United States army, because of the murder of two whites living among them. We have since learned that the death of the whites was caused by their own imprudence and cruelty to the Indians working for them, and that many innocent persons have suffered in consequence. They are fearful of troops, and it has been fatiguing and laborious work to bring the Indians to a correct understanding of the object of the agent in coming among them, through three interpreters.

R. McKee ordered fifty sacks of flour to be sent from San Francisco to Estelle's ranche for the use of the Indians in this reservation; and after again explaining that it must be sent for, we broke up our camp, and reached the main camp, on Fernando Felix's ranche, after a hard ride

of eight hours. Two chiefs accompanied the agent to be present at any meeting with the Russian River Indians, and assist in giving information to them of the object of his visit; &c.

JOHN McKEE, *Secretary*.

Camp Fernando Felix, Russian river, California, August 21, 1851.—Some three or four hundred Indians had assembled at our camp during the absence of R. McKee at Clear lake. Several ranche owners living in the valley were also with us. With them R. McKee advised, explaining his desire to remove all the Indians from this river to the Clear lake reservation, leaving this valley for the whites; and from them obtained much information relative to names, condition, habits, &c., of the Indians. The plan for collecting them all in one place was fully approved.

Agent McKee then met the Indians in council, and, after examination, five principal chiefs were reported present. Major Wessells and Dr. J. S. Griffin, of the escort, three ranche owners, Messrs. Gibbs, Shirland, and Whitehorn, as interpreters, were also present. R. McKee said: I am sorry to find some misunderstanding has prevented many of the Indians on this river from meeting me here. I have taken great pains to have all understand the object of my coming here, and hoped to have met very many more here to-day. R. McKee then proceeded to dwell at length upon the following points: That they were now the children of the Great Father at Washington, and subject to his laws. You are no longer slaves to the rancheros, but free. You are now personally responsible for your behavior. You must respect the Spaniards, ranche owners, &c., and protect their property. The whites then will respect you. Our laws are all equal, and justice will be meted out alike to whites and Indians. You must no longer burn the grass, and destroy property. The Great Father wishes to improve your condition, and have you all settled together. The reasons for so doing and the plan of settling Indians in one reservation were dwelt upon. The chiefs Prieto and Julio were introduced. These chiefs were parties to the treaties at Clear lake; and Prieto spoke to the Indians present, giving them details of the councils there, and expressing his belief that the arrangements contemplated were for the benefit of the Indians. The chiefs and several of their captains said in turn, in substance, that they were pleased with what had been said. The names of the chiefs were now ascertained to be Chas-kan, Ko-yo-ta-was-sa, Cal-pel-la, Chi-bem, and Jose Maria Cal-the-la; the latter the first captain under Santiago, an old chief sick at home. When asked if they would remove to a home, if given them, of their own, and where they could be taught to farm, read, write, and be clothed, Cal-pel-la said he was pleased with the proposition—that he had always lived peaceably and quietly, and wished to continue to do so. Chi-bem, in substance, the same. Chas-kan and Ko-yo-ta-was-sa said they would live contentedly upon homes of their own. Jose Maria said he thought it was well. R. McKee said, I wish you to retire and consult among yourselves whether you will all go over to the Clear lake and live: I have told you what the President will do for you, if you will agree to go there and remain. It is the President's wish you should do so. I

don't wish you to go over immediately, but some time during this fall, or within a year. When you are removed, you can come over and work on the ranches if you choose, and return, but your women and children must always remain there. You may now retire, and consult with those two chiefs from Clear lake and among yourselves.

Council adjourned.

JOHN McKEE, *Secretary.*

August 21—3 o'clock p. m.—Council convened. Present the same company of gentlemen as at the morning meeting, and chiefs Chas-kan, Ko-yo-ta-was-sa, Cal-pel-la, Chi-bem, and Jose Maria, first captain under Santiago. They said they were willing to remove their people as desired. Cal-pel-la said he wished to remain at his present home; it was the home of his fathers, and their burying ground, and he still wished to remain where he had always lived. R. McKee then proceeded to dwell at length upon the advantages the Indian would derive when living upon a home given him by the President, &c.; and after an hour spent in thus replying to his objections, the chief Cal-pel-la said he had been disguising his real feelings and wishes, in order to learn what course would be pursued in case he would refuse to remove; that now he was satisfied it would be well and for the good of the Indians, and he would go over to the Clear lake with his people, and live there contentedly and friendly with all; that the agent must have patience and bear with the Indian, as he was dull in understanding the object and wishes of the Great Father, &c.

Jose Maria said he wished, as a favor, permission to remain at his old home; his people were there alone, and never interfered with the whites or Indians. The same arguments used in reply to Cal-pel-la were again advanced; but Jose Maria only replied, that his old chief was not present, and that he was not willing to leave his present home, and it was his sincere wish to be permitted to remain there.

Agent McKee said, it was no part of his policy to force the Indians into these terms; that he wished all to speak their minds freely on these matters, and if they agreed to enter into any agreement with him, it must be of their own free will; that he was satisfied it was the best thing the Indians could do; but no argument could induce Jose Maria to leave his present home.

R. McKee said, that his tribe were wasting away, but would increase in number if they would do as the President wished; Jose replied, that they would die when God wills, and he preferred remaining where he now lived.

Agent resumed. There are several small bands of Indians on this river not represented here. If the four bands, viz: Ya-ki-as, Sai-nals, Maj-su-ta-ki-as, and Pomas, which are the most numerous of any on this river, shall desire to enter into a treaty with the Great Father, I will put the agreement upon paper, and make provision for you; so you (Jose Maria) may join them if you choose.

If the chiefs Cal-pel-la, Chi-bem, Ko-yo-ta-was-sa, and Chas-kan, are now willing to enter into such an agreement, I wish them to say so now, in the presence of these witnesses.

The chiefs all replied, that they were willing to do as the agent

wished, and to have other Indians join them. Council was then adjourned. R. McKee ordered some bread and beef to be distributed among the Indians.

JOHN MCKEE, *Secretary.*

Camp Fernando Felix, Russian river, California, August 22, 1851.— Duplicates of the proposed treaty, with its provisions, stipulating that the four tribes or bands shall remove to the Clear lake reservation within one year, or at such times as the government may direct, and thereby become entitled to a just proportion of the rights and benefits secured to Indians living there now, or that may remove to it, &c., were prepared, and R. McKee met the chiefs and braves in council at 11 o'clock. The articles, stipulations, and provisions were read and fully explained, and also the object of the written paper. A copy of the treaty concluded at Camp Lupiyuma on the 20th instant was also read and explained; and after the four chiefs had expressed their entire willingness to become parties to the agreement, the copies were signed by the agent, chiefs, and braves, witnessed and exchanged with the chief of the Sai-nels-chas-kaw, who was selected by the Indians as the proper chief to retain a duplicate, and the compact declared duly executed, &c.

R. McKee again told the chiefs the course they must pursue in future, and what the President would expect of them; that Mr. George Parker Armstrong, living some ten miles above this camp, would attend to the distribution of any flour he might order for their use, and that they must send runners for it to General Estelle's ranche; and should any difficulties arise among them, to advise him of them, and he would assist them. This was agreed to.

Presents of blankets, shirts, hats, handkerchiefs, pantaloons, &c., were then distributed to the chiefs, for selves and braves, and also to the interpreters and runners employed by the agent. Two Indian braves were employed to go with him to act as interpreters with any Indians he may meet on his way through the country. Four bullocks ordered to be given them—one for each tribe; and the council adjourned.

From the accounts rendered by the chiefs, there are one thousand and forty-two souls included in the above four bands.

JOHN MCKEE, *Secretary.*

R. McKee employed Mr. George Parker Armstrong—a gentleman familiar with this country and the various Indians living along the coast range—to visit the various Indians living on the coast north of Sencilito, inform them of the object of the President in sending agents among them, obtain a correct account of their numbers, place of living, property, &c., and arrange for the chiefs to meet the agent at some convenient point during the coming fall. Mr. Armstrong will also visit the reservation upon Clear lake frequently, and attend to the storing and distribution of any flour ordered for the use of the Russian river tribes that have united in the treaty. Agent has advanced Mr. Armstrong fifty dollars on account of expenses, and he agrees to leave immediately and gather the desired information.

The Indians met here appear to be very suspicious, and cannot readily comprehend why these improvements should be desired by the whites.

JOHN McKEE, *Secretary.*

Camp Lyons, August 23, 1851.—R. McKee left camp this morning with his escort, and we have travelled fifteen miles, following a plain trail, over low hills and through a very level valley; we have now left the last white settlement southeast of Humboldt bay. Total distance from Sonoma, eighty-eight miles.

JOHN McKEE, *Secretary.*

Camp, August 24, 1851.—We have marched but eight miles to-day, part of our route over high hills and precipitous mountains. We are in a beautiful valley, on a running stream. Total distance, ninety-six miles.

JOHN McKEE, *Secretary.*

Camp Betumki, August 25, 1851.—Left at 7 o'clock; have crossed the main ridge of mountains dividing the waters of Russian and Eel rivers, and have encamped in a valley near an old Indian rancheria or village. Indians fled at our approach, but a few men have come into camp this evening and received some presents of bread and beef. The agent has expressed, through two Indians brought along from Russian river, his wish to meet the chiefs at the camp to-morrow. They are entirely nude and very wild. We have called this camp "Betumki," the Indian name for this valley. Distance, sixteen miles—total distance, one hundred and twelve miles.

Camp Betumki, August 26, 1851.—Some fifty or sixty Indians came into camp early this morning, as requested. Agent McKee assembled them and proceeded to ascertain, through the two Indians accompanying us and an Indian servant with the command, called George, the names of the chiefs present, tribes and numbers. The remarks of the agent are first rendered into Spanish, then, with the Indian dialect, spoken on Russian river, and then communicated to the Indians present. The following names of tribes and chiefs were ascertained: Nah-toh tribe, Car-lots-a-po chief; Chow-e-chak tribe, Che-de-chay chief; Shor-te-u tribe, Miss-a-lay chief; Ba-cow-a tribe, In-wa-nah chief; Sa-mun-da tribe, Cash-en-ah chief; claiming to have three hundred and eighty souls under them, and this includes the whole number in this valley. R. McKee then proceeded to explain the object of his mission, the nature of the government of the United States, and that treaties had been made on Russian river and at Clear lake; also, the desire of the President to provide for the Indians and collect them into one place. Agent also assured them that they need not fear any danger from the whites if they would not molest them while passing through their country; but if acts of violence were committed, they should be punished. These Indians appear to have had but little communication with the whites hitherto. Towards the

close of the council many other Indians came into camp; presents of clothing and food were given the chiefs for their people, and an arrangement made that their chiefs and headmen should meet the agent at some point near the white settlements, during the coming fall or ensuing summer, at which time the agent would be prepared to tell them when it would be desirable for them to settle. Council was then adjourned, to convene again early to-morrow morning; the Indians much pleased with the treatment received from the agent.

JOHN MCKEE, *Secretary.*

Camp Betumki, August 27, 1851.—In consequence of the illness of the agent, the proposed meeting of the chiefs was postponed until the close of the day. At four o'clock they were again assembled, and the object of the agent in desiring to meet the chiefs next fall again explained. The chiefs promised compliance, and also that they would permit no acts of hostility to be committed against any whites passing through their country. Certificates were given to each of the chiefs that they were friendly Indians, and had promised to meet the agent next fall for the purpose of uniting in a treaty of peace and friendship. A bullock was ordered to be slaughtered for their use, and some further presents of axes, blankets, hats, and shirts, were distributed among them. Two of their number were engaged to go with the agent to act as guides and interpreters. It has been with some difficulty these were induced to accompany us, as they have no communication with tribes further north, and speak of them as being very wild and hostile.

The object of the agent in postponing entering into a formal agreement with the Indians in this valley is, that no reliable information can be obtained of the number of Indians north of this, nor of the country, and he deemed it expedient to make a personal examination of the country, and obtain more reliable information relative to the number of Indians, before a permanent arrangement shall be effected. The Indians have all separated for their homes, highly delighted.

JOHN MCKEE, *Secretary.*

Camp Necessity, August 28, 1851.—Left camp at seven o'clock, and halted again, after a fatiguing march of eleven hours, at this camp, near a small spring on the side of a mountain. Our guide has been mistaken and lost the trail twice to-day, and we have wandered among the mountains for several hours to no purpose. Several Indians have been seen running away at our approach. We have gained some sixteen miles on our course. Total distance one hundred and twenty-eight miles.

JOHN MCKEE, *Secretary.*

Camp, August 29, 1851.—Left camp at half-past six o'clock this morning, and were forced to encamp in a cañon, where water was abundant for our animals. Some fifteen or sixteen Indian men came into camp to-day entirely naked, and ate voraciously some food given them. We have learned from them, through the Indian boy George, that there are many Indians in a long valley on the headwaters of the

middle fork of Eel river. This valley we have been endeavoring to find for two or three days. It is with difficulty any information can be obtained from them, as the Indians employed to accompany us all ran away last night, and we have only the boy George to assist. Distance three miles; total one hundred and thirty-one miles.

J. McKEE, *Secretary*.

Camp Ba-tim-da-kia, August 30, 1851.—Several Indians remained in camp last night, and were despatched at day-break this morning to assure the Indians in the *valley* of our friendly intentions, and to collect the chiefs at our camp when we should reach the valley. Left the cañon at six o'clock, and reached the camp in the valley after a march of five miles. Shortly afterwards several small parties of Indians visited us. At three o'clock R. McKee had an informal talk with *Lumka* and eleven other captains, all of the tribe inhabiting this valley, called the Cabadilapo. Our camp is called after the Indian name (Ba-tim-da-kia) of this valley. Each of the captains was presented with a shirt, pantaloons, and sash, and a beef killed for them. This is probably their first intercourse with the whites. They are very shy and fearful, entirely naked, and, with the means at the command of the agent, hard to convince that no treachery is designed. We have, as yet, seen none of their women. From the captains present it has been ascertained that the number of Indians living in this valley, in all the different rancherias, is probably five or six hundred. They speak of a very hostile and warlike tribe living beyond this, northward, with whom they are afraid to have any intercourse. The Indians here live upon acorns and roots: wild game, and grizzly bears and deer, are too formidable and swift to be attacked with bows and arrows. A bullock was ordered to be killed for their use, and they were dismissed, after promising to return to their homes and induce a large number of the bands to meet the agent here to-morrow.

JOHN McKEE, *Secretary*.

Camp Ba-tim-da-kia, August 31, 1851.—Several small articles, viz: knives, cups, blankets, and one sabre, were missing this morning, supposed to have been stolen by Indians prowling round the camp. The chiefs dismissed yesterday evening have not returned, with a larger number of their tribes, as promised. Two or three have, however, ventured into camp, and, upon being questioned as to the stolen property, appeared very much alarmed, and have been sent out to recover the articles.

The agent has been able to gather the following information concerning Indians in this, *the second large valley* upon the waters of Eel river, viz: valley called "Ba-tim-da-kia;" name of nation, Cabadilapo; principal chief present, *Lumka*; other captains present, *Cab-a-tim*, *Ca-epedem*, *Ba-lo-ta*, *Cal-te-a*, *Cal-cha-da-da*, *You-ti-ah*, *Dah-a-tah-asha*, *Bad-a-ta-book*, *So-co-da*, *Ca-cho*, *Ma-com-a-cho-ca*. Total number of men, 153; women, 200; children, 44; in all, 497.

It is very difficult to understand them, or whether there are many other Indians in this valley.

The above chiefs and captains have been furnished at the camp, so far, with 12 pairs pantaloons, 12 shirts, 12 sashes, and a sufficient quantity of beef and bread.

One of the captains came into camp this evening, and was again sent out to recover the stolen property, and to induce other Indians to come in. The knife was sent in, but none of the captains have made their appearance. Three or four Indians, selected to accompany the agent to the next valley, have left us. This whole valley may contain five or six hundred souls.

JOHN McKEE, *Secretary.*

Camp, September 1, 1851.—Left camp at seven o'clock this morning, and are now on the side of a mountain, scarce of grass and water. The route is very difficult, the trail leading over precipitous mountains. We see around us, as we march, Indian signal fires, and we have no doubt Indians are around us, but, as yet, invisible.

Distance, 12 miles; total, 143 miles.

Camp, September 2, 1851.—We are now at the Pilot rocks, having made a hard march of eighteen miles. Indian signs on all the mountains, but the Indians wild, and show themselves only at a distance. Our route is along that part of the coast range of mountains dividing the waters of the south fork from those of the east fork of Eel river, at present supposed to be thirty or forty miles from the ocean.

Total distance 161 miles.

Camp on the south fork of Eel river, September 3, 1851.—Left camp at 7½ o'clock this morning, and have marched eighteen miles. We have passed to-day the camp where four white men were nearly surrounded by a band of Indians last July. Mr. Seabring, our guide, was one of the party, and says "that hostile demonstrations were made" by the Indians; and when finding themselves surrounded, each man jumped behind a tree and fired, killing three Indians, one of them the chief, and the rest fled. As this party were the last white men that have passed through this country, the Indians are probably fearful of punishment, and run off as we approach. It has been reported that this valley is thickly peopled with Indians, and the agent will remain here a day or two to collect some information concerning the Indians in this valley, if possible. There is no accurate information concerning them, and their numbers have been over-estimated, as elsewhere.

Total distance, 179 miles.

JOHN McKEE, *Secretary.*

Same camp, September 4, 1851.—Remained here to-day, with the hope of inducing some Indians to come in to see us. Small parties of men have been sent out by the agent with some small presents to give to any Indians they might find, and thus prevail upon them to visit our camp; but all have been unsuccessful, not even seeing an Indian,

though we hear them around us. Rain has fallen to-day. The agent will leave some beef in care of Captain Paul, for Indians that may come to him after the main camp shall have been removed.

Camp Redwood, September 5, 1851.—Left camp at 7 o'clock this morning, and at 5½ o'clock reached this camp, in a small prairie, on the same stream we left this morning. Our march to-day has been the most difficult and fatiguing we have yet experienced. Distance, 16 miles. Several fine-looking Indians came to us while on the march to-day, to whom R. McKee gave some presents of shirts and handkerchiefs. He was unable to communicate with them verbally, but endeavored to make them understand that he wished them to follow us to our camp. Total distance, 195 miles.

JOHN MCKEE, *Secretary.*

September 6, 1851.—Remained at Camp Redwood to-day in order to recruit our stock. Some five or six Indians came into camp and were fed, but the agent has been unable to communicate with them.

Camp White Bluffs, on Eel river, September 7, 1851.—Marched 18 miles to-day, down the bed of the river, to this camp. Indian fish-dams are frequent. Some few old Indians showed themselves along the banks. Total distance, 213 miles.

JOHN MCKEE, *Secretary.*

Camp on Van Dusen's Fork of Eel river, September 8, 1851.—Left camp at 7 o'clock and marched 16 miles, following the bed of the stream; very difficult travelling, because of the rocks and stones. Total distance, 229 miles (on Commission creek.)

Camp, Big Bend of Eel river, September 9, 1851.—We left the river at 7 o'clock this morning, and encamped at 11 o'clock, twelve miles from Humboldt bay—marching six miles. The country passed through is well adapted for farming purposes, and some seven or eight farms are being opened up by the whites. From them the agent has learned that a large body of Indians are living in this neighborhood, and that they can be collected in two or three days, and meet the agent at this camp. To effect a meeting R. McKee has determined to remain at this camp several days. Mr. Charles A. Robeson, with his squaw wife, visited camp to-day at the request of the agent. This gentleman has recently settled upon, and is now opening up, a portion of land in this neighborhood, and, to preserve friendly relations with the Indians, has married (Indian fashion) the daughter of a chief of one of the tribes. Through his squaw he has obtained a slight knowledge of the languages spoken on this river. He has agreed to accompany Mr. George Gibbs to the mouth of Eel river, and, if possible, induce the Indians along the river, and at its mouth, to visit our camp.

R. McKee left camp this evening to visit Humboldt city. Total distance 235 miles.

September 10, 1851.—R. McKee returned from Humboldt city to-day. Several Indians in camp were supplied with food and some presents, and requested, through Mr. Robeson, to go out among the tribes in this neighborhood and invite them in. Mr. George Gibbs has been engaged in obtaining some knowledge of the language through Robeson and his squaw. Too short a time has elapsed since the arrival of the whites in this part of the State for Mr. R., or any one else, to have formed any considerable medium of intercourse. Some words, relating to sensible objects, have been obtained by Mr. Gibbs. The names of tribes could not be ascertained, nor their numbers. But he has learned that all the Indians around Humboldt bay, and as far up Eel river as Van Dusen's fork, say fourteen miles, speak the same language. Above the forks a different dialect is spoken, but so as to be understood by the different tribes.

JOHN McKEE, *Secretary.*

At same camp, September 11, 1851.—Several gentlemen from Humboldt city, and this neighborhood, have visited camp to-day. Some seven or eight Indians have also come in and been supplied with food. Mr. George Gibbs returned late last evening from an exploration of the country between Humboldt bay and Eel river, in company with Mr. Robeson. They were provided with some presents for any Indians they might meet. Mr. Gibbs reports that quite a number of Indians were seen and communicated with; that the presents were distributed, and the recipients requested to act as runners and bring the different chiefs to our camp.

JOHN McKEE, *Secretary.*

At same camp, September 12, 1851.—Nothing of importance occurring to-day. About a dozen naked Indians hanging around camp were supplied with food and some clothing.

R. McKee conversing freely with the white settlers in this neighborhood in relation to the proper course to be pursued towards the Indians, as they are evidently fearful that some design is meditated for their destruction, or that some injury would be inflicted upon them should they accept the invitation of the agent.

JOHN McKEE, *Secretary.*

At same camp, September 13, 1851.—Mr. George Gibbs, in company with Messrs. Robeson and Dupern, left camp this morning, and would proceed in a canoe down Eel river to its mouth, charged with the duty of exploring the country south of the river, and of ascertaining the boundaries to a portion of country to be set apart as an Indian reservation; also to make one more effort to induce the Indians to visit our camp. R. McKee, after further consultation with the gentlemen in this neighborhood, has determined to set apart

a reservation for the use of the Indians on this river and about Humboldt bay. The agent has not been enabled to collect the various tribes, owing to the want of interpreters, but is satisfied that a reservation should be selected at once, lest the whites should settle upon all the available lands in this neighborhood, and thus prevent difficulties arising between the whites and Indians. He has also determined to leave with Mr. Robeson several head of cattle and some hard bread, to be distributed among any Indians removing to such reservation. Mr. Robeson has been represented to the agent as being an honest man, and one that will endeavor to carry out the wishes of the government.

JOHN McKEE, *Secretary.*

At same camp, September 14, 1851.—Mr. George Gibbs returned this evening with his party, and reports that they proceeded to the mouth of the river, stopping at some ten or twelve Indian rancherias along the banks, and distributed some shirts, &c., as presents; that the jealousies and unfriendly feeling existing among the different bands prevented them from assembling to meet the agent; and that the runners despatched several days since had never visited them at all, and that it was with difficulty the Indians working their canoe were induced to go on shore at the different rancherias. Also, that a portion of country lying south of Eel river had been examined as far as practicable and found to be suitable for an Indian reservation, and to interfere as little as possible with the whites already settled.

A plat of the proposed reservation is in course of preparation. A further consultation has been held with Mr. Robeson, who agrees to acquire, as early as practicable, a knowledge of the Indian language spoken on this river, to explain to the Indians the design of the government in appropriating a reservation for them, to distribute the cattle, bread, &c., among them, and if possible induce them to remove to the country selected. Six head of cattle and several sacks of hard bread were turned over to Mr. Robeson for their use. Several gentlemen from Humboldt bay have visited the agent in camp to-day. The express despatched to Port Trinidad returned this afternoon with despatches from the Indian department at Washington.

JOHN McKEE, *Secretary.*

Camp of Humboldt City, September 15, 1851.—Finding it impossible to collect the Indians, or to hold proper communication with them, R. McKee moved camp with the escort this morning, and encamped at this place, after a march of twelve miles. Mr. Robeson accompanied him. The agent has been advising with the citizens of this place as to the propriety of the course proposed. He has also under consideration the propriety of employing Mr. Robeson to cultivate a portion of the land set apart, the product to be for the Indians. Total distance 247 miles.

Camp at Bucksport, September 16, 1851.—Moved camp at 8½ o'clock, and crossed Eel river at low tide, encamping at 10 o'clock at this place, marching 3½ miles. Total distance 250½ miles.

As our guide, Mr. Thomas Seabring, will return from this place, the agent has paid him two hundred and fifty dollars for his services to this place and expenses back to Sonoma. Mr. Benjamin Kelsey has been employed to act as guide through the country we have yet to visit. R. McKee has forwarded per Mr. Seabring, to be mailed at San Francisco, a report of his proceedings from Sonoma to this place, to the department at Washington. Mr. Robeson is still accompanying. The agent has determined upon the following course, in relation to the Indians on Eel river and around Humboldt bay, viz: That the portion of country lying between Eel river and the Mendocino mountains, described as follows, shall be reserved: commencing at a point upon the south side of Eel river, opposite the small creek whereon the agent and escort were encamped; thence running in a southwesterly direction parallel to the general trend of the coast, to the summit of the first range of mountains, ending at the northernmost point of Cape Mendocino; thence along said summit to the Pacific ocean; thence northeasterly, along the coast, to the north of Eel river; thence up said river in its windings to the place of beginning; together with the right of taking fish in any part of said river below the said place of beginning, and of fishing or digging for shell-fish on any part of the coast. Said reservation estimated to be thirteen miles in length on the coast, and eighteen miles in length, six miles inland—average length fifteen miles; estimated width six miles. A considerable portion of the land on the coast consists of salt marsh, and a like portion along the river subject to overflow. Between the river and the mountains, patches of land are to be found suitable for cultivation. At the base of the mountains the land is principally adapted for grazing purposes.

A plot and description of the above-described reservation shall be prepared in *duplicate*, one copy to be placed at some public place on Humboldt bay, for the information of those desiring to settle in this neighborhood, and the other to be left with Mr. Robeson. Also, that the cattle left by R. McKee with Mr. Robeson, to be distributed as beef among the Indians, shall be used by him as work-cattle, or oxen, upon the following conditions: R. McKee will furnish said Robeson with a good prairie plough, three log-chains, half a dozen axes, half a dozen corn hoes; and Robeson, with the oxen and tools thus furnished, shall break up, fence in, and plant in potatoes, some five or six acres of land lying within said reservation; that he may obtain as much labor from the Indians as possible; that the planting, &c., shall be done during the coming fall and winter; that he shall use his best efforts to induce the various bands to remove upon the above land; and that the entire product, or entire crop, shall be distributed among the Indians removing thereto. Also, that he will, as soon as practicable, acquire a knowledge of the Indian language, explain to them the object of the government in thus providing for them, and gradually prepare the way for a formal treaty with them when the agent shall again visit this section of the State. Also, that the oxen, farming utensils, &c., shall be held in trust, as the property of the United States, to be delivered up when demanded by an authorized agent. After the above planting, &c., shall have been done for the benefit of the Indians, Mr. Robeson shall have the use of the oxen and farming utensils as a con-

sideration for his services. Should any accident prevent Mr. Robeson from fulfilling his engagements, Messrs. Howard, Dobbins, and Dupern, gentlemen of this neighborhood, have been authorized to take possession of the government property confided to his care.

The bands of Indians living upon Eel river have no permanent place of residence, but move from river to mountain and from mountain to river, as the season for fishing and gathering nuts and berries arrives; and among the different bands, though not at actual war, no friendly intercourse exists. Their migratory habits render it difficult to form any accurate estimate of their numbers, and the jealousies between them render it almost impossible to communicate with distant bands through Indian runners. It has been estimated that among the mountains and valleys of Eel river and tributaries—say the south, middle, and Van Dusen's fork—some five hundred Indians find homes, and it is the wish of the agent to locate them all upon the reservation made as above.

September 17, 1851.—Left camp at half-past 6, and reached Union, head of Humboldt bay, at 3 o'clock, after a very tedious march of eighteen miles. A plat of the reservation near the mouth of Eel river was forwarded this morning to Messrs. Howard, Dobbins, and Dupern, to be posted in some conspicuous place, so as to prevent any one settling upon said land through mistake. We learn that a company of volunteers are at present quartered in this town, organized, it is said, to assist the Indian agent; but as the agent has not made any requisition upon the State for troops, and believing that his present escort of United States dragoons is sufficient as a protective force, the services of the above company of volunteers will not be required.

R. McKee had originally arranged to pass through Port Trinidad, fifteen miles northwest of this place; but from information received from gentlemen familiar with the different routes, he has changed his purpose, and will go into the mountains upon the Klamath river—upon the trail leading from this place—visiting Port Trinidad with his pack-train for supplies and Indian goods shipped from San Francisco, in accordance with the above original design. Total distance, two hundred and sixty-eight miles.

Camp at Union, September 18, 1851.—R. McKee closed the arrangement with Charles A. Robeson, of Eel river, this morning, paying him one hundred and forty dollars, (\$140) to be expended in paying for a large prairie plough, ox-yokes, chains, &c., and has ordered a supply of half a dozen axes and hoes from San Francisco for his use, according to agreement. At noon the agent left camp, with his pack-train, for Port Trinidad, carrying some few presents of shirts, handkerchiefs, &c., for the few friendly Indians near the mouth of Red river and at Port Trinidad. The citizens of this town, together with the owners and masters of pack-trains doing business with the gold region, have been invited to visit the agent at his camp at all times. At a consultation with several of the above gentlemen, held last evening, he has learned that the Indians known as the Trinity, Redwood, and Klamath bands are a brave, warlike people, and at present hostile to the whites; that it is not safe for parties less than eight or ten in number to travel through the country; and although no active aggressive

hostilities exist, that mules are stolen from the pack-trains, and the drivers murdered and robbed when returning, a short distance from the party. In return the packers shoot Indians at every opportunity, killing innocent persons more frequently than the guilty. The whites are very much exasperated against the Indians, and at the same time no pains have been taken to conciliate them.

The agent has been advised not to attempt treating with the different bands until a war party should be sent against them and they sue for peace; but he will endeavor to quiet the disturbances without resorting to war. The same difficulty exists in communicating with the bands as upon Eel river—namely, the absence of competent interpreters.

The policy of the government has been fully explained by the agent, and also that all his efforts to conciliate the Indians in this part of the State will be of no avail unless the whites will lend their aid and cease their indiscriminate murder of them.

Camp at Union, September 19, 1851.—R. McKee absent at Fort Trinidad.

Camp at Union, September 20, 1851.—R. McKee absent at Port Trinidad.

Camp at Union, September 21, 1851.—R. McKee returned to camp this evening with his pack-train.

The secretary has learned from his notes that the services of a Mr. Thompson were secured as an interpreter, and that through him the few Indians living at Port Trinidad were brought together and requested to remove to and settle upon the reservation of land near the mouth of Eel river. Presents were distributed among them in the name of the President. They made no reply.

They call themselves the Kori Indians, with Oq-qua as chief; are about fifty in number, and have always been friendly with the whites. One of their number was tied to a tree and shot down in cold blood by the whites because a pack-train had been disturbed by the Redwood Indians, twenty miles back from the coast, and it is very difficult to assure them that the agent did not intend to punish them in the same way. On his return, the few Indians living near the mouth of Mad river were invited to visit our camp to-morrow.

A mule was purchased for Mr. Thompson, the interpreter, and he was sent off to visit several bands of Indians and induce them to meet the agent, at the forks of the Klamath and Trinity rivers, on the 1st day of October next. Two or three Indian runners were also sent out, in different directions, for the same purpose. A letter was also forwarded to Mr. G. W. Durkee, at the junction, requesting him to inform the Indians near his ferry of the pacific intentions of the agent; and that his present design is to hold a council with all the Indians on the Trinity and Klamath rivers, and, if possible, quiet and settle the difficulties existing between them and the whites.

Camp at Union, September 22, 1851.—A few Mad river Indians visited camp to-day, and some presents were distributed among them. This band has been permitted to live at their present rancheria, only upon the condition that they confine themselves to the immediate neighborhood of the mouth of the river, and not come into the town. They

are afraid of the whites and dissatisfied that they have been driven away from their former homes. The plan for settling the Indians in this neighborhood was explained through Mr. Hawkes, and they were provided with food and sent to their homes.

Camp at Union, September 23, 1851.—The escort moved some twelve miles to-day upon the trail leading to Durkee's ferry. R. McKee will follow to-morrow. The citizens of Union express a great desire that a treaty may be made with the Indians, on the 1st of October, at the junction; and, as it is the key of the Indian country, the agent is endeavoring to insure the presence of the chiefs of the bands living upon both rivers.

Camp, September 24, 1851.—R. McKee marched out to the camp of the escort to-day, twelve miles. Total distance, 278 miles.

Some beef and bread were given to a few Indians living near, who appeared much pleased that our intentions were pacific.

Camp, September 25, 1851.—Made a short march to-day of eight miles. Total, 286 miles.

We follow a rough trail over the mountains, so difficult that our animals are not able to endure a long march.

Camp, September 26, 1851.—Marched ten miles to-day. Total, 296 miles.

Bloody Camp, September 27, 1851, three miles from the junction of the Klamath rivers.—Reached this camp, upon the top of a mountain, after a very tedious march of twelve miles. Several Indians were seen upon the trail to-day, but fled to the woods when approached. Fine grass and water on this mountain. The agent has gone forward this morning to examine the pasture, &c., near the junction, with a view to the removal of our camp to a suitable place for a treaty ground, if one can be found. The country around the junction is a wild mountainous region, entirely unfit for cultivation, and indeed can scarcely be travelled by pack-mules. The Indians are said to be numerous, and subsist chiefly on the salmon and salmon trout, which the rivers afford in great abundance, and on the berries, nuts, &c., obtained on the mountain sides. Deer, elk, bear, &c., are quite plenty, but the Indians kill but few, as their only arm is the bow and arrow.

Bloody Camp, September 28, 1851.—R. McKee returned to camp, bringing several Indians to show them our camp, numbers, &c. These Indian men are low in height, but exceedingly athletic and muscular, very independent in their behavior, and want every small article they see given to them. They will remain in camp with us to-night. A Mr. Patterson, proprietor of a ferry upon the south fork of the Trinity river, was despatched this morning with a mule-load of beef, bread, and shirts, to visit the Indians living near his ferry, and bring them down to the junction with him. Mr. Thompson, the interpreter sent out from Trinidad, returned this evening, and reports that he visited all the bands of Indians living near the mouth of the Klamath river, and that they all promised to meet the agent on the 1st of October; that some of them were at war with the Indians living on the coast near Rocky Point, and that the latter refused to be present at Durkee's ferry as desired. Some few presents have been distributed among the In-

dians with us to assure them of our good will. R. McKee despatched a pack-train for additional supplies of Indian goods, &c.

Camp at the junction of Klamath and Trinity rivers, September 29, 1851.—R. McKee removed to this camp with a few dragoons of his escort as a guard, the main camp of the escort remaining with the animals at our last camp, lest the Indians should all become frightened and run off to the mountains. The Indians remaining with us last night came with him, and reported the treatment they received, and soon our camp was filled with men, women, and children, to whom presents of beef, hard bread, and beads were given. Mr. Durkee, the proprietor of the ferry at this place, is absent at Union, but expected back daily. This is unfortunate, as he possesses more influence over the Indians in this neighborhood than any other white man, and his presence appeared to be necessary to assure them of the pacific intentions of our party. The Indians here are a very fine-looking race, low in stature, with smooth, regular features. The men are nearly nude, and never seen without the bow and quiver of arrows, exhibiting considerable skill in their construction. The women wear petticoats of deer-skin, dressed and ornamented with tassels, beads, shells, &c. Some of them are very handsomely made. Strings of beads and shells are also worn about the neck, and ornaments of every description are highly prized. The agent distributed beads and bright buttons among the squaws, and they left the camp much pleased.

Mr. Patterson returned from the south fork of the Trinity with a small party of Indians from the different rancherias he visited. He says he could not prevail upon the chiefs to come down until each had sent runners from his own tribe to see for themselves; also, that very many Indians are sick among them. Those brought in with Patterson have been supplied with food. Total distance, 299 miles.

Camp at the junction of Klamath and Trinity rivers, September 30, 1851.—The Indians brought down from the south fork of the Trinity river by Patterson were supplied with beef and hard bread, and sent back to bring down all the Indians able to travel to the point, as soon as possible. A shirt and handkerchief were given to each, and they left camp apparently much pleased with the treatment received, promising to return in two days. An Indian runner was also sent down the Klamath river to hasten the movements of those expected from that quarter, having first received a blanket, as they peremptorily refuse to render the slightest service without something of this kind has been received beforehand. Subsequently it was deemed advisable that Mr. Thompson (the interpreter) should also proceed down the Klamath river, and he was accordingly despatched, with some Indians as boatmen, in a canoe. A rumor was rife among the Indians to-day, that the object of our party was to collect them, so that the men might be murdered, and the women and children stolen and carried off; also, that their friend *Durkee* had been killed, and would never return. The agent endeavored to allay their alarm with the limited means at his disposal, but still Durkee's presence appeared to be necessary to quiet their apprehensions on this point. The fall season is rapidly advancing, and the agent is very desirous to proceed rapidly, and be enabled to visit other hostile bands upon the Klamath before the rains set in, and he be compelled to postpone his labors in this section of the State.

Camp at the junction of Klamath and Trinity rivers, October 1, 1851.—This is the day appointed for a talk with the Indians, but the efforts of the agent to collect a large body of them have, as yet, been unsuccessful. Runners are out in every direction to accomplish this; and it is hoped that, in the course of three or four days, they may return with at least deputations from the various bands visited.

Camp at the junction of Klamath and Trinity rivers, October 2, 1851.—Mr. C. W. Durkee reached this camp late last night, and his return seemed to be a source of great satisfaction to the Indians. It was arranged that he should proceed up the Klamath river some fifteen miles, and induce two or three bands of Indians to return with him to this camp, and he was despatched accordingly.

A few of the Indians from the south fork of the Trinity river, originally brought down by Patterson and sent back as runners on the 30th ultimo, returned this evening, and say that a few from each rancheria will be here to-morrow evening. Mr. Thompson, interpreter, sent down the Klamath, also returned and reports that he continued down the river some 30 miles, visiting some eight or ten "rancherías," or villages; that some of the bands promised to be represented, and others peremptorily refused to have anything to do with the whites, as a party of whites had prevented their building a fish-dam last summer; also, that two or three bands were at war with each other, and the men were afraid to bring their families here. The Indians that have visited our camp have been liberally supplied with beef, hard bread, and some presents of clothing. The Indians on these rivers are not collected in large bodies under one chief, or head, but divided up in rancherías, or villages, of from 15 to 20 huts—each little band claiming to have a chief.

A copious rain fell last night and this morning, and we fear it may be the commencement of the wet or rainy season.

Camp at the junction of the Klamath and Trinity rivers, October 3, 1851.—C. W. Durkee returned from his visit to the Indians on the Klamath river, above the camp, early this morning, and reports that he proceeded up the river 15 miles.

Communicated with various Indians on the way, and returned from "Red Cap's bar," first sending an Indian runner up to Salmon river. Several of the principal or head men of the Indians seen, promised to come down to our camp to-morrow. The agent believes it to be important that all the different bands living upon the Klamath and Trinity rivers should be represented in the council proposed at this camp, but is fearful the measures taken to secure such an attendance will not prove successful. The party from the south fork of the Trinity are still with us and supplied with provisions.

R. McKee received, per express from Trinidad, a communication from Charles E. Mix, Commissioner of Indian Affairs *ad interim*, dated Washington, August 9, 1851, at a late hour this evening.

Camp at the junction of Klamath and Trinity rivers, October 4, 1851.—An Indian runner, despatched yesterday to go down the Klamath and hasten the movements of Indians coming to us, returned at noon with the intelligence that some 25 or 30 men were below, about one

mile from our camp, but afraid to approach nearer. R. McKee walked down to see them, but it was with difficulty they would suffer a white man to approach. After frequent assurances that no harm was intended, they sat down around the agent, who endeavored to explain the object of his mission as briefly as possible; but they said the white man had burned up their houses and prevented them from building a fish-dam, and unless the agent would *pay* them for their losses they would immediately return home. Agent again endeavored to talk to them; but they would hear nothing until the agent agreed to give them ten or twelve axes, with which they might build other houses, and they were finally prevailed upon to remain here and learn what the agent would have to say when the Indians should come to us. Mr. Joseph Somers and Henry Stout, two miners, at present at work on the Klamath river, 12 or 15 miles above this camp, with some 20 or 25 Indians from that neighborhood, are here, and will remain a day or two with us. The Indians from the Trinity are impatient to return home, and they were only induced to remain by receiving additional presents. All have been, as usual, supplied with bread, beef, sugar, &c. We now learn that the Indians near this have been using their influence to prevent Indians from other bands coming to us, lest they should divide, and thus lessen the quantity of presents they would receive; but they have been assured that any presents that might be designed for them would only be distributed when the Indians from abroad should reach our camp. The agent is endeavoring to gather a true statement of the origin of the troubles and Indian difficulties, on this river, during the past summer and fall. The Indians' account, corroborated by several responsible whites, is very different from those reported in the newspapers by persons visiting from Trinidad and other places.

Camp at the junction of Klamath and Trinity rivers, October 5, 1851.— R. McKee collected at an early hour this morning the representatives from four bands of Indians living on the Klamath, below this camp, near Tompkins's ferry, the scene of the late disturbances; and, as advised by the whites somewhat familiar with their character, told them he was the big chief of all this country, and, hearing of the quarrels among his red and white children, had come to inquire into the cause, &c.; that he intended to have peace in this country, and would punish all that committed any crimes, and drive them out of the country: but good Indians should be protected and a home given them, and the whites prevented from encroaching upon them. The agent spent several hours in talking to them in this manner. The interpreters not having as yet acquired a sufficient knowledge of the language to explain satisfactorily the relation of the agent to the government at Washington, consequently it has been deemed best to impress these warlike Indians with the idea that the agent possesses power for immediate punishment or protection. A party of Indians from the Klamath above *this* was then collected, and a similar talk, lasting several hours, was held with them. They professed that they were much pleased that peace should be restored among them again. The agent then told them he would meet all the Indians here at an early hour to-morrow morning,

and tell them what he wished done, and they all promised to remain until that time. They appear to be better satisfied this afternoon, and the agent has strong hopes that an arrangement may be made preventing any future difficulties on this river. The Indians from Trinity river, who have been at this camp for several days, have also been collected several times, and fully advised of the object of the agent visiting their country. They are, as well as all the Indians here, very impatient to be gone, saying that many of their people at home were sick; that this is the fishing time, and fish must be caught for food in the winter. They promise to be friendly hereafter, and cannot comprehend the necessity of a contract being signed by and in presence of all the Indians on both rivers. The agent has also endeavored to obtain a correct estimate of the number of Indians represented here, but they seem to imagine some treachery is designed, and decline giving any reliable information, but listen attentively to all that is said to them. The substance of the remarks of the agent was, that he would pay them for the loss of their houses, and for the death of a young chief and a squaw; that he would give them some presents of shirts, pants, beads, provisions, axes, &c., &c., now, and after awhile would give them many more such articles, and continue to give them many things conducive to their comfort and convenience, and also give them a reservation on which they might live, build their fish-dams, hunt, &c., and the white man should not encroach upon them or interfere with them. That there were a great many white men, who were able to drive all the Indians out of this country, but the agent would protect the Indians, and the whites would not molest them; that after awhile the Indian would wear clothes, and live after the manner of the whites. But these things were promised them only upon condition that they would be friendly to the whites, and commit no more depredations of any kind, and also that they should use their influence with Indians not represented here, and especially with the Bald Hill and Redwood Indians, that they also should refrain from *their* depredations, because white men might shoot and kill friendly Indians for crimes committed by those last referred to; and that the whites now were willing to have peace, and it remained with the Indians to accept or not.

When the above had been fully explained, an Indian of the Lower Klamath bands arose and addressed the agent, and declaimed with considerable native eloquence—told the story of the wrongs of himself and red brethren, rehearsing the history of the attack made by whites upon them, and the burning of their homes; but that now, and for himself and fellow-Indians, he was willing to be at peace with the whites, and pledged himself for the good conduct of them all. An Indian of the Wetch-peck band, living near this camp, then followed in the same strain; and said, further, that as they had now passed their words to the bargain, they could all go home immediately. R. McKee then told them the bargain must be put down on paper, and that he wished them all to remain till to-morrow; which, after some delay, was agreed to.

Camp at the junction of Trinity and Klamath rivers, October 6, 1851.—
R. McKee assembled the Indians at an early hour this morning, when it was discovered that a few of the Lower Klamath Indians had left for

their homes. It is supposed that this has been caused by the taunts of the Indians living near the junction of these rivers, upbraiding those living below for breaking an agreement made some time since between them, that neither band would be seen in the neighborhood of the homes of the other. R. McKee told those present that his object was to make peace between the Indians, as well as between the Indians and the whites, and that those who had left must be sent after and brought back. Mr. S. Thompson accordingly started, with two Indians, for that purpose. The Indians were then arranged, each nation separately. Mr. Durkee acted as interpreter. The "Poh-lik" or Lower Klamath nation were represented by chiefs and captains from the Wah-si band, Mo-ru-kus chief; the Cap-pel band, Mah-on chief; the Mo-ri-ohs band, Mah-on chief; the Sira-grins, Up-la-go-pus chief; and the Pak-wari band, Cap-pel-la-wah chief. Each chief had several of his headmen with him. The Petit-sick or Upper Klamath nation, and those living on the Klamath above its junction with the Trinity river, were represented by chiefs and captains from the

Wetch-peck band.....	Mec-ug-gra, chief.
Ut-chap-pah band.....	E-ne-nuck, chief.
Up-pah-goines band.....	Mik-ku-ree, chief.
Sa-vow-ra band.....	Up-pa-grah, chief.
Cha-ma-ko-neç band.....	Ka-top-ko-rish, chief.
Coc-co-man band.....	Pa-nam-o-nee, chief.
Chee-nah band.....	Ak-ka-reeta, chief.

The latter living ten miles below the mouth of Salmon river.

The Hoo-pahs, or Trinity Indians, were represented by Ah-rook-kos, the most influential chief on that river, he controlling twelve rancherias or villages—and by Tenas-teah, Noct-pook-a-ta-mah, Nic-a-wa-ou-na, and Wash-ten, as headmen.

R. McKee proceeded to address them respecting his remarks made yesterday, so as to insure a full understanding to the Indians of the treaty proposed to be entered into, viz: that his object was to restore peace among the whites and Indians, so that they each might travel alone through the country without fear of molestation; and to convince them that he was earnest, and had the interest of the Indian at heart, had given them and would give them presents. That if peace was restored, and the Indians preserve inviolate the bargain about to be made, measures would be taken to improve the condition of the Indians; that he should have a home of his own—be taught to build houses to live in—have clothes to wear—and after awhile learn to draw their subsistence from the soil, and not be dependent upon game and fish for food; that they should have teachers to teach their children the English language, and that many things would be done for their comfort and happiness. But that all this depended entirely upon the Indians themselves; that they must choose between peace and war—if peace, all would be well; but if war, the whites would rise in a body and kill them *all*, or drive them entirely out of the country. And further, that now they must say whether they will make a bargain, and have it put down on paper, or not. The several chiefs expressed themselves willing to enter into such an agreement. A draught of the proposed treaty

was then read, and each article fully explained. At 2 p. m. the council adjourned, so that a treaty might be prepared.

The Indians were very impatient to be gone, and it was only by the earnest persuasions of the agent that they could be induced to remain until the treaty could be written out; they all saying that the bargain was made, their word passed, and there was no use for them to remain longer. At 4 p. m. a single copy of the treaty was prepared. Mr. S. Thompson had previously returned with three of the headmen of the Lower Klamath Indians, that had left us during the night, and Messrs. Durkee and Thompson had been for an hour explaining the nature of the remarks made by the agent during their absence. A very intelligent Indian of the Wah-si band addressed all the Indians present, impressing upon them the obligation of them all to live up to their promises, and act in good faith.

Present at the evening session, Major Wessells, of the escort; Walter Van Dyke, of Trinidad; Joseph A. Patterson, of south fork of Trinity; George Gibbs, Durkee, Thompson, and several other gentlemen. The secretary proceeded to read the proposed treaty, which was explained article by article, as also the propriety of the written paper, until the gentlemen present expressed themselves satisfied that they all had a proper appreciation of the "bargain." The treaty was first signed by the agent, then by the chiefs of the several bands, and witnessed by the gentlemen present; and after a short address from the agent, the council was adjourned, at 7½ o'clock.

A bullock was killed, and a supply of hard bread and sugar given to the Indians for a feast. Thus has closed an amicable arrangement with twenty-four bands of Indians; among them the Pack-wans, Scagoines, and Moo-ris—the bands with whom all the late disturbances have occurred on this river—who have agreed (after the signing of the treaty) to use their influence with the Bald Hill, Redwood, and other Indians not represented here, to induce them to be friendly with the whites. In consequence of the limited appropriation of funds by Congress, the agent did not feel at liberty to promise the above bands any provisions that he was not able to furnish at this time. The four bullocks given them are left in charge of Mr. C. W. Durkee, to be killed and divided among them. Presents of blankets, shirts, pants, beads, shawls, handkerchiefs, &c., &c., were distributed by the light of large fires; after which the Indians all separated for the night, well pleased.

Camp at the junction of Klamath and Trinity rivers, October 7, 1851.—The Indians came into our camp at an early hour this morning, to say good-bye to the agent, and in a short time all had departed for their homes. A copy of the treaty of yesterday was prepared by the secretary, and left with Mr. Durkee. An address to the miners and traders was prepared by the agent, advising of the treaty just concluded, and urging upon the whites to pursue a prudent course in their conduct towards the Indians; a despatch was also prepared by R. McKee to the department at Washington, advising of his doings here. He has promised to stop awhile at the different rancherias on the Klamath, as we pass through them, and distribute some presents to the women and children.

Camp at junction of Klamath and Trinity rivers, October 8, 1851.—R. McKee engaged to-day in making statements with the interpreter and other gentlemen who have assisted in collecting Indians at this camp; also preparing instructions for Mr. S. Thompson, authorizing him to receive several sacks of hard bread remaining at Trinidad, and to distribute the same at the mouth of the Klamath river. Mr. Thompson will proceed down this river in a canoe, and visit all the Indian villages that were not represented at this camp, and communicate to them the proceedings at this camp, and the desire of the agent to have them live friendly with the whites.

The pack-train despatched to Trinidad on the 28th September returned last evening, and we are making preparations for marching to-morrow.

Indian runners have been employed to accompany the agent, and Mr. Durkee has also agreed to go up as far as Salmon river.

Camp near Bluff creek, October 9, 1851.—R. McKee, accompanied by Mr. Durkee and an Indian runner, moved with the escort this morning, crossing the Klamath river at Durkee's ferry, near our last camp, marching six miles over a rough mountain trail. The Indians near Salmon river speak a different dialect from those below them, and the agent expects to communicate with them though Mr. Durkee and the Indian runner. Total distance 305 miles.

Camp at Orleans bar, October 10, 1851.—R. McKee and escort moved this morning at seven, and after a tedious march of eleven miles, over the most dangerous mountain trail we have yet followed, reached this camp at 4 p. m. Four mules fell off the mountain-side to-day, two of which were killed—the others recovered; one of those lost was of the agent's train, and several others gave out from fatigue. Our animals are scarcely able to endure the severe service required of them in climbing the rough mountains we necessarily cross. We passed "Red Cap's bar," where the agent delayed to collect and address the miners at work on that bar, and to impress upon them the necessity of a prudent course being pursued by the whites, to prevent any future difficulties with the Indians. The Indians were also addressed through Mr. Durkee, impressing upon them the obligation entered into by their chief, "Red Cap," &c.

There are three rancherias near our present camp, all of which were represented at the council at Durkee's ferry, and arrangements have been made to have them all assembled at an early hour to-morrow morning. Total distance 316 miles.

A bullock was ordered to be killed for the use of the Indians at Red Cap's bar, which was distributed by Mr. Joseph Somers.

Camp Cor-a-tem, near mouth of Salmon river, October 11, 1851.—Escort moved at seven o'clock, R. McKee remaining to meet the Indians as agreed. At 8 o'clock they were assembled, and the agent proceeded to address them as heretofore, in relation to the course they should pursue in future. They all promised to treat the whites as friends in future, if the whites would do so towards them. Presents of shirts, pants, beads, handkerchiefs, &c., were then distributed, and a bullock ordered to be left for their use. Agent McKee purchased two animals this morning, to supply the places of those killed and ex-

hausted. Reached this camp at 4 o'clock p. m., and immediately sent out runners to the Indians in this vicinity, to have them assembled at this camp to-morrow morning. Seven miles; total distance 323 miles.

Camp Cor-a-tem, near mouth of Salmon river, October 12, 1851.—R. McKee remained at this camp to meet the Indians of this neighborhood as agreed. At 10 o'clock about 150 men and women were assembled. Each band arranged separately—communicating with them through Mr. C. W. Durkee, and he through the Wetchpeck Indian from the junction of Klamath and Trinity. It was ascertained that four bands were represented, viz: Se-wah band by Es-se-pish-ra, Res-sou, Chee-fée-cha, and Pi-ra-teen; Op-pe-o band by Cà-por-u-tuck and Ya-fip-pa; Ke-ko-neck band by Hou-a-puck-if-ma; In-neck band by Sish-ka.

The agent addressed them, telling them the object of his mission, and the disposition of the government to provide for the Indians in this country, and to preserve peace among whites and Indians; also of the great number of the whites, and the power of the government to enforce the laws. Es-se-pish-ra replied that they had all heard of the treaty made with the Indians living on the river below them, and that they were glad the agent had come to see them also.

R. McKee then explained the arrangement made with the Indians at Durkee's ferry, and dwelt upon the advantages the Indians would derive from having a home of their own, where they could live under the protection of the government, and where the whites would not be allowed to interfere with them. Cà-por-a-tuck said they were disposed to be friendly with the whites, but that sometimes the whites would threaten to shoot them and steal their women, and that now an Indian was afraid to go on the mountains after game and nuts alone; he also complained loudly of the acts of a man called "Wooly" (Tom Hinton.) The Indians everywhere on this river have complained of this man, and the agent has learned, through the whites, that many of the Indian outrages can be attributed to outrages committed upon the Indians by him. R. McKee promised them that he would prevent "Wooly" from interfering with them hereafter, and that the whites would be friendly, if the Indians would agree to commit no more depredations, and permit white men to pass through the country unmolested. This the several chiefs said they were willing to do, and expressed the desire to unite in the treaty of the 6th inst., concluded at the junction of the Klamath and Trinity rivers. This treaty was then read and fully explained to them, when they again said they were willing to unite in it. A supplementary treaty or codicil to the said treaty of the 6th inst. was then prepared, read and explained to them; also, the propriety of writing the bargain upon paper, and that upon its execution the Indians would be bound to preserve it inviolate.

The chiefs again expressed themselves willing to unite in the treaty, which was then signed by the agent and the several chiefs and braves, and witnessed by Major Wessells of the escort, and several other gentlemen who had been present at this council. At 4½ o'clock the council was adjourned, and the agent proceeded to distribute some presents of blankets, shirts, pants, hats, sashes, handkerchiefs, beads, bread, sugar, &c., among the several bands; a bullock was ordered to be killed

for their use and divided among them. These presents were given them as an evidence of the desire of the government to act in good faith with the Indians.

R. McKee prepared a letter of instructions to Mr. C. W. Durkee in reference to some beef cattle and Indian goods left in his charge for distribution to the Indians, and settled with him for the ferriages over the Klamath river; (for his services as interpreter Mr. D. refused to receive any compensation.) Mr. Durkee will return home to-morrow, and the agent is in hopes he may secure the services of a Mr. Taggart as interpreter from this point up the river. Mr. T. is expected down the trail we will follow, and if we meet him R. McKee will endeavor to secure his services. His present design is to move on to Scott's river, and, if possible, meet the Indians living on that stream.

The number of Indians living near this camp, around the mouth of Salmon river, is about two hundred and twenty-five souls, all told. They compare favorably in size and appearance, and intelligence, with the Indians below; speak a different dialect, though they intermarry with them. Their houses are built of slabs split out from the redwood timber, in which a family of ten or fifteen will reside, relying principally upon fish for a subsistence.

Camp on Klamath river, twelve miles above mouth of Salmon river, October 13, 1851.—R. McKee moved with his escort at 7 o'clock this morning and marched over a very dangerous trail, twelve miles, to this camp. Several of our animals fell from the trail and rolled down the mountain, but were recovered and brought into camp. Mr. Durkee left us this morning to return home.

Total distance 335 miles.

Camp on Klamath river, October 14, 1851.—Moved this morning at 7½ o'clock, and marched fourteen miles. The trail continues rough and dangerous, leading along the mountain-sides, and in many places a fatigue party is sent forward to improve the way, so that our animals may pass along.

R. McKee stopped at two or three Indian huts and distributed some small presents to the families living within them. In almost all of their huts there are more or less Indians sick; they complain of hunger, and that they are not able to seek food in the mountains or fish in the stream.

Total distance 349 miles.

Camp on the Klamath river, at mouth of Clear creek, October 15, 1851.—R. McKee moved this morning with the escort at 7½ o'clock, and marched eleven miles to this camp—stopping at several Indian huts on the banks of the river, in all of which two or three Indians were lying sick, and all complained of hunger. Two or three Indians have visited our camp this morning from a rancher upon Clear creek, and complain of hunger. They have been fed, and an arrangement made that a bullock shall be killed for them in the morning, and that the Indians present should receive a portion of the beef, and carry the remainder in their canoes down the river, and divide it among two or three huts visited yesterday, where several Indians were lying sick. Our trail continues rough and dangerous. The agent's pack-mule, carrying his cooking utensils and mess furniture, fell from the trail on the mountain-

side, and, rolling into the river, was drowned, and the whole pack was lost.

Total distance 360 miles.

Camp on Klamath river, at Murderer's bar, near Murderer's creek, October 16, 1851.—R. McKee ordered a bullock to be killed and given to the Indians who visited our camp last evening, and remained with us during the night. This was accordingly done, and a steer, weighing 600 pounds net, butchered and given to them, which they agreed to divide among the different huts on the Klamath and Clear creek, as arranged yesterday. Agent moved on in advance of the escort, and delayed at Wingate's bar, where some fifteen or twenty men were at work. Collecting the miners, he informed them of the arrangements made with the Indians, and advised them as to the proper course to be pursued towards the Indians to preserve friendly relations. A copy of the circular prepared by R. McKee, and addressed to the traders, miners, &c., was left at the trading-post of Mr. Wingate. From this gentleman the agent learned that the celebrated "Wooley," or Tom Hinton, was at that place, and that he was a dangerous villain, having already threatened the lives of several white men. Shortly afterwards "Wooley" came into the tent, and said he came up to see the agent, and to know if he had said that "if any one would shoot an Indian, he should be hung," swearing that *he would* shoot Indians whenever he could find them; that he had done so, and would continue to do so. R. McKee replied that he had understood that many of the Indian difficulties on this river resulted from his cold-blooded murders and outrages. With the past he had nothing to do; but for the future he intended to prevent the security of life from being endangered by the conduct of a few villains like himself, who made it a point to murder Indians at all times; and that he might now take warning, and be assured, that should he commit any further depredations upon the Indians, measures should be taken to inflict very summary punishment upon him. The agent then told the miners that their security was dependent upon themselves, and that they must not permit any one of their number to hazard the destruction of the friendly relations recently made with the Indians. The miners generally replied that they would so conduct themselves as to give no ground of quarrel to the Indians; and two or three of them assured the agent that Wooley's movements should be watched, and that they would make it a point "to take care of him." Agent reached the camp at 4 p. m., marching eight miles, when it was ascertained that one of his mules was lost, with his *baggage*. As this is a serious loss, it has been arranged that he will remain over at this camp tomorrow, and send back to recover the animal and baggage. It has also been arranged that Mr. Woods, of the agent's train, and Mr. Kelsey, our guide, move on to Scott's valley, and, if possible, collect the Indians to meet the agent upon his arrival there, that he may be enabled to get out of the mountains with his escort before the rainy season shall render the trail impassable.

Total distance 368 miles.

Camp on Klamath, on Murderer's bar, near Murderer's creek, October 17, 1851.—R. McKee remained at this camp with his own party to recover the lost animal. Major Wessells moved forward with his command,

and will proceed by short marches until the agent can overtake him. Messrs. T. J. Roache and W. J. Stephens visited our camp to-day. These gentlemen are at present located at "Happy Camp," two miles above this, but have been for the past year mining upon this river, and exploring the adjacent country. They are also familiar with the late Indian disturbances in this part of the State, and R. McKee has been enabled to obtain much reliable information from them touching Indian affairs. From them he has also learned that Mr. Taggart, the Indian interpreter he has been anxious to meet, has taken a different trail, and gone down to Port Trinidad, and the agent is fearful no other competent interpreter can be obtained. Messrs. Kelsey and Woods were despatched this morning to Scott's valley, to make arrangements for collecting the Indians of that neighborhood.

Camp on the Klamath, October 18, 1851.—The lost animals and pack were recovered, and R. McKee moved with his train at half-past 7, and at 2 p. m. encamped again, marching eight miles. We passed through Happy Camp, where the agent delayed for an hour or two to collect the miners and advise them of his arrangements in regard to the Indians on this river. A copy of the circular prepared at Durkee's ferry, on the 8th instant, was left with them, and they assured the agent that nothing should occur at Happy Camp to cause any disturbances with the Indians, and they would only resort to violent measures in self-defence. At the request of R. McKee, Mr. T. J. Roache consented to accompany him to Scott's valley, and will assist him in assembling the various bands of Indians of that neighborhood. There are at present about 70 men of that camp, consisting of Capt. Charles McDermit, Capt. Gwinn Tompkins, and Geo. W. Taggart's parties. The agent was happy to find among them many gentlemen of intelligence, and who, though far removed from the restraints of the laws, have not forgotten their duty to the government, and who have a proper appreciation of the difficulties to be encountered in settling the Indian disturbances in this portion of the State.

Total distance 376 miles.

Camp at the Big Flat, south side of Klamath river, October 19, 1851.—R. McKee left camp with his party at 8 o'clock, and reached this camp at 2 p. m., crossing the river with his goods, baggage, &c., in Indian canoes, travelling 6 miles over a rough, stony trail. Major Wessells, of the escort, is still before us with his command.

The agent has learned that Messrs. Kelsey and Woods have visited two Indian rancherias near this camp, and found many Indians sick and in a starving condition. At his request, a few of the women and children came into our camp, and from them he learned that the men had run off to the mountains at the approach of the escort, leaving their families unprovided for. Two bullocks were killed, one for each rancheria, all of which was consumed by the Indians in a very short time, *entrails*, feet, and the hide, with a degree of voraciousness only equalled by hungry animals.

One Indian boy was somewhat familiar with the Tchinkook language, and the agent, through Mr. George Gibbs, endeavored to explain the reason of his presence among them, and his desire to hold a council at the camp in Scott's valley.

Total distance 382 miles.

Camp at Klamath river, October 20, 1851.—R. McKee left camp at 8 o'clock, and at 2 p. m. encamped on the side of a mountain, having marched 9 miles over a rough trail. Several miners are travelling in company with us for protection. A few Indians were seen to-day on a mountain on the north side of the river, apparently watching our movements. Major Wessells still before us.

Total distance 391 miles.

Camp in Scott's valley, October 21, 1851.—Left camp at 7½, and at 4 o'clock encamped in this valley; Major Wessells, of the escort, having reached this valley and encamped last evening, and remained over to-day, so that the agent might overtake him and select a suitable camp in this valley, where the Indians should meet him. Messrs. Kelsey and Woods have proceeded over into Shasta valley. Our route to-day led up the Klamath river to the north of Scott's river; thence up Scott's river to Scott's bar, where a large number of miners have been and are at work; thence crossing Scott's river, and over a high, steep mountain into this valley, (in all 16 miles.) R. McKee delayed for two or three hours at Scott's bar, conversing with the miners, traders, &c., informing them of his desire to settle Indian difficulties in this neighborhood, and of the want of a good interpreter.

Total distance 407 miles.

Camp in Scott's valley, October 22, 1851.—R. McKee despatched two gentlemen this morning to visit two Indian rancherias in this neighborhood, and invite the Indians to visit our camp. They returned and reported that the greater portion of the men were absent in the mountains hunting, but were expected home to-night, and would visit the agent. Messrs. Kelsey and Woods returned also this evening, and report that they visited several Indian villages in the Shasta valley, and found the Indians very fearful of the whites, and afraid that the troops composing the escort were a war party sent against them. Some eight or ten were prevailed upon to come over to our camp, and satisfy themselves of the truth of the agent's pacific desire. These they started with, and left the rest on the way to follow.

Brevet Major Wessells, commanding escort, has informed the agent that he could not remain in this country with his command any longer, but that he must hasten out of the mountains and return to Benicia before the expected rains shall set in; also that it will be necessary for the agent to turn over to him the government property received from the military posts at Benicia and Sonoma, viz: mules, saddles, &c.

R. McKee replied that he felt it his duty to remain at this camp several days, and endeavor to effect an amicable arrangement with the Indians in this part of the State; that if he left him, he would like to retain such of the mules as may be necessary for himself and party, to use upon his return. Major Wessells thought it incumbent on him to keep the oversight and charge of all the mules, but agreed to let him keep six or eight saddles, two tents, and three government rifles, all of which the agent has agreed to return at Benicia, or pay for. This determination of the commander of the escort will leave the agent with a very small party, in the midst of an Indian country; but he considers it his duty to remain, in the hope of meeting the Indians and making such arrangements as shall meet the just expectations of the settlers

and miners on this frontier. It will impose upon him also the necessity of buying several additional mules or horses, and otherwise increase his expenses. The agent thinks he would have no satisfactory excuse to offer to the public in this northern portion of the State, or to the government at Washington, if he should, from fear of rain or any other personal inconvenience, leave the country without at least making an effort to settle existing and expected difficulties in this district. He will therefore, in his own words, "remain in this camp for some days, trusting in Providence for protection and for success" in his endeavors. Mr. T. F. Rowe, an intelligent gentleman, and familiar with this country, visited our camp to-day, at the request of the agent, and will remain with us a day or two.

Camp in Scott's valley, October 23, 1851.—A party of Indians from the two rancherias on Deer creek came into camp this morning. The agent communicated with one of them, familiar with the Tchinook language, or Oregon jargon, through Mr. Gibbs, informing them of the object of his mission, and finally employed four of them to go out as runners and endeavor to bring in all the Indians from the surrounding country. An Indian called "Swill" was promised a horse or mule to go over into Shasta plains, and among the mountains adjacent, in company with a Mr. Lindley Able, a gentleman somewhat familiar with their language. All were instructed to have, if possible, the Indians at this camp on Monday the 27th instant, which they agreed to do. The whole party of Indians were supplied with beef and hard bread. The runners will go out early to-morrow morning. The Indians induced by Messrs. Kelsey and Woods to come over from Shasta plains, and left by them on the way to follow, have not reached our camp. Captain Charles McDermitt and Judge W. T. Smith, together with several other gentlemen, had visited our camp, and at the request of the agent have consented to remain a day or two with us, so that he may have the benefit of their information concerning the Indians of this country. Major H. W. Wessells is preparing to leave this camp to-morrow morning, and the animals received at Benicia and Sonoma, for the agent's use, have been turned over to him, and all the property so received, save the articles mentioned in minutes of 22d instant.

Camp in Scott's valley, October 24, 1851.—Major Wessells left the camp this morning with his command. The Indian runners were despatched in several directions as agreed; the boy "Swill" accompanying Mr. Able over into Shasta valley—both provided with riding-animals by the agent. Messrs. Gibbs, Kelsey, and Woods have been sent out to explore and examine this valley, and adjacent hills and mountains, relative to its adaptation for an Indian reservation. R. McKee prepared and despatched letters to several citizens of Shasta Butte city, and of Scott's Bar, requesting that a delegation of intelligent gentlemen might be sent to this camp to assist him in settling all Indian difficulties. (See copy in letter-book.) The agent has learned from Messrs. McDermitt, &c., many particulars concerning the difficulties in this district, and has conversed freely with them with reference to setting apart a reservation for the Indians of this neighborhood, and for Indians living upon the headwaters of Trinity river, in case they can be induced hereafter to remove to it, so as to combine farming, fishing,

and hunting facilities, and yet not interfere with the land claims of the whites already settled in this valley, and with the miners at work in the gold region, and thus make it the *interest of all* to maintain and support the provisions of any treaty that may be made. All agree that this is a difficult question to arrange, and that it is necessary to sacrifice the private interest of some parties to effect the object of the government. These gentlemen will remain with us another day. A few Indians in camp were supplied with beef for themselves and families. They are generally clothed in the costume of the whites, and carry guns, powder-horns, &c., but are not equal, either in size or appearance, to the Indians on the Klamath and Trinity rivers. No opportunity, as yet, to measure their intelligence.

Camp in Scott's valley, October 25, 1851.—R. McKee rode out with Mr. Kelsey to examine some parts of this valley, relative to its adaptation "for a reserve." Messrs. McDermit, Rowe, Roache, and others have left our camp, but promise the agent to return again on Monday. Some few Indians in camp are supplied with beef.

Camp in Scott's valley, October 26, 1851.—R. McKee rode out with Mr. Kelsey to examine parts of this valley not visited yesterday. Mr. Geo. Gibbs was despatched to Shasta plains to examine that part of the country. A few Indians of the neighborhood, in camp, were supplied with food. Messrs. Roache, McDermit, and Rowe returned to us after dark. Nothing yet from the Indian runners sent out by the agent.

Camp in Scott's valley, October 27, 1851.—This is the day appointed for the Indians in Shasta and Scott's valleys, and on Scott's river, to assemble at this camp. The agent has learned that a party of the Scott's Valley Indians are on the way, but afraid to proceed for fear of some whites at work in the mines. A Mr. Johnstone and an Indian were immediately despatched to meet them, and accompany them to this place. Mr. Leonard Able has returned from Shasta valley, and reports that he visited a camp of Indians within two miles of Shasta Butte city, and sent out Indian runners to other Indian rancherias, to induce the principal men to meet the agent at his camp; that he left Shasta city this morning with some fifty Indians, and, after accompanying them some twenty miles, left them with the boy Swill to bring them here to-morrow. Mr. Able also reports that the Indians are very much scattered, and fearful that some treachery is designed; and that a report is rife among them "that the object of the agent in collecting them is to murder them all at once." The citizens of Shasta Butte city assembled, in compliance with the agent's request, (see copy of letter of 24th instant,) and selected Messrs. W. A. Robertson, John Metcalf, D. H. Lowry, Samuel Fleming, Alva Bowles, and Wm. Martin, as delegates to assist the agent in settling the Indian difficulties. The three first named gentlemen arrived here this morning, and, with the agent, have been engaged all day consulting as to the best course to be pursued to effect the object in view. The citizens of Scott's Bar have also responded to the request of the agent, and Messrs. F. H. McKinney, L. Swan, S. Lewis, B. H. Johnstone, and Theo. F. Rowe were selected as a delegation, and reached this camp at a late hour this evening. The first object is to assemble the Indians; the second is to set apart a

reservation for them; and this is a matter attended with some considerable difficulty, and is at present under consideration. All agree that it is an important matter to restore friendly relations between the whites and Indians, but to accomplish this some individual interests must be sacrificed.

Camp in Scott's valley, October 28, 1851.—Mr. Johnstone returned with a small party of the Scott's Valley Indians. The principal chiefs and headmen of the Shasta Indians have also arrived, and the agent has been engaged holding some preliminary talks with them, also consulting with the delegations from Shasta Butte city and Scott's Bar. The miners, traders, and settlers of this neighborhood, of whom there are in all forty or fifty men, are in camp, partaking of his hospitality.

The Indians are very timid and afraid of the whites, and R. McKee has been endeavoring to assure them of their safety while at the camp, and that it is his desire they should express themselves fully concerning all matters interesting them. A bullock has been butchered for them for food, and some beef also given them for the Indians in the rancherias in this neighborhood.

The agent prepared a despatch to Charles E. Mix, esq., acting Commissioner of Indian Affairs, Washington city, which will be forwarded per first opportunity.

Camp in Scott's valley, October 29, 1851.—R. McKee assembled the representatives from the Shasta and Scott's valleys, and through Messrs. George Gibbs and Lindley Able communicated with the boy Swill, and he direct to the chiefs.

It was ascertained that the I-ka-nuck band, Tso-hor-git-sko chief, Ko-se-tah band, Ash-wo-howik chief, I-do-ka-rai-uke band, I-da-rar-armke chief, representing the Shasta Valley Indians, and the Wat-so-ke-wa band, Arai-tse chief, E-oh band, Ni-nic-a-hok chief, representing the Scott's Valley Indians, were present; also, Messrs. Robertson, Metcalf, Martin, Bowles, Lowry, and Flemming, delegates from Shasta Butte city; Messrs. McKinney, Swan, Lewis, Johnstone, and Rowe, delegates from Scott's Bar; Messrs. Roache and McDermit, from Klamath river, and some thirty or forty of the settlers and miners in this neighborhood.

The agent proceeded to address the chiefs and headmen, and informed them of the existence of a Great Chief or Father at Washington, who governed the whole country, and to whom all, both whites and Indians, were subject. That he had learned of the disturbances existing in this country between whites and Indians, and had sent out to inquire into the cause of these things, into the condition of the red man particularly, and, if possible, arrange all matters so that the whites and Indians can live peaceably together. Anything I may say to you to-day will come straight from the heart, and there shall neither be fork in my tongue nor crook in my path. The troubles here have arisen from the Indians stealing animals and other property, and the whites, in return, shooting the Indians. You complain that the whites come into your country, shoot the game, and destroy the fish in the rivers, and thus jealousies have arisen, and Indians and whites are now afraid to travel alone. All these things must be arranged, or the Indians will be destroyed or driven out of the country. Further, that the Great

Father had sent out to make a proposition to all the Indians in this country for the purchase of their lands; that a section of country should be reserved for them, where they might live, hunt, fish, &c., and not be disturbed by the whites; in which the Great Father may, if he thinks proper, erect a military post to protect them, and give them instructions in letters, agriculture, and the mechanic arts, that they may learn to live like the whites, and not be wholly dependent upon fish and game for food.

The agent dwelt at length upon the advantages of the Indians settling upon a reservation; told them of similar arrangements made with their red brethren in this State, and east of the Rocky mountains, and if they desired an arrangement of this kind should be made for *them*, they must say so—that no force should be employed; but the Indian must make his own selection between living quietly in peace, or in continued warfare.

R. McKee also dwelt at length upon the importance of the different bands of Indians living at peace among themselves, and that all should be at peace with the whites, lest an innocent Indian should be killed for the acts of a guilty and bad Indian. That the desire of the Great Father was to collect the Indians from the upper Trinity and Klamath rivers, and from Shasta and Scott's valleys, and settle them upon one reservation, where they could be taken care of, clothed, and protected. The agent then dismissed them, to consult among themselves as to the policy of living upon a reservation and permitting other Indians to live among them, or in the same section of country. The remarks of the agent were interpreted in full at proper intervals; the Indians making no reply, save an exclamation expressing an understanding of the agent's remarks. Council adjourned.

At 2 p. m. council again convened, same company of Indians and whites present as in the morning. R. McKee expressed his readiness to listen to any remarks either of the chiefs might have to make. Trohor-git-sko, chief from Shasta valley, said that they were all pleased with what they had heard from the agent in the morning. That they would be willing to divide this whole country; give the whites one half, and that the upper Trinity and Klamath Indians might live with them upon the other; that the Indians will be peaceful and good, if the whites will only act in good faith towards them. R. McKee said that if a bargain was made, the Indians must observe it, and the gentlemen here from the different parts of the country would pledge themselves for the whites. Agent inquired why the chief "*Ishack*," from the upper Klamath, was not present? One of the Indians replied that he was afraid to come himself, but had sent his son. Agent then inquired how long it would require to go after this chief, and bring him here? His son said three days. Agent then consulted with the delegations from Shasta and Scott's Bar as to the expediency of delaying this council until the chief *Ishack* could be brought here; and, upon their advice and suggestion, made his son a present of a blanket and despatched him forthwith after his father, first receiving a promise from him that he would bring his father back with him, and providing him with a passport to prevent his being molested by the whites. The chiefs present were then informed that the agent would adjourn this council

until this chief should arrive, and of the importance of his presence; as he was a chief over a large band who were by some considered dangerous Indians; also, that he wished the Indians present to remain at this camp, and they should be supplied with beef and flour—which they agreed to do. Council adjourned.

R. McKee then assembled the members of the delegations to consult and decide upon some suitable selection of country for an Indian reservation; many opinions were advanced relative to different parts of this and Shasta valley, but no conclusion was arrived at. R. McKee then informed the gentlemen that he would make arrangements to despatch Mr. George Gibbs, Benjamin Kelsey, and Sarshall Woods, of his own party, early to-morrow morning, to make a reconnoissance of the whole country, and requested that two or three gentlemen from the delegations might be selected to accompany them.

The party were to be absent from this camp three or four days, charged with the duty of selecting a district of country sufficient to afford farming, hunting, and fishing facilities for the whole Indian population of the Upper Trinity and Klamath rivers and in Shasta and Scott's valleys; and containing also an eligible site for a military post in the immediate neighborhood, of which at least one thousand acres of tillable land can be, if necessary, cultivated by government agents. Messrs. Charles McDermit and Alva Bowles were selected to go out on this service, and assist in selecting a home for the Indians, combining all the above advantages, and interfere as little as may be possible with settlements already made, but so as to connect with the fishing grounds of the Indians on the Klamath or Shasta river. The party will start at an early hour to-morrow morning. At a late hour in the evening, R. McKee assembled the chiefs around a camp-fire, and was engaged for two hours talking in a friendly informal manner; explaining the object of his visit to them, the desire of the government to protect and assist the red men, and endeavoring to gather from them their own views of the most satisfactory course to be pursued towards them. They all appear better satisfied this evening that no harm is intended.

Some fifty or sixty Indians are now here from Shasta valley; an equal number in the neighboring rancherias, and fifty or sixty white men of this vicinity, all partaking of the agent's hospitality. The former eat enormous quantities of beef—about one large ox each day.

Camp in Scott's valley, October 30, 1851.—Messrs. Kelsey, Gibbs, and Woods, of the agent's party—the former a topographical engineer; the two latter experienced mountaineers—and Messrs. McDermit and Bowles, of the Klamath and Shasta delegations, left camp early this morning as arranged yesterday. (See minutes.) The other gentlemen visiting the agent have also departed, and he has been engaged all day holding informal talks with the chiefs here. The Shasta chief, "Ishack," sent for yesterday morning, came into camp late this evening, to whom a blanket and a shirt have been given, and with whom the agent has been engaged for an hour, and assuring him of protection while here. When requested to speak freely, he, the chief, replied; that "he was now upon his own land, and that many of the Indians standing around were *his*, and *he was not afraid* to speak what *he thought*, and *would do it*."

R. McKee then explained the object of the party sent out to examine

the country, and told them he would go over to Shasta Butte city tomorrow to meet them, and see that valley himself; but that the Indians must remain at this camp until he returned, in charge of his secretary, who would provide beef for them in his absence. This they agreed to do, and were dismissed at 10 p. m.

Camp in Scott's valley, October 31, 1851.—R. McKee left camp this morning to visit Shasta city and Shasta valley. The number of Indians has increased within the past day. The chiefs were somewhat alarmed at the departure of the agent, but were quieted by his assurance that he would return after "two sleeps." The usual supply of beef has been given them.

Camp in Scott's valley, November 1, 1851.—R. McKee still absent. Indians beginning to feel anxious to return to their homes, and say they have not as yet prepared their supply of food for the winter.

Camp in Scott's valley, November 2, 1851.—R. McKee absent. Indians still at this camp, but manifesting a desire to return to their homes. A bullock killed for them.

Camp in Scott's valley, November 3, 1851.—R. McKee returned at a late hour last evening, accompanied by Messrs. Gibbs, Kelsey, Woods, McDermit, and Bowles, the committee despatched on the 30th ultimo.

R. McKee reports that, while in Shasta Butte city, he addressed a large meeting of the citizens concerning the Indian relations of the country generally, and of this section of the State particularly, and the desire of the general government to preserve friendly relations with the Indians; as to the progress made at this camp in effecting an amicable arrangement with them; that it was incumbent upon the whites to lend their aid and efforts to assist in settling the difficulties; and that he was happy to receive a committee of citizens of that place at his camp a few days ago; spoke of the party of gentlemen sent out to examine the country, so that he might have full information before selecting a reservation; also that he wished a committee, appointed of intelligent citizens, who would assist in settling all difficulties that may arise between whites and Indians, until the government should have an authorized agent in this section of the country.

The meeting unanimously approved the course the agent has pursued, and appointed a committee of five gentlemen, viz: D. H. Lowry, W. T. Smith, W. Martin, W. A. Robinson, and Alva Bowles, as requested. R. McKee purchased two mules, one horse, and some provisions, while in Shasta Butte city, for the use of self and party.

At an early hour this morning, the agent assembled the chiefs and braves representing the Upper Klamath, Shasta Valley, and Scott's River Indians, and in the presence of the members of the committees from Shasta Butte city and Scott's Bar, and of many other citizens of this country, proceeded to explain, through Gibbs, Abel, and the boy Swill, interpreters, the course they must pursue in future. A draught of a proposed treaty was read, and its provisions and stipulations explained fully; as also the advantages the Indians would derive from living peaceably upon a tract of land provided by the government, and under its protection; also, that he had taken measures to ascertain the most suitable district for their reservation; and when the party set out to examine the country had prepared and submitted their report, he would

determine and tell them about it. The chiefs replied that they were satisfied with the proposed arrangement, and would be good Indians in future if the agent would give them a suitable home, and protection to them in its possession. The agent then informed them that he had understood they had been in the habit of stealing animals and other property from the whites, and that all stolen property must be promptly delivered up, and that immediately, as well as any property in their possession stolen by other Indians. This created a disturbance; two or three of the chiefs disclaimed having any such; another said white men had stolen from them. The agent insisted that all stolen property should be brought in and delivered to the proper owners, lest if a white man should find his property in possession of an Indian he might shoot him. The chiefs said they had traded for many things with both whites and Indians, which were afterwards claimed by whites. The agent replied, that some bad white men would steal and trade property to Indians; and to prevent their being imposed upon hereafter, they must bring all the animals in their possession to a person whom they would appoint, who would take such as have been stolen and deliver them to the owners, upon proper proof, and return any not so claimed and proven, giving them a written voucher of the fact; also, that in future Indians must not buy or trade for any animals, guns, &c., without first coming to the said person to be selected as above, who would, if it was right and proper, see that the Indian received a written certificate of ownership, and thus prevent the whites taking their property. They were dismissed at four o'clock to talk over these things, and assemble again on the morrow. A bullock was killed and distributed, with some flour, among them.

A number of miners and settlers of this neighborhood have come into camp, interested in the reservation question, and are partaking of the agent's hospitality.

R. McKee has been consulting the gentlemen of the committee as to the proper person to be selected to receive the stolen animals should any be brought in; they have advised that his secretary would be the most proper person; that being familiar with the Indian laws, the policy of the government, and being the son of the agent, he would have more influence, both with whites and Indians, than any other man in this country. This has been taken into consideration.

At a late hour this evening, the committee appointed to examine the country with reference to a reservation submitted their report, in substance, "that there were no suitable lands in this country for the object proposed, save in Scott's valley." (See report on file.)

As a reservation set apart in this valley will interfere with several veins of auriferous quartz, and with miners at work on Scott's river and elsewhere, the agent would gladly avoid the responsibility of making such reserve, were it not absolutely necessary to the general pacification of the frontier; the unanimous opinion of this committee, corroborated by his own observation, leaving no other resource.

The question now under consideration is, what portion of Scott's valley and country adjacent, can be selected, that will be a suitable home for the Indians and interfere as little as possible with the improvements made and being made by the settlers? After much con-

sultation the agent concluded to divide the valley, about twelve miles above the camp, giving the lower end, with a specified mountain-range and portion of Scott's and Klamath rivers, to the Indians, and leave the upper end (really the best portion of it) and the whole of Shasta valley for settlement by the whites—reserving, however, the use and occupancy of their improvements to the settlers for a reasonable period; and also the right of the whites to dig and wash the earth for gold in Scott's river, near its mouth, during one or two years. The agent directed Mr. Gibbs to prepare a plat and description of the reservation, to be left with the temporary agent for the information of the whites and Indians. The chiefs were given, at the close of the evening council, each a bundle of broken twigs or sticks, and told to enumerate the number of rancherias or villages under their respective control or authority.

Camp in Scott's valley, November 4, 1851.—Council met at an early hour this morning. Present, the agent; Gibbs, Able, and Swill, interpreters; Messrs. McDermit, Bowles, Swan, Smith, Fleming, Fulton, Lewis, Kelsey, Woods, and many other gentlemen from Shasta Butte city, Scott's Bar, &c., on the part of the whites.

Indians: Ishack and braves, of the Upper Klamath Indians; Too-hor-git, Ada-war-how-it, Ida-kar-e-waka-ha, and braves, of the Shasta Valley Indians; Ar-rots-a-cho-i-ca, Am-no-nick-a-hok, and braves, of the Scott's Valley Indians.

R. McKee proceeded to explain again a draught of the proposed treaty; a plat of the reservation determined upon was shown to them and also explained. The chiefs and braves were told they must settle permanently upon it within two years, or sooner, if required; that they might do so at once if they wished, but that the whites now working on the river must have two years to exhaust their mining claims, and the farmers, or ranche owners, until the first day of June, 1852, to remove their property from the reservation. The chiefs expressed themselves satisfied with the district of country to be given them. The Shasta Valley chiefs said they would remove to it in *one moon*, which the agent assented to, but explained to them that the treaty must be approved at Washington before they could realize any of its benefits, except the right to live upon their own land.

The necessity for them to deliver up all stolen animals was again referred to. The chiefs said that they would bring into this valley, within two moons or sixty days, all the animals in their possession, to be examined by the person appointed by the agent. Any stolen animals to be given to the proper owner, upon proper proof—the rest returned to the Indians. When questioned as to their willingness to unite in a bargain or treaty, to contain the stipulations explained to them, they all expressed their entire willingness to unite in it. The chiefs then produced a bundle of twigs enumerating the number of villages or rancherias claimed to be under their authority. The secretary proceeded to enumerate them, and found twenty-four villages as the number of the Upper Klamath Indian villages, nineteen the number of the Shasta Valley Indian villages, and seven as the number in Scott's valley.

They were then dismissed, to assemble again at three o'clock, by which time the proposed treaty could be prepared in duplicate.

R. McKee, consulting with several white men familiar with the above Indians, and upon their advice, estimated the average number of souls in the rancherias referred to at sixty, all told; 50 villages, at 60 = 3,000 Indians represented at the council, and to receive the benefits of this treaty. This was considered by all of the gentlemen as a safe estimate. Then estimating the Indians living upon the Upper Trinity at 1,000 souls; making 4,000 Indians the agent is desirous of ultimately settling upon the reservation.

Some of the gentlemen present estimated the whole number of Indians to equal 5,000, but the agent wishes to make an estimate rather less than over the actual number. At three o'clock duplicate copies of the treaty were prepared, and the chiefs and braves assembled with their several tribes; present, also, the same number of gentlemen as at the morning session. One copy of the treaty was handed to Judge W. T. Smith to examine, while the secretary read aloud the other, which was again explained, then signed formally by the agent, then by the chiefs and braves, and witnessed by the secretary, interpreters, and a number of other gentlemen.

R. McKee then told the chiefs, &c., that he would leave his secretary (and son) in the valley this winter to receive the stolen animals to be delivered up, and deliver them to the proper owners; assist the Indians in making a selection for their new homes, as they removed, and to advise with and assist them, having a general oversight of them all. That if any difficulty arose in this neighborhood they must go to him, and he would inquire into the matter for them; and that when the animals were brought to him, they should receive a little beef and flour, to be left for them. This they all appeared much pleased with, and promised the secretary their friendship and protection, and requested that the copy of the treaty intended for them should be left with *him*.

Presents of blankets, shirts, handkerchiefs, shawls, beads, files, axes, hats, scarfs, &c., &c., were then distributed among all the Indians present, as an evidence of the good will of the President. Another bullock was ordered to be killed for them, a sack of flour divided among them, and they were all dismissed, in excellent good humor, at six o'clock.

The gentlemen present all expressed their gratification at the conclusion, and their belief that the Indians fully understood the stipulations of the treaty, and will observe them.

"So mote it be."

Camp in Scott's valley, November 5, 1851.—R. McKee has been engaged trading worn-out and poor animals for fresh ones, settling with Indian interpreters and runners, and conversing with miners and ranche owners, from whom he has received several statements relative to their various claims of auriferous quartz, and to their improvements made on the ranches. To the Indian boy Swill, who has been very active and zealous in assembling and interpreting to the Indians, the agent has given a horse—which has not recovered from the fatigue of the trip up the Klamath sufficiently to return—a pair of blankets, and sundry small presents, with the understanding that he is to assist the secretary

in interpreting for him when the stolen animals are brought to him, and at all other times to render him any assistance in his power. To Lindsley Able, interpreter, \$10 per day has been paid—no one working in this part of the State for less than that amount per day. The agent has determined to leave eight head of cattle and twenty sacks of flour with his secretary, for the benefit of any Indians actually settling upon the reservation this winter. The commissary has been ordered to turn over the small quantity of Indian goods yet remaining, to Mr. John McKee, for the benefit of said Indians; and general preparations are being made for breaking camp and commencing the march down the Klamath river to the coast, upon to-morrow morning.

JOHN MCKEE, *Secretary.*

Thursday, November 6, 1851.—Struck our camp at 1 o'clock p. m. to-day, and commenced the march for the coast by the same trail we came over from Durkee's ferry. Camped a little after dark half a mile above the bridge, over Scott's river. The weather to-day has been cloudy, and considerable rain fell during the night. Distance to-day about nine miles.

Friday, November 7, 1851.—Resumed our march at 7½ o'clock this morning. At nine passed through the village of Scott's Bar. Obtained some articles of provision for the party, consisting, now, of six persons, viz: the agent, R. McKee; interpreter, George Gibbs; commissary, W. McDonald; packers, John N. C. Moore, Thomas Monroe; cook, Robert Foster.

During the day conversed with several parties of miners, all of whom expressed their gratification with the treaty made on the 4th instant, and particularly with the provision allowing the miners *two* years to work out their claims.

About 5 p. m. encamped at the Indian ferry over the Klamath; distance to-day 18 miles. Weather cloudy, and threatening rain, which fell heavily from about midnight. Just above this camp the old chief *Ishack*, and his son, who accompanied us from Scott's valley, took their leave; Co-de-sow, So-ho, I-a-qua, &c.

Saturday, November 8, 1851.—Having swam our animals over the river last night to obtain better grass, we crossed the river this morning, with our luggage, in canoes, amid a pelting storm of rain. By half-past nine commenced our toilsome and dangerous march along the sides of the mountain, bordering the rapid Klamath. Travelled the whole day in the rain and mud, and at sundown reached Mr. Roache's "Happy Camp," at the place known as Murderer's bar, at the mouth of Indian creek. Distance seventeen or eighteen miles. Rain continued to fall all night.

Sabbath, November 9, 1851.—Weather this morning cloudy and showery, but promises to clear up at noon; shall lie over to-day, giving men and animals rest, and to let the roads dry a litte.

Monday, November 10, 1851.—Left "Happy Camp" at 9 this morning. At 12 passed Wingate's trading-post; and a little after dark made camp on the side of a mountain about a mile from the upper Indian ferry. Distance to-day about twenty miles.

Tuesday, November 11, 1851.—Left camp at 8 o'clock, and at 9

crossed to the east side of the Klamath at an Indian rancheria, swimming our animals—no accident; and at 10 o'clock, again under way Reached the lower crossing at 4½. Camped with a train of Captain McMahan, twelve days out from Trinidad. Distance about 18 miles.

Wednesday, November 12, 1851.—Detained some time this morning getting our mules from the mountain, and crossing our goods over in canoes: swimming the mules over, they became alarmed, and two were drowned. This to us is a serious loss. Two of our party will have to walk from this to Durkee's, if not to Uniontown, on the bay. Started at 10 o'clock, and reached our old camp "Coratem," near the mouth of Salmon river, at 4. Distance to-day eight miles.

Thursday, November 13, 1851.—Mr. Gibbs and myself took a canoe and three Indians this morning and descended the river, passing many dangerous ripples or rapids, and at 4 o'clock reached Durkee's ferry, mouth of Trinity river; distance by water, say 30 miles. Mr. McDonald, with the train, coming round by the mountain trail, will arrive to-morrow.

Friday, November 14, 1851.—Many Indians came to see me to-day, and expressed themselves well pleased; glad to see the "Waga-mow-im-mu" again. One dozen only of their axes have yet arrived, but the other three dozen expected soon; with those they have, they have rebuilt twelve or fifteen of their houses, which make quite a village. They all say Mr. Durkee treats them kindly, and that he is "sco-ya," (good.) They are looking forward to their permanent settlement on their own lands. Since the treaty on the 6th October, the frontier has been quiet, and no thefts or murders have occurred in this quarter. Mr. McDonald, with the train, arrived at 2 p. m.—all well. Shall rest here till to-morrow, and perhaps till Monday, to allow the roads to dry.

Saturday, November 15, 1851.—Weather cloudy and threatening a storm. Purchased to-day of Ellsworth & Whitmore three hundred pounds of flour for the Indians at the south fork of Salmon river, who are scarce of provisions, and rather dissatisfied. As the flour is designed for this purpose, they sold it to me for \$20 per 100 pounds, which is \$10 below the market.

Sunday, November 16, 1851.—Rain falling all day; remained in camp.

Monday, November 17, 1851.—Storm continued; rain in the valleys; snow on the mountains; no travelling to-day; river rising rapidly.

Tuesday, November 18, 1851.—Weather clearing up at noon, concluded to start, and make a short march to Bloody camp, three miles, but, after packing up, found the river too high to be crossed with safety; must remain here another night.

Wednesday, November 19, 1851.—The rain has ceased, and the river within its banks again. I intended to make an early start this morning, but three of our mules strayed off to a lake on the mountain, and it was 12 o'clock before they were found. Crossed the ferry and commenced the ascent of the mountain at 1 p. m. At 4½ reached "French Camp," on one of the "Bald hills," and the highest on the route. Weather cold and threatening rain. Snow plainly visible on all the mountains to the east and north. Distance to-day ten miles.

Thursday, November 20, 1851.—Heavy rain commenced falling in the night, and before daylight all hands were a-foot, bedding and camp being thoroughly saturated. Rain, sleet, and snow continued falling

throughout the whole day, rendering travelling extremely tedious and laborious to both men and animals. About 4½ o'clock made camp on the mountain, after crossing Redwood river, which nearly swam our mules; built three large fires round a circle, and by 10 p. m. got our bedding and clothes dried, preparatory to a much needed night's repose. Two young chiefs from the Trinity and Klamath, *Wak-ka-gra* and *War-ras*, are going with me to see the bay of Humboldt, &c. Distance to-day 17 or 18 miles.

Friday, November 21, 1851.—Left camp this morning soon after sunrise; crossed south fork of Mad river at 10 o'clock, and the main stream at 1 p. m.; crossing difficult and dangerous, but got over safe, except the wetting of our baggage. At 4½ o'clock reached *Union*, on Humboldt bay, and happy to find that the steamer *Sea Gull* has not yet passed up, but is hourly expected; shall here pay off my remaining hands, except Mr. Gibbs and Mr. McDonald, (who are to be discharged at San Francisco,) and sell the mules and their packing apparatus. Weather to-day is clear and pleasant, but the roads, especially since crossing Mad river, extremely muddy and difficult. Engaged board at *Mr. Roberts's*, and lodging at *Jacobi's*.

San Francisco, December 29, 1851.—After waiting some seventeen days at Humboldt bay for a vessel of some sort to convey us to San Francisco, we finally took passage on the steam-propeller *Sea Gull*, bound to Portland, Oregon. At that place we shipped on the regular mail-steamer *Columbia*, Captain *Le Roy*, and finally, after a very boisterous passage, arrived here last evening; thus terminating a journey of constant exposure and great labor, requiring nearly five months; but which in its results will, I hope, promote the interest of the Indian tribes visited, the peace and prosperity of the State, and tend to carry out the benevolent policy of our government.

REDICK McKEE.

CAMP NEAR MOONE'S RANCHE, SACRAMENTO RIVER,
September 2, 1851.

SIR: I am in receipt of communications from the department, of June 27, 1851, with enclosed copy of letters sent to R. McKee, July 9, acknowledging the receipt of one from myself of 28th February, with treaty, with instructions relative to diagrams of the reservations and amount required in fulfilling treaty stipulations, all of which will be duly attended to at the first opportune moment.

I have likewise received an order and accompanying draft from the Treasury Department, for *two thousand five hundred dollars*, for arrearage of compensation, pay of interpreters, and incidental expenses.

I expect to complete the preliminary of the great work of pacifying and providing for the Indians within the section of country assigned to me within this present month, having made preliminary arrangements for meeting them at the remaining points.

Respectfully, your obedient servant,

O. M. WOZENCRAFT,
United States Indian Agent, California.

Hon. LUKE LEA,
Commissioner Indian Affairs, Washington, D. C.

CAMP AT BIG BEND OF EEL RIVER,
Twelve miles southeast of Humboldt, September 12, 1851.

SIR: My last letter was dated San Francisco, July 29, to which referring, I have now the honor to report that on the 8th ult. I joined my escort of thirty-six mounted men, under command of Brevet Major H. W. Wessells, at Sonoma, and on the morning of the 11th commenced our march for Humboldt bay. As our route would be mainly through an uninhabited and almost unexplored region, we started with thirty days' rations on pack-mules, with a drove of one hundred and sixty head of cattle close in our rear. The cattle were sent along by General Estelle, of Vallejo, with the understanding that the escort party and my own should pay for the number used at the current rates of the country, leaving his agent to dispose of those remaining to the miners on the Klamath.

Owing to the want of funds in the quartermaster's department, I was forced to employ men to manage my own pack-train, whose wages, say \$80 or \$100 per month, the rates paid by Major Wessells, will add largely to my expenses. The mules required, except a few riding-animals which I had to purchase, were, with thirty days' rations for twelve men, furnished by the department at Benicia. Our estimates were quite low enough, for by the 9th inst., when we reached the first white settlement on this river, (four weeks and one day out,) our supplies were pretty well exhausted. Our caravan consisted of some seventy men, one hundred and forty horses and mules, and one hundred and sixty head of cattle. Of course, reference to grass and water was of the first importance in selecting our camps. The general course from Sonoma to this place is northwest, and the distance not far from two hundred and fifty miles. The first seventy or eighty miles, up the valleys of Sonoma creek and Russian river, were accomplished with but little comparative difficulty; but from the time we left Russian river at its source, and commenced crossing what our guide (Mr. Thos. Seabring) called the divide between Russian and Eel rivers, we had, for about one hundred miles, a succession of hills, mountains, gulches, gorges, and cañons, such as are not to be found east of the Rocky mountains, and but seldom even in California and Oregon. I am happy to say, however, we accomplished the journey with unexpected safety. Our men are all in health, and we have lost but one horse, three or four mules, and six or eight head of cattle. The former broke down; the latter strayed off, and were probably stolen by the Indians.

At Sonoma I was fortunate in securing the services of George Gibbs, formerly of New York, and recently attached to the Indian commission in Oregon. He is acquainted with the Tchinnook (Chinook) language, and the *jargon* spoken by all the tribes on the borders of Oregon and California. He is, moreover, a practical topographical engineer; has kept a journal of our entire route, and will furnish me, I hope, in time for my final report, a correct map and reconnaissance of the trail from Sonoma, showing the exact position of all the important rivers, lakes, mountains and valleys, together with a synopsis of the various dialects of the tribes we have met. In selecting reservations, with a view to collect and colonize the remnants of tribes scattered in

all directions over this coast and among these mountains, it is important that close attention be paid to similarity of language, customs, &c.

On this journey, as elsewhere in California, I have found the Indian population almost universally *overrated* as to numbers, and *underrated* as to intelligence and capacity for improvement. From information at Benicia, Sonoma, &c., I was led to expect that I should find some 2,000 to 3,000 Indians on Russian river, at least 3,000 on Clear lake, and 2,500 or 3,000 on Eel river. After passing through their country and *counting every soul* in some half dozen rancherias, to test the accuracy of their own estimates, as well as those of the whites, I make the actual number less than one-half (generally about two-fifths) of the number usually estimated by the settlers below:

1. In the valleys of Sonoma and Russian river there may be in all, say	1,200
2. On Clear lake and the mountains adjacent.....	1,000
3. In the two first valleys of the south fork of Eel river, with language and customs similar to the above, and who should be colonized with them, from 1,000 to 1,100—say	1,100
4. On the coast, from the old Russian settlement at Fort Ross down to San Francisco, and around the bay by St. Raphael, Petaloma, &c.	500
5. On the mountains and valleys of Eel river, south, middle, and Vandusen's forks, and about its mouth, say.....	500
6. From the mouth of Eel river south, on ——— river, Cape Mendocino, &c., to Fort Ross, say	400
7. On Humboldt bay and north to Mad river, a mile or so above the head of the bay.....	300
Total	5,000

Having as yet visited but one or two rancherias on the coast, I do not offer the above estimate with much confidence, though I think it approximates the truth, while it is only about one-third or one-fourth of the number generally estimated by the old settlers. For many years past the Indian population has been rapidly diminishing by diseases introduced by the whites, internal dissensions, and in some cases by want of food. At Humboldt bay, and at other places on the coast, where they depend almost wholly on fish, crabs, &c., many sicken and die every winter; and if the benevolent designs of our government for their preservation and improvement are not speedily set in operation and vigorously prosecuted, the Indians now wearing out a miserable existence along the coast *will all die off*. Back on the rivers and mountains, the Indians are generally a hale, vigorous-looking people, though of small stature. They are all docile in their habits, and evince a great desire to learn our language and the arts of agriculture. With proper instruction and assistance for a few years, I have entire confidence in their reclamation from ignorance and idleness, and heathenism, and their ability to maintain themselves and families.

On Russian river, near Felix rancho, while our runners were out collecting the Indians for a grand *pow-wow*, I took a few men for an

escort, with five or six pack-mules, to carry provisions, blankets, &c., for presents, and crossed the mountains into the valley of Clear lake. We found a blind trail and the route very difficult—distance from fifteen to eighteen miles. The eight tribes who claim the valley and lake were apprized of our approach, and their chiefs and headmen came promptly to our camp to hear what the *great chief* at Washington had to propose. They said some white men had been there and made treaties with them, but did not live up to them, and they are now satisfied they were not *big chiefs*. After a number of interviews and explanations, which my secretary's journal will give you more fully, we finally concluded a treaty on the 20th August, which, if approved and promptly carried out by the Indian department, will, I am in hopes, quiet the Indians in that quarter, and secure the safety of the white settlements in the neighboring valleys of Nappa, Russian river, &c.

I am very glad now that I took the lake in my route, as the Indians were in a very unsettled, unsatisfactory condition, and doubtless meditating revenge and reprisals on the whites in the settlements, against whom, as well as the military who went out against them last year, they make loud complaints. That they have suffered severely by the war, and also by disease induced by their privations, I have no doubt. After much reflection, personal examination, and consultation with Major Wessells, of the escort, and with General Estelle, of the State militia, who kindly accompanied me to the lake, I concluded to reserve and set apart *the whole valley*, and, if practicable, induce the entire Indian population scattered along the coast, with those on Russian river and the headwaters of Eel river, to remove and colonize there. I do not think another location so completely isolated, and in every respect so desirable for the settlement and improvement of 3,000 or 4,000 Indians, can be found in the State. The valley has at present no white inhabitants, and there are no claimants to any part of it except Don Salvadore Vallejo, of Sonoma, who is said to hold a grazing or ranching privilege from the Mexican government on some sixteen leagues in that quarter. Generally this grant is considered of no validity or value whatever; and that he has but little confidence in it *himself*, is plain from the fact of his offering to sell his interest in it for some \$5,000 or \$6,000. If it should ever become desirable to quiet his claim, which I think altogether improbable, the government can well afford to do it, as it will obtain for the white settlers a far more desirable country on Russian river, now in possession of the Indians.

With the general plan proposed the Indians on the lake were well satisfied, and several of their principal chiefs returned with me to Russian river, and rendered important aid in negotiating a treaty with four of the largest bands on that river.

Copies of both these treaties will be forwarded for your examination at an early day, as soon as my secretary can find some better accommodation for writing than on his knee in the open air, or with the light afforded by a camp-fire. I will here add that the tribes just treated with are to remove to the lake within one year, or as soon as the necessary arrangements are made by your department. It will be of the utmost importance to the peace and security of this State that full and liberal provision be made by the ensuing Congress for carrying out

these California treaties as early in the coming year as may be at all practicable.

Finding it impossible to visit, on this journey, many of the smaller tribes or bands scattered among the mountains of the coast range, or on the coast south of Humboldt, and that it was quite necessary that some one or two white men should be selected to advise and protect, if necessary, the Indians treated with in my absence and until resident sub-agents are appointed, I arranged with General Estelle, of Vallejo, and Mr. Geo. Parker Armstrong, of Russian river, to attend to these matters, and particularly to the delivery and proper distribution of the beef and flour stipulated to be furnished the present fall and ensuing winter. The beef (one hundred head for each treaty) I got from General Estelle; the flour (one thousand pounds for each treaty) from Messrs. Morehead, Waddington & Co., San Francisco; both to be paid for after Congress shall have made the necessary appropriations. This arrangement I consider highly fortunate for the country, and exceedingly liberal on the part of the gentlemen named, especially when it is considered that both articles are to be furnished at the lowest cash prices at the time of delivery. Mr. Armstrong, besides visiting the lake occasionally, will, in the present month, visit all the Indians in the coast range and on the coast, not already treated with, ascertain their numbers, and arrange with their chiefs to meet me at some convenient point in the Sonoma or Russian River valleys, at some time during the present fall or ensuing spring, as I may find possible after the present expedition; meantime, he is to report the facts to me at San Francisco by the 1st November. After leaving Mr. Armstrong's ranche, the last settlement on the trail, travelling over some stupendous mountains, we descended into the first valley on the south fork of Eel river, near its source, and found in a little valley, called by the Indians Be-tum-ki, five small tribes, viz:

Tribes.	Principal chiefs.	Men.	Women.	Children.	Total.
Na-boh.....	Car-lots-a-po.....	30.....	26.....	19.....	75
Chou-e-chuck.....	Chi-di-choy.....	25.....	25.....	27.....	77
Chor-ti-u.....	Mis-a-lah.....	34.....	42.....	13.....	89
Ba-cow-a.....	Tu-wa-nah.....	23.....	29.....	28.....	80
Sa-mun-da.....	Cash-e-nah.....	15.....	25.....	19.....	59

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One or two other small parties were absent across a mountain, and could not be seen. In all, this valley may contain 450 or 475. We remained two days in this valley, and supplied them liberally with beef and hard bread, and as many blankets, shirts, &c., as our small stock would afford. About twenty miles further on the trail, after crossing another ridge of mountains, we descended again to the river, and in a valley called Ba-tim-da-ki-a found another Indian settlement; they were of the same general stock or family of Indians, but spoke a somewhat different lingo or dialect, and we had more difficulty in getting them to understand our objects; many of them had never seen a white man, a horse, or a gun, before, and were consequently extremely

timid and fearful. They had two principal chiefs, Lum-ka and Com-a-cho-ka, and their rancherias were reported to contain 153 men, 200 women, and 144 children=497. One or two other small parties did not come in, and may increase the total number in this valley to 600 souls. We remained here one day, killed for them one or two beeves, and made them sundry presents, with which they appeared much pleased, and promised to treat kindly all white men who may hereafter pass through their country. The Indians in both these valleys should, I think, be removed to the Clear lake. They will be invited to meet me for consultation, on Russian river, when Mr. Armstrong shall have arranged the time and place. I gave them certificates in writing of their good conduct to us, and commending them to the protection of the whites passing through their country. These were the last Indians we could communicate with, though we saw several other small parties on the mountains and after we again descended to the river. All we met after Ba-tim-da-kia speak a different *lingo*, and are supposed to belong to the general family, who live below them on this river. On our arrival here I visited Humboldt to obtain some supplies, and, if possible, interpreters, to open a communication with the tribes in our neighborhood. In the latter I was unsuccessful, the only two men who understood their language being absent in the mines on Trinity river, some 80 or 100 miles distant. Through a Mr. Robinson, who resides near, and his squaw wife, I have been able to get a number of Indians to visit our camp, to whom we have made presents. At present the Indians here and at Humboldt bay are quiet and peaceable, express a desire to work for the settlers, eat their food, and learn their arts; all which is desirable, and it is a matter of much regret that we cannot, for want of interpreters, conclude a formal treaty with them. This, from the necessity of the case, will have to be postponed till some future time. In the mean time I shall make them some more presents, as soon as the messenger sent for the goods to Port Trinidad, about forty miles, returns; and set off a reservation of land for them, at or near the mouth of this river, which is some twelve or fourteen miles by the channel below our camp, and by the coast fifteen or sixteen miles south from Humboldt. This appears to be necessary at the present time, to avoid difficulties hereafter with our own people, who are moving into and settling upon claims in this fertile and beautiful valley every day. Here the lands are exceedingly rich, well watered, convenient to timber, and irrigation *wholly unnecessary*. Such advantages will insure to this vicinity a speedy settlement. It has been suggested to me by Mr. Dupern, (formerly of Norfolk, Virginia) now a merchant in Humboldt, and others, that no more effectual way to benefit these Indians could be devised than to leave for their use two or three pairs of good work-oxen, to break up a few acres of land, to be planted for them in potatoes and other vegetables, and thus at once give them some idea of the advantages of cultivating the soil. I have the matter under advisement, and may adopt the suggestion, if some of the gentlemen in the neighborhood will volunteer their services and see the plan carried out. The general character of the soil on this river, and the mountains also, even to their summits, is that of exceeding fertility. On the very tops of the mountains, many thousand feet above the ocean, we found grass of

the finest kind in great abundance, interspersed with groves of the most magnificent timber. We encamped a few nights since under a redwood, fifty-five feet in circumference six feet from the ground, and between two hundred and three hundred feet high. I measured another, which had been—— at the roots, and blown down, three hundred and twenty-five feet in length. Another gentleman of our party found a tree eighty-seven feet in girth four feet from the ground. The river *here* is affected by the tide, and may be navigated by very small boats as high as the junction of the south and middle forks, say forty or fifty miles. Here and there it affords fine wide prairie bottoms, but in general the bottoms are heavily timbered with redwood, maple, and alder. The climate being very fine and uniform, I anticipate that all the good land will very soon be appropriated by actual settlers.

I expect to remain here till the 15th instant, to recruit our animals, and then resume our march for the Klamath *via* Humboldt, Eureka, Union, and Port Trinidad. We have still a long journey before us and many Indians to visit, and, if possible, conciliate. Since leaving Sonoma we have had five or six days of wet weather, from which some conclude that the rainy season will this year set in *early*. If it should, our operations will be necessarily suspended. My escort will probably take up winter quarters, and I shall be forced to disband my party and return by the coast to San Francisco. I indulge the hope, if the rains do not set in till the usual time—say, first part of November—that I can keep the field and yet accomplish much, if not all the work before me, in this northern part of the State. All agree as to the importance of the undertaking, and, personally, I am anxious to avoid the labor and expense of another expedition.

I am, very respectfully, your most obedient servant,

REDICK MCKEE.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

P. S.—*September 14.*—Since writing the above my express has returned from Port Trinidad and brought to hand acting Commissioner Mix's letters of the 26th and 27th June, the contents of which shall have due attention, wherein not already anticipated and acted on. Before leaving San Francisco I left with Th. Butler King, jr., (son of Colonel King, the collector,) a power of attorney to open my official letters; endorse any drafts enclosed by order of or from your department; refund to the collector \$6,000 advanced by him, as previously advised; and deposite the remainder to my credit with Messrs. Tallant & Wilde, bankers, in that city. I have a letter also from Mr. King, stating that he had endorsed two checks from J. Sloan, esq., Treasurer United States, for \$2,000 and \$25,000—\$27,000—and applied the money in accordance with my directions. I take it for granted the sum of \$2,500 referred to in your letter of 24th June, has been transmitted, in separate checks, to each of my colleagues—G. W. Barbour and O. M. Wozencraft—which, added to the amount advanced to them by myself, will render a further remittance to them, at present, unnecessary. Please send the enclosed acknowledgment of the above checks to Mr. Treasurer Sloan. Address me, as heretofore, to the

care of the collector at San Francisco. I send this to be mailed at that city by return of our guide, Mr. Seabring. We shall resume our march to-morrow.

Very respectfully, your most obedient servant,

REDICK MCKEE.

SAN FRANCISCO, CALIFORNIA,

September 30, 1851.

SIR: Since my last communication, addressed to the department under date of 7th ultimo, my time has been entirely occupied in the pursuance of my duties, which have been rendered more than ordinarily arduous in consequence of three several attacks of fever incidental to the region of country in which I have been travelling.

I am now, however, convalescing, and cherish the hope that I shall soon be enabled to furnish you with a full statement of my operations.

I have succeeded since the period above referred to in negotiating three treaties, originals of which are herewith enclosed, accompanied by the estimates required in fulfilling the treaty stipulations since my separation with the joint board, as also my quarterly return of disbursements, and the amount due for beef cattle purchased during the treaty negotiations.

A map of the country, showing the lands allotted the Indians, will be made up and forwarded at the earliest possible opportunity. You will notice that since the early part of May, when my duties (within the district allotted me) commenced, I have traversed the entire portion of country, with the exception of that on the eastern side of the Sierra Nevada, visited all the accessible tribes, negotiated with eighty-one bands of Indians, (all under separate organization, and speaking upwards of twelve different languages,) and have effected six treaties, the last of which, you will perceive, was made in El Dorado county.

I would here refer you to a communication addressed by me from this county, in which, after mentioning some of the very numerous difficulties I experienced in attempting to consummate a treaty at that time, I expressed myself confident that the arrangements made by me would prove successful eventually. This policy has thus far succeeded, many of the hostile Indians having come in, and their hostile measures towards the whites entirely ceased, which happy end has been obtained by a friendly talk, and the distribution of a few head of beef cattle.

I would here take occasion to remark, that this was effected after the State troops had been withdrawn, they having failed to subdue the Indians, as was anticipated, after incurring an expense more (I venture to assert) than the amount specified in all the treaty stipulations for my district. These are facts which perhaps ought not to be commented on by myself. My motive in speaking of them is to crave your earnest and careful attention to the subject, that the policy which has been so successful in its incipiency may not be destroyed in its fruition. Thus you will perceive the preliminaries of a great work have been begun and accomplished, the consummation of which is *within reach*, and will result in peace and quiet to the people, and permanent security of life

and property. The resources of a vast extent of country will be developed; its aborigines will become useful husbandmen—and this at an expense to the government much smaller than would be incurred in taking life. I am confident in the belief that all of this can be effected by pursuing the policy I have thus far suggested and carried out.

The reservations named in the six treaties are all on the eastern side of the San Joaquin and Sacramento rivers, and within the foot-hills, with one exception, viz: the one at Colusa, where it is impossible at present to induce the Indians embraced in that reservation to move from.

Should the suggestions advanced in my last communication be adopted by the department, there would be no necessity for the removal of those Indians, as they would be advantageously located where they now are.

It will be necessary to make another reservation *west* of the "Sierra Nevada," the preliminary arrangements for which are now in progress. Its location, as indicated on the map, will be situated on the eastern side of the coast range, in latitude 40°, longitude 123°.

It is difficult at present, if not entirely impracticable, to form a correct estimate of the number of Indians that will come into these reservations; the number represented in each treaty is but a small proportion of those that may confidently be calculated upon as certainly to be brought in, in proof of which there has been an addition of twelve tribes in the Chico treaty since its negotiation; and I expect to increase the number still greater, which will be the case in all of them. It would be a safe maximum estimate to calculate the entire number of Indians to be included in the six treaties at seventy-five or eighty thousand.

You will perceive, in looking over the estimates of expenditures, that your original instructions in relation to economy have been most rigorously adhered to by me; and it is a subject I may with justice take some degree of pride in, knowing that I have accomplished so much with so small an expenditure of money, at the same time with a saving to the government of an incalculable amount.

There are many accounts yet unsettled—a matter of much regret to myself, and serious inconvenience to those to whom they are due. The last appropriation of \$25,000, it is true, has come to hand, but has been placed on deposit to the individual credit of R. McKee, esq., who is now absent, having left authority to turn over to me \$1,500, which small amount has been entirely absorbed, leaving me without the means of paying the salary of my secretary, much to my mortification, he having been with me during my entire campaign, and the services rendered me are beyond the computation of dollars and cents.

I am, most respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent, M. D. C.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

Statement of beef cattle furnished by direction of O. M. Wozencraft, United States Indian agent, for the use of the Indians during the negotiations of the several treaties, since May 28, 1851.

Date.	Where placed.	No. of cattle.	No. of calves.	Average weight.	Aggregate weight.	Rate.	Amount.	Remarks.
1851.				<i>Pounds.</i>	<i>Pounds.</i>	<i>Per pound.</i>		
July 12	Cosumnes Fork	64	575	36,800	\$0 20	\$7,360 00	To be paid for out of the appropriation by Congress during the coming session, drafts having been given on the department, to be paid in this city.
22	Camp Union	64	.....	575	36,800	20	7,360 00
22	Cosumnes Fork	49	.....	525	27,725	20	5,145 00
29	do	27	.....	550	14,850	20	2,970 00
August 14	Reading's Rancho	132	.....	450	59,400	20	11,880 00
17	Camp Union	50	.....	550	27,500	20	5,500 00
26	do	27	.....	500	13,500	20	2,700 00
26	Reading's Rancho .....	.....	8	150	1,200	20	240 00
14	Bidwell's Rancho	75	.....	550	41,250	.....	8,250 00
Sept. 2	Camp Cohes	29	.....	425	} 13,525	.....	2,705 00
2	do .....	.....	8	150			
9	St. John's Rancho	53	.....	500	} 27,250	.....	5,450 00
9	do .....	.....	5	150			
16	Norris's Rancho	5	.....	500	2,500	.....	500 00
	Total cost	60,060 00	

In this statement is not included a claim of Samuel Norris, esq., for four hundred and ninety-four dollars (\$494) for work-oxen killed at Pleasant valley by Major Graham, for the use of the Indians who had assembled at that point previous to the arrival of the commissioner, O. M. Wozencraft. I have also contracted to pay one thousand dollars (\$1,000) to each reservation for taking charge of the beef cattle and stock placed thereon.

O. M. WOZENCRAFT, U. S. Indian Agent, M. D. C.

Estimate of amount required to fulfil the stipulations contained in the respective treaties made by O. M. Wozencraft, United States Indian agent for the middle district of California, from May 28 to September 18, 1851.

Date of treaties.	Where to be furnished.	In what time.	Amount.	Remarks.
May 28, 1851....	Dent & Mantine's.....	During the space of two years.....	\$49,985 00	The cattle and beef are estimated at cash prices in California. The clothing, agricultural implements, &c., at the cash prices in the Atlantic States.
July 18, 1851....	Camp Union.....	.....do.....do.....	75,650 00
Aug. 1, 1851....	Chico Creek.....	.....do.....do.....	31,450 00
Aug. 16, 1851....	Cotton Wood.....	.....do.....do.....	75,650 00
	St. John's Rancho.....	.....do.....do.....	37,750 00
Sept. 18, 1851....	Cosumnes Fork.....	.....do.....do.....	75,650 00
			346,135 00	

O. M. WOZENCRAFT, U. S. Indian Agent, M. D. C.

CAMP AT DURKEE'S FERRY, ON THE KLAMATH,
Near the junction of the Trinity, October 3, 1851.

SIR: My last despatch to your department was from camp on Eel river, under date of 12th ult., and a postscript thereto acknowledged the receipt of your favors of 25th and 27th of June. I have now to report that on the 24th ult. I left Union, at the head of Humboldt bay, and the first day made twelve miles on the trail across the mountains in the direction of the Klamath. On the 29th we arrived here, and have been using every exertion, both by the use of white and Indian guides and runners, to induce the various tribes living on these rivers to come in.

Generally the Indians in this quarter are a bold, fearless, independent race; have had but little intercourse with whites, and no idea whatever of having any *superiors*. Unfortunately, in some of the frays and difficulties which have occurred on this frontier during the last summer, the whites have dealt treacherously with the Indians; invited them to their camps, with promises of friendship, and in some instances protection, and then fired upon them, killing some and wounding others. The *Wech-pecks*, at the junction of the rivers where our camp is, had three rancherias burnt last spring by a party of packers, and make it a *sine qua non* that I shall pay them therefor, and also for a young chief and a squaw who were shot. As a few dozen of chopping-axes and files will settle the first, and a few pairs of blankets and pounds of beads the second, I have promised them compensation, and they have agreed that the other tribes above and below may come in and unite in a treaty, to settle all disputes and misunderstandings. Unfortunately, there are but few white men in the country who understand the Indian language; and several of those, though apprized of my visit, and of the importance of their services, have gone to the mines in pursuit of private gains. I have secured, however, the assistance of a Mr. W. S. Thompson, from Trinidad, and Mr. C. W. Durkee, (a cousin of the member of Congress from Wisconsin,) who owns the ferry here, and will be able to communicate with the Indians, *if we can only get them in*. To-day our prospects are improving, and I hope in two or three days to be able to advise you either of my success or failure. The weather is cloudy, and almost every day or night more or less rain. This admonishes us of the approach of the dreaded *rainy season*, and of the importance of getting as speedily as possible out of these mountains. My plan still is to proceed on up the Klamath to Scott's river, and from thence into the Sacramento valley, and I hope Major Wessells, with his men, will remain and accompany myself and party; but his dragoons are poorly accommodated for a winter campaign, and he may conclude it his duty to return with them by the nearest route to Benicia. In this event I shall venture up the Klamath alone, relying upon my own party, some eighteen or twenty in all, for protection.

From this point up we shall enter and travel in the mining district, which, though less populous than it was before these Indian difficulties, has nevertheless some parties at work on almost every bar. If the weather should change suddenly, and make travelling difficult and dangerous, I will encamp my party, leave my secretary or commissary in charge of what goods, provisions, &c., I may have left, and endeavor

to make my own way back to San Francisco, by means of an Indian canoe down the Klamath, which river enters the ocean some forty miles north of Trinidad, and twelve miles above the celebrated Gold Bluff.

I am, very respectfully, your most obedient servant,

REDICK McKEE.

CHARLES E. MIX, Esq.,

Acting Commissioner Indian Affairs, Washington City.

P. S.—I regret to see it stated in a New York paper just received, that the “Hon. Luke Lea, Indian Commissioner,” was recently killed by an accident near Fort Leavenworth, while out on official duty.

Although I have not had the pleasure of a personal acquaintance with Mr. Lea, I had formed a high opinion of his ability and integrity as a public officer. Until differently advised, I shall therefore address my letters to *C. E. Mix, esq., Acting Commissioner.*

R. McKEE.

DURKEE'S FERRY, ON THE KLAMATH RIVER,

October 4, 1851.

SIR: Referring to my respects of the 3d instant, I have now the honor to enclose for your examination and approval, copies of the treaties with the Clear Lake Indians, at Camp Lupi-yu-ma, on the 20th August, and with four tribes of the Russian River Indians, at Camp Fernando Felix, on the 22d idem; also to acknowledge the receipt of your communication of 9th August, received at this camp late on the evening of the 3d instant. The remark to which you call my attention, in the copy of my letter to Dr. Wozencraft of the 4th June, was neither made nor submitted to give offence, but merely to account to *him* for my inability to supply him with funds which he had for some weeks expected.

My reference to the letter addressed to the Hon. A. H. H. Stuart was for the purpose of supplying some details which I had not time to repeat in my letter to your office, and which, if deemed important, might be extracted by his private secretary for your use. I did not, of course, contemplate the least impropriety in communicating any such matters to the official head of the whole Department of the Interior, of which yours is a constituent bureau; nevertheless I am obliged by the kindly reference made to the “office regulations” on the subject, which, at the time, had escaped my recollection. Having submitted numerous facts, suggestions, and speculations, touching the objects and prospects of our mission to California, in my letters from New York of the 9th and 11th of November; from Panama, December 6, 1850; from San Francisco, January 13, 1851; from Stockton, February 11, 1851, and from camp Gipson, March 24, 1851, the receipt of none of which has been acknowledged, I began to feel the burden of my responsibilities, and a natural desire to know if my course was approved or disapproved by your department. I thought my views were right, as I knew my designs and intentions were; but if they were not approved at home, I knew of a very short process by which I could relieve myself, as well as your office, of all embarrassment in the premises. Such public ser-

vice as I have had assigned me here in California has long since demonstrated, at least to my own satisfaction, that the office is very far removed from a *sinecure*; and I have thought that my communications were, at least, deserving of an acknowledgment of their receipt. Since the receipt of your letter of May 22d, expressing your approval of our general course in treating with the "sui generis" tribes in California, I have felt relieved, and anxious to complete the work intrusted to me with all despatch and all fidelity. My habits, as an old merchant, lead me to answer all letters promptly, and to expect the same from others. But enough of this. We are still waiting the slow, cautious, and suspicious movements of the Klamath and Trinity Indians. Today a delegation from the Hoo-pahs, who occupy the latter river, arrived, and report their "se-as-low," or head chief, with numerous "mow-im-mes," or under-chiefs and braves, as approaching in canoes, and will visit us to-morrow. As this tribe occupy the river valley, and control the fisheries (salmon and salmon-trout are taken at them in great abundance and of the finest quality) for some thirty miles, their attendance at the council is considered highly important and encouraging. They have, in all, twelve or thirteen rancherias, or villages, and their se-as-low gives law to the whole river and many small bands on the mountains. If the Cappels, Morias, and Seragoins, from below, arrive also to-morrow, as expected, I am now encouraged to hope that we shall have a general council, or pow-wow, on Monday, the 6th. If I can only satisfy the tribe living here, the Wech-pecs, and those above named, and induce them to go willingly and heartily into a treaty, all will end well. Their influence will be controlling with all the other and smaller bands. Mr. Durkee, the gentleman to whom I referred in my letter of yesterday, is rendering me very great service in collecting and satisfying the Indians of our peaceful and honorable intentions. If I can effect a treaty here, its moral influence will extend to the ocean on the one hand, and to the headwaters of the Klamath on the other. In this mountainous region I fear I shall find great difficulty in finding sufficient farming land for a suitable reservation, so as to include the fish-dams and burying-grounds of the Indians, both of which are sacred and indispensable in their eyes, and from which they cannot be removed. The gold region commences on the Klamath, twelve or fifteen miles above our camp. In all our selections of land for the Indians we have aimed at giving them agricultural lands, outside of any gold field or auriferous district. Any different policy would insure endless encroachments on the part of the miners, and consequent difficulties between them and the Indians. Before we leave this camp I will have the honor to address you again, giving the results of our efforts. I am not very sanguine, though not without hope.

Very respectfully, your most obedient servant,

REDICK McKEE.

CHARLES E. MIX, Esq.,

Acting Commissioner Indian Affairs,

Washington City.

DURKEE'S FERRY, KLAMATH RIVER, CALIFORNIA,
October 7, 1851.

SIR: Referring to my letters from this camp dated the 3d and 4th instant, I have now the satisfaction of reporting the conclusion, late last evening, of a most important treaty of peace and friendship with twenty-four tribes or bands of the Trinity and Klamath Indians, viz:

Oka-no; A-gar-it-is; Up-la-goh; We-la-poth; Ka-tah-te; Pa-tes-oh; Kas-lin-ta; Ta-hail-la; Soc-kail-kit; Tash-wau-ta; Wish-pooke; Mem-ma. These twelve bands compose the tribe or nation known as the "Hoo pahs," or "Trinity Indians," and are all under the authority and control of Ah-rook-koos, as chief.

Wetch-pec, at the junction, Wuck-ug-gra, principal chief; Wah-si, on the Klamath below, Mor-u-cus, principal chief; Cap-pel, on the Klamath below, Mah-ou, principal chief; Moor-i-ohs, on the Klamath below, Ma-ou, principal chief; Ser-a-goins, on the Klamath below, Up-la-go-pas, principal chief; Pak-wan, on the Klamath below, Cap-pel-la-wah, principal chief. These are called Poh-lik or Lower Klamath Indians.

Ut-cha-pah, on the Klamath above, E-ne-nuck, principal chief; Up-pa-goine, on the Klamath above, Ke-chap, principal chief; Sa-ron-ra, on the Klamath above, Up-pa-grah, principal chief; Cham-ma-konec, on the Klamath above, Ka-top-ko-rish, principal chief; Coc-ko-nan, on the Klamath above, Pa-nam-o-nee, principal chief; Cheina, on the Klamath above, Ak-ka-vec-ta, principal chief. These are called Pate-sick or Upper Klamath Indians.

Owing to the prevalence of sickness among these bands, it was with great difficulty their chiefs and principal men could be induced to come in, or remain more than one day after they did come.

Several bands on the Klamath above, between Red Cap's bar and the mouth of Salmon river, as well as several on the river below Tompkins's ferry, are reported as friendly and willing to treat with the government, but could not, from the sickness or absence of their chief men, attend the council. In consequence, we had to prepare the treaty in great haste, (the Indians could scarcely comprehend *why* it was necessary to *write it at all*, as they were willing to *pass their word*, in their view all-sufficient,) and executed but a single copy. I will, however, leave a certified copy for them with Mr. Durkee, and forward another to your office by the next opportunity of sending to Trinidad or Humboldt bay. For these reasons I found it impossible to obtain a census of the tribes treated with, but have taken measures to obtain one during the fall. From the best information I have, these bands may contain between 1,400 and 1,500 souls. Between the Pakwans and the mouth of the river, and on a small river running nearly parallel, called Redwood, there are probably about 1,500 more. The Redwood Indians have been very troublesome, and were afraid to come in, but their neighbors the Pakwans, Seragoins, Mooriohs, &c., have undertaken to see to their good behavior in future, and I am encouraged to hope that no more difficulties will occur in that quarter. The other tribes on the river below, and on the coast, are all reported as peaceable, and may be treated with next season. On the Upper Trinity there are several tribes said to be quite numerous, but it will be impossible for me to

visit them this fall. My design is to follow the Klamath up towards Scott's river and Shasta, and, if possible, reconcile the Indians to the presence and pursuits of the whites, and, if practicable, induce them to leave the mining district and colonize in some valley, where they may ultimately obtain a support by agricultural pursuits. I learn by miners returning to the coast, that the Indians, for 80 to 100 miles above, are aware of my approach, and appear anxious for a permanent arrangement. Last evening and this morning we distributed the greater part of our goods and provisions as presents, and the Indians left our camp, by land and water, in the finest humor imaginable.

"The President must be a *very big* 'se-as-low,' to be able to send them so many fine things, and give them so much hard bread and sugar."

With the whole arrangement both whites and Indians appear to be well satisfied, and from it augur much and lasting good to this hitherto neglected portion of the State.

The Indians of this country are really a fine-looking race, vastly superior to their brethren in the middle or southern part of the State. They are intelligent as well as brave, and have no idea of *superiors*, except in the regular republican method of electing their "mow-im-mes," or captains; and once in a long time their "se-as-low," or principal chief. So far as I can learn, the last office is hereditary; but occasionally the royal line fails, and then an election is held, with great formality and solemnity.

Rain has been falling most of this day, and appearances are quite unfavorable for travelling. I hope the weather will clear up, and allow of our setting out again in a day or two. Commonly the wet season does not set in till the 10th or 15th November.

In haste, I remain, very respectfully, yours, &c.,

REDICK McKEE.

CHARLES E. MIX, Esq.,

Acting Commissioner of Indian Affairs, Washington City.

VALLEY OF THE SAN JOAQUIN, CALIFORNIA,
Merced Indian Reservation, October 8, 1851.

SIR: In my report of June 24, I referred to several matters wherein I had acted without special instructions from the department. In every instance where I have thus acted, I beg you will consider it the result of necessity under existing circumstances, or in view of effecting some object for the best interest of the government. I believe, however, that I have done nothing beyond my instructions which is at all binding upon the government, until after the action and confirmation of such matters by her legislative branch. In all cases where my duties were not clear, or specifically pointed out, I have made it known to other parties, and always expressed, in any document from me, that my acts could only be binding, "the government concurring therein." If power, either civil or military, could have been readily afforded me to carry out what had been promised the Indians, and to enforce the "laws and regulations of the Indian bureau," I perhaps should not have done some things in the manner I did. In the absence of such power, or any beyond my

own personal influence and arguments, I was obliged, among other things, to make some informal negotiations with individuals, or abandon all hope of retaining the Indians in their reservations. In all such cases, however, I have expressly left the final conclusion and confirmation to the action of the government at Washington.

The greatest trouble I have had was with miners, and persons who were located on the reservations for the purposes of trading with the Indians, and smuggling intoxicating drinks to them. I first visited all such persons along the rivers within each of the reservations, and told them in person the law, and what the government expected of them. In this way I succeeded in getting many to leave, and in other respects to regard the law. A few, however, were inclined there, as at almost every place, to obey the law only if they must, and remained, increasing evil if possible. I venture to say that, with the slightest military force at such time, as a mere *demonstration*, not a single person would have objected to leaving the reservations and fully complying with the law. It became the interest of the few who would not comply with the law, to represent the "diggings" around them as remarkably rich. The consequence was that their numbers rapidly increased from day to day, and with them the Indians complained more earnestly to me.

Anticipating this to some extent, I had requested Lieut. Moore, in command at Fort Miller, on the San Joaquin river, to aid me with his influence in getting the intruders off the Indian lands, and preventing others from coming upon them. They were ordered off, and, as his letter to me of the 20th of August shows, (a copy of which I herewith transmit) they all left without the necessity of using any force whatever. This would have been the result in every reservation within the valley of the San Joaquin, could I have made the same *demonstration* with a few United States troops. When they were but beginning to mine and take possession of the Indians' lands, I am sure, that with ten men in United States uniform to accompany me as a *mere demonstration* on the side of law and the government, I could have cleared every reservation of objectionable persons without the least trouble on my part, and little or no dissatisfaction on theirs. After that, I am also sure, subsequent orders of my own would have been more promptly regarded. The miners were generally Americans, intelligent and law-abiding men; but they had a curiosity to see what was contained in the forbidden ground. Thinking the commandant of the United States Pacific forces possessed a discretionary power in such cases, I wrote to him in regard to the matter on the 3d of July and the 4th of August, (copies of which I herewith transmit) for a small force at once—not to drive off the miners by force—not to arrest any one, or with the expectation that the troops could get into conflict with any persons whatever, but, as I have before said, for the purpose alone of making a *demonstration* to show that the government intended to perform what she had undertaken.

The general in command wrote me that under the law of 1832 it would be necessary to obtain an order from the President in such cases. To obtain that would require a delay of over two months, and by that time the probabilities were, the obstacles to be removed would become a hundred-fold greater. I was therefore obliged to resort to other

means, and do the best I could in the premises. In regard to the matters which I have taken the responsibility to do when I could do nothing else, the first is, allowing the miners on the reservations to have their claims appraised for the purpose of having them set forth to Congress. To such appraisements I have certified that such persons had mining claims on the lands of the Indians, and were ordered off by me. These claims will come up before Congress. What view they may take of such claims is with that body alone, and on its action depends all appropriation for the liquidation of such claims. In acting upon such claims, it should be with a considerable degree of caution, as they are, in many cases, appraised far beyond their actual value. Others have no merit whatever, as the persons making such claims did not comply with their agreements after having had their claims estimated. If the mining claims upon the Indian reserves are to be estimated, and the claimants paid, perhaps the mode of estimating them should be pointed out by a law of Congress. Another class of claimants is of persons owning tents or houses upon the reservations, who refused to leave them until they were appraised. Almost every one so located was keeping a tavern or grog-shop, and trading establishment. Such places usually harbored many other persons than their occupants about them. By removing the establishment, I knew we could get rid of a large number of persons not well calculated to be in an Indian country. Several small difficulties had happened between the Indians and others at such places. In August last, many of the Indians left their reserves and went to the mountains. Since that time I have succeeded in getting as many of the whites off the reservations as possible, by allowing their property to be appraised, and having their claims submitted to Congress. Five days ago I saw several of the chief men of the Indians who had left, who promised me their people should return to their reservations in ten days from that date. It was for these reasons, and the hope of keeping the Indians satisfied in their reservations, that I took the "responsibility" of acting in such cases. I am not sure that there is a general feeling of satisfaction among the Indians of the valley at this time. As I came down from the Fresno, some days since, I found them scattered over the country, without any reason known to me. They have been putting up a few acorns and food in the valley, but quite as much in the mountains. The whole of the Indians on the San Joaquin river had gone to a great council on the Four creeks, or on the border of Tulare lake. Those Indians are said to have been quite impudent and independent recently. These matters may or may not indicate a bad feeling among them generally. Should they again break out and commence another predatory war of anything like a general character, it must necessarily cause great trouble to the government, and cost both blood and treasure to subdue them. Their intimate knowledge of the mountain passes gives them a great advantage over the whites. There are but few United States troops in the country, and this State has paid her volunteers so poorly heretofore, that few, if any, could be mustered into service by her. I intend returning up the valley a short time, and hope there may be no cause for suspicion of their intentions.

Another matter which I alluded to heretofore, and which I now

desire to lay before the department, is the appointing or employing Dr. W. M. Ryer to vaccinate the Indians. I looked upon this as an important matter, inasmuch as several cases of small-pox were reported in San Francisco at the time. The Indians had come from the mountains and settled upon their reservations in rancherias or villages, by which they were thrown closely together, and in places where such diseases were more likely to be communicated to them.

A few of the Indians had been vaccinated when at the missions, and consequently understood the object of it. I believe it was in the year 1841 that the then governor of California is said to have introduced the small-pox among the Indians, by which many thousands were destroyed in the valley of the Sacramento. The Indians were greatly gratified at what they esteemed the goodness of the Great American Father in sending among them a medicine-man to protect them from that fearful disease. I have seen them gathered around Dr. Ryer in crowds, holding out their arms, eager to be vaccinated. I am satisfied that great good will result from it, even should no actual necessity then have existed. They must receive good impressions of the Americans, in contradistinction to that of their former oppressive governors.

The claims of Dr. Ryer for services from the 4th June to the 26th September, together with his reports to me, are herewith forwarded. Knowing that much good must result from his labors in several points of view, I hope his accounts may be favorably considered.

I have the honor to be, very respectfully, your obedient servant,

ADAM JOHNSTON,

Sub-Indian Agent, Valley of San Joaquin.

MERCEDE RIVER, *California*, June 1, 1851.

DEAR SIR: Having learned from several officers of the United States army, now in service on the river San Joaquin, that the commissioners, in their treaties with the various Indian tribes, thought of the necessity of appointing some medical gentleman to attend to the prevention and curacion of those contagious and malignant diseases which, if permitted to exist among them, would soon spread abroad among the whites and be attended with ruinous consequences to all those who would be living east of the coast range of mountains, I therefore very respectfully solicit the appointment to this office, and trust that the references I will give you to the officers of the regular army now in this country, and to whose regiments I was attached in the campaigns of Mexico, will satisfy you fully of my qualifications for the office.

I have the honor to be, very respectfully, your obedient servant,

W. M. RYER.

Col. ADAM JOHNSTON,

United States Indian Agent, California.

MERCEDE INDIAN RESERVATION,
Valley of San Joaquin, California, June 11, 1851.

This contract between Adam Johnston, United States Indian agent for the valley of San Joaquin, and Doctor W. M. Ryer, of the State of California, witnesseth: That for the consideration hereinafter mentioned, the said Doctor W. M. Ryer promises and agrees to vaccinate all, or as many as possible, of the Indians residing in the various reserves between the Stanislaus and the Cowier, as set forth in the treaties entered into between the United States Indian commissioners and the Indians of said reserves. The said Doctor Ryer further binds himself that said vaccinations shall be done effectually, and in as brief a time as possible, and to attend those vaccinated during the vaccine disease. And the said Johnston promises and agrees, as United States Indian agent for said reservations, to pay or cause to be paid to the said Doctor Ryer—the government concurring in this agreement—the sum of two dollars for each and every person he so vaccinates in a thorough and effectual manner, in lieu of all allowances and emoluments whatsoever; he, the said Doctor Ryer, to furnish his own transportation, and all medicines, hospital stores, &c., &c., at his own expense.

ADAM JOHNSTON,
United States Indian Agent.
 W. M. RYER, M. D.

STANISLAUS RIVER, CALIFORNIA,
July 1, 1851.

SIR: Obedient to your instructions, I have the honor to submit my first monthly report of the sick treated by me among the tribes of Indians in the valley of the San Joaquin.

In the reservation between the Stanislaus and Tuolumne rivers, the most important disease among the Indians, and which cannot be treated by itself successfully, is syphilis. This disease, affecting their constitutions, is too violent to be influenced by the simple remedies known among them, and generally progresses to a fatal termination.

Incapable as they are of treating a disease so malignant in its character, it is left to the benevolence of the white man to save them from its ravages, and prevent the decimation of their tribes.

According to my instructions, I have also vaccinated many of the tribes of the We-chill-la, Suc-co-ah, Co-to-plan-e-mis, Chap-pah-seins, and Sage-nom-nis, to the number of four hundred and forty, and treated them during the different stages of the vaccine disease. I find the Indians understand fully the object of the vaccination, and appreciate the interest taken in their welfare by the agents of the government.

It is but a few years since the ravages of the small-pox were felt among the several tribes in this country, scattering and disorganizing them; and now, the cases that have occurred in San Francisco, and the fear that it will come again among them, causes them to manifest the greatest desire to be vaccinated.

Sir, I am, very respectfully, your obedient servant,
 W. M. RYER, M. D.
 Col. ADAM JOHNSTON, *U. S. Indian Agent.*

MERCEDE INDIAN RESERVATION,
Valley of San Joaquin, California, August 4, 1851.

SIR: Since my letter to you of July 23d about twenty Indians have left the Tuolumne river in consequence of the aggressions of the whites. They have gone to the mountains, but the greater portion remain in the reservations, and may induce those who have left to return. At least this is my expectation, if I can by any means procure power to execute the laws over the territory; if not, I fear bad consequences will result, not only in one, but in every reservation within the valley of San Joaquin. I am convinced that a bad feeling exists among the Indians generally, in consequence of the whites remaining in the territory. This should be remedied at once. I must therefore urge the necessity of having a few troops placed within my control. This being done, I am sure I can quiet matters throughout the whole valley within twenty days.

*This letter will be handed you by Colonel J. C. Fremont, who can give you further information touching the absolute necessity of my having troops at my command immediately.

Respectfully, &c.,

ADAM JOHNSTON.

General HITCHCOCK,
West Pacific Division.

CAHWIA RIVER, CAL., *September 26, 1851.*

SIR: With this my last monthly return I very respectfully submit the following:

Around the various reserves made to the Indians American citizens have settled for the purpose of farming, mining, and continuing permanently other occupations. Through these reserves are, for the most part, the great roads leading to the principal mines of the Sierra Nevada. Indeed such are the locations of the Indians (and the character of the country geographically and socially will admit of no other location,) that they must of necessity intermix and be in constant communication with the whites. To the extent of their intermingling will they communicate such epidemics, infectious or contagious diseases, as may be generated by or affect either. If, then, it is proper or necessary to protect American citizens by quarantine or hygeianic laws in other places, it is equally necessary, to effect the same object, to adopt such preventive measures in this country as will protect our own citizens from the baneful effect of diseases generated or continued among their immediate neighbors, the Indians, with whom they must daily more or less associate in business, or in the travelling of the great roads to the mines.

Of the class of diseases most dangerous to the *miner*, unquestionably small-pox is among the most important; for of all diseases there is not one that calls for the protection of a house, a uniform temperature of the air, and the luxuries of a well-arranged sick chamber, more than the small-pox. You well know that the miners of California, for the most part, sleep in blankets on the ground, in the open air, or under

the shelter of a tent or a bush-house, which ill protects them from the inclemencies of the season, and renders them obnoxious to the assaults of disease. They are poorly supplied with the necessaries for the curing of disease, and it is not to be presumed that a disease of so much virulence would pass among the settlers and miners near the reservations without numbering hundreds among its victims. Then, our duty to our fellow-citizens calls for the vaccination of the Indians to prevent them and our citizens from being exposed daily to the contagion of small-pox.

The Indians in good faith have come from the mountains, given up their mines and hunting-grounds to the miners, and have settled upon the various reserves set apart for them, and are desirous of learning from the white man the customs of civilized life. They daily are with the whites seeking employment or partaking of their bounties; or, if not these, then some other communication is had, for they are almost always with some of our people, as the roads from the cities to the placers lead by the "rancherias" of the Indians.

But a short time since several cases of small-pox were in San Francisco and Stockton. If but one case had reached the nearest "rancheria" of the Indians, hundreds would have fallen victims to the disease. It would have spread among them, as the fire spreads on our wide prairies; they would have called upon the settlers around the reservations for assistance, and spread the disease among them and the travellers of the road; or, if they did not do this, then they would have fled to the mountains, abandoned the reserves set apart for them by the agents of the government, and thrown themselves upon the miners, carrying with them disease and death. But again: apart from the necessity of vaccinating the Indians as a preservative measure to the white settlers in California, there are other considerations of duty still higher. The Indians are unable to cope with diseases of so formidable a nature, and they must succumb to their ravages. They have given up the placers and the lands endeared to them by the association of birth and childhood; they have thrown themselves upon the generosity of the "pale faces," and beg of them to aid them from their superior endowments and wisdom, and prevent the decimation of their tribes by such malignant diseases as may be introduced among them by the white men. They have been called upon, and they have come to learn civilization, and to abandon the habits of years. In doing this, it has been so arranged that they see daily the manners and customs of our own people; from them the Indians take diseases imported from foreign States by our commercial connexion with them.

It is scarcely just for us to refuse aid to those who have become dependants upon us, after we, by our own voluntary act, have made them depending. If we put them in positions to contract disease, we certainly can do no less than assist them by those means which superior wisdom and intelligence places in our power for the prevention and curation of disease.

It is the liberal policy of our government to treat the Indians with parental regard, and in the spirit of benevolence and Christianity.

In this view the agents of government have made promises to the Indians in their treaties, that they would endeavor to teach them, by

furnishing farmers, mechanics, school-teachers, &c., the arts of the "white man," and fit them for association with the civilized.

It is not difficult to perceive that the first step which must be taken, to cause the Indians to adopt the customs of our people, is to fortify them, to the extent we are capable of, against such diseases as may be brought to this country by our commerce with foreign nations, and to endear them to us by protecting rather than to *estrangle* them by the *fear* they would have of our diseases.

I do not think it is the will of our government to destroy the Indian, (although we know that of many tribes there is not now one drop of their blood flowing in the veins of any man living) for the generous policy of the giving to them flour and meat, implies that the government would not let them perish of hunger in California. Surely it would scarcely be *consistent* if they were permitted to perish of a *disease*, which could have been prevented.

The holy fathers of the Catholic church, in the missions, held it as a religious duty to vaccinate the Indians, and they vaccinated a great number of the chiefs of the tribes of the Sierra Nevada. They ever have vaccinated whole tribes, as in the case of "Capitan" Cornelius's tribe.

With this manner of reasoning, I have gone forward and vaccinated and treated, during the vaccine disease, all the Indians between the Cahwia and Stanislaus rivers, (with the exception perhaps of a few stragglers) according to my appointment and contract; and although, when I have deducted the expenses I have been subjected to, from the amount expressed in the bills, I will have made less prospectively than I would directly by my private practice in Stockton, yet I feel pleased that I was the selected agent to carry out an undertaking so commendable.

The Indians understanding from the "padres" of the missions the object of vaccination, submit cheerfully, and in some instances crowd around or follow me for the purpose of receiving the virus upon their arms. They have in most instances manifested a grateful appreciation of the act, and seem to believe that the government intends not to destroy them, or the agents would not use means to prevent the ravages of disease.

It is my desire, as soon as I recover from my present fatigue, to make an extended report of the diseases of the Indians in the mountains and on the plains of California, and of their medical wants, &c., &c., and will with pleasure forward it, should the department require it of me.

In referring to my notes, I find that I have travelled over fifteen hundred miles in the fulfilment of my obligations to the government. Much of this has been on mountain trails, where many a lone traveller has received an Indian burial. I have almost every night been compelled to sleep, wrapped in my blankets, upon the ground. I have been compelled to call to my assistance two medical gentlemen, and have employed assistants in the prosecution of this task; this, too, in a country where the price of grain per pound for your horse-feed varies from twenty-five to fifty cents, and where the individual traveller's expenses will range from ten to sixteen dollars per day.

Sir, you have seen me at my labor, and been a witness to the privations, hardships and dangers I have mentioned, for you too, sir, have experienced many of them.

In conclusion, I beg to assure you that my original price, before you reduced it by the contract, would have been reasonable and just, and my private practice in Stockton, in a financial point of view, would have been more valuable to me than the contract.

I have the honor be, very respectfully, your obedient servant,
W. M. RYER, M. D.

Col. ADAM JOHNSTON,
U. S. Indian Agent, California.

SAN FRANCISCO, *October 10, 1851.*

KIND SIR: Inasmuch as the subject of creating the office of superintendent of Indian affairs for this State and Oregon has been urged for the consideration of the department by one of my colleagues, in relation to the subject I would merely wish to say that, in the event of the office being created, I would be pleased to have the appointment.

Without intending the least disparagement to my colleagues—for indeed I do not know that they are applicants for the office—I would, at present, urge no further recommendations on which I may found a claim to your preference than the results of my labors in the discharge of my duties.

Respectfully, your friend and obedient servant,
O. M. WOZENCRAFT,
U. S. Indian Agent.

Hon. LUKE LEA,
Commissioner Indian Affairs.

N. B.—I believe there is a superintendent appointed for Oregon.

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, Cohias, 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 muleteers.

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-

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.

CAMP IN SCOTT'S VALLEY, SHASTA COUNTY, CAL.,
October 28, 1851.

SIR: Referring to my respects of the 3d, 4th, and 7th instant, from Durkee's ferry, on the Klamath river, sent per W. Vandyke, esq., to be mailed at Trinidad, in which I acknowledged the receipt of your letter of the 9th August, &c., I have now the honor to address you from the lower end of Scott's valley, about 121 miles northeast from the junction of the Trinity and Klamath, and some ten or fifteen miles south of the Oregon State line.

This valley must be several thousand feet higher than the ocean, and affords a fine view of the perpetual snows of Shasta Butte, or Mount Shasta, the highest point on the Pacific coast. Fremont, I think, makes it 14,700 feet above the ocean.

We left the ferry, or "Camp Klamath," on the 9th; on the 11th reached the mouth of the *Coratem* or Salmon river, where I remained one and a half day, making a supplemental treaty with the four tribes who reside there, namely: the Si-wahs, Op-peos, He-co-necks, and In-necks. They number at present only some 225 or 250 souls, and are eventually to remove to the reservation on the Trinity and Klamath. On the 13th we resumed our tedious and difficult march up the river; and finally, with the loss of five mules, and part of our cooking apparatus and provisions, reached the mouth of Scott's river on the 20th, and my present camp, fourteen miles east of that point, on the evening of the 21st.

On the Klamath we passed through several old Indian rancherias or settlements, generally containing but a few families each. To these I gave some small presents; and, as well as I could, in the absence of a *Klamath interpreter*, gave them an invitation to meet the other tribes in this valley and treat with me. As it was necessary to remain in this valley some days to recruit our animals, I employed runners to go out and invite the Shasta, Upper Klamath, and Scott's River Indians to come in and make a final arrangement to settle the disputes and dis-

turbances which have been rife in this quarter for a year past. Many of the Indians being out in the mountains hunting game, preparatory to winter, we have thus far made but little progress; still, some have arrived, and several other parties or delegations are said to be on their way coming in, and may be expected to-morrow.

Finding that eight or ten days would be required to collect the Indians and accomplish the object of my visit—if indeed it can be accomplished—Major Wessells concluded it would be unsafe for him to remain longer in these mountains, and with his dragoons and pack-train left our camp, on his return to winter quarters at Benicia, on the 24th instant. To be left thus in the midst of a mountainous Indian country at this season of the year, without an escort, is by no means a desirable position; but as he had some four hundred miles to traverse, the safety of his command required, he thought, his immediate return, and I had no alternative but to acquiesce, and for the present abandon the great object of my mission, and accompany him, or risk the consequences, and remain to see what could be done. I chose the latter, relying upon the resources of my own little party of seven or eight men, and the protection of Providence, for safety and success.

As the possibility of my return to the post at Benicia by the Sacramento route was very doubtful, I concluded it was best to pay off my pack-men, and turn over to Major Wessells all the government mules and other public property I had drawn, except a few guns, pack-saddles, and two small tents, which I will pay for if I cannot return. This will make it necessary for me to purchase or hire a few additional mules or horses; but upon the whole, the arrangement will lessen my expenses and facilitate my movements, when I shall again take the road.

A cold-blooded murder of an Indian by a heartless Oregonian, within a mile of my camp, a few nights previous to our arrival, has exasperated the Indians considerably, and operates unfavorably to their prompt assemblage. I am encouraged to persevere, however, in trying at this time to effect a settlement, by the assurance of several respectable citizens of this county, that if a treaty can be made, their "vigilance committees" will promptly punish all bad white men who may interfere with or injure the Indians. I am utterly opposed to the jurisdiction of "Judge Lynch" in all ordinary cases; but until a military post is established on this exposed frontier, and society assumes a more settled, regular form, there seems to be no other course left for the protection of either person or property.

In my next despatch I will be able to give you the results of my efforts here. If a treaty can be made, I foresee great difficulties in arranging for an Indian reservation. This valley, thirty or forty miles in length, by three to six in width, with a small portion of Shasta valley, affords the *only* farming lands in the county, which is of vast extent. Shasta valley is a rich mineral district, at least the middle and lower parts of it; and in this (Scott's) valley, squatters' tents and cabins may be seen on almost every little patch or strip where the soil promises a reward to cultivation. The whole valley yields grass in abundance, and looks well at a distance, but on close examination the soil is thin, or wholly sand and gravel. Almost all the mountains and gulches in this

northern portion of the State are auriferous, yielding gold in the earth or in the quartz formations.

It has been my constant policy, in selecting reservations for the Indians, to exclude them from the mining districts, and settle them on agricultural lands, surrounded by mountain ranges for hunting-grounds; but here, for one or two hundred miles, the country is mostly mountainous, and yields more or less of the *shining dust*. It will be impossible, therefore, if I give them a home at all, to confine them to lands of the description first named. Still I shall keep the general principle in mind, and the white adventurers must be content with *ninety-nine hundredths of the whole!*

I have also, in view of the large expense which the support of each will involve, aimed at confining the reservations in northern California to four, viz: Clear lake, mouth of Eel river; Trinity and Klamath; and Shasta, or Scott's valley. It is impossible to settle the Indians of this country *contentedly* at any very great distance from their old hunting and fishing grounds, upon which it is our policy to encourage them to rely for part of their subsistence, until their farms can be opened.

If good lands were common in this part of the State, I should not hesitate to assign them the whole of this valley, with a strip of mountain land, connecting it with the Klamath river. To do this, however, in the existing state of things, would give great dissatisfaction to the white settlers, and perhaps exasperate them more against the Indians, whose utter extermination would be quite agreeable to many, especially the emigrants from Oregon.

To settle the matter upon the most judicious basis, I formally requested the citizens of the two largest towns, "Shasta Butte city" and "Scott's Bar," to hold public meetings, and appoint each four or five delegates to confer with me upon the whole subject. I have made a similar request of the settlers or squatters in the valley, and have had several conversations with these delegations on the subject. I have examined this valley in person, nearly to its head; and, in a day or two, after I can learn the general feeling among the Indians, will probably send Mr. Gibbs, who is a topographical engineer, with one or two others of my party, with a part of the gentlemen of the delegations, to examine and report upon the upper end of this and Shasta valleys. This course will, I hope, satisfy the public mind, that while I consider the ultimate improvement of the Indians and the credit of the government paramount, I am disposed to regard the interests and convenience of the squatters on the public domain as far as possible.

Enclosed I hand copies of my letter of 18th ultimo, to Messrs. Howard, Dobbin, and Dupern, and the receipt of Mr. Charles A. Robeson.

1. In relation to the reservation on Eel river.
2. Copy of a circular to miners, packers, &c., 8th instant.
3. Copy of a letter to M. S. Thompson, 8th instant.
4. Copy of a letter to Charles W. Durkee, 12th instant, in relation to the reservation, &c., near the mouth of Trinity.
5. Copy of a treaty with twenty-four tribes or bands of Trinity and Klamath Indians, at *Camp Klamath*, 6th October; and of supplemental article with four tribes at *Camp Coratem*, 12th instant.

6. Copy of notes addressed to leading citizens of Scott's Bar and Shasta, on the 24th instant.

I am, very respectfully, your most obedient servant,

REDICK McKEE.

C. E. MIX, Esq.,

Acting Commissioner Indian Affairs, Washington City.

CAMP UNION, HUMBOLDT BAY,

September 18, 1851.

GENTLEMEN: Finding it impossible, in the absence of interpreters, to communicate with the Indians on Eel river and this bay, and that in consequence no formal treaty can be made with them at this time, I have nevertheless, in view of their destitute condition, concluded to set apart for their use a small district of country between the mouth of Eel river and Cape Mendocino, and make some little temporary provision for their support and improvement. A plat of the reservation I left with Mr. Samuel Kelsey; and I have left with Mr. Charles A. Robeson, of Eel river, as the property of the United States, in trust for the use of the Indians who may settle upon the reservation, besides some beef and hard bread, three pairs of fine large American oxen, and *one hundred and forty dollars* in money, to pay for three ox-yokes, three log-chains, and a large prairie plough, now building in this town. I have also ordered from Messrs. DeLong and McNeil, San Francisco, to care of E. H. Howard, for C. A. Robeson, as above, half a dozen chopping-axes, and half a dozen corn-hoes. Mr. Robeson engages to fence in; break up, and plant in potatoes, during this fall and winter, five or six acres of land in the reservation, and, with the assistance of the Indians, make as large a crop as possible; all which is to be for the use of the Indians who may be on the reserve, or who may agree to remove to it.

I have entire confidence in Mr. Robeson doing all he has engaged to do; but as the whole community is interested in the object, I beg you to advise with him, and render him any assistance in your power.

Should any accident happen to him, rendering it impossible for Mr. R. to fulfil his engagement, prior to the arrival of a regularly appointed agent of the government to superintend Indian affairs in this neighborhood, I hereby authorize you to take possession of the government property, and preserve it until called for. In the mean time, it is understood that Mr. Robeson is to have the use of the cattle, &c., for his own benefit, after the above work shall be done for the Indians.

I am, with respect, your friend and obedient servant,

REDICK McKEE,

U. S. Indian Agent for California.

MESSRS. E. H. HOWARD,
KINNERLY DOBBINS,
N. A. DUPÉRN,

Humboldt Bay.

Received, Eel river, (12 miles S. E. from Humboldt bay,) September 15, 1851, of Redick McKee, one hundred and forty dollars in money, to pay for one large prairie plough, (\$100,) three ox-yokes, with rings, staples, &c., (\$15,) three log-chains, (\$25;) also, three pairs or yokes of American oxen. All which, together with half a dozen wood-axes and half a dozen corn-hoes, ordered from San Francisco, are to be held in trust for the United States Indian department, and subject to the order of its agent, for the use and benefit of the Indians on Eel river and Humboldt bay. And in consideration of the said advance of money, and the use of the said cattle, &c., I hereby engage and bind myself to fence in at least five or six acres of the land set apart for an Indian reservation on the south side of Eel river, plough and plant the same with potatoes, the whole product or crop to be distributed among the Indians on said reservation, or who may agree ultimately to remove thereto.

\$140.

CHARLES A. ROBESON.

DURKEE'S FERRY, KLAMATH RIVER,

October 8, 1851.

To all whom it may concern: Notice is hereby given, that on the 6th instant, at this place, a treaty of peace was concluded by the undersigned, on behalf of the United States, with the following tribes or bands of Indians, viz: the Hoo-pahs or Trinity Indians, twelve bands or rancherias; the Wech-peks, Ut-cha-pas, Up-pa-goines, Sa-vour-ras, Chama-ko-nees, Cock-o-mans, Chee-nas, Wich-sis, Cap-pels, Moo-ri-ohs, Ser-a-goines, and Pak-wans.

These tribes promise to live hereafter in peace among themselves and with all the whites, and to exert their influence with the Redwood and Bald Hill Indians and others, not represented at the council, to induce them to do likewise. All good white men will at once see the importance of this arrangement, and lend their influence to sustain it. Let it be faithfully observed on our part; let my promises to the Indians, that no more of them shall be shot at or killed, be fulfilled. This will inspire them with confidence in our truth. If any one shall be so inconsiderate as to kill or seriously injure an Indian, except in a clear case of self-defence, he should by all means be arrested and punished as an enemy to the country; for he not only commits a murder on the Indian, but thereby, according to their laws, insures the death of one, perhaps several, white men.

Although I believe the Indians are now well satisfied and will act in good faith, yet, as the Bald Hill and Redwood bands were not represented at the council, or parties to the treaty, it may not be safe for persons to travel through their country alone or unarmed for some time yet. Should any difficulty arise in my absence, let it be reported to one of the following gentlemen, who have kindly volunteered their good offices in settling all grievances on either side, viz:

C. W. Durkee, esq., Durkee's ferry, Klamath river; M. S. Thompson, esq., Gold Bluff, and mouth of Klamath river; Walter Van Dyke, esq.,

Trinidad; H. F. Jaynes, esq., Union, Humboldt Bay; Jas. A. Patterson, esq., south fork of Trinity.

Let prudence and forbearance mark our conduct towards these wild ignorant red men, and soon all cause of disquiet and danger will pass away. What is passed cannot be recalled: the future depends mainly upon the packers, traders, and miners themselves.

REDICK McKEE,
U. S. Indian Agent.

DURKEE'S FERRY, KLAMATH RIVER,

October 8, 1851.

SIR: Having acted in the capacity of interpreter at the treaty made with the Indians at this camp on the 6th instant, and being well acquainted with the tribes living near the mouth of the Klamath, and above and below that point, and expressing yourself as much interested in the general pacification of the whole frontier, I have thought proper to ask of you the favor to see the remaining tribes below. Tell them of the arrangement made here, and the disposition of the general government to provide for their safety and improvement as soon as their pacific disposition is made evident, and the United States agent can visit their country. I have left with Messrs. Whepley, Clemens & Co., Trinidad, 8½ sacks hard bread, subject to your order, and herewith hand you sundry beads, handkerchiefs, blankets, &c., &c., to be distributed among the tribes near that town and on the Lower Klamath, to which please give your attention, having reference to the numbers and wants of the tribes. Give these goods to them as a token of the good will of the whites, and tell them many more presents will be made to them hereafter, if their conduct is deserving.

Herewith I hand you a copy of a written circular, which I have addressed to the whites, which *nail* up in some public place. Write to me at San Francisco your estimate of the number of Indians on the Klamath, below the Pak-wans, on Redwood, and on the coast between Mad river and Rocky point. If any difficulties should occur in my absence, pray use your influence to settle them amicably.

Very respectfully,

REDICK McKEE,
U. S. Indian Agent.

MORRIS S. THOMPSON, Esq.

CAMP CORATEM, NEAR MOUTH OF SALMON RIVER,

October 12, 1851.

DEAR SIR: I left with you on the 9th, for the use of the Indians who united in the treaty of the 6th instant, four large bullocks, (which will average full 900 lbs. each,) ten sacks hard bread, four sacks sugar, (about 133 lbs.,) four dozen handled axes, (per order of Mr. Ellsworth, or Martin & Co., Union,) together with sundry blankets, shirts, shawls, &c., &c., as per commissary McDonald's memorandum. Yesterday I

left with *Pa-ne-mo-nee*, at Orleans bar, a written order on Mr. G. M. Marshall for two more bullocks for the use of the tribes on *that bar*; together with several sacks of bread, sugar; and sundry presents of smaller articles.

The beef at that point, as well as at your ferry, and all the other goods, you will please distribute and apportion among the different bands according to your own good judgment, having in view the wants and necessities of the Indians, arising out of the depredations of the whites, and the importance of conciliating the Bald Hill and Redwood Indians, who were not represented at the council. I have ordered from Francisco to Trinidad, care of Messrs. Whepley, Clemens & Co., seven bales (fifty-six pairs) blankets, and fifteen or twenty dozen flannel shirts, for use of the Indians on this river, part of which I will order up to your care when I next write to those gentlemen, and which, when received, you will distribute as above, with a view to the greatest good designed to be accomplished by the government. If you think proper to gratify the wish expressed by the Indians, in giving them elk or deer meat for the beef, *pound for pound*, I have no objection to your making the exchange; though, if it will subject you to any trouble, I do not wish to impose upon you any additional burden. I also leave with you, for the Indians, a copy of the treaty made at your place on the 6th, with the supplementary treaty added here this day, in the arrangement made with the tribes near this camp; also a copy of my circular of the 8th instant, to which you will please call the attention of all white men passing your ferry, or who may call at your house.

I am, very respectfully, your obliged, obedient servant,

R. McKEE,

United States Indian Agent.

C. W. DURKEE, Esq.,

Durkee's Ferry, Klamath.

CAMP ON SCOTT'S RIVER,

October 24, 1851.

GENTLEMEN: I have arrived at this camp, in my visit to this frontier, for the purpose of settling, if possible, on a permanent foundation, the Indian relations of the country. Arrangements are now in progress for assembling the Indians; and before I meet them, I wish to obtain, from intelligent residents of the country, such information as may enable me to act wisely and understandingly, both as to the terms of a treaty and the district of country which should be set apart as an Indian reservation.

The object of this note is, to request of you the favor of assembling your most intelligent and influential citizens, and get them to appoint a committee or delegation to come over to my camp and assist me, by their advice, in arranging these important matters, on Monday next, the 27th instant.

If I make a treaty, I wish it to be one satisfactory to my own country-

men, as well as to the Indians, and one that will be religiously observed on both sides.

I am, gentlemen, very respectfully, your most obedient servant,

R. McKEE,

United States Indian Agent.

Messrs. METCALFE, EPPER, LOURY, & W. A. ROBINSON,

Shasta, California.

SAN FRANCISCO, CALIFORNIA,

November 14, 1851.

SIR: I would wish to embrace the present opportunity of sending a few lines to the department, in order to state that no communications have been received from the department in answer to those sent by me as far back as June last—since which time I have sent forward a number of treaties, quarterly returns, and communications. Several communications have been received from the department within the above time, which were duly answered; but no mention was made of the reception of said accounts. Please inform me whether or no they came to hand.

It may be as well, in future, to address them *direct* to me at San Francisco, as it subjects the collector of the port to some unnecessary inconvenience in taking charge of them.

I am now awaiting the arrival of Colonel McKee, who has been expected here for some time past, in order that I may draw my quota of the appropriation. I then expect to re-visit several of the reservations, with a view of further securing a perpetuity of peace, now happily existing throughout the district. In order to do which, it is all-important to go among them frequently, re-assuring them of our good faith and feelings towards them, and at the same time maintaining a vigilant watch over them. This will be indispensably necessary, for some time to come; and here much will depend on the capacity and integrity of those persons who are to remain among them as licensed traders, instructors, &c.

Knowing, as I do, the great importance of making judicious selections of persons to fill those important situations, I have been slow to choose, and careful in making that choice. So far I have made but two appointments for the full term allowed by law; they are both old residents, and have great influence with the Indians—Mr. Samuel Norris, with Mr. E. L. Lovell as his partner, and Major P. B. Reading. In the reservations which they have charge of, there need be no fear of Indian disturbances so long as they are at their post. I will forward, by next mail, all particulars, as required by law, in relation to the above-named appointees.

As stated in a former communication, I have granted licenses to several individuals for a short time, deeming it well to grant temporary licenses to those who were at the time trading with the Indians, until I could satisfy myself of the expediency of continuing them or appointing others.

It is to be hoped that the treaties will be ratified at an early date, so that we can be informed of the fact here *before seed-time*. If this is not

done by that time, I should be pleased to have some instructions in relation to furnishing them with those articles that are indispensable to their existence.

I should be pleased, likewise, that a small appropriation be made, at an early date, in order to enable me to visit those Indians east of the Sierra Nevada, and within the range of mountains. This subject was urged in my last communication. I again revert to it as a subject of great moment. From discoveries made this last summer, I am well satisfied that there is a *pass* in the *Sierra Nevada* range of mountains *that can be travelled at all seasons of the year*, so far as snow is an obstacle—the rainy season alone will be an obstacle by softening the earth—and at a grade that will permit loaded wagons passing without difficulty. This is of vast importance to the State; and we think it would be well for the federal government to take the first step in directing the emigration of 1852 through this advantageous pass. I propose going through this pass in visiting those Indians yet to be treated with.

Respectfully, your very obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent, Middle District, California.

Hon. LUKE LEA,

Commissioner of Indian Affairs.

DURKEE'S FERRY, KLAMATH RIVER,

November 15, 1851.

SIR: My last despatch, enclosing copies of the treaty made at this place on the 6th ultimo, with twenty-four tribes or bands of the Trinity and Klamath Indians, and several other papers, was dated at camp in Scott's valley, 28th October, and sent by Gregory's express, to be mailed at San Francisco. I designed writing you again from that camp, but was so pressed by other engagements previous to commencing our return to the coast, that I could not do so.

Our small party, comprising six men and ten mules, reached this ferry yesterday, and as we are likely to be detained several days before the river (much swollen by the recent rains) can be crossed with safety, I embrace the first opportunity to return my report.

On the 29th ultimo several additional parties of Indians reached my camp, and believing that by patiently waiting five or six days, an important treaty might be effected with the whole nation, precious as time was, I determined to remain, and at once took measures in relation to the vital question of a "reservation." The Indians thought we should give them the whole of Scott's valley, and under different circumstances I should have done so; but, for the reasons assigned in my last despatch, I considered it inexpedient. To satisfy, as far as possible, the white settlers, and obtain reliable information upon which to base my final action, and if possible forestall future complaints, I invited four gentlemen, interested in *both Shasta and Scott's valleys*, to accompany Mr. George Gibbs, and make a personal exploration thereof. This they did, and the enclosed papers marked Nos. 1 and 2 are copies

of my note and their report. During the absence of the committee I visited Shasta Butte city. It is a wonderful specimen of American enterprise and energy. A little over four months ago the mines were discovered, and the first cloth tent stretched in the valley; now the town contains 250 or 300 houses—stores, warehouses, hotels, private dwellings, &c.; a city in miniature, with 1,500 or 2,000 inhabitants. The mines here and in the neighborhood have been very productive, and the commerce of the place gives constant employment to numerous pack-trains of fifty to one hundred and fifty mules each, bringing goods and provisions from the Sacramento valley on the one side, and Oregon on the other.

At Shasta Butte city I obtained some camp supplies, and saw an opportunity of consulting many intelligent gentlemen as to the best plans for colonizing and improving the Indians. A public town meeting was held, and I received a general assurance, that if a treaty with the Indians was effected, its provisions should be carefully observed. A copy of the minutes of the meeting is enclosed, marked No. 3.

Having promised the Indians that I would return after *two sleeps*, I reached camp in the evening of the 2d instant, and was gratified to find that the old and very influential Klamath chief, *Ishack*, with his two sons, had arrived, and expressed himself in favor of a settlement of all existing difficulties.

On the 3d I had several interviews with the chiefs in council, and finally succeeded in obviating their objections and removing their difficulties in relation to a general treaty of peace, and the cession of all their country to the United States. These Indians on the northern frontier of California are a vastly superior race to their brethren in the Sacramento valley and southern part of the State, both in appearance and intelligence, and appeared to understand very well both what was asked of them and what was promised. They appeared to be tired, dissatisfied, perhaps I might say disgusted, with the white men who had forced themselves into their country; and if I could have given them a retired valley on Rogue's river for a home, they would have been well pleased: this, however, was impracticable, as the whole of that country lies north of the Oregon line. The district allotted to them comprises the lower half of Scott's valley, with a mountain boundary, clearly defined, connecting it with their fishing-grounds on the Klamath, and extending north to the Oregon line. For want of time and proper instruments, the precise position of this boundary could not be ascertained; but at the mouth of Scott's river it is supposed to approach very near to the Klamath. The only lands in the reservation at all valuable for farming or grazing purposes lie irregularly in Scott's valley, and may comprise an area in all equal to eight or nine by six or seven miles. The entire reservation forms an irregular square some thirty-two or twenty-four miles in length, by fifteen or sixteen in breadth. It is well defined by mountain ranges, or divides, on the eastern or western sides, by the Oregon line on the north, and two well known landmarks on the south.

The estimated population of the Upper Klamath, Shasta and Scott's River tribes, is 4,000 souls. Those on the Upper Trinity river, which I have not yet visited, but contemplate settling, eventually, upon the

same reservation, are variously estimated at 1,000 to 1,500. For the comfortable settlement and support of such a family, the reservation is, perhaps, too small; but the matter was surrounded with difficult and embarrassing considerations, and the plan adopted was the best the circumstances admitted, without disregarding wholly the ultimate settlement of the country by the whites. As arranged, those settlers who have made small improvements in the lower end of the valley can, with little comparative trouble, remove to equally good, perhaps better land above the reservation, and be several miles nearer to market at Shasta Butte city. Others, whose improvements are more extended, consented to the propriety of the choice I made with great reluctance, and will appeal to Congress, through your department, for redress. Others, who had made fortunes; as they supposed, by the discovery of quartz mines in the mountains, will be claimants also. A few of the settlers should, I think, be compensated for their improvements, which will be valuable to the government agents in managing the Indians; but I have given no positive assurances on the subject to any person.

On the evening of the 4th, the treaty, prepared in duplicate, was formally executed in the presence of a large and apparently interested concourse of both whites and Indians. The chiefs and headmen signed in behalf of 24, 19, and 7 villages or rancherias, respectively—in all for *fifty villages, or grounds, as they term their towns or settlements, viz:*

Tribe.	Villages.	Principal chiefs.	Residence.
O-de-i-lah	24	I-shack, E-eh-ne-qua, Pi-o-ku-ke, Sor-wak-a-ha.	Upper Klamath.
I-Kar-uck, Kos-e-tah, Ida-kara-wak-a-ha.	19	Tso-hor-git-sko, Che-le-na-tah, Ida-kara-wak-a-ha, O-lab-se-wak-a-ha, A-da-war-how-ik.	Shasta river and valley.
Wat-sa-he-wa, E'eh -	7	Arats-a-cho-ica, An-na-nik-a-hok, Sun-rise.	Scott's valley.

At this treaty I had very excellent interpreters, and I think the Indians understood fully the terms of the bargain, or *trade*, as their word for a *treaty* very significantly means.

At the close I distributed among the Indians present all, or nearly all, of my remaining goods. A large bullock was killed for their supper. Then followed a grand peace dance, which was kept up till long after midnight, and the next morning the greater part started for their respective homes, in excellent good humor with themselves and the

“Shim-shin-tahs,” or white men—strictly, men who use metals, as iron, copper, &c.

As I was to return down the Klamath, the old chief Ishack remained to give me escort as far as his village, which we passed on the second day's march. Thus ended a treaty arrangement with a large body of Indians who have ever been the dread, and not unfrequently the annoyance, of our people, since the first discovery of the northern mines, and with whom it was by many predicted no amicable arrangement could be made.

The Klamath river is undoubtedly rich in its deposits of gold; and before I left Scott's valley, several parties had already started for the purpose of *prospecting* its *cañons* and *bars*, from which heretofore the Indian difficulties had shut them out. This is the best evidence of the confidence our people feel in the policy and permanence of the treaty. Upon the whole, I flatter myself that this arrangement, with those previously effected during the expedition, will restore and maintain quiet and security along this northern frontier. I regret that the advanced state of the season, and, indeed, the actual commencement of the winter rains, puts it out of my power to visit the tribes living on Redwood and the Upper Trinity rivers, as well as those at and above the mouth of the Klamath and about Point St. George.

The two latter are, and have been, friendly; the two first are considered uncertain, and rather dangerous to small parties passing through their country. They must be visited as early next year as circumstances will admit. Meanwhile I have sent them messages by tribes with whom I have treated, which I hope will restrain them from further aggression. I should have no apprehension on the subject were it not for the fact that I find on this frontier, as elsewhere, some men so utterly reckless of reputation, and even life itself, as to threaten, at every hazard, to shoot the Indian wherever he may cross their path. This keeps up the excitement; and if an *Indian* is shot, a *pale-face* must fall, as a matter of course. Now that I have been through the whole Indian country, I am convinced in the opinion that in almost every instance of difficulty the whites have been the aggressors, and some cases have come to my knowledge of wilful, brutal, and outrageous disregard of all the claims of humanity and civilized life. Until some examples are made in the punishment of such *demons* in human shape, perfect tranquillity can hardly be expected. It is only a few months since the laws of the State have been extended over these mountain counties and as yet they are but imperfectly understood by the people, or administered by the officers. In the neighborhood of all the Indian reservations yet made, I have however, found a few intelligent and right-feeling gentlemen, who have promised to exert their influence to preserve the peace of the country, and bring about a better state of things; and from their exertions I anticipate an early and decided improvement.

The great importance of an immediate withdrawal of the Upper Klamath and Shasta Indians from the mining districts, and their settlement upon their own lands in Scott's valley, was so apparent, that, in compliance with the wishes of many respectable citizens in that county, as well as in full accordance with my own judgment, I determined to detail some one of my little party to remain as a temporary

agent in charge of the business: otherwise our high-raised hopes might all end in disappointment, and the expedition, involving, as it has, four months' labor, much exposure, and a large expenditure of money, prove abortive. As Mr. Gibbs (interpreter) and Mr. McDonald (commissary) both desired to return with me to San Francisco to attend to their private interests, I had no alternative but to impose the duty upon my secretary, Mr. John McKee, who has accordingly remained on the reservation in Scott's valley.

The papers enclosed, marked Nos. 4 and 5, are copies of a card issued to the public and a letter of instructions to the temporary agent. The whole arrangement, I am aware, is without the express sanction of law, but the exigencies of the case seemed to justify, and, indeed, require, my taking the responsibility. I would rather defray the additional expense which the arrangement may involve out of my private purse, than have the treaty endangered. Through the blessing of Heaven, I trust that compact has accomplished what many intelligent persons thought an impossibility, and if prudently and successfully carried out, will save many valuable lives and perhaps immense expense to the government. Unless I am greatly mistaken, *the treaty of Scott's valley* will be remembered, by both white and red men, long after the immediate parties to the arrangement have left the stage. A copy will be transmitted to your department from San Francisco, possibly by the steamer which carries this letter; also a copy of my journal since last reported.

My party, at present, consists of only Mr. George Gibbs, Mr. McDonald, two packers, and a cook. The three last named I propose to discharge on my arrival at *Union*, head of Humboldt bay, some three days' travel from this. At that place I will also dispose of my mules and camp equipage, and be prepared to embrace the first vessel for San Francisco, where I shall hope to meet letters from your office, as well as from my family in Virginia.

We broke up our camp in Scott's valley about noon on the 6th inst., crossed the mountains and encamped on Scott's river, distance nine miles. That night the rain commenced falling, and has continued with short intermissions every day since. The high mountains around us are covered with snow, so that we are getting out of the mountains *not a day too soon*. I hope to be able to cross this river within two or three days, and in about three more end the land travel of an expedition of nearly four months' constant labor and exposure. Of this our clothing and appearance bear ample testimony.

On the 12th inst., while swimming our animals across the Klamath, they became alarmed, missed the ford, and two of our best pack-mules were carried over the falls and drowned. This was a serious loss, as they could not be replaced, making it necessary for me to leave behind my only remaining tent, with some other baggage, and still leaving one of my men on foot. We have managed to get along this far, and hope in a few days more to exchange the mountain-trail for the deck of a steamer. If time permits, while on Humboldt bay I propose visiting the Indians on Eel river, and ascertain how the arrangement made with Mr. Robeson in September for planting five or six acres of potatoes for their use progresses.

In the hope of addressing you again ere long from San Francisco, I am, very respectfully, your most obedient servant,

REDICK McKEE.

C. E. Mix, Esq.,

Acting Commissioner Indian Affairs, Washington City.

CAMP IN SCOTT'S VALLEY, *October 29, 1851.*

GENTLEMEN: The Indians from Shasta, Scott's river, and the Upper Klamath, are now assembling at this camp, and it is highly probable a treaty for the settlement of all past or existing difficulties will be consummated in a few days. The selection of a small district of their country for an Indian reservation, upon condition of their relinquishing to the United States all their claim to the residue, will devolve upon me a duty of great delicacy and responsibility.

From my personal observations on the Klamath, and in this valley for the distance of some twenty miles above this camp, and the verbal reports I have of the character of the soil in Shasta valley, I have reached the conclusion that Scott's valley affords the most suitable, if not indeed the only, farming lands upon which the Indians can be settled, without removing them over the State line, upon the territory of Oregon. I have so expressed myself to the gentlemen of the neighborhood, and, as might be expected, many interested in keeping houses of accommodation and pasturing stock in the valley, and others who have made discoveries of gold-bearing quartz in the mountains, are violently opposed to my including their improvements in said reservation, and insist that the upper end of Shasta valley will afford a suitable district for the Indians, and interfere but little, if any, with the claims of the squatters. To determine this matter in the most judicious manner, I beg the favor of your making a personal and careful examination of both valleys, and as early as convenient favor me with a report; upon the consideration of which I may base my action, and interfere as little as possible with the claims or convenience of the settlers.

I hope you will be able to make this examination and return to the camp in four or five days. Your expenses for horse-hire, provisions, &c., will be paid by my commissary, Mr. McDonald, and, besides doing a service for the Indians and the government, you will confer a personal obligation on,

Gentlemen, your friend and obedient servant,

REDICK McKEE,

U. S. Indian Agent.

Messrs. BENJAMIN KELSEY, } *Scott's Valley.*
 SARSHAL WOODS, }
 CHARLES McDERMIT, } *Shasta Valley.*
 ALVA BOLES, }
 GEORGE GIBBS, Esq., *Interpreter, &c.*

CAMP IN SCOTT'S VALLEY, SHASTA COUNTY, CAL.,

November 3, 1851.

SIR: In compliance with your request, the undersigned left this camp on the 30th ultimo for the purpose of ascertaining what lands, suited to agricultural purposes, existed in the neighborhood, with a view to your intended reservation for the Indians. We proceeded to the head of the principal valley of this river, and thence ascending the north fork, crossed the mountains to Shasta valley, opposite the peak, and followed its western side down to Shasta Butte city, a distance in all of about seventy-five miles.

The results of this examination we herewith subjoin, premising that the general character and features of the country were already known to us, and that our observations were directed more particularly to the specific objects of our journey. The valleys of Shasta and Scott's rivers contain almost all the level lands in this district of California, the country around being exceedingly mountainous and broken, and the principal river, the Klamath, having no valley of any extent within the State.

Small bottoms are known to exist upon streams entering the Klamath from the north, but not of dimensions sufficient to subsist tribes as numerous as those inhabiting the district, nor is it certain that they lie entirely to the south of the Oregon line.

Scott's valley is about twenty-five miles in extreme length from south to north, and about eight miles in width at the lower end, diminishing to a point at its head. It is of irregular shape, broken in some places by considerable hills; in others expanding into bays, or with narrow branches extending into the mountains. Its total area probably does not exceed one hundred square miles. Of this the far greater part is not available for agriculture, the soil consisting of sand and gravel, affording good pasturage in the bunch grass scattered over it, but too barren to yield crops that would remunerate labor. Tracts of a better soil are, however, found in it, chiefly upon the river and the few small streams that retain their water during the dry season. None of them, however, are of any great continuous extent, the largest being probably that in the neighborhood of the camp. Within a few miles of the upper extremity is also a tract of some size, fitted more particularly for the production of potatoes and vegetables. The narrow lateral branches are in general gravelly, and destitute of water except in winter: that on a branch of the North Fork, running parallel to the main one, which we ascended, is of this description. As regards timber, the pine, which is the principal variety, is most abundant on the western side. Crossing the mountains to Shasta valley, we ascended to a height sufficient to give us a very extended view of the surrounding country, and have no hesitation in saying that its general character is the same. But few of the streams afford permanent running-water, and on our route we met with it in but two or three pools during two days' travel—in fact, from Scott's river to the Shasta. Our limited time did not permit us to traverse the whole extent of the valley, but we had an opportunity of overlooking it from several points, and two of our number were familiar with every part of it. The extent is about thirty miles in length, by eight as an average width, reaching from the foot of the Shasta Butte to the cañon through which the river enters the Klamath. It is

traversed by only a few branches, and those nearly all sink or dry up in summer, the principal stream itself running over a bed of sand and stones, becoming tepid from the heat. The upper part of the valley, on the eastern side, is covered with extensive pine forests, and its soil stony and worthless. Through its middle extends a tract dotted with mounds and buttes of various forms and sizes, breaking it up to a degree unfitting it for cultivation, even if it were otherwise valuable. The remainder, though covered with abundant grass of the same kind as that clothing the hills around, is entirely destitute of water or timber, and too sterile to produce vegetables under any circumstances. The only tract where land of any value was seen is on the creek upon which the town itself is situated, and that is of small extent.

Add to the facts already stated one which we received from good authority, that, in the greater part of the valley, frost occurs in every month in the year, and we are compelled to come to the conclusion that the agricultural part of your reserve must be found elsewhere. The objection of proximity to gold-diggings will, so far as our observation has extended, apply almost equally to every part of this district, nor could we point to any considerable tract which on that score would prove a safe one. Under these circumstances, we believe that Scott's valley will afford your only resource. The extent required for the purpose will necessarily depend on the number of persons to be brought within the reserve, and upon this we forbear to express an opinion.

We are, sir, your obedient servants,

GEORGE GIBBS.
 BENJ. KELSEY.
 SARSHAL WOODS.
 ALVA BOLES.
 CHAS. McDERMIT.

REDICK MCKEE, Esq., *Indian Agent, &c.*

SHASTA BUTTE CITY, *November 1, 1851.*

At a large and respectable meeting of the citizens of Shasta Butte city, held at Mr. S. Fleming's long room, on Saturday evening, November 1, 1851, Mr. D. H. Lowry was appointed chairman, and C. Meegan secretary.

After the meeting was organized, Col. R. McKee, Indian agent of the United States government, very appropriately addressed the meeting in relation to his progress in adjusting the difficulties between the white and the red men of California, and also his success in purchasing the *Indian title to their fishing and hunting grounds.*

After the Indian agent concluded, he was followed by Mr. W. A. Robinson, who delivered a very eloquent and appropriate speech on the same subject.

It was then unanimously

Resolved, That a committee of five be appointed to adjudicate or try all cases of complaint between the white man and the Indian of this section or district.

On motion, Mr. D. H. Lowry, Judge W. T. Smith, Mr. Michael Martin, Mr. W. A. Robinson, and Mr. Alva Boles, were appointed to

be that committee, with power to fill vacancies in cases of resignation or otherwise.

On motion, a vote of thanks was very unanimously given to the Indian agent for his zeal and success in his mission.

Meeting then adjourned.

D. H. LOWRY, *Chairman.*

C. MEEGAN, *Secretary.*

CAMP IN SCOTT'S VALLEY, *November 5, 1851.*

To all whom it may concern:

Notice is hereby given, that on the 4th instant, at this camp, a formal treaty of peace and friendship was signed by the subscriber, on behalf of the United States, with the chiefs and headmen of the Shasta, Scott's River, and Upper Klamath Indians.

All acts of aggression, retaliation, or revenge, are, by the terms of this compact, to cease; and I would most earnestly and respectfully entreat my countrymen, and all white men on this frontier, to respect the rights of the Indians, and treat them with lenity and forbearance rather than strict severity.

If difficulties shall unhappily arise in my absence, let information be given promptly to my secretary, Mr. John McKee, who will remain in this valley during the winter to give a general superintendence to Indian affairs, or to one or more of the following named gentlemen, who have kindly undertaken to act as committee men, to promote the peace, and punish equally both Indians and whites who may infringe the stipulations of the treaty, viz: Dr. F. H. McKinney, and Maj. Theo. F. Rowe, Scott's bar; L. Swan, and B. H. Johnston, Scott's valley; D. H. Lowry, W. A. Robinson, Alfred Boles, M. Martin, and Judge Wilson T. Smith, Shasta Butte, or in Scott's valley.

The peace of this whole frontier will depend greatly upon the judicious and firm proceedings of these committees with delinquents, and I leave the matter with great confidence in their hands. The people, generally, will, I doubt not, sustain their decisions.

By the treaty, all horses, mules, or other property in the possession of the Indians, are to be brought in within two moons—or sixty days—to be examined by the temporary agent. Persons who have lost property will, therefore, lodge with Mr. John McKee, at or near the ranche of Messrs. Watson, Gee, & Co., a full description of the same. Satisfactory evidence of ownership will be required, such as would be necessary among white men. What is not so identified is to be returned to the Indians.

A plat of the Indian reservation, with its boundaries, &c., is also left with Mr. John McKee, for the information of the public.

By the treaty, the Indians are to have full possession of their lands by or before the 1st of June, 1852, except the diggings, &c., on Scott's bar, which the whites may work for two years, unless they are previously exhausted.

REDICK MCKEE,

U. S. Indian Agent.

P. S.—Refer also to Thos. J. Roache and G. W. Taggart, esquires, Happy Camp, Indian creek, Klamath river.

CAMP IN SCOTT'S VALLEY,
November 6, 1851.

SIR: The continued peace of this frontier, in my opinion, as well as in the opinions of many intelligent citizens of this valley and of Shasta, requires the presence of a special agent, at least during the next few months. As Mr. George Gibbs and Mr. Walter McDonald both wish to return with me to the coast, to attend to their private affairs, I have to request you to remain here and in the neighborhood until I can return, or the Indian department shall appoint a regular sub-agent for this reservation. You will arrange to keep in your employment at least one of the Indian boys familiar with the *lingo* of the different tribes. He can render you great assistance in settling the Indians, as they arrive, upon the reservation, and if the weather permits your travelling, you can take him with you when you visit the rancherias along the Klamath.

I leave with you a copy of the treaty of the 4th instant; a plat and description of the reservation; copy of my circular of the 5th instant; copy of the laws and regulations of the Indian department, and Mr. Lea's last report.

In case of difficulty with or about the Indians, you will avail yourself of the advice of Colonel S. Wood and Mr. Benjamin Kelsey, of this valley, both men of good judgment and experience on the frontiers of Missouri, or at once throw the management of the case over upon the committees on Indian affairs, appointed, at my request, by public meetings at Scott's Bar and Shasta Butte city.

To assist the Indians in removing to the reservations, (their immediate withdrawal from the neighborhood of the towns being very important,) I leave at Mr. Kelsey's, subject to your order, eight large bullocks, guarantied to net 6,400 pounds, and at Mr. Samuel Fleming's, in Shasta, 20 sacks of flour, 50 pounds each. Distribute both, in your discretion, during the inclement weather of the approaching winter.

I shall also leave with Mr. Kelsey, for you, a small tent, some few articles of provisions and cooking apparatus, and a few remaining articles of Indian goods for presents, &c.—say half a dozen flannel shirts, quarter of a dozen hats, one or two pounds of beads, buttons, &c.

It may be good policy to distribute these little presents among such Indians as may visit your camp, and did not receive presents at the treaty.

Keep an exact account of your expenses, taking vouchers when practicable. In general, act in all things as you may think best for the peace and safety of the frontier and the improvement of the Indians, writing me by every opportunity to San Francisco.

In haste, but very truly yours,

R. McKEE.

United States Indian Agent.

Mr. JOHN McKEE.

SAN FRANCISCO, December 1, 1851.

SIR: I have been in expectation for some time past of receiving a communication from the department in relation to the position of Adam Johnston, sub-agent, not having received other instructions than those requiring of me to *assume* my duties as agent, and one of a subsequent date *approving* of the districting of the State.

I informed Colonel Johnston of my having received said communications, and subsequently referred him to the laws and regulations, in which is stated, "but no sub-agent shall be appointed who shall reside within the limits of an agency when an agent is appointed."

Having some cause for objections in relation to his official conduct, I have notified him that I would assume the duties pertaining to my office, in my district.

In so doing, I presume that I am acting in conformity with the laws and regulations, and that which will be required of me by the department. He informed me, some time since, that he was going to send on his resignation.

The Indians throughout my entire district are quiet and peaceable, I learn, however, that some of the tribes in Colonel Barbour's district have been complaining in consequence of their not having received their portion of beef, as per treaty stipulations, and that there is serious apprehension of a rupture with them. The traders who were appointed by Colonel Barbour for that section of country, deem it unsafe to remain or go among them without these supplies are furnished. Inasmuch as Colonel Barbour requested of me to take charge of his district in his absence, and in view of the necessity, I have ordered some beef and flour to be delivered to them, and will visit them and endeavor to prevent the apprehended difficulty.

The above-mentioned section of country is embraced between the Tahone pass and the San Joaquin river, in which there are no whites living, with the exception of those on the San Joaquin river. The Indians are numerous, and have the reputation of being great thieves.

The coast steamer has just come in from the south, bringing accounts rather contradictory in their nature, it is true, but yet sufficiently reliable to cause great excitement and apprehension, it would appear, among the populace of the lower part of the State.

It is stated that the Indians have assembled in large numbers, with the intention of attacking and driving the whites out of the country.

I do not credit all of the statement: at the same time, I am convinced that there has been some dissatisfaction among the Indians of that part of the country, as there have been many causes for it.

The Mission or Pueblo Indians have been taxed; and they having failed to pay, their property has been taken and sold; and I am informed that when Colonel Barbour was in that section, he failed to meet the mountain tribes who assembled for that purpose. They, in consequence, were very turbulent, and were only partly pacified on receiving some beef from Colonel Isaac Williams.

Thus it is probable that the Mission and mountain Indians may have effected a combination, having a common cause for hatred to the whites. I will go down, at all events, by the first conveyance, ascertain the facts, and do all in my power to settle difficulties.

There has been no treaty as yet made with those Indians, and they are aware that those north of them have had provisions made for them. This, doubtless, has likewise been an exciting cause; I will endeavor to remedy this if I can get among them. And here a difficulty presents itself at the outset. I shall be necessitated to raise money for my travelling expenses. The amount sent out, (\$25,000) as stated in a former communication, is deposited to Colonel McKee's credit. His banker informs me that he has drawn it nearly all out; and this has been done without consultation or any knowledge of mine, though the instructions are explicit: "After consultation with your colleagues, you will divide, as the work in your respective districts requires, with the exception of twenty-five hundred dollars," (\$2,500) which I have drawn by his order. The balance of the appropriation has been disposed of by him, as before stated, without my knowledge or consent; and this likewise was the case with the money first placed in his hands. I may have something more to say in relation to this subject, at some future day.

The traders licensed by me for the full time allowed by law, are Mr. Samuel Norris and Mr. E. S. Lovell for the reservations on the Yuba and Bear rivers, and the one on Feather river. Their bondsmen are Mr. C. Storms and Samuel Branders.

Major P. B. Reading has the reservation bounded by the Pitt river and the Sacramento. His bondsmen are J. Brenham and Samuel J. Hensley.

Mr. Havel Belcher has the reservation on the Cosumne river. In the first instance I gave him a temporary license: I have now extended it to the full term. His bondsmen are J. A. Read and W. G. Proctor.

The bonds are all filled for the maximum amount required by law, (\$5,000.)

They will be unable to do more at present than to lend their aid in the observance of treaty stipulations, by taking charge of the little supplies which have been presented to the Indians; for the reason that all other traders have greater advantages than they have from the fact that they all sell liquor to the Indians, while the licensed trader is prohibited.

December 3.—The mail steamer has come in, by which I am in receipt of your letter of September 15, acknowledging the receipt of treaty, quarterly settlement, &c., from me, of July 18.

Further confirmation has come in from San Diego of Indian disturbances. I shall go down on the 7th instant.

Respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent, Middle District, California.

HON. LUKE KEA,

Commissioner of Indian Affairs.

SAN FRANCISCO, CALIFORNIA,

December 3, 1851.

SIR: In accordance with the laws and regulations in regard to "depredations of Indians on the property of white persons," I herewith transmit a claim of Major James D. Savage for remuneration. The facts set forth in the application are known to me to be true. I was near to the place at the time the murders and robbery were committed among the Indians residing on the Little Mariposa. On hearing of this outbreak on the Fresno, I immediately repaired to the spot, where I found the bodies of the murdered men, and had them interred. The house was stripped of everything valuable, the safe broken open and robbed of its contents. Major Savage had applied to me some time previous for a license to trade with those Indians. I did not then give him formal license, but gave him permission to go on and erect his trading-house on the Fresno, and to trade with the Indians until I could visit that part of the country. I therefore supposed he was "lawfully within the Indian country." I had only reached the neighborhood at the time of the outbreak, and was visiting the Indians of the Little Mariposa. On this occurrence all the Indians of that region fled to the mountains, and a predatory war was the result. Since treaties have been entered into in that region, I have inquired of the Indians engaged in the robbery in regard to the cause. They acknowledged the act, but say they were "hungry, and their heads got bad." I submit the claim for consideration and directions.

Respectfully, your obedient servant,

ADAM JOHNSTON,

U. S. Sub-Agent for the Valley of San Joaquin.

TO ADAM JOHNSTON,

U. S. Indian Agent, Valley of San Joaquin:

The undersigned respectfully represents to you that on or about the 6th day of October, A. D. 1850, after obtaining your consent to erect a trading-house on the headwaters of the Fresno river, for the purpose of trading with the Indians on said stream, I had erected a house for my goods, and a corral for my cattle, and continued to do business on said stream until about the 17th day of December, A. D. 1850, when the Chouchilla, Chook-chuncy, and Pohuniche tribes or bands of Indians broke out, killing my clerk, Mr. Greely, a Mr. Stiffner, and Mr. James Kennedy, and robbed my store of all goods, broke open my iron safe and abstracted a large amount of money and valuable papers, and destroyed all of my furniture and property.

The losses sustained by me were as follows:

Goods and provisions actually on hand, which were taken and destroyed by the Indians	\$13,000
Money in my safe	5,000
Iron safe	150
Two riding-mules, at \$150 each	300
Twelve head of work-oxen	900

Two fine horses	\$300
One house, furniture and fixtures.....	1,000
Two canvass tents and fixtures.....	500
At the same time, at my tent on the Little Mariposa, sixteen mules, at \$100 each.....	1,600
Forty head of beef cattle, at \$60 each.....	2,400
	<hr/>
Making in all the sum of.....	25,150
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The undersigned further represents that all of the above-named property was taken by force, with an intent to steal, and that the property was appropriated by said Indians to their own use.

JAMES D. SAVAGE.

I, James D. Savage, being duly sworn, do solemnly aver that all of the matters and things set forth in the foregoing statement are true, and that neither myself, representative, attorney, nor agent, has violated the provisions of the law by seeking or attempting to obtain private satisfaction or revenge in the premises.

J. D. SAVAGE.

Subscribed and sworn to before me, this 21st day of October, A. D. 1851.

ADAM JOHNSTON,
U. S. Sub-Indian Agent, Valley of San Joaquin.

I, Anthony Brown, do solemnly swear, in the presence of Almighty God, that I was at the house of James D. Savage, on the Fresno river, on or about the 17th day of December, A. D. 1850, when the Indians of the Chouchilla, Chook-chuncy, and Pohuniche tribes or bands commenced the robbery and massacre as above stated by James D. Savage; that Mr. Greely, Mr. Stiffner, and Mr. Kennedy were killed by said Indians in my presence, and that I narrowly escaped with my life after having my arm broken, my head fractured, and being elsewhere badly hurt; that the attack was unprovoked, and the property was taken by force, with an intent to steal, or be otherwise maliciously destroyed; that all of the matters and things set forth in the statement of Mr. James D. Savage are true in every particular.

A. S. BROWN.

Subscribed and sworn to before me, this 21st day of October, 1851.

ADAM JOHNSTON,
U. S. Sub-Indian Agent.

I, William H. Hays, being duly sworn, depose and say: that I was at the house of James D. Savage, on the Little Mariposa, about the

17th day of December, A. D. 1850, and know that the forty head of beef cattle and nine mules mentioned in the claim of James D. Savage were stolen by the Indians, as stated by him. Deponent further states that he was familiar with the business of Mr. James D. Savage, and has been at his store, on the Fresno, before the robbery and massacre alluded to above; that he is satisfied that the attack and robbery was unprovoked, and that the goods were taken by force, with an intent to steal, and that his property was maliciously destroyed by the Indians.

WILLIAM H. HAYS.

Subscribed and sworn to before me, this 21st day of October, A. D. 1851.

ADAM JOHNSTON,
U. S. Sub-Indian Agent, Valley of San Joaquin.

SAN FRANCISCO, CALIFORNIA,
December 4, 1851.

SIR: I have not for some time past made my reports or transmitted my accounts to the department so promptly as is required by the law. This was not the result of negligence, or because I did not know that it was my duty to do so, but owing to other causes.

When the United States Indian commissioners determined to act separately, they made a temporary division of the State, for the purpose of concluding treaties with the balance of the Indians of California. That division included my entire agency of the "valley of San Joaquin." To the division for that purpose, of course I could not, nor did I, object, but rendered them all the aid in my power. Knowing that, under the laws, no one agency can conflict with another, or a sub-agency exist within the bounds of an agency, I looked upon the division as but temporary, and continued to exercise my duties as formerly. During the summer I was constantly riding over the reservations, endeavoring to regulate their internal affairs—talked with the Indians daily—was continually among them until they came to respect me as the "official;" and, in short, did the whole of the labor, and exercised all my powers to promote the interest of the Indians and the government, under the impression that I was acting within the limits designated in my instructions, which is "the valley of the San Joaquin." I believe I may say that the Indians under my charge are the only ones in California who have received personal attention, in the way of collecting them upon these reservations, and impressing them with the object of the government. They are certainly under better control and in much better condition than in any other agency within the bounds of the State.

It has been claimed by a gentleman *residing in this city* that I was acting within his agency—that the bounds affixed by the commissioners themselves, by which my territory was divided among them, had been recognised by the department. Under this state of things, I supposed that the department no longer required my services, and that I might receive such a notice. I therefore concluded, if that should be the

case, it might not be necessary for me to make a report or transmit my accounts, as I should, on such a notice, have returned to Washington and settled my accounts. Not finding any such notice from the department, and no one to take charge of the Indians of the San Joaquin valley, I continued to manage affairs there as formerly. On learning that the Indians below were restless and dissatisfied, in consequence of not receiving some subsistence, believing that I could prevent an outbreak and keep them quiet if I could furnish them some provisions, I came to this city to do so, if possible. On arriving in the city, I consulted Doctor Wozencraft in regard to the matter. He informed me that he could not raise any food for them. I then looked about, and found parties willing to furnish subsistence, and rely on the government for the pay hereafter, and contracted for beef and flour, as I before wrote you. That gentleman, then—residing in this city, out of any agency, two hundred miles from any considerable number of Indians—sets up a claim to control not only the entire valley of Sacramento, but the territory of my agency and that of Colonel Barbour, and expresses his surprise that I still continue to act in what he terms his agency. These conflicting claims are always calculated to do injury, and perhaps I should have resigned; but, on reflection, I thought it my duty to remain with the Indians until the department should signify to me that my services were no longer required. On this day he has notified me that he will assume as agent in my district. Instead of going into that region, or, what is more properly his agency, the valley of the Sacramento, immediately among the Indians, and attending to their wants, he leaves on Saturday, on a wild-goose chase of several hundred miles to the south. As I have said, that gentleman, who assumes to control so much, *resides in this city, two hundred miles from any considerable number of Indians.* He may live in this city, thus far from his charge, and fatten on the paid puffs of the press; but I fear government will find the Indians *under his charge* will not be so greatly benefited by it in the end.

I have the honor to be, your obedient servant,
ADAM JOHNSTON.

HON. A. H. H. STUART,
Washington City, D. C.

PRINCETON, KY., *December 17, 1851.*

SIR: I reached home a few days since, and would have written to you immediately on my arrival, but for the reason that I expected to visit Washington immediately and report to you in *proper person*; but I have been prevented from so doing, in part by the situation of my family, and partly on account of the uncertainty of a conveyance, on account of the low water and extreme cold weather, which is reported to have cut off travel by the river.

I was detained, by the loss of my baggage, (owing to the *wilful* negligence of the agent,) in Central America for a month, which prevented my being in Washington with the original treaties and my

report in time for the meeting of Congress. I will explain all to you when I visit your city, which will be in January.

Respectfully,

G. W. BARBOUR.

Hon. LUKE LEA,
Commissioner, &c.

SAN FRANCISCO, *December 29, 1851.*

SIR: I have the honor to report my safe return at last from my expedition in northern California. I arrived last evening, in the steamer Columbia, from Portland, Oregon—rather a circuitous route, to be sure, from Humboldt bay; but the condemnation and sale of the regular packet Chesapeake, and a series of breakages and delays of the only *other* steamer plying to that bay, rendered it necessary to proceed by way of the Columbia, in order to intercept the Oregon steamer, and prevent a possible further delay of weeks—perhaps months. At this season of the year violent storms prevail all along this northwest coast, and make passages in common sailing-vessels not only uncertain, but precarious.

My letters of 12th September, from Eel river; of October 3d, 4th, and 7th, from Durkee's ferry, on the Klamath; October 28th, from Scott's valley; and November 15th, from Durkee's ferry, on my return march, will have given you a running report of my operations on this expedition, and to these letters I would respectfully refer. The only letters I find here from your office are dated 23d August and 11th September. By the latter I find you are at your post again, and that the rumor of your death, announced in a New York paper, was, happily, wholly erroneous.

The steamer due here in the next three or four days will, I hope, bring me instructions in reference to my temporary return to Washington this winter. In the mean time, I am somewhat at a loss to know whether to send forward the original treaties in my possession. If you shall not have considered my presence as important, I will, of course, forward the papers by the mail of the 15th of January, unless I conclude to take the responsibility of delivering them, and a statement of my accounts, as disbursing agent, in person.

I am quite surprised to learn that Colonel Barbour returned home in October, and that agent Wozencraft has gone down to the southern part of the State to inquire into the recent reported difficulties in Colonel B.'s district. When I last saw Colonel Barbour here, in August, the understanding was that we should meet here in the fall, after my return from the north, and make out a joint report. His unexpected return from his district and from the State will, of course, prevent this being done, as well as my going into any regular settlement of his accounts. My accounts will show the amounts paid on his requisitions, and the settlement will, I suppose, have to be gone into at Washington. My northern expedition has been necessarily expensive, and consumed the greater part of the funds transmitted to me; still I think the money has been both economically and usefully expended. Of this, however, you

will have to judge by the results, after I get a little time to make up my accounts. My labors have been arduous and responsible. I hope they will prove useful to the country, and satisfactory to the government.

The late flurry in the papers about a general rising of the Indians in the south, the necessity for sending off troops and munitions of war, has pretty much blown over; the whole was, as usual here in California, immensely exaggerated; still there was some cause for alarm, and I consider it unfortunate that the government agent was from any cause prevented from visiting the Indians in the southern district, and treating them with the same attention as was bestowed upon those in the Mariposa and San Joaquin. As stated in our joint letter of 1st May, 1851, that section of the State was in charge of Colonel Barbour.

I remain, very respectfully, your obedient servant,

REDICK McKEE.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

VALLEY OF SAN JOAQUIN, CALIFORNIA,
Merced Indian Reservation, January 9, 1852.

SIR: I herewith transmit a claim of B. Oscar Field against the Indians of the San Joaquin valley. The account is wholly informal, and I think the necessary facts are not fully made out according to the requisitions of the law; yet, as it was made by the party himself, who I shall not be able to see for some time, I transmit the claim for the consideration of the department.

Very respectfully, &c.,

ADAM JOHNSTON,

U. S. Indian Agent, Valley of San Joaquin, California.

MAY 5, 1850.

SIR: In the month of December, A. D. 1849, I went into the territory of the "Root Digger Indians," on King's river, in California, for the purpose of *mining*, and also with a view of establishing at some point on the river a ferry, in order to meet the wants of the large emigration then on the route from Los Angeles, and other places, to the mining districts in California; and finding the country possessed by these Indians, I called the chiefs together, viz: Pascall Antonio and San Francisco, who were the chiefs over the Indians inhabiting this portion of country, and I then stated to them my wishes and intentions of coming among them to *mine*, and also establish a ferry on King's river, in order to meet the demands of the numerous trains that were expected by that route. The chiefs above mentioned were pleased with the proposition, and promised me the protection of themselves and the Indians under them, in case I would come.

I then returned to Stockton, a distance of over two hundred miles, in order to purchase goods, provisions, boats, and other articles, neces-

sary to carry out the enterprise; which I did, and then returned to King's river, and arrived there in about fifty days after my interview with the chiefs.

On my return I was met by the chiefs at the river with great apparent friendship, and by them conducted down the river about twelve miles to a point which they gave me, saying this was the place for the emigration to cross, and that here I could locate and establish a ferry. In return I gave them some presents, which they received with protestations of friendship and assurances of protection. Nothing occurred to disturb the friendship existing between us until the night of May 5, 1850, when the Indians came to my place, and entered my premises and forcibly carried away the following property, for which the said Indians are now indebted to me, to wit:

The Root Digger Indians		To B. Oscar Field,	DR.
To forty-seven hundred dollars in gold dust, coin, and U. S. treasury notes.....			\$4,700 00
To two gold watches and other property, consisting of flour, pork, and other provisions, to wit: sugar, dried apples, teas, calicoes, and domestics.....			2,300 00
			<hr/>
Amounting in all to seven thousand dollars			7,000 00
			<hr/> <hr/>

B. OSCAR FIELD.

Col. ADAM JOHNSTON,
*Sub-agent of the Indians in California,
 and in particular for the valley of the San Joaquin river.*

STATE OF CALIFORNIA, *Mariposa County:*

Subscribed and sworn to before me, this 23d day of December, A. D. 1851.

ADAM JOHNSTON,
United States Indian Agent.

DECEMBER, 22, 1851.

You will take notice that I claim the foregoing account against the said "Root Digger Indians," who are under your charge, and also that I shall apply to the government of the United States for that amount and interest, to be paid out of any moneys that may be appropriated to said Indians; and I have now witnesses here to prove that they stole this property from me, and pray you to take proof of the same, as you are empowered to do, under the 17th and 18th sections of the last act of the United States Congress, approved June 30, 1834.

Respectfully, yours,

B. OSCAR FIELD.

Col. A. JOHNSTON,
Sub-Indian Agent, &c.

Joseph T. Hamm states that, about the 9th of May, 1850, he was present at Major B. Oscar Field's place, on King's river, in California, and there saw the "Root Digger" Indian chiefs, Antonio and San Francisco, who delivered to Major Field in presence of Lewis Thorp, who was interpreter, some of Major Field's wearing apparel and some other small articles, which they said were taken on the night of May 5, 1850, together with the other articles which are mentioned in the account of Major Field against the "Root Digger Indians," attached hereto.

JOSEPH T. HAMM.

Subscribed and sworn to before me, this 31st day of December, A. D. 1851.

ADAM JOHNSTON,
Indian Agent.

Lewis Thorp states that he was at Major Field's place, on King's river, in California, May 9, 1850, and that the chiefs of the "Root Digger Indians," Antonio and San Francisco, were there, and acted as interpreter on this occasion; and they gave up to Major Field some of his wearing apparel and a few other articles, which were taken with the articles named by Major Field in his foregoing account against said Indians, and taken by them on the night of May 5, A. D. 1850; and they said that these were all they could get of the other Indians at the time, as the rest had been taken off or destroyed by them.

Joseph T. Hamm was also present at the same time.

LEWIS THORP.

Subscribed and sworn to before me this 23d day of December, A. D. 1851.

ADAM JOHNSTON,
Indian Sub-agent, Valley of San Joaquin, California.

STATE OF CALIFORNIA, *County of San Francisco:*

Before me, Frederick P. Tracy, a notary public in and for the county of San Francisco, duly appointed and dwelling in the city of San Francisco, on the thirty-first day of December, A. D. eighteen hundred and fifty-one, personally came Adam Johnston, known to me to be the person who, as United States Indian agent for the valley of San Joaquin, took the within affidavits, who, in my presence, subscribed the certificates of the taking of the same, as such officer as aforesaid, and acknowledged to me that, as such officer as aforesaid, he subscribed the same freely and voluntarily, for the uses and purposes therein mentioned.

[SEAL.]

F. P. TRACY, *Notary Public.*

STATE OF CALIFORNIA, *County of San Francisco:*

I, John E. Addison, county clerk of said county, do certify that F. P. Tracy is a notary public in and for said county, duly qualified, as appears of record in my office.

Witness my hand and official seal this 31st day of December, 1851.

[SEAL.]

JOHN E. ADDISON, *Clerk.*

By JAS. D. GALBRAITH,
Deputy Clerk.

STATE OF CALIFORNIA, *County of San Francisco:*

I, Frederick P. Tracy, a notary public in and for the county of San Francisco, duly appointed and dwelling in the city of San Francisco, hereby certify that I have this day diligently compared the foregoing papers with the originals, of which they purport to be copies, and that the same are true copies of the said several papers.

Witness my hand and seal of office this second day of January, A. D. eighteen hundred and fifty-two.

[SEAL.]

F. P. TRACY, *Notary Public.*

SAN FRANCISCO, *January 15, 1852.*

SIR: Referring to my respects of 29th ultimo, advising of my arrival from the northern part of the State, and acknowledging receipt of your letters of 23d August and 11th September, I have now the honor to enclose the following original treaties made with the Indians of California; the two first executed on behalf of the United States by Messrs. Barbour, Wozencraft, and myself, and the last five by myself alone.

1. Treaty of Camp Fremont, 19th March, 1851.
2. Treaty of Camp Barbour, 29th April, 1851.
3. Treaty of Lu-pi-yu-ma, 20th August, 1851.
4. Treaty of Fernando Felix, 22d August, 1851.
5. Treaty of Klamath, 6th October, 1851.
6. Treaty of Coratem, (supplemental to the same,) 12th October, 1851.
7. Treaty of Scott's valley, 4th November, 1851.

The numbers estimated as interested in the two first treaties have, I presume, been furnished by either one or other of my late colleagues. Since the first of May, I have not been in that district. The numbers of each sex, &c., among the tribes I have treated with since that date, have not yet been fully ascertained or reported to me, but I expect information in a few days upon which estimates for clothing, &c., may be based.

There are many things connected with the clothing, habits, &c., of the Indians I have treated with, which I have not attempted to explain in my letters, deeming it probable that you would, in accordance with my suggestions, order me to Washington, to make the explanations in person. I await your instructions on that subject with some anxiety, both with reference to the public interests and my own arrangements for the removal of my family to this State. The next mail will, I hope, bring me letters from your department. In the mean time I shall probably have to visit the Indians on Russian river and Clear lake, and ex-

plain to them the reason of their not receiving the flour promised them for the year 1851. During my absence north, the house with whom I had arranged for a supply suddenly closed up their business, and failed to meet the arrangement upon which I had relied. Our funds being again exhausted, I will be compelled to ask the Indians for a postponement, unless I can obtain the flour from the army department at Benicia.

Since my return to this city, I have heard a public rumor of there being a large amount of bills in the market, drawn by Adam Johnston, esq., sub-agent for the San Joaquin, or one of the commissioners, for supplies of beef cattle for the Indians in that quarter, and at very high rates per pound. What the facts are, I am not apprized; but if such drafts should be presented, I would suggest inquiry into the whole matter before payment is promised. A large amount of money may be saved to the government in carrying out the treaty stipulations with these California Indians, by inviting offers *publicly*, and passing the whole business through the hands of *one agent* or disbursing officer of the Indian department.

I remain, very respectfully, yours, &c.,

REDICK MCKEE.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington City.

MERCEDE INDIAN RESERVATION,

Valley of San Joaquin, Cal., January 18, 1852.

SIR: Your letter of August 18th, directed to the care of Redick McKee, agent, enclosing to me the bond of George D. Belt, with his license approved, was received some time ago. In accordance with your instructions, I have made the dates of the bond and license agree. The license will therefore run from the date of the bond, which I herewith return to the Office of Indian Affairs, as you directed.

Very respectfully, your obedient servant,

ADAM JOHNSTON,

Sub-Indian Agent, Valley of the San Joaquin, Cal.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

SAN FRANCISCO, CAL.,

January 29, 1852.

SIR: I am in due receipt of your favor of 5th ultimo, acknowledging receipt of mine of 14th October ultimo.

In a former communication I referred to the very unsatisfactory and unaccountable disposition of the moneys placed in the hands of Redick McKee, esq., for disbursement; and regret that I was deterred from making the statement of his apparent derelictions when first apprized of them, as a sense of duty to the department, as well as to myself, prompted to such a course, which I now regret, as not acting in accordance with such promptings.

I would remark that his conduct was unsatisfactory at the time, and still continues to be so. It is, indeed, a source of surprise to me that *his purchases* were made on a credit soon after we started on our first expedition, and I am not the less surprised to learn that some of these liabilities are not yet paid.

When I received the communication from the department relative to the appropriation (the second) which was sent out, and the disposition to be made of it, I took the precaution to notify him that I should expect my quota of the amount, in accordance with your instructions.

On my arrival here I find he states that he has made a disposition of all the funds *without consultation*, with the exception of some three thousand dollars, (\$3,000,) which he permitted me to draw in behalf of some of my creditors as United States Indian agent. His only excuse in self-justification was, that "*his expenses had been enormous*," knowing, at the same time, that I had incurred liabilities some three months prior to his moving on this expedition.

I would ask your reference to my communication of 14th May ultimo, receipt of which has never been acknowledged by the department; as also to that of — October last, covering estimates of amounts required for the stipulations of six treaties made by me whilst acting individually, amounting, in the aggregate, to about four hundred thousand dollars.

The attention of the department is earnestly requested to this subject, in order to secure the action of Congress in relation to the appropriation at as early a period as practicable.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent, Middle District, California.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington.

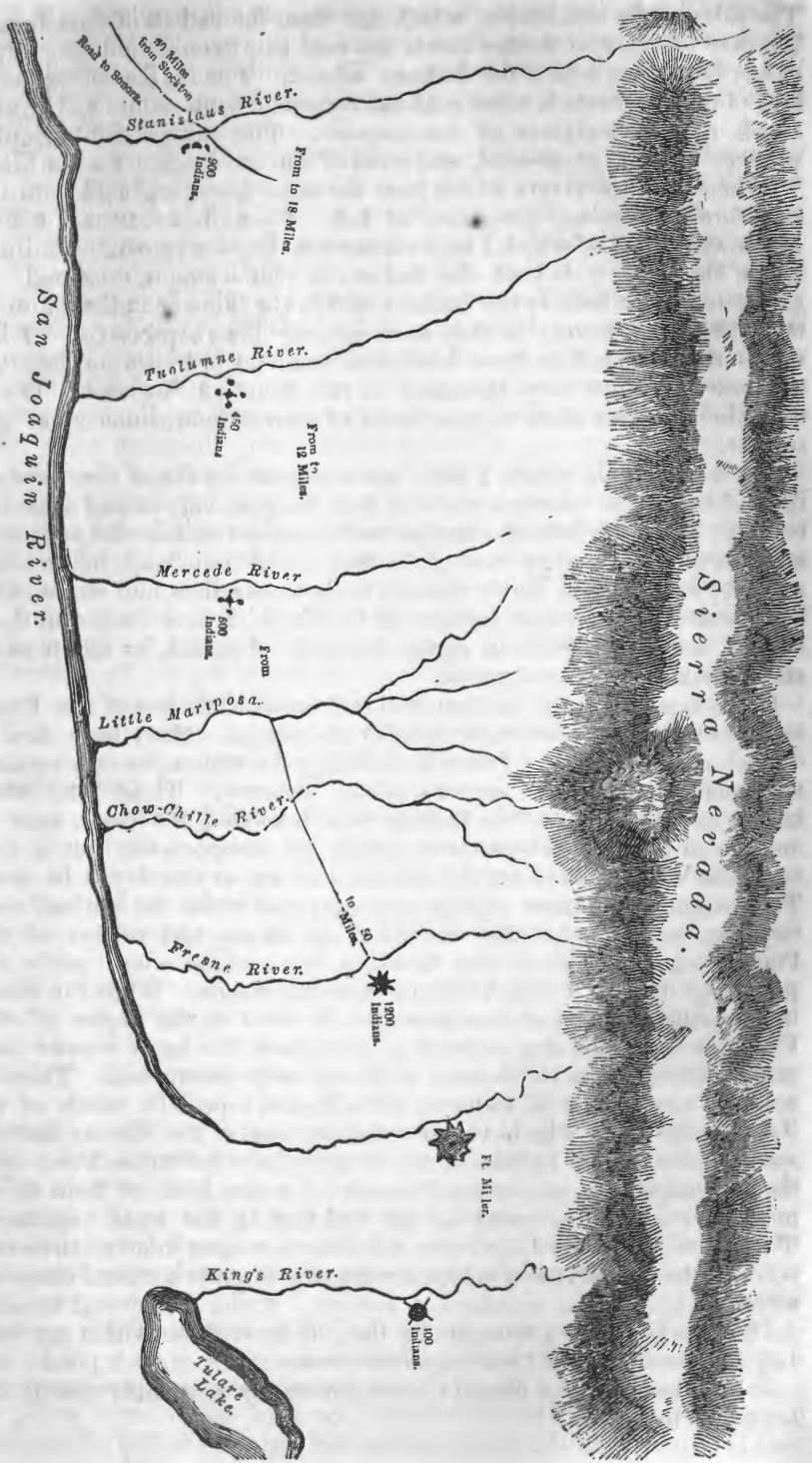
MERCEDE INDIAN RESERVATION,
San Joaquin Sub-agency, California, January 30, 1852.

SIR: As there will undoubtedly be some legislation, in the course of the present session of Congress, in regard to an organization for the Indian service in California, it may be proper for me to submit to the department my opinions, together with some suggestions upon the subject. Before entering upon the plan of organization, I would call attention to the supposed number of Indians within the bounds of the State, their present location, condition, &c. It is difficult, as you may perceive, to arrive at a strictly correct estimate of the number of Indians residing within the limits of California, so little is known of those occupying the eastern side of the Sierra Nevada. Few individuals, and no government officials, have, as yet, visited that region for the purpose of ascertaining their number, or having intercourse with the Indians living there. We are, consequently, without any very reliable information in regard to all those inhabiting the entire district of country between the summit of the Sierra Nevada and the eastern boundary line of the State. From such information as I am in possession of, there can be but few Indians on that side of the mountains, within the State of California.

The sides of the mountains, which rise from the valleys of Carson and Truckee rivers, and further north, are cold and barren, producing little of anything upon which the Indians subsist. The climate of the valleys of those streams is more mild and congenial to the nudity and habits of life of the aborigines of this country. The valleys and lowlands produce berries, grass-seed, and roots of various kinds. Carson lake, Truckee lake, the rivers which bear the same name, and their tributaries, furnish immense quantities of fish. Upon those streams, lakes, and lowlands, all of which I understand to be beyond the eastern boundary of the State, it is said the Indians of that region are located. I therefore cannot believe the Indians within the State of California anything like so numerous as they have recently been represented. Estimates of their numbers have heretofore been made by several individuals, varying from forty thousand to two hundred thousand. These vast discrepancies show a great want of correct information upon the subject.

For the last two years, I have spent almost my entire time among the Indians of the Sacramento and San Joaquin valleys and adjacent country. Judging from the number within my actual knowledge, covering a large territorial portion of the State, and from such information as I have been able to obtain through traders, travellers, and others, who have been in the remote corners of California, I have estimated their number within the State at *eighty thousand*. I cannot, by any reasonable calculation, make it more.

In the first place, for two hundred miles around the bay of San Francisco, there is no considerable number of Indians. Many have died of disease, and others have fallen back before the whites, into the mountains and more remote sections of the country. Those who were known as "Costanoes," or Indians who inhabited the coast, near to the bay of San Francisco, have nearly all disappeared; but a few miserable wanderers about the old missions are at this day to be seen. Their council-fires have rapidly gone out; and within the last half century, that people who once occupied the shores and valleys of the Pacific coast have given way to civilization and the white man's approach, as did the parting Celt to succeeding Saxon. While the country immediately on and contiguous to the coast in the region of San Francisco is almost depopulated of aborigines, the more remote sections of the State have become, in places, more prosperous. There is scarcely a collection of Indians in California, especially south of the Sacramento river, who have not more or less of the Mission Indians among them. The Indians in this country have heretofore lived upon the margins of streams, in small bands or communities of from thirty to eighty; seldom so many as one hundred in the same rancheria. These rancherías or villages were tolerably numerous in some particular parts of the country, and were calculated to impress a casual observer with the idea of great numbers of Indians. Under the several treaties the Indians have been brought together, at least those within my control, and located upon their respective reservations at such points as I have designated. For instance, those under my immediate charge are located as follows:



You will perceive, by the foregoing rough sketch, that the first Indian rancheria is upon the Stanislaus river, about thirty miles from Stockton, where there are about 900 Indians. The next is on the Tuolumne river, in another reservation, about eighteen miles distant. On the Merced, which is about twelve miles from the Tuolumne river, but in the same reservation, there is another rancheria. On the Tuolumne river there are 450 Indians, and on the Merced about 500, making in all upon this reserve about 950. From the Merced to the Fresno river, the next Indian rancheria, is fifty miles: at this point there are near 1,200 Indians. From the Fresno to Fort Miller, on the San Joaquin, it is eighteen miles: at this point there are 1,000 Indians. This is in the same reserve as the Fresno. From Fort Miller to King's river is twenty-five miles: at this place there are 400 Indians, who are also on the same reservation. There is also a small number on the Cowier, or the first of the Four creeks, belonging to the latter reservation. In none of these reservations is there any agricultural land, except in spots; a few acres only can be found together, and those upon the banks of the streams. Now, it may be a question worthy of consideration, whether it is best to continue the Indians in their present location within the numerous reservations which have been set apart for them, or to remove them to the country around Tulare lake; (at that point there are some of the best agricultural lands in California, and it is beyond the reach of the mining region;) or, indeed, whether it would not still be better to remove the entire Indian population of the State beyond the Sierra Nevada, than to continue them in so many small reservations, contiguous to, and in some instances in conflict with, the mining interests of California? That there is a suitable country for them on the other side of the mountains, there can be no doubt. The valley of Carson river is quite extensive, and possesses as good soil, wood and water, as can be found between the Missouri river and the shores of the Pacific. In my opinion, there have been too many reservations carved out of the Territory of California. They are objectionable for various reasons: first, the Indians are scattered over so great an extent of territory as to render it impossible for the agent, or other official, to give them his personal attention, which I look upon as *all-important* in their management. Again: as at present arranged, the reservations, in many cases, conflict with the mining interests of the country. Aggressions on the part of the whites or the Indians will frequently occur; slight feuds and personal quarrels will naturally lead to more serious consequences. This has been the subject of earnest complaint, especially in regard to many of the treaties concluded in the valley of the Sacramento. That the commissioners, in most cases, acted for the best interests of the government, as they believed, I have no doubt; that in the formation of some of the treaties there was too limited a knowledge of the country, too great haste, and perhaps a want of due consideration, is equally clear.

In regard to an organization for the Indian service of this country, I must consider it *under existing circumstances*.

In my opinion there should be one *general agent* or superintendent of Indian affairs located in San Francisco, or some other central point. He should superintend the entire business belonging to Indian affairs, both

of California and Oregon. His salary should exceed *twenty-five hundred dollars*, with a clerk at a salary of twelve hundred dollars. As there is but little difference, under the present law, between an agent and a sub-agent, except the name and compensation—both exercising similar duties within their respective territories—both reporting to and being alike responsible to the government—I would suggest that there be eight sub-agents appointed by the Department of the Interior for the State of California, who shall be allowed a salary of \$1,200 per annum. In my opinion it would be much better to have eight sub-agents than four full agents. It is not so much the diplomacy exercised in such positions that has the beneficial influence, as the fact of a *government official being right among them*. Make it the duty of such sub-agents to reside immediately among the Indians of their sub-agencies; to report quarterly to the general agent or superintendent of Indian affairs for this country, and yearly direct to the department of Indian affairs at the city of Washington. Six of these sub-agents might be located at proper points on this side of the Sierra Nevada: say one on the Klamath, one on the headwaters of the Sacramento, and one about the mouth of Yuba river. For the valley of the San Joaquin and the country south, say one at Fort Miller, on the San Joaquin river; one at or near Texon pass; and one yet further south. For the Indians on the eastern side of the Nevada, let the remaining two be placed at such points as may be thought best, after exploring that region. No agent or other official sent here by the government should consider his work so far accomplished, by rapidly passing over the country, and perhaps concluding a few treaties with the Indians, as to enable him to return to San Francisco for the balance of the year.

The Indians of this country have not yet learned our language. Of course they do not read the newspapers, and therefore cannot fully appreciate such publications as may be made of the great things which have been done or may be doing for them by an agent residing at so great a distance from them. It is therefore of the *greatest importance* that each agent or sub-agent *reside immediately among the Indians intrusted to his charge, and not in San Francisco, Sacramento, or any other city*. The agent, or other official, of whatever class, should be compelled to live among, or convenient to, the Indians under his care, where he can be in daily communication with them, hearing their complaints and healing such trifling difficulties as may arise among them. In this way they would readily become familiar with him as *an official*, and regard him as *the one* whom they must consult, to whom their complaints must be made, and by whose decisions they must abide. On the other hand, if the agent be not at his post, personal revenge frequently follows the smallest offence.

Trade and intercourse with the Indians.

As it is to be presumed that the agent or sub-agent should know the most proper points for the location of trading establishments, and perhaps the most proper persons to be licensed as traders, I would be in favor of allowing the power of licensing traders to remain in such agents within their respective agencies. Such license should, in all cases, be approved by the general agent or superintendent of Indian affairs for

this country. The bonds should also be approved by him, and forwarded to the department at Washington.

In no case should a license be granted for a longer period than one year, revokable and renewable as at present. As great profits are realized by Indian traders, they should pay to the agent or sub-agent granting the license a reasonable sum for such privilege, to be appropriated and expended for the use and benefit of the Indians within such reservation.

SEC. 8. After "or take and destroy any peltry or game except for subsistence," I would add, *or engage in mining upon the Indian territory.*

When fines or forfeitures cannot be enforced, some appropriate corporal punishment should be applied.

SEC. 9. After "without the consent of such tribe," add, *and agent or sub-agent, as the case may be.*

SEC. 10. Let the general agent or superintendent of Indian affairs here be authorized to direct the military force to be employed in such removal.

SEC. 11. I would have the last sentence of this section read, "and it shall moreover be lawful for *the general agent or superintendent of Indian affairs at San Francisco* to take such measures, and employ such military force, as he may judge necessary to remove from the lands any such person as aforesaid."

SEC. 13. Besides the forfeiture of \$2,000, *corporal punishment.*

SEC. 14. Besides the forfeiture of \$1,000, *corporal punishment.*

SEC. 16. "And if such offender be unable to pay a sum at least equal to the just value or amount," &c., *other punishment should be applied.*

SEC. 17. That unless such be presented within one year, "the same shall be barred."

SEC. 19. And the general agent or superintendent may direct the military force of the United States to be employed, &c.

SEC. 20. The amendment of March 3, 1847, remedies all defects, except, "such supplies as shall be necessary for the officers of the United States and troops of the service" should be extended to all persons in the employ of the United States.

SEC. 25. After the last word in the proviso of this section, add, "belonging to the same band or reservation."

I have here made such suggestions of alterations and additions as, in my opinion, will render the law regulating trade and intercourse with the Indian tribes more applicable to this country under existing circumstances. In some instances, where prompt and immediate action might be necessary, I have substituted the name of superintendent for that of President of the United States. My reasons for so doing must be obvious. Our distance from Washington is so great, that at least two months' time is required in obtaining an answer to any communication from this region. In many cases, where prompt and immediate action might effect much, a delay of two months, for the direction of the President, would be tantamount to having no law upon the subject. For instance, in the case of miners trespassing upon the territory of the Indians, it would be idle to await the President's order for the military force to be employed in their removal. The Indians, jealous of their rights, expect immediate remedies from the *officials* for all such real or

imaginary injuries. If they be rapidly remedied, it impresses them with a deep sense of the power of law and control of our own people. In my experience with Indian affairs, and the class of community to be dealt with in this country, I have found that, *with prompt and immediate action*, a single individual can effect that which might require almost a regiment of soldiers after any considerable delay. In a region like California, filled up with persons from every country and every clime, who, from the nature of their pursuits, are daily brought in contact, and not unfrequently in conflict, with the Indians, the agent or other official should not only be a person of courage and energy, but should be clothed with such facilities as would enable him to act with promptitude and power. The most stringent laws can be of but little force unless they can be promptly administered.

With all the amendments and alterations which I have suggested, or which can be adopted, I doubt whether they would be worth the trouble of making under the present organization of the judiciary. Until that is changed so as to give force and rapidity of action, no law can be effective in a population so unsettled as is this mining, migratory community of California.

Your obedient servant,

ADAM JOHNSTON,
Indian Sub-agent,

HON. LUKE LEA,
Commissioner of Indian Affairs.

SAN FRANCISCO, *January 30, 1852.*

DEAR SIR: Major Tho. W. Lane, the bearer, holds my acceptances (as disbursing agent) of Col. G. W. Barbour's drafts, viz:

For beef and flour, for treaty 13th May, 1851.....	\$1,825 00
Do. do. 10th June, 1851.....	500 00
For transportation, hands' wages, &c., on journey from Los Angeles, July 26, 1851.....	1,500 00

I find it will be impossible for me to pay these bills at present, or until a further appropriation shall be made and the funds transmitted; and as Major Lane is about visiting Washington, and would be accommodated by getting the money there, I write this to request that if Congress shall have made the necessary appropriation, I would be pleased if you could arrange to retire these bills for me while he is in Washington.

I am, very respectfully, your obedient servant,

R. McKEE.

HON. LUKE LEA,
Washington City.

SAN FRANCISCO, *January 31, 1852.*

SIR: My last letter accompanied (on the 15th instant) seven original treaties made in 1851 with various Indian tribes in this State. Since

then I have received your letter of 5th ultimo, acknowledging receipt of mine of 12th September. By the return of Dr. Wozencraft from the southern district I learn that the recent disturbances in that quarter have been settled, and at present the country is quiet. I am promised a history of the origin and causes of this outbreak by the representatives from that district, which will probably throw light upon the subject. At present I do not pretend to reconcile the conflicting and highly-colored statements pro and con.

Since my last despatch I have, at the request of the honorable committees of the Senate and Assembly, visited the present capital, (Sacramento City,) and endeavored in a plain way to disabuse the public mind on the subject of the extent and value of the lands reserved by our treaties for the settlement of the Indians. Some of the partisan papers have been trying for months past to inflame the public mind, and excite prejudices against the treaties by misrepresentations as to the extent and value of the reservations. They charged that we had given the Indians large bodies of the finest farming and mineral lands in the State, to the great prejudice of the white settlers. I thought it my duty, therefore, to comply with the request of the committees, and endeavor to show that this was all a mistake; and if it were otherwise, it would nevertheless be the best policy to acquiesce in the arrangement made and making for quieting the country, trusting to time and future negotiations to make the proper corrections. In point of fact, all the reservations thrown together would not probably exceed one per cent. of the whole area—certainly not that proportion of the really good lands. In my judgment there are not more than two or three out of the whole number of reservations which any practical man or company would purchase, *as a whole*, at even one cent per acre, subject to State and county taxes. Still, we had endeavored to include in every such selection some good lands, capable of subsisting the Indians; and it would have been wretched policy, as well as gross injustice, to have done otherwise. Our object had been to give them lands which they could work, and upon the product subsist after two or three years, during which the government would aid them by supplies of food, clothing, &c.

An imperfect report of my remarks on the occasion is contained in the Daily Union of the 27th inst., which I send by mail. The committees will, I think, recommend in their reports a general acquiescence in our treaty arrangements.

The immense war debt of the State, amounting already to near two millions, will probably deter the political economists of this legislature from voting any more appropriations for *such* purposes: if so, the frontiers will probably remain quiet. The Indian wars of California have been, I do think, the most absurd, unnecessary, and unproductive of any possible good result, of any ever waged by our people. It is now pretty well understood that the prime movers were not without *substantial pecuniary reasons* for their patriotism; and however the State may suffer in her financial resources or credit, *they will not be among the afflicted*. These are matters, however, which, not being connected with my official duties, I do not agitate.

I am still waiting with anxiety for your directions as to my proposed

visit to the seat of government, and trust the steamer hourly expected may bring me letters.

With high regard, your most obedient servant,

REDICK McKEE.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington City.

[Not dated. Received at Indian Office on the 2d February, 1852.]

SIR: In compliance with the instructions given to me from your department, I will now, with your permission, proceed to report to you my acts and observations touching my duties as one of the Indian commissioners and agents for California: and the manners, habits, customs, and extent of civilization of the various tribes of Indians with whom I came in contact in the State of California.

A few days after the receipt of my commission, instructions, &c., I left my residence, in Kentucky, and embarked for California. After a somewhat protracted and perilous voyage, I reached the city of San Francisco, in California, on the 8th day of January, 1851. I ascertained that my colleagues (Colonel McKee and Dr. Wozencraft) had preceded me a few days. On reaching San Francisco, I had the pleasure of meeting Dr. Wozencraft, from whom I learned that Colonel McKee was absent, temporarily, at Sacramento. In a few days Colonel McKee returned, and we at once met for the purpose of determining upon a plan for our future operations.

The country was in a high state of excitement, on account of the many depredations that were being daily committed by the Indians, in various portions of the State, on the lives and property of the citizens, with whom they were at open war.

After discussing various plans for conciliating the good feelings of the Indians, and to get them to ratify those feelings by entering into written treaties, binding on them, towards the government and each other, we adopted, as the basis of our future operations, the plan which was duly communicated to your department.

Being directed by our instructions "to act in a body, or separately in different parts of the Indian country," it was finally agreed (though not without opposition) that we would act in a body, or as a joint board. We then determined to visit first that section of the State where the Indians were the most hostile and troublesome; and, in order the better to prepare us to act advisedly upon this subject, as well as to learn from the most reliable sources (as we conceived) something of the manners, habits, customs, and extent of civilization of the Indians, we visited San José, the seat of government of the State, where the legislature was then in session.

From the governor of the State, and the different members of the legislature, we obtained much valuable information. After spending a few days at the State capital, we returned to San Francisco, preparatory to our departure for the Mariposa country; having determined in

the mean time to visit that part of the State first, as the Indians in that section, from all we could learn, were the most hostile and troublesome.

After our return to San Francisco, we had an interview with Gen. P. F. Smith, the officer in command of the United States troops, at the time, in the State of California, who readily consented to furnish us with a suitable escort of officers and soldiers, together with transportation; and, indeed, evinced an earnest desire to render whatever assistance he could, in any manner, to aid the commissioners to effect the objects of their mission.

In a few days, all things being in readiness, we left for the Indian country, accompanied by an escort of some two hundred men, commanded by experienced and most gentlemanly officers.

On reaching Stockton, the commissioners deemed it prudent that two of the board should visit a friendly tribe of Indians on the Stanislaus river, known as José Jesus Indians, whilst the other member should continue with the escort, for the purpose of attending to the interests of the board in that quarter; the two leaving for the Stanislaus river to join the expedition again in a few days on the San Joaquin river, near the mouth of the Stanislaus. Dr. Wozencraft and myself undertook to visit the before mentioned tribe, our object being to have a "talk" with them, apprise them of our mission, and the plan agreed upon for the basis of any treaties that might be made with the Indians, and, if possible, to obtain runners from that tribe to the hostile tribes in the vicinity, that being the only means by which we could communicate with the hostile tribes, and to obtain from them all the information we could, touching the strength, character, residence, and feelings of the hostile tribes. A ride of some forty-five miles through a level, sandy country at the base of the "foot-hills" of the Sierra Nevada, brought us to the house of the Messrs. Dent, (brothers,) on the Stanislaus, in whose vicinity the Indians were living. These gentlemanly brothers received and treated us with great kindness, and gave us much valuable information concerning the Indians of the country.

On the day after our arrival the Indians were sent for, and on the following morning a large number of them were in attendance. Through the assistance of Judge Dent, who kindly offered his services as interpreter for the occasion, we held a conversation with the chief captains and principal men of the tribe. We found the chief and some of the principal men and captains to be shrewd, sensible men; but the great majority of the tribe were low, degraded, and worthless creatures; in the scale of intelligence, scarcely one degree above the higher order of the brute creation. We advised them of our plans for ameliorating their condition, and advised them to continue, as they were, at peace with the whites. They professed to be much pleased with the terms proposed, and particularly with the idea of an education that would enable them to read and write. We then proposed to them to furnish us with runners to the hostile tribes, but could not prevail upon any to go, because they said they had for many years been at war with those tribes, and dare not now venture among them; but they informed us that we might possibly obtain persons for our object from a small band of Indians on the Tuolumne river, some of whom, from what we could

learn, held a doubtful position between the whites and hostile Indians—friendly to both parties, but trusted by neither.

We immediately started for the Tuolumne river, had an interview with the tribe alluded to, and, after much persuasion and promises of reward, succeeded in getting one of their captains, (Cipriano,) and four of his men, to undertake the expedition to some of the hostile tribes, with a message to them to meet us at that place in ten days, guarantying to them a safe conduct. We then left, and joined the expedition at the point agreed upon on the San Joaquin river.

As soon as everything could be got in readiness by the military escort, we started to the point on the Tuolumne river designated for meeting the hostile chiefs. We reached the point by the day agreed upon, but the Indians had not arrived. After waiting a few days, some three or four of the hostile chiefs, with a few of their warriors, came in. We received and treated them kindly; but they were silent, and appeared distrustful. Everything was done that could be done to insure their confidence, and induce them to cease their hostility and enter into a treaty of peace and friendship. We asked them many questions in relation to the causes of the difficulty between them and the whites, their condition, strength, &c.; to all of which very unsatisfactory answers were given.

The chief of the Yolumne tribe, being the principal spokesman and prominent member of the delegation, showed clearly, by his manner, that he was not disposed to come to terms, although professing a willingness to do so; but as it was the only alternative for bringing about an interview with the various hostile tribes in the vicinity, we agreed on a day when they, together with all their tribes, and as many more of the hostile chiefs, with their tribes, as they could prevail upon to join them, should meet us on the Mariposa river, at a designated point.

These Indians, like those on the Stanislaus, are a low, degraded, ignorant set of creatures, possessing some animal courage and a good deal of low cunning; but little reliance is to be placed in them; yet I do not hesitate to say that, with proper treatment, they can be easily domesticated, if I may be allowed the expression, and their condition, morally, mentally, and physically, greatly improved.

From the Tuolumne we moved to the Mercede river, distant some twenty miles; we remained here a few days for the purpose of recruiting our animals. Whilst at that point we were visited by a small band of Indians living in the vicinity, who were entirely friendly with the whites. They bore the prominent characteristics of the other Indians we had seen, except that they were generally better clad, and appeared more cleanly than any we had yet met with. There were but few of them; and living in the vicinity of, and on friendly terms with, the whites, they had acquired more of the habits of civilized life than the wilder tribes of the mountains.

In a few days we moved on to the place designated for the Indians on the Mariposa river, or rather on one of its tributaries; we reached the point of rendezvous on the day previous to the day agreed upon. The encampment was called (by Captain E. D. Keyes, who commanded the escort) Camp Fremont, in honor of Colonel J. C. Fremont. In a day or two a few Indians came in, and they continued to arrive

in small parties for several days, until delegations from six tribes had arrived, to wit: the Li-yan-to, Po-to-yan-to, Co-co-noon, Ap-yang-ape, Ap-la-che, and A-wal-lache, with whom we concluded a treaty on the 19th of March, 1851, which we regarded as an entering-wedge towards the effecting of treaties and allaying the hostility of the Indians in that part of the State. These tribes, with one exception, had been hostile. They occupied the country about the headwaters of the Tuolumne, Mercede, and Mariposa rivers, embracing some of the richest gold mines in the State; from the most of which they had driven the miners, killing many of them, and having driven off and destroyed a large number of horses, mules, and beef-cattle. By the terms of the treaty, they surrendered all claims to this extensive, rich mineral region, and accepted a tract of country allotted to them between the Tuolumne and Mercede rivers, to which they removed shortly after the treaty, and where they were living quietly and contentedly, and doing well, when I last saw them, in the month of September.

Pending the treaty of Camp Fremont, messengers were obtained from the tribes present, and despatched to the Chouchilla tribe of Indians, considered as the most formidable and warlike of all the tribes in that vicinity. They, together with all the neighboring tribes, were requested to meet us at a place named on the Fresno river. The commissioners repaired to the place designated, but after remaining for several days beyond the time fixed for the treaty, and the Indians not coming in as expected, it was deemed advisable to change the place of meeting to the San Joaquin river, some of the tribes south of that river having sent delegations to the Fresno river with a request that the commissioners would meet them on the San Joaquin for the purpose of making a treaty.

After waiting on the San Joaquin for some time, small bands of Indians arriving almost daily, it was finally ascertained, about the 26th of April, that delegates from all the tribes who were at all likely to come in had arrived, and were willing to treat. The commissioners determined to commence negotiations with the representatives of the tribes then present, some sixteen tribes being represented, to wit: the How-ach-ees, Chook-cha-nees, Po-ho-ne-chees, Chou-chil-las, Nook-choos, Pik-cak-ches, Cas-sans, Toom-nas, Tal-lin-ches, Pas-ke-sas, Wa-cha-hets, I-to-ches, Cho-e-nim-nes, Cho-ke-me-nes, No-ton-o-toes, and Was-mil-ches; and succeeded on the 29th of April in closing a treaty with them, which was duly signed, &c.

The Indians treated with on this occasion inhabited the country on the Mariposa, Chouchille, Fresno, Upper San Joaquin, and King's rivers, embracing a large extent of the very richest gold region in the State, from which they had entirely driven the miners, after killing many of them, and destroying their property. They, by this treaty, surrendered their title to hundreds of miles of country, rich in gold, and accepted a district of country, specified in the treaty, sufficient for their purposes, and well adapted to their wants. Shortly after the treaty they all removed to, and settled in, the district of country allotted to them, and were working industriously, doing well, and living contentedly in their new home, when I left them, in September last.

The Indians embraced in this treaty are a very superior order of

beings to the low, degraded characters that we had before met. They are more athletic, more energetic, and much more intelligent, besides being more fierce and warlike, which proved to be the case with the Indians generally as we travelled south.

After the conclusion of this treaty the commissioners, in view of the work to be performed, and the pressing necessity of their presence in other parts of the State, where Indian difficulties were daily increasing, and new obstacles arising to prevent their adjustment, deemed it advisable to separate, and act separately at the same time in different parts of the country, thereby enabling them the more speedily to accomplish the object of their mission, and restore peace and quiet to the State. In accordance with this agreement, the State was divided into three departments—northern, middle, and southern. Lots were cast, and the northern fell to Col. McKee, the middle to Dr. Wozencraft, and the southern to me.

As soon as our respective districts were allotted, I employed N. H. McLean as secretary, at five dollars per day and travelling expenses, and H. J. Burton as interpreter, at four dollars per day and travelling expenses, to be paid by me. I also obtained messengers from the Wachahack tribe of Indians, and despatched to the various tribes inhabiting the country south of King's river, the Cahwia river, and about Tulare and Tache lakes, requesting them to meet me on the south bank of King's river, at a place designated, by a day named, for the purpose of treating with them.

My intention was to leave Camp Barbour, on the San Joaquin river, the day after the separation of the board, but was detained until the 3d of May, waiting the arrival and delivery of a lot of cattle, purchased by the commissioners for the use of the Indians treated with at the last-mentioned treaty, which were delivered on the morning of the 3d, and in the evening the encampment was broken up, and we started for King's river. On the evening of the 4th, after travelling from 3½ o'clock a. m. until 4 p. m. over a desert plain, destitute alike of water and vegetation, we reached the northern bank of King's river, where we encamped for the night. The next day I crossed the river, and an encampment having been selected by the commanding officer, the troops, baggage, &c., were crossed over, and the camp called by the commanding officer "Camp Belt." On the evening of the same day delegations from two tribes (the Yo-kols and Cho-e-nees) arrived at camp. Other runners were sent out, and from day to day large bodies of Indians arrived in camp until the 11th, when twelve tribes, represented by upwards of four thousand of their people, had arrived. Learning from the messengers who had been sent out that no more need be expected, I announced to the chiefs present that on the next day I would meet them in council. We met on the 12th, and after explaining to them in the general council (which I had previously done with each separately) the object of meeting them, and what was desired by the government of the United States, together with the plan by which the government proposed to improve their condition, and bring about feelings of peace and friendship between them and the whites, I proposed to them the terms and conditions on which I was willing to treat, (being the same contained in the treaty, for the particulars of

which, reference is here made to the same.) After deliberating among themselves for some time they all expressed themselves satisfied with the terms proposed except Francisco, the chief of the Cah-wia tribe, who objected to giving up the country occupied and claimed by his tribe; but after much consultation with the other chiefs present, and after I had again represented to him the advantages and benefits that he would derive from the treaty proposed to him, and assuring him that it would be impossible to treat with him upon the terms that he proposed, he finally agreed to the terms proposed by me, and on the 13th the treaty, after being fully explained, clause by clause, to them, was formally signed, sealed, and attested.

The twelve tribes embraced in this treaty are the La-ches, Cah-wia, Yo-kols, Ta-lum-nes, Nie-chum-nes, Hol-en-nas, To-e-ne-ches, Tu-hue-ma-ches, In-tim-peches, Cho-e-nuco, Ne-mil-ches, and No-tow-too. They are generally large tribes, very warlike, and by far the most athletic, courageous, and intelligent Indians that I had met with up to that time. They occupied the country between the Cahwia and King's rivers, from the Sierra Nevada to the Tulare lake, and one tribe, the Cah-wia, occupied the country south of the Cahwia river, known as the Four Creek country, a large body of the very best agricultural land in the State of California; and I was not surprised at their reluctance to cede it away. This tribe, with most of the others here treated with, were hostile to the whites, and being bold, daring warriors, and very powerful, athletic men, had committed many acts of violence upon the laws and property of the whites. To their other vicious qualities they add those of treachery and great cruelty, particularly the Cah-wias, and those tribes in their vicinity who were leagued with them.

One melancholy act perpetrated by the Cah-wias may not be amiss in this place, as it tends to show the treachery and bloody cruelty of the tribe. In the early part of the winter of 1851, a gentleman by the name of Wood, with some fifteen others, were engaged in the erection of a bridge across the Cahwia river, for which they had obtained the consent of the chief and his tribe. After hostilities had commenced between the Indians and the whites in the Mariposa country, and had extended as far south as the Upper San Joaquin, but unknown to Wood and his party, who were living on terms of the closest friendship with the Cah-wias, the chief and his warriors made a sudden attack upon them, killing all except Wood, who was taken prisoner after a manly resistance. They immediately suspended him to the limb of a tree and deliberately proceeded to flay him, literally stripping the skin from his entire body whilst yet alive.

After the conclusion of the treaty of Camp Belt, I ascertained that the escort could not move for several days, as they had to await the arrival of provisions from Stockton. I employed the time thus allowed me in exploring the country, and visiting some of the tribes with whom I had treated, who lived near the Tulare lake. I also, with a small party of men, and accompanied by Lieutenant Hamilton, descended King's river in a small boat to Tulare lake, crossed the lake, explored its western and northwestern coast, and returned to camp on the 20th of May. On the 21st Captain E. D. Keyes, who had command of the escort, rejoined us at Camp Belt, after a temporary absence, having

accompanied Colonel McKee and Dr. Wozencraft, who left me at the San Joaquin river, to San Francisco. After his return some conversation occurred between us upon the subject of dividing the escort and establishing a military post at some suitable point within the boundaries of the country set apart for the Indians at the two last-mentioned treaties, to wit: San Joaquin and King's river treaties. This conversation led to the following correspondence between Captain Keyes and myself copies of which I herewith enclose, marked A and B.

On the 23d of May, the two companies designed for the military station on the San Joaquin took up their line of march for that river. On the same day I employed Mr. Kit Barbour as secretary, at same price—McLean having left—and agreed to pay him at the rate of two dollars per day for taking charge of Indian goods; and on the 27th, with the two remaining companies as an escort, I started for the Cah-wia river, where I had arranged to meet several tribes living south of that river, from some of whom delegates had been sent, on the 26th, to see me on King's river, and to others of whom I had sent messengers in advance, requesting them to meet me at that point. After reaching the designated point, on the 29th of May seven tribes, viz: the Ko-ye-to, Nu-chow-we, No-la-si, Wack-sa-che, Pal-wish-a, Po-ken-welle, and Ya-wil-chuie, represented by upwards of twelve hundred of their people, had arrived in camp, and expressed a willingness to treat. Accordingly a treaty was commenced on that day; but owing to the refusal of the chief of the Ko-ye-to tribe, and his people, to surrender their country and remove to the country offered to them, (the same designated in the treaty,) the treaty was not concluded until the 30th, when it was formally signed and sealed, &c., by the parties, after being fully read and explained, clause after clause, to the Indians. Most of the tribes embraced in this treaty were leagued with the Cah-wia Indians in their hostility to, and depredations upon, the whites, and very much the same character of Indians as the Cah-wia tribe.

This treaty was made on the ground where, but a few months previously, the unfortunate Wood and his party had been betrayed and butchered by the Cah-wias and their confederates. The encampment was called Camp Keyes, in honor of the commanding officer of the escort.

The Indians included in this treaty occupied the country south of the Cahwia and north of the Tulare river, extending with the Cah-wia tribe from the Sierra Nevada to Tulare lake, embracing a large extent of the very best agricultural land in the State; and the mountain district occupied by them is supposed to contain rich gold mines, but their hostility heretofore has prevented the whites from thoroughly prospecting this region for gold.

We left Camp Keyes on the evening of the 30th of May, *en route* for Tulare river, where I expected to meet four tribes not yet treated with. They had not reached that point by the day agreed upon; and as those tribes had always been friendly to the whites (except Spaniards and Mexicans,) I determined to move on to Paint creek, a place equally accessible to them, and further removed from the "Four-creek" Indians, with whom some of these tribes had been at war for several years.

At Paint creek we encamped, calling the encampment Camp Burton,

in honor of Capt. H. S. Burton, of the United States army. At this place the four tribes referred to, to wit: the Chu-su-te, Wo-wol, Co-ye-tie, and Ya-seem-ne, to the number of about seventeen hundred, met us on the 3d of June. I had but little difficulty in concluding a treaty with these tribes. The country occupied by them, respectively, being the most suitable location for them, I allotted them a sufficient district for their purposes; indeed, the entire country heretofore occupied and claimed by them is an extremely poor one, and might have all been given to them.

These Indians I found to be superior, in every respect, to any Indians I had yet met with, particularly the Chu-su-te and Wo-wol tribes. They seem to possess more courage, magnanimity, and intelligence, coupled with superior physical powers, than any Indians either in the San Joaquin or Tulare valley; and although they have heretofore always regarded the Spaniards as their enemies, they have ever been friends to the Americans—as they call persons from the United States—at all times rendering them every assistance in their power, even going so far as to take part with the whites in the war between them and the Four Creek Indians.

From Paint creek we proceeded to the Texon (Tahone) pass, the extreme southern terminus of the great Tulare valley. At this point the two great ranges of mountains that encircle the extensive basin known as the San Joaquin and Tulare valleys, viz: the Sierra Nevada and coast range, unite and come together. We reached the pass on the night of the 8th of June, and called the encampment after General P. F. Smith, having sent runners in advance of me to the Indians in the vicinity. On the 9th, delegations from eleven tribes arrived to the number of about six hundred. On the 10th a treaty was concluded with the following tribes, to wit: the Texon, Cas-take, San Juris, Woas, Carises, Buena Vista, Lena-huon, Hol-e-clame, Cho-ho-nuts, Tocia, and Hol-mie-uhs. These tribes occupied the country from Buena Vista and Carises lakes, and Kern river, to the Sierra Nevada and coast range mountains. Many of them had recently been at war with the whites, while others had lived on terms of friendship with all except the Spaniards. Between these there was, and ever has existed, the most deadly hatred. A few days before we reached the pass a fight had taken place between a party of Spaniards and a body of Indians, in which some injury was done on both sides, and a few lives lost; and we found the Indians, when we reached the pass, occupying the heights with a large force, expecting an attack from a body of men that they had learned were coming against them from Los Angeles and Santa Barbara; and it was with some difficulty that their excitement could be allayed.

They are a fine-looking set of Indians, and are shrewd and cunning, and withal good warriors, having been trained to it by the constant conflicts between them; have fire-arms, and are expert in the use of them. The tribes are generally small, having been greatly reduced in numbers by war, not only with the Spaniards, but with neighboring tribes and with each other; but the greatest destruction was produced by the small-pox, which was said to have been intentionally spread among them by the Spaniards of the country, who both hated and

feared them. I saw at this treaty a very old Indian, who was the last and only survivor of what had once been a large and powerful tribe.

Having now formed treaties with all the tribes throughout the great valleys of the San Joaquin and Tulare, extending from the Sierra Nevada to the coast range of mountains, embracing a district of country about five hundred miles in length, by from two to four hundred in width, I determined to cross the mountains at this (the Texon) pass and proceed to Los Angeles, where I hoped to obtain information and means to enable me to prosecute my mission to the Colorado river, and to the extreme southern boundary of the State.

Accordingly, on the morning of the 11th of June we left Camp Persifer F. Smith, and commenced our difficult and dangerous journey across the mountains, and on the evening of the 15th had the satisfaction of encamping in the plains at the foot of San Fernando mountains, some twenty-five miles from Los Angeles. The travel over the mountains was truly a laborious one, having at times literally to let down our wagons by ropes from the tops of some of the mountains; yet unexpectedly we succeeded in crossing these mountains without any material loss or injury save the breaking down of one or two wagons. On the 16th of June we reached the neighborhood of Los Angeles, and encamped within four miles of the town.

At this place I received information from the most reliable sources that it would be entirely impracticable to reach the Colorado river with my present escort, as it would be impossible for infantry troops to cross the great desert intervening between Los Angeles valley and the Colorado river; and being destitute of funds, having received but two hundred and thirty-one dollars of government funds since separating with my colleagues on the San Joaquin river, and learning that a military post would not be necessary in treating with the tribes in the vicinity of Los Angeles and San Diego, I determined on the 17th of June to discharge the military escort that had thus far accompanied me; accordingly I addressed a note to that effect to Captain E. D. Keyes, who was in command of the escort, a copy of which, together with his answer, I herewith enclose to you, marked C and D.

I then despatched messengers to the Cahuillas and other tribes in the vicinity of Los Angeles, (all of whom were friendly with the whites) to meet me on a day fixed, at a designated point, for the purpose of entering into a treaty. Before the time fixed had arrived I received several messages, informing me that the Indians in the Tulare valley had or were about to commence hostilities with the whites.

Under such circumstances I felt much embarrassed, not knowing what was best to be done; whether to remain and treat with the Indians to whom I had sent messengers for the purpose, or to return, and, if possible, prevent the threatened outbreak if it had not taken place, or, if it had, to try to quiet it. Taking everything into consideration, and believing that I could control those Indians with whom I had treated, and thereby prevent much loss of life and property, I concluded that I would best advance the object of my mission, and promote the interest of all parties concerned, more by returning to the Tulare valley than by remaining to treat with Indians who were entirely friendly to the whites. Accordingly, on the 30th of June I

started to retrace my steps through the mountains back to the Tulare and San Joaquin valleys, accompanied by my secretary, interpreter, and seven men whom I had employed as an escort in the absence of the United States troops, who embarked on board of a ship, on the 25th June, for Monterey and San Francisco.

On reaching the Tulare valley, I learned from the Indians that a marauding party of white men, to the number of some fifty or sixty, had, a short time previously, visited their rancherias and committed some gross acts of outrage and violence, which had produced much excitement and distrust among them at the time, and for which they had threatened to take revenge. From this circumstance, and other outrages committed on other tribes by the same or similar parties of unprincipled white men, the report of the intended insurrection that had been conveyed to me had, no doubt, arisen.

I called the Indians together; had a talk with them; exhorted them to remain at peace with the whites; observe strictly, on their part, the promises made by them in the treaty, and rely upon the government for redress and protection; and then gave them some presents, and left them apparently well satisfied and contented.

I continued my journey through the valleys, visiting all the tribes, holding councils with them, making them presents that I had brought with me for the purpose, and advising them to a strict observance of the treaties, and a reliance on the government for protection and justice. In every instance I left them well satisfied and contented. But the most conclusive argument that was brought to bear upon them, convincing them of the good faith of the government towards them, and rendering them contented and happy, was the assurance that the beef which had been promised to them by the terms of the treaty would in a few days be furnished to them. This was the more gratifying news to them, from the fact that they were in a very destitute condition, the whites, during their war with them, having destroyed all their stores of provisions. The chase ever to them a very precarious mode for a scanty supply, and the fishing season not having arrived, many of them were in a state of almost actual starvation; to avoid which, they had either to be supplied with provisions in their new homes, or resort to their practice of stealing animals from the citizens, which would necessarily have led to difficulties and bloodshed, and a total disregard and breaking up of those treaties which had cost so much labor and expense to make, and again throw the country into a state of confusion; breaking up every interest, and in all probability involving the government in a war, that, besides the loss of many valuable lives, would cost many millions of dollars to terminate.

In view of these facts, and being urged thereto by the voice of the whole country and the calls of humanity and justice, without any direct authority from my instructions or otherwise, on the 28th of May last I made a contract with Colonel J. C. Frémont, subject to the approval or rejection of the same by the proper authorities at Washington, to supply the beef stipulated by the treaties entered into in the southern district of the State, to be supplied to the Indians; but I will here remark, that this contract was not even entered into until after I had exhibited to Colonel Frémont my letters of appointment and in-

structions, and expressing to him my conviction that, if ratified, the contract would not be paid by the department until acted upon by Congress and an appropriation voted for that object. I herewith enclose copies of the correspondence between Colonel Frémont and myself upon the subject, which you will please to find, marked E and F.

Colonel Frémont proceeded at once to supply the beef necessary, under this contract, and in the months of July and August, according to my instructions, delivered a portion of the cattle to the different tribes, and the remainder (nineteen hundred head) he delivered to me, on the San Joaquin river, and I immediately turned them over to sub-agent Johnston, taking his receipt for the same, a copy of which is herewith submitted, marked G.

On the receipt of the beef, at the request of Colonel Frémont, and for the purpose of placing the transaction in as tangible a form as possible, I drew drafts on the honorable Secretary of the Interior for the price of the beef, say \$183,825.

The quantity of beef received by me for the Indians was greater than the amount stipulated to be supplied to them in the year 1851. My reason for receiving a larger supply, was the fact that during the rainy season, which usually continues from the month of October or the first of November to the first of May, it is impossible to furnish supplies or even travel with animals through that part of the State; and, again, that it is the season when the Indians, if not kept quiet, are most likely to commit depredations upon the whites. I deemed it prudent, in view of these difficulties, to receive a supply sufficient to last them until next May, and accordingly did so; besides, you will observe that the beef received was not alone for the Indians south of the San Joaquin river, but for those south of the Mercede river, the country set apart for the Indians at Camp Barbour, embracing both sides of the San Joaquin river, with Indians on each. The whole reserve was provided for by me, in accordance with an understanding between Dr. Wozencraft (whose district embraced a portion of this reserve) and myself.

On reaching the San Joaquin reserve, I found the Indians much dissatisfied; so much so, that they had even threatened violence to the whites, and a return to their old haunts in the mountains. The cause for this I found to be, first, the encroachments of the white miners on their territory, and working the few poor mines in their district; and by far the greatest source of complaint was the want of beef, of which they complained most bitterly, and, in truth, not without a cause, as they were entirely destitute of provisions, except the very scanty supply furnished by the chase, and a few fish caught in the rivers—a very precarious supply indeed for seven or eight thousand hungry souls. After visiting the various tribes in the district, and assuring them that a supply of beef would be ready for them in a few days, and promising them that I would see the miners and get them to leave the district, which the greater number of them did at my solicitation, in a short time I had the good fortune of seeing peace, quiet, and contentment prevailing throughout the entire district.

Having had no direct intelligence from your department since my arrival in the country, and being desirous of conferring with my colleagues, one of whom, (Colonel McKee,) if not both, I incidentally

learned were in San Francisco, I set out for that place, hoping to receive some communications direct from your department, which I doubted not had been addressed to me at that place, but I had failed to receive them on account of the impracticability of communicating with that point, owing to distance, character of country, &c., between that and the points of my operations.

I reached San Francisco on the 28th day of July, after an absence in the wilderness of six months. On my arrival in the city I had the pleasure of meeting my colleague, Colonel McKee, from whom I obtained some information, derived from your department, touching our duties, and I remained there a few days awaiting the arrival of the mail steamer, which was expected to bring a mail from "the States," by which I hoped to receive a letter from the department.

A few days afterwards I left San Francisco and returned to the San Joaquin river, where I remained until I received intelligence that the Indians in the vicinity of Los Angeles and San Diego were expressing dissatisfaction at not being treated with, and producing some alarm among the whites lest they might commence hostilities. Colonel Johnston, the sub-agent for the district of the San Joaquin valley, being on the ground, and having received and turned over to him the beef before spoken of, and the Indians throughout the San Joaquin and Tulare valleys being quiet and satisfied, I determined to return to San Francisco, and, if I could make the necessary arrangements for the purchase of goods for presents to the Indians, and procure the money necessary to meet other incidental expenses, proceed by sea to San Pedro, the embarcadero for Los Angeles, and from thence proceed to the Indian country in the vicinity, and enter into treaties with them.

On reaching San Francisco I received a letter from the department advising me of the fact that only the sum of \$25,000 had been appropriated for the object of our mission, and that so soon as that amount had been expended we were to cease our negotiations and confine ourselves alone to our duties as agents. This was in the month of September, and the letter referred to from the department was under date of 27th of June, 1851.

Disappointed in my intended trip to the Indians in the neighborhood of Los Angeles and San Diego, everything connected with my duties as agent being arranged and moving on harmoniously under the management of agent Johnston, who was left in charge, and the rainy season about to set in, when business of every description would, in all probability, be suspended, I determined to visit Washington city, report to the department, and visit my family in Kentucky. Accordingly, after making the necessary arrangements, I left San Francisco on the 4th day of October, 1851.

Having now, sir, given you a somewhat detailed account of my acts as commissioner and agent of the government, with some of the reasons that influenced my actions, I will now, with your permission, briefly give you the result of my observations touching the manners, habits, customs, and extent of civilization of the Indians in California with whom I came in contact in the course of my official actions.

In the first place, as a general rule, like all other wild savages, they may be said to be an extremely ignorant, vicious, and faithless people,

with occasional individual exceptions to the rule. They may be divided into three classes, (which distinctions they themselves recognise) to wit: the Christian or Mission, Gentile, and Monas or lost tribes. The first are so called from the fact that before the acquisition of the country by the government of the United States, the Catholic church (to which almost the entire population of California belonged or were attached) established, in many parts of the country, places for religious worship, called missions. One of the ostensible objects of these institutions, as I understand, was to domesticate, enlighten, and Christianize the Indians of the country. To these missions many of the Indians were induced to come, and many others were forced to them, often having been decoyed by stratagem into the power of those having charge of the institutions. When taken, to the missions they were forced to labor for the establishment, and held the position of servants or slaves in it. Judging from present appearances, I would suppose that but little if any attention had ever been paid to either their moral, mental, or religious education, for they are, with a few exceptions, the most degraded, immoral, vicious, and faithless Indians in California; they really appear to have learned or been taught all the vices, without any of the virtues, of civilization. Indeed, the Gentile or wild tribes regard them as so much degraded by their so-called moral and religious training, that on their return to the tribe they can never attain a higher position than that of a mere captivity.

The Gentile class constitute the tribe proper, occupying the valleys and low hills near the base of the mountains; the Monas or lost tribes inhabiting the higher mountains back from the Gentiles, or tribe proper, by whose permission and protection they visit occasionally the plains and water-courses for the purpose of fishing and hunting. In fact they maintain towards the tribe proper the character of colonies or dependencies, always assisting them in times of war, and at all times secreting the large bands of animals stolen by the tribe proper from the citizens of the country.

The Indians of California, I believe without exception, are all great rogues and robbers, having practised it from time immemorial. They do not regard it as a crime, dreading only the punishments that have but recently been inflicted upon them for their acts of depredation.

Before the acquisition of the country by the United States government the Indians of the San Joaquin and Tulare valleys were in the habit of crossing the coast range of mountains, which separated them from the Spanish settlements that were principally confined to the seacoast, and driving off large bands of horses, mules, and cattle, often as many as five hundred head at one time, across the mountains, at some one of the few passes through which alone those mountains can be crossed, and then feast and feed upon them until they were all consumed, when a similar expedition would be repeated. If the Indians succeeded in reaching the plains with their booty, they felt secure, knowing that the Spaniards dare not follow them so far—the Spaniards fearing them as an enemy, from the fact that the Indians had on many occasions proved themselves their superiors in a man-to-man fight. In this manner they obtained the necessary food for subsistence without the constant labor

of the chase, or any other legitimate mode of obtaining a supply; and hence I account for their habits of indolence and theft.

After our acquisition of the country, and when the discovery of gold called many of our countrymen to it, the Indians found a different order of things to encounter. When robbed, our countrymen would pursue them not only into the valleys, but even into the mountain fastnesses in the Sierra Nevada, and soon taught them that concealment alone was the only means by which they could enjoy their booty; that they could not, as heretofore, rely upon fighting off their pursuers, and those whom they had injured. Then it was that the services of their dependencies (the Monas) came into play by concealing in the mountains animals stolen by the tribe.

The Monas are emphatically a wild tribe. I met with many of them who had not before seen the face of a white man. They live in the range of the Sierra Nevada; and, from the air they breathe, the water they drink, and the food on which they subsist, and the kind of exercise to which they are accustomed from the broken and mountainous country in which they live, they are, in physical organization and development, certainly superior to any class of Indians that I have ever known; indeed, some of the finest specimens of the human form that I have ever met with, I have seen among those wild mountain tribes. So perfectly are they developed in every part, that I doubt whether the chisel of the sculptor or the pencil of the artist could fashion them superior. But these tribes or bands, like the others, are ignorant, vicious, and faithless, though in vice and worthlessness they are nothing like so degraded in the one, or wanting in the other, as the other tribes or classes. The truth seems to be, that heretofore the greater the intercourse between the Indians and the so-called civilized society of the country, the more degraded and debased the Indians. Yet I am satisfied that, by a proper course taken with them, they can be more easily civilized and Christianized than any Indians I have ever seen; and I do not hesitate to say that a faithful and energetic execution of the regulations adopted by the commissioners in the several treaties made with the Indians will in a few years have entirely changed their habits, and fitted them for the enjoyment of the advantages and benefits of civilized life.

They practise no kind of religious rites or ceremonies, and but a very few of them entertain a belief in any state of future existence after death. The few who have any such belief hold to the doctrine of transmigration, believing that the spirits of the chiefs and great men exist in the grizzly bear and elk, whilst the common people are transformed into the cayote, a species of the wolf common in that country; but by far the larger portion of them believe that with this life terminates their existence forever.

For the government of the tribe, or the management of their families, they have but a few simple rules. The power of the chief must be exercised in accordance with the will of the tribe expressed through their captains and chief warriors or headmen. He does not possess the absolute power of the chief of a tribe on the Atlantic side, yet his power and position are always respected, and he is treated with some degree of deference.

Polygamy is allowed in all the tribes, the number of wives being determined by his capacity to support them, and over whom his power is unlimited; and although the females do the greater portion of the labor, yet they are not treated so badly, or worked so hard, as the squaws of those tribes in the Atlantic States.

The Indians in California differ from those in the Atlantic States in many particulars. They have none of that morose and stubborn kind of stoicism that laughs at nothing, weeps at nothing, and is never surprised at anything. They possess the reverse of this in an eminent degree; and yet they possess as much animal courage, endurance, and cunning, as any Indians I have ever seen.

They may be said to know nothing practically of civilization, and may be regarded as so much blank material in the hands of the intelligent philanthropist, to be moulded and fashioned in such manner as may be deemed fit; for when their passions for revenge or plunder are not excited, they are generally a mild, quiet, indolent people, easily managed by a decisive, firm, and liberal course of treatment.

In war and the chase their principal weapons are the bow and arrows, with the knife. They are very expert indeed in the use of these weapons, particularly the bow and arrow, being able at the distance of thirty paces to drive an arrow through a man, or even an ox, unless stopped by a bone, and the rapidity and accuracy with which they discharge their arrows make them truly a formidable enemy at a short distance. Many of them, besides, have guns, in the use of which they are very expert. Taking into consideration the character of the country, which is generally a barren plain, or more barren mountains, with the knowledge the Indians have of it, the facilities for evading any force that might be sent against them, and the opportunities afforded them of attacking small parties, and making descents from their mountain fastnesses upon the neighboring mines and ranches, and every man at all acquainted with the facts would say that a war with those Indians would be much deplored. If, for instance, peace had not been restored between the whites and Indians during the past year in California, and the miners had been prevented from working the mines, thereby cutting off the vast supply of gold from that country, what, I ask, would have been the present condition of the old States? I leave it to commercial men to say.

A proper policy by the United States government through her agents, and just treatment of the Indians by the people of California, will, without doubt, insure a continuation of the peace and harmony that now exist between them; otherwise, a war, the termination of which no man can tell, must be the consequence.

The whole number of Indians, including men, women, and children, with whose tribes treaties have been formed in the San Joaquin and Tulare valleys, would amount to from twenty-five to thirty thousand souls; and from the best information that I could obtain, I judge that the number of those in the vicinity of Los Angeles, San Luis Obispo, San Luis Rey, and San Diego, together with the tribes east of the great desert, near the Colorado river, would number some twenty or twenty-five thousand more—making, in all, at least forty thousand in the southern part of the State. In this estimate I include all the Indians

south of the Stanislaus river, and embracing a district of country at least seven hundred miles in length, and from three to four hundred in width. To take a proper charge of such a district of country, and such a number of Indians, the services of two agents, or sub-agents, would be required: one for the San Joaquin and Tulare valleys, the other south of the Texon pass. And I would further suggest that a military force of mounted men be assigned to each of those divisions: a small force in each would be sufficient—say, seventy men each; but they should be required to remain in the Indian country, so that, at all times, when their services were needed, they would be in readiness to act. A small military force of the kind, to patrol the country, would be of incalculable service in keeping the Indians in subjection and preventing lawless and unprincipled white men from committing acts of outrage and insolence towards the Indians, so well calculated to produce discontent, if not an open rupture between them and the whites generally. And I cannot too strongly recommend the appointment of a general superintendent of Indian affairs for the Pacific country, who should be required to locate at some suitable and accessible point, from whom instructions, &c., might emanate to the agents and others connected with the department in this country, which cannot be received frequently, in due time for the emergency, from the department at Washington, owing to the great distance intervening. All of which is respectfully submitted.

With sentiments of respect, I am your obedient servant,

G. W. BARBOUR.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

A.

HEADQUARTERS OF THE ESCORT,

Camp Belt, Rio de los Reyes, May 21, 1851.

SIR: In accordance with the conversations which I have had the honor to hold with you upon the apparent necessity of having a military force stationed on this reservation, and in the neighborhood of the San Joaquin river; and in view of the fact, also discussed with you, that we may safely pass over the country south of this river with a smaller force; I have given orders to divide the escort, so as to send companies B and K, 2d infantry, under Lieutenant Moore, to establish a post at the site of Camp Barbour, and to retain with you companies M and F, 3d artillery, with supplies for at least fifty days from the time of leaving this camp. To this arrangement I have already received your verbal approval, and you will oblige me by communicating it to me in writing for the information of the commanding officer of the department.

As Lieutenant Moore will receive instructions to maintain the treaties with the Indians on this reservation, will you be pleased to furnish copies of those treaties for his guidance.

I am, sir, very respectfully, your most obedient servant,

E. D. KEYES,

Captain 3d Artillery, commanding Escort.

Col. G. W. BARBOUR, *Indian Commissioner, &c., &c.*

B.

CAMP BELT, ON KING'S RIVER, *May 21, 1851.*

SIR: I have received your note of this date, requesting me to state in writing the opinion and wish verbally expressed by me to you on the subject of dividing the troops under your command, and sending a part of them to some point within the Indian reserves to insure the faithful performance of the treaties recently entered into with the various tribes in this section of the State, and hasten to comply with that request.

Having treated with the greater part, if not all, of the tribes in this part of the country that have recently been at open hostility with the whites, I am well satisfied that, for all purposes of safety and protection in visiting and treating with the numerous tribes not yet visited and treated with in the southern district of the State, a much smaller force than your entire command will be amply sufficient.

In the next place, for the purpose of protecting the whole, and securing a faithful compliance on the part of the Indians with the terms of the several treaties recently made with them in this part of the State, I am satisfied that it is *absolutely necessary* to have a body of troops stationed at some convenient point within the territory set apart for the occupancy of the Indians that have been treated with.

And again, it is a well-known fact that there are vicious and unprincipled white men in the country who are ever ready and willing to take advantage of circumstances; and by vending ardent spirits, and otherwise imposing upon the Indians, would very soon force them to violate any treaty that may have been entered into by them. Such characters can only be overawed and prevented from committing such outrages by the presence of a force sufficient at all times to arrest them, and bring them to justice.

Under all the circumstances, I am well satisfied, and greatly desire that you would divide the troops now under your command, retaining a part as an escort through the remaining portion of the Indian country, and locating the other portion at such place as your knowledge of the country set apart for the Indians treated with, and better judgment, may suggest.

If I should be permitted to express an opinion as to such location, I would respectfully suggest some point on the San Joaquin river.

With sentiments of respect, I am your obedient servant.

G. W. BARBOUR, *Commissioner.*

Captain E. D. KEYES.

C.

LOS ANGELES, CAL., *June 17, 1851.*

SIR: Having effected treaties with the greater portion of the hostile tribes of Indians in this (the southern) part of the State, and west of the great desert; and believing, from the best information that I have been enabled to obtain, that it would be impolitic, if not impracticable, to march your command across the desert at this season of the year;

and being desirous, as far as possible, to save expense to the government, I have concluded to dispense for the present with a military escort. You are therefore at liberty to make such disposition of the troops under your command as your better judgment and duty may require.

At parting with you and the gentlemanly officers of your command, you will please to pardon me, sir, for expressing to you, and through you to all the officers and others connected with the command, my most heartfelt gratitude and thanks for the kind and gentlemanly treatment that I have received from each one during the long and tedious campaign through which we have just passed.

During that campaign I cannot flatter myself that all my actions and declarations have been free of offence to all; but if I have offended, in word or deed, I respectfully ask to be forgiven, upon the assurance that such offending (if any) did not result from any unkind or illiberal feeling to any one.

And now, sir, wishing you, and each of the officers of your command, health and happiness, I am your obedient servant and friend,

G. W. BARBOUR.

Captain E. D. KEYES.

D.

CAMP MAGRUDER, NEAR LOS ANGELES,

June 17, 1851.

SIR: I have had the honor to receive your communication of this date, wherein, for reasons stated, you dispense with the further services of the escort under my command.

The sentiments contained in the concluding portion of your letter, which I have shown to the officers with me, we trust we appreciate, and we cannot too sincerely thank you for their expression. All of us regard them as the evidence of that generous and noble character which we have learned to admire in you.

During nearly five months that we have been associated together in the public service, I have not failed to observe the stern integrity of your conduct and the entire forgetfulness of self which has characterized your course. You have labored to prevent war with the Indians, with an intelligence and zeal which merit the approval of the country, and the remembrance of which must afford satisfaction to the succeeding years of your life.

It might have been anticipated that the hardships and deprivations to which we have been necessarily subjected in an uninhabitable and inhospitable country for so long time, would necessarily have developed occasional displays of temper and ill-feeling, but I remember no unpleasant emotion caused by yourself; and if I have ever offended you, I crave your forgiveness, notwithstanding your letter assures me I have it in advance.

In conclusion, my dear sir, allow me to express my sincere hope for

your continued prosperity and happiness, in which I am joined by all the gentlemen with me.

I am, sir, respectfully and truly, your friend and servant,

E. D. KEYES,

Captain 3d Artillery, commanding Escort.

Col. G. W. BARBOUR,
Indian Commissioner.

E.

MARÍPOSA, SAN JOAQUIN VALLEY,

May 19, 1851.

SIR: Having established a cattle rancho on the Mariposa river, neighboring to the Indian tribes of the Sierra Nevada, with whom you are engaged in treating, I submit to your consideration the following proposals: I propose to furnish for the present and ensuing years, (eighteen hundred and fifty-one, and eighteen hundred and fifty-two,) all the animals (beef cattle, brood cows, and brood mares) which you shall need for the execution of your treaties with the Indian tribes in the district under your direction; and which I understand to comprehend all that portion of the State lying between the parallel of the upper waters of the San Joaquin river and the southern boundary line. I engage and bind myself to make the deliveries in the course of the present and following years, at such time and place, within the district, as you shall indicate, and to commence the deliveries one month after the date of notification to me of treaties, as they shall successively be made. I propose to furnish beef cattle upon the hoof at the price of fifteen cents per pound net; brood cows, between the ages of three and five years, at the price of seventy-five dollars each; and brood mares, between the ages of four and six years, at the price of seventy-five dollars each.

Very respectfully,

JOHN C. FREMONT.

Col. G. W. BARBOUR,
Indian Commissioner, &c., &c.

F.

CAMP KEYES, ON THE CAHWIA RIVER, CAL.,

May 28, 1851.

SIR: I have received your letter of the 19th instant, in which you propose furnishing beef cattle, brood mares and cows, to the Indians in this (the southern) district of the State, according to the stipulations of such treaties as have been or may be made with the different tribes.

Having received no advices from the Indian department at Washington since my colleagues and myself adopted the policy of supplying those Indians with whom we might treat with beef and stock, &c., I could not, except to a very limited extent, enter into any unconditional contract for supplying those Indians treated with in this (the southern) district of the State; but in view of the necessity for such supplies, and not doubting but that the proper authorities will readily

acquiesce in the policy that we have adopted, I should not hesitate to make such contracts as may be necessary to carry out, in *good faith*, the stipulations of such treaties as may be made with the Indians; such contracts, of course, being left subject to the approval or rejection of the Indian department at Washington.

I have had many proposals offered me to furnish such supplies; but regarding your offer as the best and lowest of any yet made by a responsible man, and believing, as I do, that your offer is a fair one, I have concluded to close with your proposition, subject, however, to the approval or rejection of the same by the Indian department at Washington.

Should this arrangement be satisfactory, you can confer with Colonel A. Johnston, sub-agent for the San Joaquin valley, who is near you, and who will advise you of the time and place, and number of beef cattle wanted for the Indians in this vicinity, with whom treaties have been made. I will advise you as to what will be necessary after leaving this valley.

Respectfully,

G. W. BARBOUR, *Commissioner.*

Col. J. C. FREMONT.

G.

FORT MILLER, SAN JOAQUIN RIVER,
August 28, 1851.

G. W. Barbour, Indian agent for California, has this day delivered to me nineteen hundred head of beef cattle, to be distributed among the Indians south of the Chouchilla river, with whom treaties have been formed in accordance with the stipulations of said treaties.

ADAM JOHNSTON,
Sub-Indian Agent for San Joaquin Valley.

BROWN'S HOTEL, *February 2, 1852.*

SIR: I herewith resign the office of Indian agent for California, which you did me the honor to confer upon me. For that honor I most sincerely thank you; and hoping that you may find for my successor a gentleman more worthy and competent for the discharge of the responsible duties of the office than myself, I am, sir, with sentiments of the highest respect, your obedient and humble servant,

G. W. BARBOUR.

His Excellency M. FILLMORE,
President of the United States.

FRESNO RIVER INDIAN RESERVATION,
Valley of San Joaquin, Cal., February 7, 1852.

SIR: In accordance with your instructions, I have made the dates of the license and bond of James D. Savage agree. The license will

therefore run from the date of the bond, which I herewith return to the Office of Indian Affairs as you directed.

I have the honor to be, very respectfully, your obedient servant,

ADAM JOHNSTON,

Sub-Indian Agent, Valley of San Joaquin, Cal.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington City.

WASHINGTON CITY, *February 12, 1852.*

SIR: I herewith hand in a full statement of my accounts, &c., as Indian commissioner and agent for California. I am very anxious to have them examined and adjusted, and would be very much obliged to you to give them your earliest convenient attention.

I am, sir, with much respect, your obedient servant,

G. W. BARBOUR.

HON. LUKE LEA,

Commissioner, &c.

SAN FRANCISCO, *February 12, 1852.*

SIR: My last letter was dated 31st January. I have now to acknowledge the receipt of your communication of 8th January, and a pamphlet copy of your annual report, for which accept my thanks. I am only waiting the receipt of one or two vouchers from Scott's valley to close up my accounts of disbursements in this country, and expect to enclose the same to you by the first mail, say about the 16th or 18th instant. I write this to go by Col. Weller, our new senator, who will call on you. He takes the Nicaragua route, and may arrive before the mail.

I embrace the opportunity to forward sundry memorials, statements, &c., respecting *actual* losses by Indian depredations on the Klamath, and anticipated losses by reason of parties having built cabins and made quartz discoveries on the reservations made for the Indians in Scott's valley. Some of these cases will deserve attention and remuneration, if the treaties are approved and carried out; but, in general, they are extravagant in amount, and should be paid, if paid at all, after testimony is taken and reported to your office. I promised the gentlemen, however, to transmit them to you, if I did not hand them in person; and as there is still uncertainty about my early return to your city, I send them herewith, viz:

Statement and claim of Jno. S. Davis.

Statement and memorial of Gee, Pearce, & Co.

Do	do	of Jno. Metcalf and others.
Do	do	of Wm. Freeman and others.
Do	do	of Elijah Moore.
Do	do	of F. H. McKinney, <i>et als.</i>
Do	do	of R. H. Johnson, <i>et als.</i>
Do	do	of Clemons & Hathaway, <i>et als.</i>

Statement and memorial of Steele, Sloan, Riggs & Co.

Do do of S. R. Lewis and B. E. Simmons.

Do do of Thos. Latham:

Statement of losses sustained by Patrick Ford & Co.

Deposition of Thos. R. Points.

Deposition of Gwyn R. Tompkins and Charles McDermit, and account of losses.

Letters from my secretary in Scott's valley, to the 18th January, report Indian affairs all quiet and satisfactory in that quarter, both parties apparently disposed to observe, in good faith, the terms of the treaty. The country is filling up with miners, &c., and contrasts very favorably with the state of things six or eight months since. Some small politicians in this State are still hammering away in the partisan prints and before the legislature, denouncing our treaties, and urging opposition to their ratification, without either specifying their errors or suggesting a remedy. What course the senators, Messrs. Weller and Gwin, may adopt in relation to them, I cannot tell—perhaps will be governed by what the legislature may do, or refuse to do; I do not believe either of them will lend himself to a mere factious opposition. I enclose a slip cut from a late special message of Governor Bigler on this subject, and a communication in the Alta newspaper, over the signature of *Shasta*, reviewing the same. A debate on the subject occurred in the Senate this week, but I have not seen the reports. My friends there doubt whether any resolutions on the subject can be agreed on. I shall keep an eye on these proceedings and advise you of results; as matters stand, I should not deem it advisable to leave my post at present, or for some weeks, even if I had your authority or leave of absence. This I hope, however, to receive shortly, as I am anxious to visit Virginia for a few days, as well as Washington.

I am, very respectfully, your most obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner of Indian Affairs.

List and account of things destroyed by the Indians at the ferry situated at the lower crossing of Klamath river, and owned by Charles McDermit, Gwyn R. Tompkins, and Thos. Blackburn.

2,000 lbs. flour, at 25 cts.....	\$500 00
1,000 lbs. pork, at 40 cts.....	400 00
200 lbs. beans, at 25 cts.....	50 00
100 lbs. dried fruit, at 50 cts.....	50 00
200 lbs. coffee, at 75 cts.....	150 00
200 lbs. brown sugar, at 50 cts.....	100 00
50 lbs. crushed sugar, at 75 cts.....	37 50
1 cook-stove.....	60 00
1 dozen axes, at \$8.....	96 00
5 guns, at \$75, \$50, \$20, \$20, and \$25.....	185 00
1 pair gold scales.....	25 00

2 canvass houses, at \$200 and \$150.....	\$350 00
1 frame house.....	100 00
2 large manilla ferry ropes, at \$150 and \$100.....	250 00
2 ferry boats.....	1,000 00
Household table furniture, and bar fixtures.....	300 00
1 cross-cut saw, 1 whip-saw.....	100 00
1 chest tools.....	50 00
1 dozen pairs blankets, at \$8.....	96 00
Loss by ferry rope being cut by Indians and boat set adrift, April 26, 1851.....	100 00
1 mule killed by Indians.....	150 00
Whole amount.....	<u>4,149 50</u>

STATE OF CALIFORNIA, *Klamath County*:

Personally appeared before me, a notary public within and for the county and State aforesaid, Charles McDermit and Gwyn R. Tompkins, who, being first duly sworn, depose on oath that the within inventory of property destroyed by the Indians, at the time and place therein mentioned, is true, both as regards the amount and cost of the articles, to the certain knowledge of said Tompkins, and to the best of the knowledge and belief of said McDermit.

GWYN R. TOMPKINS.
CHAS. McDERMIT.

Sworn to and subscribed this 18th day of August, A. D. 1851. In testimony whereof, I have hereunto set my hand and affixed
[L. s.] my private seal (there being as yet no notarial seal provided) the day and year above written.

T. S. POMEROY,
Notary Public.

John S. Davis claims \$2,800 for supplies furnished a party of miners and others who went in pursuit of the Pitt River Indians who had murdered Mr. Caldwell, his son, and a Swede; sworn to by claimant and Samuel C. Hall. It originated in January, 1850, before California was admitted into the Union.

Gee, Pearce & Co. claim indemnity for improvements made by them in Scott's valley, which they expected to retain under the pre-emption law, but which they are compelled to abandon in consequence of the land being reserved, by treaty, for the Indians.

John Metcalf and others, same as the above; ask indemnification or permission to work the vein of lead ore which they have discovered.

William Freeman and others, same as the above.

Elijah Moore, same as the above.

F. H. McKinney and others, same as the above.

R. H. Johnston, same as the above.

Clemmons, Hathaway, and others, same as the foregoing.

Steele, Sloan, Riggs & Co., same as the above.

S. R. Lewis and B. E. Simmons, same as the above.

Thomas Latham claims—

Goods stolen by Indians in April, 1851..... \$700

Twelve mules, stolen by same.....1,200

————— \$1,900

States that his goods and mules were stolen by Indians, and two men, in charge, killed. Asks to be paid for his loss.

Patrick Ford & Co. claim, amounting to \$6,064, for depredations committed on their property by Klamath Indians, "on or about the 17th June, 1851." No proof other than the statement of claimants. Charges exorbitantly high.

Thomas R. Points claims \$95, which he swears was in the possession of a man named Mosier, who was killed by the Indians on the Klamath river in June, 1851. No other evidence.

McDermitt, Tompkins & Co. claim, for depredations by the Klamath River Indians, \$4,149 50. Claimants swear to the loss. No other proof.

SCOTT'S VALLEY, SHASTA COUNTY, CAL.,

November 4, 1851.

SIR: The undersigned, citizens of the United States, residing upon and cultivating lands in this valley, beg leave, respectfully, to solicit your intervention in their behalf, under the following circumstances:

We were among the earliest settlers in this part of the State, having emigrated here at a time when few prominent improvements had been made, and when the limited number of whites in the country rendered our residence dangerous. Since our arrival, we have been engaged in opening the mines, in prospecting, and digging for gold; we have shared in the various enterprises commenced for the improvement of our district. The money which we had hardly earned, and amidst toil and suffering, we had to a great extent invested in building, and occupying and preparing to cultivate the land, at a cost of four thousand three hundred and twenty dollars. We did this without the most remote suspicion that the point selected by us would fall within any reservation, or be subject to other than the usual conditions.

Within a few days, however, Colonel McKee, the Indian agent for this district, has apprized us of his intention to reserve a portion, at least, of this valley; and to-day, by the treaty concluded in this valley, has extended it over the land occupied by us. Acquiescing, as we do, fully in the right of the government to pursue this course, and admitting that its agent has acted within a proper exercise of his judgment in the fulfilment of his duties, we yet think that, under the circumstances, we are entitled to some consideration.

Public policy undoubtedly indicates, in the encouragement of settlers, the speediest, the surest, and the cheapest mode of securing the possession and maintaining the peace of a remote territory like our State, and the action of Congress, as well as the tone of public feeling in the

Union, has assured us that in our case it would be extended. Our neighbors of Oregon have received gratuitously liberal grants of land, without reference to the previous extinction of Indian title, and we believe ourselves to be not behind them in good service.

The time fixed by the treaty for the abandonment of our houses, the first of June next, deprives us of any advantage to be obtained from our in-coming crop, for which we had made preparations, and cuts us off from the benefit of travel, which in these mountains can only occur during the summer season. We are, therefore, compelled either to remove at an inclement season of the year, or to lose the time yet left us for remaining. As the treaty will pass through your office for ratification, and the estimates for expenditures under it will proceed from you, we respectfully request that the appropriations asked for may be made to cover the losses of ourselves, and others in like situation; and that the influence of the department will be lent to our relief.

We are, sir, your obedient servants,

WILLIAM FREEMAN.
EDWARD HICKS.
JOHN McLEOD.

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

SCOTT'S VALLEY, *November 25, 1851.*

SIR: The object of this is to notify, through your office, the proper authorities, that the Indian reservation of country set apart in northern California, by a treaty between the United States and sundry tribes of Indians, concluded in this valley on the 4th day of November, 1851, includes within its boundaries the land pre-emption claims we now occupy, and the improvements erected thereon.

Said claims were originally taken in March last, by the members of the firm of Brown, Kelly & Co., who associated themselves together to transact or carry on farming, herding, and trading operations, and proceeded to improve said claims. The interest of said firm to said lands and improvements has been silenced, by reason of a sale of said property to ourselves, and we have continued to improve the claims until the conclusion of the treaty aforesaid.

The improvements consist of two log-houses, one frame house, two corrals, one well, &c.; and further, we have provided farming implements, and a pack-train of mules, and made arrangements to farm and establish a trading-post upon said pre-emption claims.

We were induced to make these arrangements because of the certainty, under the general pre-emption law of the United States, of being enabled to obtain patents for the several claims, whenever a land office should be opened for sale of the public lands in this country. And we would most respectfully request that the proper measures may be taken to indemnify us from loss in the construction of our improvements, &c.,

inasmuch as we are required by the terms of the treaty to vacate our settlement, &c.

Very respectfully, your most obedient servants,
GEE, PEARCE, & CO.

HON. COMMISSIONER OF INDIAN AFFAIRS,
Washington City, D. C.

To the Commissioner of Indian Affairs at Washington city, D. C., sheweth:

That we are the discoverers of a quartz vein, or lead, in Scott's valley, and are now in possession of claims thereon; that we have been already at considerable expense in testing the quartz, and opening out the lead, and making the necessary preparations for working it as soon as the machinery can be brought on the ground; that the result of the test made on the ground proves it to be a rich vein:

That, owing to a treaty having just been made with the Indians in this vicinity, Colonel McKee, the Indian commissioner, has been compelled to include the lead in the Indian reserve; that being American citizens, and placing implicit confidence in the wise, just, and beneficent intentions of the Indian agent in making such reserve, and being anxious to forward the interest both of the government and the Indians in such selection, we feel ourselves bound to lend our assistance in carrying out the provisions of the treaty.

We would, therefore, most respectfully request the government of the United States to allow us the privilege of working said lead, or remuneration for the discovery and expenses already incurred.

And your memorialists will ever feel grateful.

JNO. METCALF.
BART. WALDROPE.
HENRY H. HUGGINS.
JNO. M. SHACKLEFORD.
ROBERT METCALF.
ORRICK ALLEN.
J. McCORMACK.
GEO. COE.

SCOTT'S VALLEY, SHASTA COUNTY, CAL., November 5, 1851.

To the honorable the Superintendent of Indian Affairs for the United States, and, through him, to the Congress of the United States of America:

SIR AND GENTLEMEN: Your petitioners, Patrick Ford, formerly of the State of New York, Alexander Penny, formerly of the State of New Jersey, deceased, by his agent and partner, Patrick Ford, and Charles _____, formerly of Long Island, State of New York, would respectfully represent to your honor, and honorable body, that whilst pursuing their avocation of miners and packers peaceably, and on a new route up the Klamath river to the mining regions of Scott's river and Shasta

plains, they were surprised and attacked by a party of Klamath Indians of about thirty in number, and all the property they had stolen, amounting to the gross sum of \$6,000, or thereabouts, as will more fully appear by reference to a schedule herewith attached, and marked A, and as will further appear by reference to the written evidence in the hands of Colonel R. McKee, United States Indian agent or commissioner for the State of California; and that three of the party were killed at the same time, thereby rendering the situation of the remaining portion of the party perilous in the extreme; and also taking all the property that had been earned by their toil and sufferings in a wild and unknown region of country, leaving them destitute of all resources, save that physical power to labor granted them by Nature's God, much reduced by want of the provisions stolen from them by those Indians.

And they would further state, that they were an exploring party, looking out for a suitable location in the mining district to employ the men that were in their employ; and that, by the loss of the property, they have sustained damages to a large amount of money, beyond that which would be reasonably supposed in any other county or State, save that of California; but, to be as near a reasonable amount as they can, they place the whole amount of loss and damage at the sum of \$10,000.

And whereas a treaty of peace has within a short time been made with the said Indians by Colonel R. McKee, United States Indian agent for California, your petitioners would respectfully and formally ask you to consider and weigh well the whole of the statements set forth in this petition, and, in your judgment and justice, allow their claim previous to the ratification of said treaty, thereby rendering due justice to your petitioners, and in no wise injuring our common country; but only taking (in the final adjustment of the treaty) from those that which we, by retaliation, might do, but as citizens of the United States, and law-abiding men, we are not willing to do.

And would further state, that this depredation was committed on the Klamath river, near the mouth of Indian creek, on or about the 17th day of June, A. D. 1851, whilst there were only three persons killed in camp, and the balance of the party, seven in number, were at work some two or three miles below.

And further, your petitioners would firmly, but respectfully, demand that justice be meted out to them.

And, as in duty bound, will ever pray and demand.

PATRICK FORD,

For self, Penny & Homan.

Attest: W. O. CLARKSON.

A.

Schedule of the property lost by Ford, Penny & Homan, on or about the 17th day of June, A. D. 1851.

Money in gold dust	\$800 00
8 mules, value \$160 each.....	1 280 00

1,200 pounds flour, at \$1.....	\$1,200 00
300 ..do.. pork, at \$1.....	300 00
250 ..do.. beans, at \$1.....	250 00
50 ..do.. salt, at \$1.....	50 00
8 ..do.. tea, at \$3.....	24 00
200 ..do.. sugar, at \$1.....	200 00
25 ..do.. coffee, at \$1.....	25 00
50 ..do.. rice, at \$1.....	50 00
4 ..do.. salætatus, at \$2.....	8 00
5 ..do.. pepper, at \$3.....	15 00
50 ..do.. dried apples, at \$1 50.....	75 00
10 ..do.. nails, at \$2.....	20 00
8 papers tacks, at \$1 25.....	10 00
6 fine and 4 Reading combs.....	10 00
6 buckets, at \$5.....	30 00
1 axe.....	16 00
15 pounds soap, at \$1 50.....	22 50
32 ..do.. candles, at \$1 50.....	48 00
Carpenters' tools—planes, saw, &c.....	32 00
2 pairs blankets, at \$16.....	32 00
3.....do.....do.....	48 00
3.....do.....do.....	48 00
3 pairs pants, at \$10.....	30 00
9 shirts, at \$4.....	36 00
3 coats, at \$25.....	75 00
3 pairs shoes, at \$8.....	24 00
6 pairs socks, at \$2.....	12 00
2 rifles, at \$50.....	100 00
1 large Colt's revolver.....	100 00
Saddles, lash ropes, &c.....	400 00
8 pounds lead, at \$2.....	16 00
4 ..do.. powder, at \$8.....	32 00
800 percussion caps.....	16 00
3 gold-washing machines, at \$50.....	150 00
7 shovels, at \$16.....	112 00
8 picks, at \$8.....	64 00
8 washing pans, at \$5.....	40 00
Iron for Long Tom.....	50 00
1 set gold scales and weights.....	50 00
1 pair balances.....	8 00
Cooking utensils, knives, forks, &c.....	76 00
1 large wash tub.....	80 00

 6,064 00

PATRICK FORD & CO.

Sworn and subscribed to before me, an acting justice of the peace in
 and for the county of Shasta, this 18th day of November, A. D. 1851.
 W. H. APPLES, J. P.

STATE OF CALIFORNIA, }
Shasta Butte city. } November 1, 1851.

This day personally appeared before me, a justice of the peace for Shasta county, Thomas R. Points, and, being duly sworn, deposeth and saith: That, about the middle of June last, a man by the name of Amos, together with two others, Mosier and Keever, were killed by the Indians on the Klamath river, between the mouth of Scott's river and the mouth of Indian creek, and that the said Amos had in his possession the sum of ninety-five dollars belonging to the said Thomas R. Points, and that neither the money nor any portion thereof has ever been recovered of the Indians, who he supposes got the money. Furthermore this deponent saith not.

THOMAS R. POINTS.

Sworn and subscribed before me this first day of November, 1851, at Shasta Butte city.

JOHN METCALF, J. P.

SCOTT'S VALLEY, SHASTA COUNTY, CAL.,
 November 4, 1851.

SIR: The undersigned, citizens of the United States residing upon and cultivating lands in this valley, beg leave respectfully to solicit your intervention in their behalf, under the following circumstances:

We formed a company of twenty-four men at Shasta city, near the head of Sacramento valley, about the first of August, 1850, for the purpose of exploring the region of country northward, as far as the forty-second parallel of north latitude. Immediately on leaving Shasta city, we found the country rough, mountainous, and extremely difficult to travel, and Indians very hostile, so that we were compelled to establish a guard for the safety of our animals; but by dint of labor and perseverance, we prospected the Sacramento river to its headwaters, upon Shasta plains; from thence we took the mountains in a westerly direction until we discovered the valley of Scott's river. After spending several weeks in opening out the mines and prospecting the waters of Scott's river, we became impressed with the idea that the diggings were extensive. Myself and partner determined to make a permanent settlement; but, from the hostile bearing of the Indians, we thought it necessary to increase our numbers; and therefore, from necessity, were compelled to incur heavy expenses in first commencing a settlement, manual labor being worth from one to two ounces per day, and flour from one dollar and fifty cents to two dollars per pound. We established the first ranche in the valley, by building a house and corral. We expended a great deal of time and money in trying to conciliate the Indians. We built a house for the Oregon half-breeds, who spoke the language, and had been in the country many years previous, and by that means effected a treaty with the Shasta and Klamath Indians. We have suffered all the toils and privations incident to the settlement of a new country. The money which we have hardly earned, we have, for the most part, expended in improving our ranche, to the amount of eight

thousand dollars. We did this without the most remote suspicion that the point selected by us would fall within any reservation, or be subject to other than the usual conditions. Within a few days, however, Colonel McKee, the Indian commissioner for this district, has apprized us of his intention to reserve a portion of this valley; and to-day, by the treaty, has extended it over the land occupied by us. Acquiescing, as we do fully, in the right of the government to pursue this course, and believing that Colonel McKee acted within the proper exercise of his judgment in the fulfilment of his duties, yet we think, under the circumstances, we are entitled to some consideration. The time fixed by the treaty for the abandonment of our houses, the first of June next, deprives us of any advantage to be obtained from our incoming crops, for which we had made preparations, and cuts us off from the benefit of travel, which in these mountains can only occur during the summer season. We are, therefore, compelled either to remove at an inclement season of the year, or to lose the time yet left us for remaining. As the treaty will pass through your office for ratification, and the estimate for expenditures under it will proceed from you, we respectfully request that the appropriations asked for may be made to cover the losses of ourselves, and others in like situation, and that the influence of the department will be lent to our relief.

Below is an estimate, made by disinterested persons.

We are, sir, your obedient servants,

S. R. LEWIS.

BARING E. SIMMONS.

HON. COMMISSIONER OF INDIAN AFFAIRS.

SCOTT'S VALLEY, CALIFORNIA,
November 4, 1851.

SIR: The undersigned, citizens of the United States residing upon and cultivating lands in this valley, beg leave respectfully to solicit intervention in their behalf, under the following circumstances:

We were among the earliest settlers of this part of the State, having emigrated here at a time when there were no permanent improvements, and when the limited number of whites in the country rendered our residence dangerous. Since our arrival we have been engaged in opening the mines, in prospecting and digging for gold, and have shared in the various enterprises commenced for the improvement of our district. The money which we had hardly earned, amidst toil and suffering, we had to a great extent invested in the purchase of what we believed would prove pre-emption rights to land taken up by actual settlers, and had ourselves prepared to cultivate it. We have thus expended in the purchase of our claims, and improvements put upon them, (viz: ourselves and the original proprietors—viz: three of the largest frame houses in this district,) near fourteen thousand dollars. This we did without the most remote suspicion that the points selected by us would fall within any reservation, or be subject to other than the usual conditions. Within a few days, however, Colonel McKee, the Indian agent for this district, has apprized us of his intention to reserve a portion of

this valley; and to-day, by the treaty concluded in this valley, has extended it over the lands occupied by us. Acquiescing, as we do fully, in the right of the government to pursue this course, and admitting that its agent has acted with a proper exercise of his judgment in the fulfilment of his duties, we yet think that, under the circumstances, we are entitled to some consideration. Public policy undoubtedly indicates, in the encouragement of settlers, the speediest, the surest, and the cheapest mode of securing the possession and maintaining the peace of a remote territory like our State; and the action of Congress, as well as the tone of public feeling in the Union, has assured us that in our case it would be extended. Our neighbors of Oregon have received gratuitously liberal grants of land without reference to the previous extinction of the Indian title, and we believe ourselves to be not behind them in good service. The time fixed by the treaty for the abandonment of our houses, the first of June next, deprives us of any advantage to be obtained from the incoming crop, for which we had made preparation, and cuts us off from the benefit of travel, which in these mountains can only occur during the summer season; we are, therefore, compelled either to remove at an inclement season of the year, or to lose the time yet left us for remaining. As the treaty will pass through your office for ratification, and the estimates for expenditure under it will proceed from you, we respectfully request that the appropriations asked for may be made to cover the losses of ourselves, and others in like situation, and that the influence of the department will be lent for our relief.

We are, sir, your obedient servants,

B. H. JOHNSON.
M. H. HOAGLAND.
F. H. MCKINNEY.
L. C. ROGERS.
J. H. CREEL.

HON. COMMISSIONER OF INDIAN AFFAIRS.

SCOTT'S VALLEY, CALIFORNIA,

November 22, 1851.

SIR: On or about the middle of June, 1851, James Sloan, George A. Briggs, M. J. A. Tiernan, and — Steele, selected four contiguous land pre-emption claims, of one hundred and sixty acres each, and associated themselves together in a co-partnership, under the style and signature of Sloan, Briggs & Co., for the purpose of farming and improving said pre-emption claims, located in this valley, and to transact a trading and ranching business generally. We at once proceeded to erect two large and comfortable houses, for this country, three corrals, or enclosures, for stock and hay, at a great outlay of money, and purchased a general assortment of goods, adapted to this region, and commenced trading, ranching, farming, &c., as above.

On the 4th day of November, 1851, a treaty of peace and friendship was effected by Colonel R. McKee, United States Indian agent, with

various tribes of Indians, and a reservation of land in this valley, and elsewhere, was assigned said Indians by said agent.

The object of this is to notify your office that our claims, and improvements erected thereon, are included within the boundaries of said Indian reservation, and that, upon being advised of the conclusion of the treaty, &c., as above, we ceased to make further improvements, as originally designed; that all the buildings and corrals above mentioned, together with a deep well, were erected and dug previous to the 4th day of November, 1851; and to request the proper authorities, through your office, that they will take such measures as may be proper to assess the value of our improvements, and that we may receive such indemnification concerning the premises as may be right and just. Also, that we have held ourselves in readiness to make a legal entry of said claims, whenever the government lands in this country should be brought into market.

We refer you to Colonel R. McKee, United States Indian agent, for any further particulars you may desire concerning the character of the above improvements, &c.

STEELE, SLOAN, BRIGGS & CO.

Hon. COMMISSIONER OF INDIAN AFFAIRS,

Washington City.

To Honorable Redick McKee, United States Indian agent for the State of California:

I, Thomas Latham, formerly of Providence, Rhode Island, and now, and for the last eight years, a resident of California, respectfully represent: That on the 10th of April, 1851, my train of 12 mules, in the care of William Mosier, left Trinidad for Shasta Butte city, loaded with flour, bacon, boots, clothing, and other articles, to the amount of \$700; that when within two days' travel of the mouth of Scott's river, and on the Klamath, said Mosier, and a man named McKeever, accompanying him, were killed, and my mules and goods stolen and carried off by the Indians. The mules were worth at that time \$100 each, at a low estimate.

By this loss I was deprived of a means of livelihood, and left destitute; I therefore respectfully ask that you will so represent my case to the honorable Congress and the government of the United States, that such remuneration as is in their power may be granted to me; and, as in duty bound, I will ever pray.

THOMAS LATHAM.

Attest:

HENRY JOHNSON,
WILLIAM COOK.

SHASTA BUTTE CITY, *October 27, 1851.*

To the Commissioner of Indian Affairs, at Washington City, D. C.:

The memorial of the undersigned hereby showeth: That we are a part of the discoverers of a quartz vein, or lead, in Scott's valley, and are now in possession of claims thereon; that we have already been at great expense in testing the quartz and opening out the lead, and making the necessary preparations for working it; and that we have now machinery on the ground, ready to work our claims in said vein:

That the result of tests—not only here, but also at San Francisco and Sacramento City—proves it to be a very rich lead:

That, owing to a treaty having just been completed with the Indians in this section of country, Colonel McKee, the Indian commissioner, has been compelled to include the lead in the Indian reserve:

That, being American citizens, and placing implicit confidence in the wise, just, and beneficent intention of the Indian agent, in making such reserve; and being anxious to forward the interests both of the government and the Indians, in such selection, we feel ourselves bound to lend our assistance in carrying out the provisions of the treaty.

We would, therefore, most respectfully request the government of the United States to allow us the privilege of working said lead, or remunerating us for the discovery and expenses already incurred. And your memorialists will ever feel grateful.

CLEMON & HATHAWAY.
 ABRAM COOK.
 D. W. SMITH.
 JOHN COAKLERY.
 WILLIAM MARTIN.

SCOTT'S VALLEY, SHASTA COUNTY, CAL., *November 4, 1851.*

To the Commissioner of Indian Affairs, at Washington City, D. C.:

The memorial of the undersigned hereby showeth: That we are the discoverers of a quartz vein, or lead, in Scott's valley, and are now in possession of claims thereon; that we have been already at considerable expense in testing the quartz and opening out the lead, and making the necessary preparations for working it as soon as the machinery can be brought on the ground:

That the result of tests—not only here, but also at San Francisco and Sacramento City—proves it to be a very rich lead:

That, owing to a treaty having just been concluded with the Indians in this section of country, Colonel McKee, the Indian commissioner, has been compelled to include the lead in the Indian reserve:

That, being American citizens, and placing implicit confidence in the wise, just, and beneficent intentions of the Indian agent, in making such reserve; and being anxious to forward the interests, both of the government and the Indians, in such selection, we feel ourselves bound to lend our assistance in carrying out the provisions of the treaty.

We would, therefore, most respectfully request the government of the United States to allow us the privilege of working said lead, or

remunerating us for the discovery and expenses already incurred. And your memorialists will ever feel grateful.

F. H. MCKINNEY.
 L. C. ROGERS.
 J. H. CREELE.
 C. FULTON,
 (For self and seven others.)
 CHAS. McDERMIT,
 (Agent for seven others.)
 WILLIAM FREEMAN,
 (Nine others.)
 HENRY H. HUGGINS.
 HUGH SLICER.
 MOSES PARKER.
 E. BEAN.
 C. SHAW.
 S. HAYS.
 M. H. HOAGLAND.
 M. BEAN.

By Jno. Shackelford:

JNO. M. SHACKLEFORD.
 JNO. METCALF.
 ROBERT METCALF.
 ORRICK ALLEN.
 BART. WALDROPE.
 GEORGE COE.
 JOHN CORMACK.
 S. J. LYNCH.

SCOTT'S VALLEY, SHASTA COUNTY, CAL., *November 4, 1851.*

SCOTT'S VALLEY, *November 21, 1851.*

SIR: On the 11th day of August, 1851, the subscriber settled upon ne quarter-section of land in Scott's valley, California, and proceeded at once to improve said quarter-section as my pre-emption claim, holding myself in readiness to account to the government for the same when the government lands should be brought into market. I have erected upon said claim a good hewn log-house, and two corrals, or enclosures for cattle, and have cut and put up some 25 tons of hay. These improvements were made, and the hay cut, for the purpose of accommodating travellers, and to secure a home for myself in this valley.

On the 4th day of November, 1851, a treaty was effected with the Indians of this country, and an Indian reservation set apart for their use, by Colonel McKee, United States Indian agent. The object of this is to give your office notice that my claim and improvements above mentioned were, and are, included in the said reservation; and to request, through your office, that the government will take proper meas-

ures to assess the value of my improvements, and that I may thus receive a fair and liberal compensation for my labor.

Very respectfully, yours,

ELIJAH MOORE.

Hon. COMMISSIONER OF INDIAN AFFAIRS,
Washington City.

SAN FRANCISCO, *February 16, 1852.*

SIR: The licensed trader for the Yuba reservation has just come to see me, and informs me that, owing to opposition of the whites, he deems it impossible to keep the Indians in the reservation, and requests my sanction to go with them higher up in the mountains, so as to be above, or beyond, the white settlements. He feels assured that he can keep them out of mischief. I have given my assent to the move, and propose examining the country so soon as other engagements will allow. Should the country be suitable for them, I would suggest the propriety of changing their reservation.

I am much pleased with your recommendation to create the office of assistant commissioner, and, permit me to say, would feel perfectly *contented* should you deem your humble servant worthy and competent for the post.

The difficulty, delay, and *uncertainty* of transmission of documents requires it, and the amount of business that must be done here *demand*s it.

Respectfully, your obedient servant,

O. M. WOZENCRAFT.

Hon. LUKE LEA,
Commissioner of Indian Affairs.

SAN FRANCISCO, *February 17, 1852.*

SIR: My last despatch, dated 12th instant, was sent by the hand of Col. J. B. Weller.

I have now the honor to hand for your examination my general account-current as disbursing agent to the 5th instant, showing a balance against the government of \$2,038 57; also sundry schedules and files of vouchers, explanatory of the same, so far as practicable. For some small bills, travelling expenses, &c., I could not take vouchers. My absence in the mountains of northern California during the greater part of the last six months will, I presume, be a sufficient apology for not transmitting these papers sooner. Whether the charge of five per cent. on my purchases and disbursements is in strict accordance with law, or the usages of your department, I do not know. In all my purchases and payments I have acted with the same reference to economy as I should if all had been on my own private account. Mr. (acting Secretary) Loughery, to whom I handed my official bond, told me that it was in the discretion of the Commissioner to make a reasonable allowance for such services, when performed by the agent or commissioner *in person*, instead of through a broker by him employed. The charge is just one-half of that allowed by the commercial customs of this country,

and is respectfully submitted as a reasonable and proper charge. If you approve, I shall, of course, be gratified and obliged; if not, strike it out, or modify it.

I designed rendering separate accounts, showing our expenses while acting as a joint commission; but failing to receive instructions, as requested in my letter of 29th May, 1851, as to the proper allowance of mileage, and the failure of both my colleagues to render me their accounts, all our expenses being for the *same object*, i. e. "the negotiation of treaties, &c., in California," I have included all in one account.

Col. Barbour's unexpected return home in my absence rendered a settlement with him impossible; and when I applied to Dr. Wozencraft for his account and vouchers, I was informed that he had already transmitted them directly to your department. Of this I certainly felt no disposition to complain, though I supposed the audit of all accounts, vouchers, &c., *here on the ground*, was contemplated by our instructions. I enclose statements Nos. 1 and 2, of my payments to each, viz:

To Col. Geo. W. Barbour.....	\$4,903 20
Dr. O. M. Wozencraft.....	7,088 64

I also enclose (No. 3) a statement of our indebtedness for provisions, so far as I have a knowledge of the same. I hope Congress will, at an early day, enable you to transmit funds to pay these debts. I know them to be just, and their creation unavoidable in the existing state of the country. Most of them were created, or, at least, arrangements made involving them, before I was aware that your application for \$75,000 was cut down to \$25,000. There are other claims held, as I understand, by parties in this State, for cattle furnished on contracts, *at very high rates*, supplied in the middle and southern districts. Of these I have no definite knowledge; have steadily opposed the making of any contract implicating the government until after the treaties are ratified, except small and immediately pressing demands at the time of making treaties, and have so advised my colleagues. My expenses on the northern expedition largely exceeded my expectations, particularly in the items of beef and expenses of the pack-train; but all was managed as economically as possible, and, considering the results which have happily followed, the expenses are trifling. Taken as a whole, I doubt whether ever, in the history of Indian negotiations in this or any other country, as much work has been done, as much positive good effected, and as many evils averted, with such comparatively inadequate means at command. This is matter, however, for your own consideration, and that of the country. Our treasury is now empty, and, of course, nothing further can be done towards completing our work, of which considerable still remains in different parts of the State, until money shall be appropriated and placed at our disposal. If Col. Barbour has resigned his agency, some intelligent, energetic, *business man* should be appointed as early as possible for the southern portion of the State.

With high regard, your most obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

Account of debts and liabilities of the Indian department in California referred to in R. McKee's letter to Hon. Luke Lea of Feb. 17, 1852.

Date.	To whom, &c.	Amount.
1851.		
May 20	R. McKee's acceptance of G. W. Barbour's draft, favor of Th. W. Lane—beef, &c.	\$1, 825 00
30	R. McKee's acceptance of G. W. Barbour's draft, favor of Th. W. Lane, endorsed to Jno White—beef, &c.	1, 050 00
June 10	R. McKee's acceptance of G. W. Barbour's draft, favor of Th. W. Lane	500 00
July 26	R. McKee's acceptance of G. W. Barbour's draft, favor of Th. W. Lane	1, 500 00
Oct. 1	R. McKee's acceptance of G. W. Barbour's draft, favor of J. C. Edwards—groceries, &c.	479 12
Aug. 7	J. Joseph, for bill of 4,012 pounds hard bread	401 20
April & May.	Moorehead, Waddington, & Whitehead, for flour for southern and Sacramento treaties	676 00
	Don Pablo de la Toba, for 201 head cattle for Indians on the Merced and San Joaquin	8, 040 00
	G. W. Marshall, certificate, per order of J. M. Estelle.	6, 598 47
	J. M. Estelle, certificate, on account....	} Balance on cattle for northern expedition. {
	J. M. Estelle, certificate, on account....		2, 000 00
	J. M. Estelle, for flour and beef for Indians from Clear lake—say....	1, 000 00
	Chenery & Hubbard, for flour and beef for Indians from Clear lake—say....	500 00
	Chenery & Hubbard, for 100 head of cattle for Indians on Russian river—say	4, 000 00
	Chenery & Hubbard, 100 for Indians on Clear lake—say	4, 000 00
	[Accounts for these not yet received—contracted for at 8 cents per pound, or \$40 per head, averaging 500 pounds.]	
		32, 569 79

[Not dated. Received at Indian Office February 18, 1852.]

SIR: In conformity with the statement made in my last communication, I left San Francisco on the evening of the 8th for San Diego, on the coast steamer. In pursuance of instructions, I used the most stringent economy, going without secretary or employes of any kind, not so much as a servant to attend my wants in my enfeebled state of health.

General Hitchcock responded to and exceeded my request for a small escort, (in order to visit those Indians who had commenced war against the Americans,) by sending some thirty-five men, under Lieutenant Frazer, 2d infantry, with an additional force, taken on board at Monterey, of sixteen men commanded by Lieutenant Hamilton, 3d artillery. We arrived at San Diego on the 13th instant, and immediately thereon had an interview with Major Heintzelman, commanding southern district. Then we had full confirmation of the reports that the Indians had assumed a hostile attitude, and in all probability had effected combinations to some extent, had massacred some seven or eight whites, and destroyed considerable property. Their declaration was, that they would kill and drive out of the country all Americans. Evidence went to show that they were instigated to take this step by some of the na-

tive Californians, inducing them to believe that they (the Californians) would join them. And further learned, that owing to the fact that their designs having been discovered, a portion of them refused to join the hostile movement, and took steps to have the principal leader arrested, which was effected by Juan Antonio's arresting Antonio Garra. Being deprived of the anticipated support of Juan Antonio, and losing their captain, Antonio Garra, some sought safety by going out of the way, and some few came in and gave themselves up, among them an American and a Mexican: they were tried, convicted, and executed in San Diego, yet a portion stood out in open hostility; against those we determined to move, and, if possible, punish before offering overtures of peace. On learning the foregoing facts, we deemed it impolitic to approach them in an attitude that might be construed by them as suppliant. Major Heintzelman concurring, it was determined to take all of his disposable force against them. Orders were immediately given to that officer, and accordingly the command moved the following day, numbering about eighty men, commanded by Major Heintzelman in person. On our way out we met the command that had been stationed on the Colorado, accompanied by the command of Major Kendrick, who had come in with his command as escort to the surveying expedition from New Mexico, under Capt. Sitgreaves. The command at the river had been besieged by the Indians, and dispersed on the arrival of the escort. The post being short of provisions, and too small to operate against the Indians, it was deemed expedient to vacate it. The escort found the Indians for some two hundred miles above the post hostile and very troublesome; thus adding further confirmation to the statements that the Indians were acting in co-operation. Major Heintzelman ordered the command from the above-named post to join him, thus increasing his force to some hundred men. All the arrangements were speedily made to move against the Indians, who were supposed to have assembled in a valley on the eastern slope of the mountains, at a place called Los Coyotes, opening into the desert. The plan of attack was made by dividing the command into two detachments, the one under Major Heintzelman to cross the mountains from Santa Ysabel, south of a direct line to the place indicated, and to enter the valley from the desert; the other, under Colonel Magruder, to cross in as direct a line as possible, entering the head of the valley at a given hour. We left Camp Ysabel on the 19th, and, giving a sufficient time for the command to make the more circuitous route, we reached the head of the valley Los Coyotes on the forenoon of the 21st, a few hours later than the other command, they having entered the valley at the dawn of day. Here they were met by the Indians, (who were apprized of their approach,) in considerable numbers; they advanced on the soldiers and commenced firing, which was returned with spirit—so much so, that after a short contest the Indians fled up the mountains, leaving two of their principal leaders dead on the field, with a number of others who are supposed to be killed, as they have not since been heard of. Some prisoners were taken, and others soon came in with friendly protestations. Of these I demanded that they should send for the surrounding tribes, and deliver up all those that were instigators and active participants in the late massacre and loss of property. This was complied

with, as far as it was in their power so to do, some coming in through the command of their captains—others brought in by force. Thus all within reach were brought before us. It was deemed advisable to give them a trial on the battle-field. Accordingly, a council of war was convened by order of the commander, composed of eight commissioned officers, Col. Magruder, 1st artillery, president; Lieutenant Hamilton, 3d artillery, recorder. I was invited to be present and participate in their deliberations. After a patient and protracted trial, during which many outrages were examined into, the council found four of the Indians guilty of murder, arson and robbery, and sentenced them, accordingly, to be executed forthwith, which was approved by myself and the commanding officer, who ordered their execution, which was carried into effect on the morning of the 25th, in presence of the assembled Indians, to whom I made a short but pertinent address. They all admitted the punishment to be just and well deserved. That it will have a good effect, I have no doubt: indeed, to have done less, after they knew we were aware of their guilt, would have been fraught with evil. As it is, we may confidently anticipate a continued peace. Tecmeca was named by me as the place of meeting for all the tribes of the Cahwia nation. Couriers were despatched to the various tribes with directions to meet me at the above-named place, as soon as they could assemble. In the mean time I mentioned the names of some four or five who, from the evidence elicited on trial, were equally guilty with those who paid the penalty with their life, and told them that they likewise must be given up whenever they could be found. I have learned to-day that most, if not all, have been delivered up to the commander of the militia of the district; thus terminating, by the most fortunate events, a war that bade fair to drive the sparse American population out of the country. The native Californians were not disturbed; indeed the chief captain of the Indians, who is now a prisoner, persists in declaring that they were instigated to commence the war by Californians, whose names he gives. There is some confirmation of this statement by letters which were intercepted. The Indian captain having received an education in one of the missions, is enabled to write. The reasons assigned by them for commencing the war, are, that they were unjustly taxed, and, as before stated, urged to do so by the Californians; the failure of the fulfilment of promises made them by General Kearny, when passing through their country on his way to San Diego, and the non-fulfilment of Colonel Barbour's promise to meet them and make a treaty last fall, or summer; all together leading them to believe in the infidelity of the Americans. Yet I must say that those Indians who have had more immediate intercourse with the Americans did not join the movement, but, on the contrary, have rendered essential service in bringing the troubles to a close. Before leaving San Francisco, being apprehensive that those Indians in the Tulare valley who had been treated with by Colonel Barbour, but who had not, as yet, received the beef promised, would join in the hostile movement, I despatched Captain L. D. Vinsonhaler to go among them to ascertain the facts, and endeavor to prevent it, should anything of the kind be in contemplation. He has just come in, and has informed me that couriers were sent up through the above-named sec-

tion of country, by the head chiefs here, urging the Tulare Indians to join in the war. They (the Tulare Indians) refused, stating that they had made a treaty, and intended to stand by it; and so long as the Americans would fulfil their promises or part of the contract, they, the Indians, would be faithful in fulfilling theirs. After learning these facts, they were called together, and a feast was given them, with the renewed promise that they should have all that had been promised, in due time. Thus it will be perceived that a very formidable combination has been prevented by having made a treaty with a portion, at the same time the failing to treat with others has been a fruitful cause of the war.

Juan Antonio, with his people, came in several days after the appointed time; and probably would not then have come, had not the Hon. J. J. Warner gone to him with a pertinent talk. He evidently was fully inflated with his self-sufficiency, and would have me to know all that he had done, and intended doing. Indeed he wished me to believe that he was a faithful guardian, and had taken charge of the government of Indian affairs.

We deem it bad policy to have any one Indian exercise a controlling influence over many. Accordingly, we placed Captain Antonio in his proper position, after informing him that we knew of his attempt to get other Indians to engage with him in the war, those Indians refusing, and of his failure alone inducing him to be a good friend of the Americans.

At length we consummated a treaty with the three nations, all of them once of the same family, and are estimated at fifteen or twenty thousand souls, impressing on them the necessity of going to work, and their individual responsibility for all derelictions—that they had no great captain who could order them to do anything that was wrong.

We demanded that all the stock in the possession of those Indians who had been in open hostility should be brought in for examination. It was complied with; but no ill-gotten stock was found. In this they showed their perfect subjugation.

Some twenty captains, representing the various bands of the Dieguinos, were found assembled, in compliance with appointment, at Santa Ysabel. These are mostly peaceable and inoffensive Indians, requiring nothing more than a home and some little assistance in the way of living. We concluded a treaty with them.

The lands included in the two reservations are very mountainous. Within this mountain range there are some fertile valleys. Altogether would be insufficient for support. We (as will be perceived) embraced two valleys that are covered by grants. With these, we deem there will be a sufficiency of good soil to support all the Indians of the south.

At the same time, we have been mindful not to rob Peter to pay Paul; for I presume there is no white man that would be willing to live on the lands, except, in case of sickness, he chose to visit the Hot Sulphur Springs, or, as it is called in the language of the country, "Agua Caliente."

The summary retribution that has fallen on these Indians will have the effect to keep them at peace.

The Hon. J. J. Warner, the most unfortunate surviving sufferer in

the late outbreak, has determined to lay his claims before Congress for remuneration of losses. I would merely wish to state in relation to this matter that I have deviated so far in this case from all former claims which have been brought to my notice, that I have recommended him to make application for remuneration of losses, believing it to be nothing but right and just. It is true no treaty had been made with these Indians, (the grounds that I presume will debar other claims;) yet a proposition and engagement had been made with them to treat, and afterwards was not complied with by us. Indeed this was assigned to us as one of the strongest causes of the war; and, from all preceding occurrences, it will appear evident that making treaties has effectually put a stop to and prevented like occurrences. I would respectfully recommend the adjudication and settlement of his claim.

Mr. Isaac Williams submitted his claim to the commission for feeding, &c., the Indians, when assembled at his place by appointment of Colonel Barbour. I presume Colonel Barbour would have adjusted it had an opportunity presented before leaving the country. I would have included it with other estimates, but that it embraces articles that I did not feel justified in allowing; and, presuming that Congress would do him justice, I left him the course he preferred—*e. i.*, letting Congress do him justice.

In relation to the estimates which will be necessary, to carry into fulfilment all the treaty stipulations of the south, (Kah-we-as, San Luis Rey Indians, Co-con-cah-ras, Dieguinos, and the Indians of the Colorado,) I would place the sum at, at least, two hundred thousand dollars; a portion of which should be appropriated by the present Congress for the expenses already incurred and incurring, as it was so understood by the contractors before I could find a man to do anything. Indeed a man would be foolish in California, who could get ten per cent. per month for his money, and whose cattle are already as good as cash to him, to trust the government until, by dilatory legislation, he might get his pay. Had not this quick action been expected, I would have been necessitated to pay much higher prices; and I am sorry to say the indifferent or bad credit that presumptive paper on the government bears, makes it altogether a difficult matter to get credit.

It is very unpleasant to me to have to state, as on former occasions, that I have been under the necessity of borrowing the money to bear my individual expenses, but the urgent public necessity left me no choice.

An expedition is being fitted out for the Colorado river; and as soon as I receive information from the commanding officer of the near approach of a successful stroke in that quarter, I will immediately join him.

On arriving at San Diego I had to employ a secretary, on account of my feeble health and the difficulties of the march, though at first I expected to get along without one. Mr. John Hamilton received the appointment, and he also acted as interpreter, for which services I allowed him \$9 per diem.

By severe personal exertions and a rigidly economical expenditure, you will have perceived that the government has been saved millions of dollars, not considering the hundreds of innocent lives that might

have been sacrificed in addition to the unhappy sufferers already sent to their account by these inhuman savages.

I am, sir, very respectfully, your obedient, humble servant,

O. M. WOZENCRAFT,

U. S. Indian Agent, Middle District, California.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington City, D. C.

*Property taken or destroyed by Indians on or about the 23d November, 1851,
at the rancho of the undersigned.*

Fifty milch cows and calves, at \$75.....	\$3,750 00
One hundred cows with calves, at \$60.....	6,000 00
One hundred head young stock, at \$45.....	4,500 00
(NOTE.—The above young stock and calves were half bloods mostly, of the Durham breed, and the cows with calf mostly by a full-bred Durham bull.)	
One full-bred Durham short-horn bull.....	1,000 00
Eleven yoke oxen, at \$150.....	1,650 00
Three large horse and mule wagons, at \$150.....	450 00
Two large ox wagons, at \$125.....	250 00
Three running gear of wagons, at \$100.....	300 00
Five pairs wagon wheels and axles, at \$30.....	150 00
Two cast-iron ploughs, at \$50.....	100 00
Five sets mule plough harness, at \$35.....	175 00
Nine sets mule wagon harness, at \$50.....	450 00
Twelve ox-yokes, at \$10.....	120 00
Blacksmiths' tools complete, and extra.....	300 00
Carpenters' and joiners' tools.....	250 00
Seven shovels, 9 hoes, 8 spades, 9 axes, 5 crowbars.....	152 00
Two grain cradles, at \$45.....	90 00
Three scythes and snaths, at \$10.....	30 00
Twenty-five log and ox drawing chains, at \$15.....	375 00
Three California saddles and bridles, at \$50.....	150 00
Eighteen barrels wine in vats, at \$20.....	360 00
One thousand feet sawed boards.....	160 00
Two cross-cut saws, at \$25.....	50 00
Three pit-saws, at \$40.....	120 00
Three hand-saws, at \$3.....	9 00
One bundle (100 pounds) hoop-iron, at 25 cents.....	25 00
One hundred and fifty pounds cast steel, at 75 cents.....	112 50
Two hundred pounds blister steel, at 62½ cents.....	125 00
Six hundred pounds iron, at 25 cents.....	150 00
One chest medicines, and some instruments.....	250 00
One set dentist's instruments.....	150 00
Fifteen liquor and dry casks, at \$10.....	150 00
Dry goods, shoes, hats, and clothing, in store.....	7,000 00
Kitchen furniture.....	250 00
One small portable cooking-stove, new.....	50 00

One crate crockery and glass ware.....	\$175 00
House furniture.....	2,500 00
Three pairs holster pistols, at \$25.....	75 00
Appurtenances of three Colt's revolvers.....	35 00
Five rifles and fowling-pieces, at \$60.....	300 00
Seven rifles and fowling-pieces, <i>damaged</i> , at \$10.....	70 00
Beds, bedding, and wearing apparel.....	2,500 00
Fifty bullock hides, at \$2 50.....	125 00
Forty tanned deer-skins, at \$4.....	160 00
Fifty dressed deer-skins, at \$3.....	150 00
One bale yerbadel pueblo, <i>poison</i>	75 00
Twenty-three pounds canister powder, at \$3.....	69 00
Sixty fanegas seed-wheat, at \$10.....	600 00
Forty fanegas seed-barley, at \$10.....	400 00
Thirteen sacks (13 cwt.) wheat flour, at \$12 50.....	162 50
Eleven fanegas corn, at \$10.....	110 00
One hundred and fifty fanegas oats, at \$5.....	750 00
Fifteen fanegas salt, at \$10.....	150 00
Three hundred pounds (1½ bbl.) crushed sugar, at 25 cents..	75 00
House, out-houses, blacksmith's shop, burnt.....	10,000 00
Library, and account books.....	3,500 00
Important and valuable papers and documents which cannot be replaced.....	5,000 00
Twenty-three arriero's pack-saddles, complete, at \$25....	575 00
Forty-six leather bags, at \$5.....	230 00
One hand-cart.....	40 00
Table furniture.....	500 00
Lot American and Mexican saddles.....	150 00
Cash in house and store.....	95 00
One dozen large, heavy iron hoes.....	36 00
One scale-beam and weights (3,000 pounds).....	175 00
One pair large steelyards.....	50 00
One patent counter scales and weights.....	75 00
One set Mexican (gold) weights and scales.....	50 00
One set Troy weights and scales.....	75 00
Provisions on hand.....	500 00
	<hr/>
	58,745 00
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STATE OF CALIFORNIA, *City and County of San Diego*:

This thirteenth day of January, A. D. 1852, personally appeared before me J. J. Warner, and made oath that the above account is correct in every particular, to the best of his knowledge and belief.

[L s.]

JNO. JUDSON AMES,

Notary Public.

MERCEDE INDIAN RESERVATION, CALIFORNIA,
February 24, 1852.

SIR: Your favor of August 18, 1851, directed "Adam Johnston, esq., sub-agent, care of Redick McKee, agent," has been received. In accordance with your instructions, I have made the dates of the bond and license agree, and herewith transmit to you the bond of Dent, Vantine & Co.

Very respectfully, &c.,

ADAM JOHNSTON,
Indian Sub-agent, Valley of San Joaquin.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington City.

N. B.—I hope the department will not hereafter trouble my friends here with the care of any communications to me.

Respectfully, &c.,
A. J.

Know all men by these presents that we, John C. Dent, James Vantine, and Lewis Dent, of the county of San Joaquin, State of California under the name and style of Dent, Vantine & Co., and John W. Newberry and W. C. Harrington, of the county aforesaid, securities, are held and firmly bound unto the United States of America in the sum of five thousand dollars, lawful money of the United States, for the payment of which well and truly to be made we bind ourselves and each of us, and heirs, executors, and administrators, jointly and severally, firmly by these presents: sealed with our seals, and dated this twenty-ninth day of May, one thousand eight hundred and fifty-one.

The condition of the above obligation is such, that whereas Adam Johnston, Indian agent, hath granted to the said John C. Dent, James Vantine, and Lewis Dent, a license dated May 29th, 1851, to trade for one year with the Indian tribes resident in the reservation between the rivers Stanislaus and Tuolumne, at points convenient on those rivers within the boundaries of the country occupied by said Indians, as the reservation aforesaid:

Now, if the said John C. Dent, James Vantine, and Lewis Dent, shall faithfully conform to and observe all the laws and regulations made, or which shall be made, "for the government of trade and intercourse" with the Indian tribes, and in no respect violate the same, and shall trade at the aforesaid points on the said rivers, and no other, and shall in all respects act in conformity with the license granted to them, then this obligation to be void; else to remain in full force and virtue.

JOHN C. DENT.
JAMES VANTINE.
LEWIS DENT.

Securities { JOHN W. NEWBERRY.
W. C. HARRINGTON.

Witnesses:

JOHN HOBSON.
HENRY COLTER.

MERCEDE INDIAN RESERVATION,
Valley of San Joaquin, California, February 26, 1852.

SIR: I have just received your communication of January 8, reminding me that I had not rendered my accounts to the department as required by the law of January, 1823, and that I had been thereon reported, as therein required, to the President. For your kindness in submitting such excuses as you were pleased to offer in my behalf, accept my kindest thanks. My delinquency, however, was not from a disregard of what I knew to be required by the laws and regulations of the Indian department, but wholly the result of other circumstances.

Having been appointed under the law investing the President with discretionary power in such case, for the purpose of obtaining information relative to the Indians of California, and having expended the entire amount of money placed in my possession, as accounted for in my reports up to January 13, 1851—not having drawn on the department even for my salary, but pursuing my duty in a remote section of the Union without *a single dollar of public money in my hands*, and paying my daily expenses out of my own resources—I supposed a report from me might not be absolutely necessary by the day required under the law, especially as I then thought circumstances might compel me to go to Washington in person.

These circumstances were, the meagre compensation under which I was acting, and another more forcible reason—the assumption of authority over me, and intermeddling, by another official, in business of mine within the sub-agency to which I had been assigned. Aware that conflicting actions and claims could result in no good to the government with the Indians here, it became a question with me whether to resign my position or continue in my duty.

I adopted the latter, believing if I had been superseded by another, the department would not be long in intimating to me that my services were no longer required. In this case, or that of my resignation, it was my intention to return directly to Washington for the purpose of settling my accounts with the department. Under these circumstances I allowed the time to pass until it was too late for my annual report to reach you in time. Having but time to reply to yours of the 8th of January by the out-going mail, I can only assure you that your communication shall receive my immediate attention, and that my accounts shall be transmitted to you at the earliest date.

Very respectfully, &c.,

ADAM JOHNSTON,

U. S. Sub-Indian Agent, Valley of San Joaquin.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

N. B.—I am at a loss to comprehend why my letters and documents from the department have, *recently*, been directed to the care of others. Having been in the country longer than either of those to whose care my letters have been addressed, and quite as well known as either of them, I must ask a discontinuance of that kind of address. For two years before their arrival in California I received my official documents directly from the department, and with quite as much despatch and

certainly as I have since they have been addressed to the care of an "agent." Besides, I am not in the capacity of sub-agent to any agent or other official here—my intercourse and responsibility being alone with the department.

Respectfully, &c.,

A. J.

SAN FRANCISCO, CALIFORNIA,
February 27, 1852.

SIR: I am in receipt of your communication of January 9, with the accompanying one to Adam Johnston, sub-agent, which, in conformity with your instructions, has been forwarded to him.

I have been delayed in my contemplated visit to a distant portion of the district in consequence of the difficulty of getting funds. I have made many ineffectual attempts to negotiate a draft on the department for my arrearage of salary, due since June last. In the event of succeeding, I am in hopes it will be paid *there*, otherwise I shall be subjected to damage.

In relation to the draft sent me, permit me to ask if there was not a mistake in the amount due. The statement accompanying the draft was as follows, viz: for arrearage of salary from October 1, 1850, up to June 30, 1851, \$1,500; interpreters, \$500; contingent expenses, \$500; our salary being \$3,000 apiece; and I am in hopes that house-rent will be allowed until buildings shall have been furnished.

Please inform me on the subject. In the mean time I will draw in conformity with the above-mentioned draft.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,
United States Indian Agent.

HON. LUKE LIA,
Commissioner of Indian Affairs.

SAN FRANCISCO, March 1, 1852.

SIR: My last letter, of the 17th ultimo, was accompanied by my account current as disbursing agent, vouchers, &c. My previous letter of the 12th of February, per Col. J. B. Weller, acknowledged the receipt of your circular of the 8th of January, which is the last communication I have had from your office.

Since I wrote I have received from Mr. George Gibbs his report, or Journal, of the expedition to northern California, accompanied by a very beautiful map of the country traversed, and sundry vocabularies of the languages spoken by the tribes we visited. These I design sending to you by the mail which takes this; but our friend, General S. D. King, of the land survey department, is making a copy of the map, and the Senate Committee on Indian Affairs desires me to afford them a reading of Mr. Gibbs's views as to the reservations made for the Indians, at a meeting appointed for the 4th instant. I think you will find the journal interesting, and the map the only correct delineation of the country extant. Mr. Gibbs has presented me a bill for the latter of

\$500, which sum he thinks himself fairly entitled to for the extra labor he has bestowed upon it, but which I have not felt myself at liberty to assume without instructions. These you will please give me after you see it. I shall hope to transmit all by the next steamer.

Nothing definite has been done by the legislature in opposition to our Indian treaties, and I hope nothing will be done tending to influence or instruct the senators in Congress. Enclosed in this I will send you another article, over the signature of *Shasta*, from the *Alta Californian* of the 24th, and one signed *Observer*, from the *Evening Picayune* of the 27th instant. A friend at Sacramento writes me that both have attracted attention *there*, and seem to have produced a *pause*.

Both houses are expected to adjourn by the 15th or 20th instant.

I am, very respectfully, your most obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

P. S.—Mr. Gibbs having forwarded some sketches to Mr. Schoolcraft by the last mail, I will, with this, send the vocabularies.

R. McK.

SAN FRANCISCO, CALIFORNIA,

March 4, 1852.

SIR: The "duplicate" of your letter, dated January 9, informing me that my connexion with the Indian department of this country would cease on its receipt, reached me through "agent Wozencraft," with more than ordinary promptness and despatch. On reaching this city I received the original, and have only time to say, your direction regarding the public property in my possession shall be followed on to-morrow.

I will render my accounts to the department at as early a day as possible. I have also the incomplete vocabulary of several Indian tribes, or bands, which I will arrange as far as I can, and forward to the department.

Very respectfully, your obedient servant,

ADAM JOHNSTON.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

SAN FRANCISCO, *March 13, 1852.*

SIR: My last despatch was dated 1st instant, and accompanied a sealed package of vocabularies, prepared by Mr. George Gibbs. I have deposited in the post office, to go with this letter, Mr. Gibbs's map of my route through northern California, and his manuscript journal of the expedition. This journal, the map, and the sketches forwarded by last steamer to Mr. Schoolcraft, will, I hope, be *neatly and carefully*

published. They will throw some additional light upon a part of this State, not previously explored. On this subject, I enclose letters from Mr. Gibbs to the honorable Senators Hamilton Fish and Truman Smith, and to H. R. Schoolcraft, esq., which you will please read, and then deliver.

I also send, in a separate envelope, a copy of the daily notes or minutes kept by my secretary up to the dissolution of our party, in Scott's valley, with some additional memorandums of my subsequent movements.

I regret that it is not yet in my power to send you estimates of the amount of funds which will be required in carrying out the treaties made, and yet to be made, in northern California. The reports which I expected would have reached me here, as to the number of Indians on Russian and Eel rivers, have not been received. If by an early mail I shall not receive orders to visit Washington, I will send you the best rough estimates I can make.

I have received reports from my secretary and special agent, in Scott's valley, to the 18th ultimo. Some two or three cases of difficulty and disturbance have occurred since I left, resulting in the death of two Indians, and threatening much trouble; but through his exertions and those of a few friends, they were amicably arranged, and all is again quiet.

It is matter of the highest gratification to myself, and indeed to all the friends of the red man in California, that not a single outbreak or serious disturbance has occurred among the tribes with whom we have treated. The accounts you occasionally see in the papers, of Indian murders, robberies, &c., are *all, without an exception*, in parts of the country which we have not been able to visit; and this fact, I submit, speaks volumes as to the general character and policy of our treaty arrangements.

I have made two journeys recently to Sacramento city, to meet committees of the legislature, in reference to the continued opposition of some of the would-be leaders to the ratification of our treaties. Since I last wrote, the attacks upon us and our policy, in the Assembly, have been quite *savage*; but I hope to show the public, in a few days, that they are as unjust and unfounded as furious. The late sudden overflood in the Sacramento having deluged the city again, led to an adjournment till next Monday, and rendered my last visit unavailing. I expect to return again next week, to have a public interview with ALL THE SACHEMS OF STATE. The enclosed slip, from the "Herald" of this city, will give you some idea of the present posture of affairs. There are some men in the Assembly too fully committed to recede, and they will leave no effort untried to induce the legislature to send instructions to Senators Gwin and Weller. The note was written in haste, and is perhaps, as the editor says, "a sharp letter," but, considering the provocation, none too much so. The palates of some of these political epicures can be excited by nothing less pungent than cayenne or camphor. There is some danger from partisan organization; still, I do not believe the present legislature will place the State in a position antagonistic to the general government.

I will thank you to send me half a dozen copies of your last report,

and a like number of the last edition of the Laws and Regulations of the Indian department.

I am, very respectfully, your most obedient servant,

REDICK MCKEE.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

INDIAN OFFICE, *March 18, 1852.*

SIR: I have the honor herewith to transmit estimates for the establishment of the Indian superintendency for California.

As some of these items may appear extravagant, it would probably be well to state that all estimates made in this country for California should be quadruple the amounts allowed for the same objects in this country. This would only be a safe and reasonable basis, on the average, for all calculations referring to that State.

I have made my estimate in accordance with that supposition, and assisted by the judgment of others long resident there; and while determined on the exercise of rigid economy in all branches of my department, I would nevertheless esteem it equally a duty to temper economy with judgment, in laying the foundation of the responsible office to which I have been appointed.

Very respectfully, your obedient servant,

EDWARD F. BEALE,

Superintendent Indian Affairs for California.

Hon. LUKE LEA,

Commissioner of Indian Affairs.

Estimate of funds required for the California Superintendency for the fiscal year ending 30th June, 1853.

For salary of superintendent.....	\$4,000 00
For salary of clerk to superintendent.....	2,500 00
For office rent, stationery, fuel, lights, &c.....	7,550 00
For messenger's expenses.....	2,500 00
For interpreters.....	3,000 00
For contingent expenses of superintendency, including travelling expenses of agents.....	12,500 00
For postage on letters on public business.....	100 00
For presents and provisions for Indians visiting the superintendency.....	5,000 00
For travelling expenses of superintendent, and necessary attendants.....	5,000 00
	42,150 00

Estimate of funds required for the California Superintendency prior to the commencement of the fiscal year 1852-'53.

For salary of superintendent.....	\$1,318 68
For salary of clerk to superintendent.....	824 17
For office rent.....	1,000 00
For stationery, fuel, lights, &c., for superintendent's office	275 00
For messenger's expenses, &c.....	400 00
For labor, miscellaneous items, and contingent expenses of superintendency.....	275 00
For presents and provisions for Indians visiting superin- tendency.....	1,000 00
For the travelling expenses of the superintendent, and the necessary attendants.....	2,500 00
For furniture for superintendent's office.....	1,000 00
For purchase of an iron safe for superintendent's office...	1,000 00
For building house for superintendency.....	17,000 00
For building warehouse for storage of Indian goods and public property.....	8,000 00
For the purchase of United States flags for distribution among the tribes.....	500 00
	<hr/>
	35,092 85
	<hr/>
Amount required for both periods.....	\$68,242 85

WASHINGTON CITY, *March 22, 1852.*

SIR: I have the honor to submit for your approval the nomination of Mr. Luther R. Smoot, as my clerk, to take effect from the 5th instant, in accordance with the 3d section of the act approved 3d of March instant, authorizing the appointment of a superintendent of Indian affairs for the State of California.

Very respectfully, your obedient servant,

EDWARD F. BEALE,
Superintendent Indian Affairs for California.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington City.

SAN FRANCISCO, *April 1, 1852.*

SIR: My last despatch, under date of 17th ultimo, acknowledged the receipt of your letters of January 28th and 30th, and February 4th. My effort to obtain information touching the abuses referred to in Major Wessells's report to General Hitchcock, to which you called my attention, has resulted in the development of no facts tending either to enlighten my ignorance or sustain the injurious impressions which that report was calculated to make, at least by innuendo or insinuation. Enclosed I hand copies—

1st, of my letter of the 16th March to General Hitchcock, asking for information; 2d, of his reply, dated 23d idem; 3d, of Major Wessells's

"remarks," or additional report to Captain E. D. Townsend, referred to by General Hitchcock, March 21st; 4th, of my letter acknowledging the receipt of these papers, to General Hitchcock, dated March 26th.

From this correspondence you will see that "rumors" and impertinent speculations as to motives and facts but ill understood, lay at the bottom of the whole affair; and that while I have endeavored to clear up any seeming obscurities in the transactions referred to and commented upon, I have at the same time endeavored to suggest the impropriety of basing grave official reports, necessarily implicating the honor and integrity of public servants in another department, upon such unreliable *data*. While personally on the most pleasant social terms with all the gentlemen in the military department, I have in several instances observed a disposition on the part of officers in the service to underrate the capacity of mere "civilians" for conducting Indian negotiations, &c., and strong doubts about the propriety of the law or arrangement by which the management of our Indian relations was transferred from the *War* to the Department of the *Interior*. Why this should be so, or that "*esprit du corps*" should in any way influence gentlemen as fond of their ease as most of the army officers in this country undoubtedly are, is to me quite inexplicable. To guard against the possibility of any such difficulties or misunderstandings in future, I deemed it proper to refer to General Hitchcock's and Major Wessells's communications at rather unusual length.

Within a few days I have received reports from the temporary agent in Scott's valley, advising that the Indians were all quiet, and apparently anxious to secure the confidence and good wishes of the whites. Many of the Klamath tribes, including their principal chief, *Ishack*, had left the river and removed to the reservation, and were building houses and preparing, in a small way, to cultivate some of their lands. He says they are waiting anxiously for my return, and for the completion of the arrangements made in the treaty for their permanent settlement. It is very important that as early as June I should be enabled to revisit that part of the State, and, either going or returning, visit and treat with the Trinity and Salmon River Indians. Some of the Trinity bands are troublesome to the packers, miners, &c., and my presence is strongly urged by the parties interested.

On the 20th ultimo I had a public interview with the Committee on Reservations in the Assembly, at Sacramento, and enclose a printed copy of my remarks on that occasion. I was too late to arrest fully the action of the House, but I am assured by several influential senators that no offensive joint resolutions will be adopted by that body. From all I can learn, some of agent Wozencraft's reservations are perhaps liable to objections, and may be materially improved. In the ratification of his treaties in the Sacramento valley, provision might be made for a change of boundaries, or an entire change of location. If you think my remarks likely to be useful, perhaps the Intelligencer and Republic will copy them.

I am, very respectfully, your most obedient servant,

REDICK McKEE

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

DISBURSING AGENCY, INDIAN DEPARTMENT,
San Francisco, March 16, 1852.

SIR: By the last mail I received from the Department of Indian Affairs, Washington city, an extract from a report made to you by Brevet Major Wessells, commander of the escort which accompanied me on my late expedition among the Indian tribes of northern California. Copies of this extract, and of letters from the Secretary of War and the Commissioner of Indian Affairs, you will find enclosed.

The department directs me "to inquire into the subject, and adopt such measures for the correction of the abuses referred to as may appear to be proper, should they be found to exist."

Having no knowledge of any such abuses in this district, nor indeed of any existing operative treaty arrangements upon which their existence could be predicated, I am at a loss to know how to set about an investigation.

You will therefore pardon me for inquiring whether the remarks in Major Wessells's report were intended to apply to any transaction connected with our late expedition, or to be general, and suggestive as to the proper course to be pursued hereafter when the treaties are ratified, and their stipulations for the supply of certain quantities of beef, flour, &c., come to be carried out. With Messrs. Marshall and Estelle, the owners of the small drove of cattle sent with the expedition, I have, since my return to this city, settled for what I purchased for my own party and to feed the Indians who visited our camps, upon the receipts of Captain Walter McDonald. I have no reason to suspect or believe that he receipted for one pound more than he received from Marshall and distributed; nor that the remark, as to the "loose manner in which those supplies are furnished," could with the least propriety be applied to his close and methodical manner of doing business. If, during my occasional absence from the party, or otherwise, any facts tending to show impropriety came under Major Wessells's observation, I will feel obliged by their communication. To "the tribes who agreed to treaties of peace and friendship, stipulations were made to furnish them with certain supplies of fresh beef and flour;" but these deliveries were not made, or even commenced, on that expedition; and as a matter of course cannot be, at least to any extent, until the treaties are ratified, and additional appropriations made by Congress. The provisions supplied to the Indians, during that journey, were merely for daily subsistence while visiting our camps, or pending negotiations; and as the means at my command were extremely limited, and the current rate of provisions necessarily high, I was forced to exercise the strictest economy. Of this the beef contractors complained; and perhaps with some cause, for when I disbanded the party, in Scott's valley, they had left on their hands more than half their original number.

I am, very respectfully, your obedient servant,

REDICK MCKEE,

U. S. Indian Agent, &c.

Gen. E. A. HITCHCOCK,

Commander Pacific Division, Benicia.

HEADQUARTERS PACIFIC DIVISION,
Benicia, California, March 23, 1852.

SIR: On the receipt, the 19th instant, of your letter of the 16th, enclosing copies of certain papers, to wit: a letter from the Hon. Secretary of War, of the 23d January, to the Hon. Secretary of the Interior, and the copy of a letter from the Commissioner of Indian Affairs, of the 30th of January, in relation to an extract from the report of Major Wessells, in regard to issues of beef on the expedition under your direction, last fall, the escort of which was commanded by Major Wessells, I referred all of the papers to Major Wessells, including your letter, for such remarks as he might have to make; and I now enclose those remarks, bearing date the 21st instant.

I must observe, in sending these remarks from Major Wessells, that there is a portion of your letter of the 16th to myself which I cannot reconcile with facts that have fallen under my own observation.

You state that you know of no "existing operative treaty arrangements upon which the existence of the abuses indicated could be predicated."

I must remind you that some time after your return to San Francisco from the expedition, you personally applied to me for an issue of flour from the United States commissary stores, to be delivered to the Clear Lake Indians, to comply, as you stated, with your engagements with those Indians. This must have been two or three months after you had concluded your treaty with those Indians; and to say that it was not to fulfil a treaty of some kind would look, unexplained, like an evasion, on the ground that no treaty had yet been sanctioned by the United States Senate.

I declined to furnish you the flour, and you informed me that you could procure it in San Francisco; but whether you did so or not, and, if so, how the delivery was made, I have never inquired.

In addition to this, I have to state that, on one occasion, subsequent to your treaty with the Clear Lake Indians, and while you were absent on the expedition further north, I saw a considerable body of those Indians encamped by the brook at General Estelle's house, within nine miles of this place, whither the Indians had come to receive a quantity of beef, in fulfilment, as I understood, of your arrangements. They had left their proper homes, and had travelled fifty or sixty miles, through the white settlements, to receive that beef from your contractor; and if it was in any way authorized by you, I must take leave to say that nothing could have been more ill-judged, to say nothing of the manner of the issue; while, on the other hand, if it was not contemplated by you, the occurrence of the fact, under cover or pretence of your authority, would be sufficient of itself to furnish the most decisive proof of irregularity as pointed at by Major Wessells. Who superintended the issue of the beef on that occasion, or why it was issued at all, was, and still is, equally unknown to me; while the connexion of your son with General Estelle, in the contract of the latter, was a matter of public notoriety; and, as I hear, the connexion was known to yourself, except that you chose to speak of your son, as being an agent of the contractor, in whose house he had been domiciliated a number of weeks before the expedition started, and to all appearance was so at the time you made

the contract with General Estelle. The terms of the contract, and manner of making it, were a subject of remark and exception, as having been made without inviting proposals; while the stipulations that the beef was to be furnished at the lowest market price, meant anything that the parties might agree upon in a country where there was no market, or market price, after passing the border settlements.

Under these circumstances you ought not to be surprised to learn that the rumors referred to by Major Wessells, previous to your departure, as to the swindling character of the expedition, were subsequently regarded by many as fully verified, whether with or without your knowledge.

I ought to state that Major Wessells informs me that he paid your son, who receipted the vouchers as the company of *Estelle*, prices varying from 25 cents to 35 cents per pound for the beef he was compelled to obtain for his escort, while Lieutenant Stoneman paid 13 cents per pound for beef for *his* escort with Dr. Wozencraft, though Lieutenant Stoneman informed me that Dr. Wozencraft was paying 30 cents per pound at the same time for beef issued to Indians. This may be all right, but needs explanation to make it appear so.

There are yet other unpleasant circumstances in connexion with this expedition, one of which was the organization of a large staff by General Estelle, your contractor, as a militia or volunteer officer; and, as I understand, two companies of militia or volunteers were assembled at or near Humboldt, expecting to be received into the service by General Estelle, though they were not received, as the presence and sufficiency of Major Wessells's escort took away all excuse for it; but it has been said that a claim of some sort has been contemplated, if not actually presented by General Estelle, against the State, with the expectation that the United States will ultimately pay all such claims, for \$5,000, as compensation for alleged military services in your expedition to Clear lake; but I trust that no such flagrant enormity will be countenanced by honest men.

You owe it to yourself to interpose, if necessary, and represent that no military services were either required or rendered by General Estelle. Hoping you may be able to explain these matters satisfactorily to the proper authorities,

I am, sir, respectfully, your obedient servant,

E. A. HITCHCOCK,
Br. C. 2d Infantry, B. B. General.

REDICK MCKEE,
United States Indian Agent.

BENICIA BARRACKS, CAL.,
March 21, 1852.

SIR: I have had the honor of receiving from headquarters Pacific division, copies of communications from Hon. C. M. Conrad, Secretary of War, Luke Lea, Commissioner of Indian Affairs, and a letter from R. McKee, Indian agent, all in reference to certain remarks contained in my report, as commanding officer of an escort attending the latter

gentleman on a tour among the Indian tribes from Sonoma valley to the Klamath river.

These papers having been referred to me, I will state in full my reasons for introducing those remarks in my report; premising, however, that they were made officially, as an officer of the government, uninfluenced, in any particular, by either private or personal considerations, and pointed solely at the system (if so it is called) of issuing fresh beef to the Indians, as it came under my notice. No accusations were made; and if such inference is drawn by any one, the matter, I suppose, is open to investigation, and, in such an event, it would afford me much gratification to meet with a result alike advantageous to the government and creditable to all concerned. It is possible that, in alluding to this subject, I have trespassed beyond the bounds of my legitimate duties as commander of the escort; and if such is the fact, am very willing that every word should be expunged, satisfied with having directed to it the attention of the proper authorities.

An expedition to Clear lake, and thence through the coast range to Humboldt bay and Klamath river, had been contemplated in the early part of last summer; and as the time approached for its departure, public attention, to a considerable extent, was directed towards it. It afforded a pretty general topic for conversation; but I observed that the chief point of interest attached to it was a certain herd of beef cattle, destined to follow the march, and for the use of such Indian tribes as were willing to treat. This, however, was previous to my being detailed for the service, and as it was no concern of my own, I gave to it but little attention. On assuming command of the escort, repeated inquiries were made of me as to the manner of furnishing beef to the Indians; whether purchased in open market on the hoof, or contracted for in the usual way, with the lowest bidder. Speculation was rife throughout the country, and this seemed to be looked upon as a *grand* speculation. Of course, I could give no satisfactory reply to questions of that nature, as it was no business of my own; but from a constant repetition of the subject, my attention was forcibly and unwillingly directed towards it. I heard the belief repeatedly expressed, "that it was a swindling transaction;" "that the herd of beef cattle controlled the movements of the expedition;" and it is possible that I have expressed the same opinion: it may have been an erroneous one—I hope it was. It was observed that a son of the acting commissioner, holding the appointment of secretary, was agent for the owners of the cattle, and had entire control of the issues: it was also believed that he was a partner in the concern, or directly interested in the profits. Such was my own belief, having been so informed by the chief herdsman of the drove; and this is one feature in the system which I could not fail to condemn. At one time, some eight or ten head of cattle were turned over to Indians on the hoof, their weight being estimated, as I believed at the time, in a very careless way, to say the least, and the amount reported to the commissioner. The accounts will show whether the contractors had any reason to complain of the profits, since seventy-five dollars, with a certain share of the profits, was paid for the largest and best American oxen in the herd, as I was informed by the owner of them.

On another occasion, a small quantity of beef, which could not otherwise be disposed of, was reported to the commissioner as having been issued to Indians in his temporary absence, when no Indians were present to receive it; this being related to me by the man who killed the animal, and who ought to have known the circumstances, being at the time employed as a kind of sub-drover to the herd. If this information was correct—and I believe it was—the commissioner was deceived, and a fraud, to a small extent, was perpetrated on the government. I know myself that no Indians were in camp at the time. At all events, whether true or not, I was satisfied, in my own mind, that frauds could be practised with impunity, unless a different system of accountability was adopted.

At another time, a beef, broken down on the road and unable to walk, was butchered at a distance of nearly a mile from camp, by the same individual above mentioned, and he was directed by the chief drover to dress the animal and leave it there for issue to Indians, when no Indians were present. This was told me by the man himself, as a first-rate joke, showing how easy it was to dispose of broken-down cattle. Of course, I am not aware that this beef was charged as an issue, but was satisfied that the occurrence took place as stated; and if actually charged, the commissioner was deceived.

These are tangible points in the system forced upon my attention, which caused me to allude to the subject in my official report, and which led me to believe that a better one could be adopted.

Respectfully, your obedient servant,

H. W. WESSELLS,
Captain 2d Infantry, Brevet Major.

Capt. E. D. TOWNSEND,
Assistant Adjutant General, Pacific Division.

DISBURSING AGENCY, INDIAN DEPARTMENT,
San Francisco, March 26, 1852.

SIR: On my return from Sacramento, I find on my table your communication of 23d instant, enclosing some remarks by Major Wessells addressed to Captain E. D. Townsend, on the 21st.

Your inability to "reconcile" some portion of my letter of 16th with "facts that have fallen under your own observation," may be owing to a misapprehension on your own part, or to the absence of some additional facts, which I will now supply.

At the time I called on you at Benicia, to inquire if you could, consistently, direct the commissary of subsistence to issue or loan to my department 50 or 100 sacks of flour, (50 large, or 100 small,) for the use of the Russian River and Clear Lake Indians, I explained, that by the terms of the treaty made with those tribes they were promised that quantity of flour this winter, upon the strength of an arrangement made with a merchant of this city previous to my setting out on the expedition, but in which I had been disappointed. That I did not wish to disappoint the Indians; but my funds being exhausted, I did not see any alternative, unless I could procure the flour from your de-

partment. You did not see proper to accord the accommodation. Some days after, the local and temporary agent for those tribes arrived here, and informed me that the season had been unusually favorable; the Indians had a plentiful supply of dried fish and nuts, and these, with the beef I had already supplied, would prevent their suffering, and he could explain the matter to their entire satisfaction. I determined, therefore, to postpone all further deliveries until the treaty should be ratified, and Congress make the necessary appropriations for carrying out its provisions. Hence my remark about "operative treaty arrangements."

That you "saw a considerable body of Indians encamped by the brook at General Estelle's ranche, within nine miles of Benicia," I have no reason to question, nor yet their perfect right to make a visit there, if it suited their convenience or their whims. It is no uncommon thing for parties to come over from the lake to work for farmers in the valleys of Sanoma, Nappa, &c., and sometimes on a visit to the white settlements. When at the lake, in August, I told the chiefs that, as some of their people were sick, and a change of diet desirable, if they would, about a certain time, send over some of their people to carry it up, I would order up to that ranche twenty or thirty sacks of flour for their use, as a present. I did so; and I suppose the Indians you saw were those who came over for it. I made no promise about furnishing them beef; authorized none to be issued to them, and have paid for none so issued. If they were supplied, they owe it to the hospitable liberality of General Estelle. I can, therefore, adopt your own remark: "Who superintended the issue of the beef on that occasion, or why it was issued at all, was, and still is, equally unknown to me."

At the time referred to, my son was with our party on the mountains between Russian river and Humboldt; and your remarks about his supposed connexion with General Estelle in these cattle or beef contracts, I beg to suggest, were wholly uncalled for, ungenerous, and unjust. I had no contract with General Estelle then, or subsequently, for cattle, other than a mere verbal arrangement to pay for what I might require out of the small drove he sent with the expedition—precisely similar to the arrangement I understood he had made with Major Andrews, of your department, for the supply of the escort. My son had no business connexion with him, either in the ranche or the stock upon it; and I chose to speak of him as "the agent" of the cattle owners, because such was the fact; and any other representation would have been a falsehood. Had it been otherwise; had he been a full partner in all the farming and stock operations on the ranche, I cannot see that it would necessarily prove, or even with liberal minds give cause for suspicion of, fraud or dereliction of duty, either on his part or mine.

When the expedition started, but seventy or eighty head of cattle were in the herd, which it was thought would be insufficient. At Clear lake, General Estelle increased the number by an arrangement with G. M. Marshall, of Bodega, who agreed to add to the above seventy-five large fat American oxen, and accompany the party himself. The bargain was made in my presence. The oxen were worth generally about \$100 each, but they were put in at \$75; and for his services, and use of three horses, Marshall was to receive one-third of

any profits made. As neither he nor Captain Paull, who had charge of Estelle's cattle, was a good accountant, and General Estelle himself about to return to the settlements, it was arranged that my son should represent General Estelle's interest, receive and disburse all moneys, keep the accounts, and finally settle the affairs of the partnership; for these services he was to be allowed a certain per-centage or commission on the net profit. This was my understanding of the affair; and as there was neither necessity for, nor attempt at, any concealment, I am quite surprised to find the matter referred to by innuendo, as mysterious and requiring explanation. My son having been detailed for special duty in Shasta and Scott's valleys, transmitted all the accounts, and Estelle and Marshall settled them in my office. Although Mr. Estelle, by public gossip, has the credit for obtaining large contracts, and making immense speculations out of the Indian department, justice requires that I should state, once for all, that his entire interest in that operation at first was the sale of about thirty head of Spanish cattle, and that Marshall's interest in the drove was more than three dollars to Estelle's one.

As to my son "being domiciliated a number of weeks at Mr. Estelle's ranche before the expedition started, and to *all appearance* was so at the time I made the contract," &c., even if true, what of it? Whose business was it whether he preferred spending his time in the city or in the country while awaiting the preparation of the escort for which I was authorized to call on your department? I gave him leave of absence, that he might rusticate in the country, in Suisun, Sonoma, and Nappa valleys, and I believe he did spend part of his time at the ranche of General Estelle.

As to the arrangement for cattle made with General E., (it scarcely deserves the name of contract,) both Major Andrews and myself thought it the best within our reach. We had no alternative but to purchase wild cattle, and hire men to drive them at our risk, or send them up the coast in a vessel. We chose the plan adopted as the cheapest and least troublesome. If, as you say, "the terms of the contract and manner of making it were a subject of remark and exception," I can only say these were remarked upon and excepted to, as not unfrequently happens here in California, by persons ignorant of the facts and without right to do either, at least as far as I was concerned. But "proposals" were *not* invited. From whom comes that information? I say proposals *were* invited and considered, in the usual and only way such matters are arranged for such excursions among the tribes in this country; and while I do not busy myself by inquiring as to what prices Lieutenant Stoneman or Dr. Wozencraft may have paid for beef in the settlements in the Sacramento valley, I take good care that no exorbitant prices are paid, or "swindling operations" can be traced in my own district. In my northern expedition not half the beef was used that I anticipated when I set out; game and fish were plenty on most of the route. For what Major Wessells bought of the cattle party he paid, I believe, an average of about thirty-three and a third cents; my average was twenty-seven and a half cents; and these rates were ascertained by inquiries at the towns of Humboldt and Union, on the bay, and at the trading-posts on the Klamath river, where

the prices of fresh meats are as fully regulated by supply and demand as at Benicia, your remark about "a country where there is no market or market price" to the contrary notwithstanding. The only considerable purchase of cattle or beef I have made for the Russian River and Lake Indians was at the rate of \$40 per head—not quite eight cents per pound.

As to the other unpleasant circumstances in connexion with the expedition to which you refer—"reports and rumors" as to the "swindling character of the expedition," the "organization of a large staff by General Estelle," (my "contractor,") "the volunteers assembled at or near Humboldt," the "claim said to be presented by General E. against the State for expenses," &c.—they are all matters about which I have not considered it my business to interfere, or even make particular inquiry. I try to attend to my own affairs, and avoid being considered "*a busy-body in other men's matters.*" I never applied to the State authorities for an escort. When one was offered, I declined it as unnecessary; always expressed the opinion that the calling out of State troops was unnecessary as well as expensive; and if called upon at a proper time, will not hesitate to express these opinions again. Satisfied with the protection furnished by the regular military department, I have kept myself aloof from all the military or political arrangements of the State authorities, and have not considered that "I owe it to myself, or to any one else," to interpose in the matter at present.

In all our expeditions in the Indian country, except the last, the commissioners have availed themselves of the services of officers of the escort party as interpreters, translators, clerks or secretaries, and paid them for their extra services. I was not aware that my son's agreement to keep the accounts, &c., as the agent of General Estelle or the cattle company, involved the slightest impropriety: his doing so interfered not at all with his public duties, and I have yet to learn the right of any outsider to criticise or speculate upon the arrangement.

The first part of Major Wessells's letter is candid and creditable—just what I expected from a gentleman of his amiable, cool, and equitable temperament. The latter part, in which is a series of disingenuous references to "rumors rife in the country," "gossip about a certain herd of cattle," &c., for his own sake I could wish had been omitted.

If there were such rumors, or if any one imagined that "swindling operations were controlling the movements of the expedition," they came not to my ear, and I am quite sure had no foundation in fact.

His remark about my secretary having the "control of the issues" is wholly inaccurate. These were made by my commissary, Captain Wm. McDonald. The ten Spanish bullocks driven across the mountain, as a present to the Clear Lake Indians at the treaty, could not be weighed. They were estimated and paid for at four hundred and fifty pounds each, which I am satisfied was a full hundred pounds below their net weight. Only two were killed while we remained at the lake; the other eight were divided among the eight tribes, one to each, and driven by them to their respective homes.

"The first-rate joke," to which the Major refers, as well as the previous attempt of one of the cattle-men to sell beef to the "Indian commissioner," came to my knowledge on an appeal by Mr. Marshall,

because of Captain McDonald refusing to receipt for it. I sustained the decision of the commissary, and the government was *not* defrauded of a copper.

I have now hastily, and perhaps imperfectly, noticed the leading points in your own and Major Wessells's letters, and dismiss the subject with the remark that I will write to General Estelle, now in the Senate at Sacramento, to furnish a statement of my secretary's transactions about, and interest in, "the cattle contract," about which it appears so much has been said and written, that you may have before you the "head and front of his offending." A copy of his letter, when received, shall be sent to you, and the whole correspondence transmitted "to the proper authorities at Washington."

I am, very respectfully, your obedient servant,

REDICK McKEE,

U. S. Indian Agent for Northern California.

Bvt. Brig. Gen. E. A. HITCHCOCK, *Benicia.*

SAN FRANCISCO, *April 3, 1852.*

DEAR SIR: I wrote you a hasty line per last steamer, on the subject of the proposed superintendency of Indian affairs in this State, and expected by this mail to have sent you a letter from the principal merchants and bankers of this city on that subject. My friend Mr. McCordray, who has been kind enough to move in the matter, has, however, been too busily occupied to get it ready for this steamer, but it will go forward by Adams & Co.'s express about the 10th instant. Hon. T. Butler King, Rev. Mr. Clark, Capt. E. D. Keyes, and others, have written to Mr. Stuart of the Interior Department, and others have written to Messrs. Gwin and Weller. I take the liberty to hand you, enclosed, a copy of my late address to the Committee on Indian Reservations, at Sacramento, which, if you can find time, I hope you will read. It was too late to do good in the Assembly, but the Senate will pass no joint resolutions, I think, on the subject. My opinion is, that unless our general policy is carried out in good faith, there will very shortly be a general Indian war on the frontiers of the State. The Indians must be *fed* for awhile, or *killed off*.

With high regard, your friend and servant,

R. McKEE.

His Excellency MILLARD FILLMORE,
Washington.

WASHINGTON, *April 7, 1852.*

SIR: As an investigation of all matters connected with Indian affairs in California will be a part of my duty as superintendent of Indian affairs for that State, and especially a close inquiry in relation to the drafts of the present Indian agents for supplies furnished the Indians, I have to request that some gentleman of California be associated with

me in that business. My reason for this is, that among the contractors for those supplies, and consequently interested in the payment of the drafts, is my intimate friend and companion Col. J. C. Fremont. The investigation of any pecuniary matter in which he is interested, would be exceedingly delicate, unpleasant, and embarrassing to me; and while I believe the strictest scrutiny possible into this affair will result beneficially to Col. Fremont, I would nevertheless prefer that it should be made by some other person than myself. I therefore earnestly request that some one of known intelligence, high standing, and irreproachable character, be associated with me in this negotiation, with express instructions to relieve me from inquiry into any matter in which Col. Fremont may be in any manner whatever connected.

I should feel acquiescence in this request a personal favor from the department.

Very respectfully,

E. F. BEALE,

Superintendent Indian Affairs for California.

HON. LUKE LEA.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, April 17, 1852.

SIR: Referring to my regular despatch of the 1st, and a special letter sent by the mail agent, Major Fearis, on the morning of the 5th instant, I have now the honor to enclose copies of a correspondence with Governor John Bigler, of this State, growing out of a report I sent him about the recent outrages committed by the whites upon the Indians on Humboldt bay, and on the Klamath, viz:

1. My letter to his excellency, dated 5th April.
2. His reply, dated 9th April.
3. My second letter, dated 12th April.
4. My letter to Gen. Hitchcock, dated 7th April—enclosed in above.
5. His excellency's reply, dated 15th April.
6. My third letter, dated 16th April.

As the principal facts connected with those outrages are referred to in these letters, I deem it unnecessary to give you a separate report upon them, which would necessarily be little more than a repetition of the details. What the results will be, in regard to the peace of that frontier, or to the investigation which Governor Bigler *promises to make*, time alone can determine. While I hope for the best, I have my fears. You will please to say whether you approve the suggestion I made as to the expenses which the trial and conviction of the aggressors may involve, in case they are incurred and reclamation made by the State treasury—which is, however, rather unlikely to happen; and also, whether you deem the general style of my letters to his excellency as proper and expedient. So much pains have been taken by the partisan press, and party leaders in the legislature, to falsify our acts and mislead the public judgment on the whole subject, that I have found it necessary to use rather unusual means to correct various misstatements and misapprehensions; but I hope not altogether without-success.

The State authorities are thorough partisans, and let no opportunity pass without giving the administration a *dig*, with a view to the manufacture of capital for *Buncombe*. From the correspondence now furnished, as well as from my previous despatches and enclosures, you will perceive that I have, though very reluctantly, had my hands full of business. Fortunately, I have had but few other and more direct duties, pertaining to my agency, claiming my attention, owing to the empty state of our treasury. As early as practicable, I trust you will remedy this difficulty. If it be true, as stated in the papers, that the appointment of superintendent of Indian affairs in California has been conferred on Mr. Beale, much of the responsibility heretofore resting on me, in the way of correspondence, will be removed; and full instructions will, I hope, indicate clearly our relative duties and relations to each other, and to the service. The appointment, if made as above, was wholly unexpected by the people here of either party.

Very respectfully, your obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington.

P. S.—The legislature is still in session, but expected to adjourn, perhaps, in the ensuing week. No *joint resolutions* touching Indian affairs yet matured, and I do not think any will be.

R. McK.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, April 5, 1852.

SIR: I have the honor to inform you that, by the arrival of a vessel from Humboldt bay, and express from Shasta Butte city, I have received letters from Captain Walter McDonald, of the former; and Mr. John McKee, special Indian agent for Shasta and Scott's valleys, announcing the existence of alarming difficulties between the whites and Indians on Eel river, and on the Klamath.

It appears that some time in February, two men living on the west side of Eel river, some fifteen or twenty miles from Humboldt, in a retired, out of the way place, were murdered, and their house robbed. As the river was unusually high, and canoes scarce, the fact did not become known to the settlers on the east side of the river for several weeks. It was then concluded, as a matter of course, that the Indians had killed them; and meetings were immediately held at the towns on the bay, and parties organized to hunt up and punish the guilty; but no sooner were these brave warriors clothed with authority to represent and defend the country, than they commenced an indiscriminate attack upon the poor defenceless and wholly unsuspecting Indian settlements on and about the bay near *Eureka*, and the mouth of *Eel river*, killing several; then proceeding out to *Eel river*, renewed the work of death, and finally succeeded in destroying the lives of fifteen or twenty naked and defenceless natives, without finding even one of those generally suspected as being most likely to be concerned in the murder. A

week or two later, some three or four other Indians who were *suspected* of being concerned in the murder, (*if committed by Indians at all,*) were overtaken on Eel river and summarily shot down. A gentleman from the bay informs me that these rash, cruel, blood-thirsty proceedings, were wholly disapproved by many of the best men in the country; that they could not arrest them; and were, indeed, almost afraid to let their disapprobation be known. From the temporary agent at Shasta Butte city I learn, by letters dated 21st ultimo, that some time in February an Indian boy, of eighteen or nineteen years, whom I recollect seeing at a place on the Klamath named "Happy Camp," was deliberately shot as he was leaving that camp, wading the creek which puts in there, by a man from Missouri called Captain Gwin R. Tompkins: the body of the Indian floated out into the river, and was carried off. This boy, it seems, was connected with the Indian rancheria at the ferry or upper crossing, some distance above. A white man who was at Happy Camp when the boy was killed, having returned to his work near the ferry, was charged by the Indians as being cognizant of, or concerned in, the murder; and finding the Indians exasperated, became alarmed about his own safety, returned to Happy Camp, collected a party there and at the other diggings on the river, then returned to the ferry, surrounded the village, *shot every man* and a number of *women*, and burnt their houses; then proceeding up the river some two miles to a place called *Indian Flat*, surrounded another little village, and with the same results, except that in this case one man escaped to tell the agent and the whites in Scott's valley the story of their wrongs. In all between thirty and forty were killed in cold blood. The women and children fled into Scott's valley, were loudly mourning the loss of their friends, and mainly dependent on the agent, and the liberality of the whites, for provisions to keep them alive.

Such in substance is the report sent me, as obtained by the agent from the man who returned to Happy Camp and raised the party. If, instead of doing so, he had gone up into the valley and applied to the agent, he, with his interpreter, could have explained the matter to the Indians satisfactorily, and saved this wanton sacrifice of human life; which, if it does not endanger the peace of that frontier for months, has, at all events, brought lasting disgrace upon the American name.

The agent writes further, that the parties attempt to justify their disregard of the solemn treaty arrangements made with these Indians in November last, among other things, by the opposition which they understood the legislature was making to the treaties; that if the treaties were to be disavowed by the authorities, they might just as well take the matter in their hands at once, and rid the country of the whole race. This is a very sad state of things, and I am fearful will cause much trouble in that quarter when known, as it will be, throughout the Indian country. It will throw obstacles in the way of our proposed arrangements with the Salmon and Trinity River Indians, which I cannot at present see how I can overcome. The Indians do not understand our distinctions: they look upon a treaty as a *bargain* between *all* the *Indians* on the one side, and all the *whites* on the other; and previous to this brutal outrage on our part, every account from that quarter of the

State went to show that the Indians were quiet and disposed to act peaceably, in good faith.

I now beg to submit to your excellency, whether, as the chief executive officer of the State, some measures cannot be taken to vindicate the laws of the country, as well as of humanity, and, if possible, bring some of these desperadoes to punishment.

Without pretending to advise as to what may be proper, I have thought that possibly much good might result from your issuing a proclamation in hand-bill form, for the frontier settlements, calling upon all who have the true interest of California at heart to frown upon such attempts to imbue the frontier in blood, by exciting in the Indian the spirit of revenge and retaliation, so consonant to his education and habits; urging the great importance of preserving good faith with the tribes with whom treaties have been made, and intimating that those who act differently will be held amenable to the laws. In addition, I would respectfully suggest that orders be sent to the district State attorneys to investigate the cases referred to in this communication, and if the facts have been truly reported, have the guilty indicted and tried for murder.

I am aware that such proceedings will involve considerable expense of time and money, but some examples must be made; and I have no doubt whatever but the department of Indian affairs will authorize me to refund whatever sum may be necessary for the conviction of the guilty.

In this connexion I will add, that I design, at an early day, calling the particular attention of Brigadier General E. A. Hitchcock, commander of the Pacific division, to the importance of establishing at least one or two small military posts on that frontier, for the mutual protection of both whites and Indians.

Commending this important subject to your excellency's early attention, I have the honor to remain, very respectfully, your obedient servant,

REDICK McKEE,

U. S. Indian Agent, Northern California.

His Excellency JNO. BIGLER,

Governor of California, Sacramento City.

EXECUTIVE DEPARTMENT,

Sacramento City, April 9, 1852.

SIR: Your letter, dated "San Francisco, April 5, 1852," communicating the intelligence that serious collisions have occurred between white citizens and Indians in the counties of Trinity, Klamath, and Shasta, was received yesterday.

I assure you, sir, that I deplore the unsettled condition of affairs in the North; but the settlement of new countries, and the progress of civilization, have always been attended with perils. The career of civilization, under the auspices of the American people, has heretofore been interrupted by no dangers, and daunted by no perils. Its progress has been an ovation—steady, august, and resistless. Govern-

ments are instituted for the protection, as well as for the control, of the governed; and this government, while it is under my administration, shall not fail to perform its duties. I am admonished, too, by the intelligence communicated, of the necessity of taking steps to protect the people of California, and I concur with you in the opinion that prompt action is indispensable. I have therefore determined to exercise the prerogative reposed in me by the constitution, to solicit, and, if necessary, enforce a peace. I have also made a demand upon the military commander of the United States forces in California for troops, and requested him to unite with me in an effort to terminate these unfortunate disturbances. I trust that you, too, will unite with me in an appeal to the military authorities of the United States stationed in California, to take the initiative in this business, and by placing troops in the northern counties, with orders to act, relieve this State from the necessity of assuming a new military debt. A desire to preserve the credit of the State, and to place her integrity beyond the reach of suspicion, will not permit me to sanction any act to increase the public liabilities, unless necessity shall dictate it.

In detailing to me the troubles which have recently occurred with the Indians in the counties of Trinity and Klamath, I deem it proper to apprise you of the fact that you place yourself at issue with the respectable gentlemen representing those counties in the Senate and Assembly of this State; and in ascribing the guilt of these proceedings to our own citizens, your declarations are not corroborated by statements which they have submitted to me. You assume that our citizens have perpetrated these crimes, and profess to entertain "no doubt but the Indian department at Washington will authorize you to refund whatever sum may be necessary to secure the conviction of the guilty." Should you solicit an appropriation of money to be applied to that object, I trust you will add a separate appeal to the President to direct that such additions be made to the troops detailed for duty in California as the exigencies of the service imperatively demand.

I have remarked that there are discrepancies between your statement of the facts connected with this outbreak and the statements laid before me by the members of the legislature representing the northern counties in which hostilities have occurred. They represent that the Indians are daily guilty of committing outrages upon unoffending citizens; that "the number of white men murdered by Indians in the counties of Klamath, Trinity, Shasta, and Siskiyou, within a few months past, is one hundred and thirty; and that the aggregate value of property destroyed by them, during the same period, is \$240,000."

You, inclining to the other side, detail a series of atrocious outrages committed by the whites against the "naked and defenceless Indians;" and you assert that "this wanton sacrifice of human life has, at all events, brought lasting disgrace upon the American name." You, however, preface these details in your communication with an admission that, before the whites proceeded to take any aggressive steps, two of their number had been murdered by the Indians. You also add a remark, that citizens resident in Klamath, Trinity, and Shasta, "attempt to justify their disregard of certain treaty arrangements made by yourself with the Indians in November last—among other things, by the

opposition which they have understood the legislature has been making to the confirmation of the treaties by the Senate of the United States."

These reflections imply an imputation upon the character of American citizens, and I assent neither to its justice nor its propriety. As a private intercessor between American citizens and their savage enemies, consanguinity, and the sentiments which it inspires, would incline me to favor the cause of my countrymen; and as a public magistrate, chosen by American citizens, I cannot yield my approbation to any imputations upon their intelligence or patriotism. Nor can I refrain from expressing the opinion that an investigation of the circumstances, such as I design to make, will fully acquit the citizens residing in the northern counties of the charge of "murdering naked and defenceless Indians in cold blood."

Whatever may be the results of such an investigation, I renew to you the assurances which I have already given—that I will omit no effort to punish offenders against the laws, and to secure to the citizens of the State the blessings of peace and good government.

I have the honor to be, sir, your obedient servant,

JOHN BIGLER.

HON. REDICK MCKEE,

Indian Agent, &c.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, April 12, 1852.

SIR: I have the honor to acknowledge the receipt this morning of your letter of 9th instant.

In the general remarks made by your excellency touching the progress of civilization and the purposes for which governments are instituted, &c., I fully concur; many of them are familiar truisms, very prettily expressed. I am gratified by the assurance that, in relation to the unhappy occurrences referred to in my letter, you "concur with me in opinion that prompt action is indispensable." This is what the case demands, and the object I had in view in addressing you.

I have already written urgently to the commander of the United States Pacific division in relation to the establishment of small garrisons or military posts on the Indian reservations at the junction of the Trinity and Klamath, and in Scott's valley, which I consider indispensable to the peace and safety of that frontier. A copy of my letter to General Hitchcock, under date of 7th instant, will be enclosed for your perusal. I have entire confidence in the desire of General H. to employ the force and means at his command for the protection and peace of the country; but unfortunately, owing to the failure of our democratic Congress to make suitable appropriations, these means are extremely limited at present, and some time may elapse before it may be possible for him to act effectively. It was in view of this state of things that I took the liberty of appealing to your excellency to consider the propriety of the course suggested in my letter of 5th instant.

Your excellency appears to have misapprehended or misconstrued some parts of my letter, and to have been thereby led into false conclusions. I attempted no detail of the Indian difficulties which have occurred *generally, or in all past time, in the counties of Trinity and Klamath.* Those counties embrace an area of perhaps three or four hundred miles of mountain ranges, with a numerous Indian and very sparse white population, and in some of their remote parts may have had "troubles" unknown to me. What I designed to bring to your excellency's attention, and what I *wrote about, was the two distinct specific massacres in cold blood of defenceless Indians by the whites on or near Humboldt bay and on the Klamath.* I stated that my information came from reliable parties, in the form of written reports, which were corroborated by gentlemen then in this city. About these transactions, I presume "the respectable gentlemen representing those counties in the legislature," to whom you refer, had no previous information whatever. How, then, can your excellency arrive at the conclusion that I had placed myself "at issue" with those gentlemen, or their statements? If *they* had information touching these particular enormities, differing from that I communicated, *they* could make an "issue" if they thought proper; but if they did, I have entire confidence an investigation would result in showing the substantial accuracy of my information, and the inaccuracy of theirs. I could scarcely expect from gentlemen so fully committed in what your excellency terms "*the other side,*" a voluntary "corroboration" of any statement I might make on Indian affairs in that quarter. If, as you say, there are "discrepancies between the statements I submitted, connected with this outbreak," and the statements laid before you by "the members of the legislature representing the northern counties," I submit that your excellency will see the propriety of sending me certified copies of those statements, that I may transmit them to the gentlemen who reported to me, and give them an opportunity of repelling this indirect attack upon their veracity. If, however, the statements referred to relate, as I think quite probable, to matters in *other and distant parts* of the country, perhaps one hundred and fifty miles from the Klamath, and two hundred miles or more from Humboldt bay, then there may, after all, be nothing which, on reflection, your excellency would denominate by the term *discrepancy*, at least in the sense of contradiction.

The intimation that especial credit should be given to the statements or counter statements of gentlemen because they happen to be "members of the legislature," is a position in which my experience does not lead me to concur. That the responsibilities of the station, and the solemnity of their oath, should lead gentlemen so elevated to weigh well and carefully every statement made, or vote given, is unquestionably true; but all experience shows that the accidental elevation of a man to a political station, especially in our frontier States, does not necessarily change his moral perceptions or sensibilities: no more in a political than in a moral sense, can "*the Ethiopian change his skin or the leopard his spots.*"

In forming an opinion, therefore, about either men or things in California, I find it all-important to look at the probabilities of statements

made, and the private character of the party making them, without very particular reference to the official position he may chance to occupy. You inform me that "*the gentlemen representing the northern counties*" state "that the Indians are daily guilty of committing outrages upon offending citizens;" that "the number of *white men murdered by the Indians*" in the counties of Klamath, Trinity, Shasta, and Siskiyou, within a few months past, is one hundred and thirty, and the aggregate value of the property destroyed by *them* (the Indians) is \$240,000. It would be an endless, as well as a thankless task, to notice and correct the thousand extravagant statements made on this subject, in the public prints, and even by honorable members of the legislature; and while I shall not controvert even the above, I will nevertheless take the occasion to say, that certainly the statement can have no reference to the region about Humboldt bay, on the Klamath, or the Lower Shasta, Trinity, or Scott's river, which is within my district, and where, *up to the time of the late murderous attack upon the Indians, no difficulties of any kind had occurred since the treaties made in October and November.* Upon the certainty of this information your excellency may rely. What may have occurred on the Upper Trinity, or on the trails through the country of the Cow Creek or Pitt River Indians, I have no information other than the constantly recurring reports and rumors of Indian depredations which appear in the papers. Your own experience in California has, doubtless, led you to remark, that if a pack-train is attacked or robbed, if a corral in one of the valleys is broken into and robbed, the conclusion is instantly reached that the Indians are the aggressors: the Oregon rifle or the Pike county revolver is at once called into requisition, and the first red skins met with made to pay the penalty. While I was in the Shasta country last fall, several extensive and aggravated robberies were committed, large numbers of mules and horses carried off, and the *blame, as usual, laid at the door of the Indians.* Large parties were organized, and a war of extermination almost determined on. Just then it was discovered that *the Indians were mostly at my camp, in Scott's valley, for the purpose of treating,* and the idea was broached, apparently for the first time, that *possibly they were not guilty;* that the outrages had been committed by men with *white* and not with *red* skins. Pursuit was made in the direction of Oregon and the Salt Lake; and since my return, the temporary agent writes me that the Salt Lake route party had returned with several white prisoners, and a large number of animals. The *white* Indians, at the date of his letter, were chained to a log-house prison in Shasta Butte city, awaiting the return of the other party, when they would be tried, unless meanwhile, through the influences of "*consanguinity*" or of money, they did not manage to escape.

Precisely similar cases have come to my knowledge in the Sacramento valley, on the San Joaquin, and in the country back of Los Angeles; in fact the cases are numerous in which, after Indians have been shot down like bullocks, for supposed crimes of this sort, it has been found, to the satisfaction of all others concerned, that *white men were the real criminals.* It is not, therefore, to be wondered at that I receive these frontier rumors and statements with some incredulity, and many grains of allowance. This principle may, I presume, be applied to the state-

ments made to you about the 130 American citizens *killed*, and the \$240,000 worth of property destroyed. The Shasta Courier, published in the very focus of the reports and rumors, gave, some days since, a statement on this subject, making the number killed 20 or 30; and as it is all *guess-work*, I think its estimate far more probable than the one you refer to. As a general thing, the Indians of this country are not at present disposed to war with the whites; they are afraid of our long rifles, and seldom attack or steal from parties travelling, unless driven to desperation by hunger, or the supposed necessity of killing a pale-face to make good the death of one of their own people. The "lex talionis" is a part of their religion; they think they would hardly lie quiet in their graves if they failed to avenge the death of such of their people as had fallen by the hand of their enemies, and generally, I believe, they manage to keep the account about balanced. This law of their education, if not of their nature, is well known to all old mountaineers; and it is surprising that, in view of the certain consequences, packers and traders on the mountain trails continue to pick off straggling Indians, wherever and whenever opportunity serves. Until a different policy is adopted, border frays and disturbances must continue of frequent occurrence. If your excellency will again read my remarks about the bloody tragedy on Eel river, you will see that I did *not* preface the details of that sad affair "*by an admission*" that the *two white men* had been murdered by *the Indians*: so far from this, I referred, ironically to the conclusion *jumped at* by the whites; and I can now add, on the authority of a gentleman from Humboldt, that it is still *wholly uncertain* whether the murder and robbery were the work of *Indians at all*. There are numbers of white adventurers on that frontier, who are none too good to be at least suspected. I made, and of course meant, no reflections upon the character of "*American citizens*." I profess to entertain quite as much regard for the character and honor of my countrymen, and for all the proper claims of "consanguinity," as your excellency, or any other citizen; but my regards for *the dear people* shall not prevent my calling things by their right names, and denouncing a white man who kills an Indian in cold blood, just as ready as I would an Indian for killing a white man. *They would be equally guilty of murder.*

Upon the frontier of this State, your excellency must be aware that there are great numbers of *Mexicans, Chilians, Sydneyites, and renegades, from justice in the old States*, wholly undeserving to be classed with American citizens, or to be included in the compliments you lavish upon our countrymen. It was with reference to this part of the population, to the arrest and trial of certain "desperadoes," that I wrote.

If, after the rigid investigation into those melancholy transactions at Humboldt, and on the Klamath, which you promise shall be made, it shall be found that none of our own countrymen, or "*American citizens*," are implicated, certainly no person will rejoice more heartily than myself.

In conclusion, I beg to state that Walter Van Dyke, esquire, the district attorney of Klamath county, is now in this city, and will re-

main for some days, awaiting such instructions as your excellency, as chief magistrate of the State, may deem proper to send him.

I have the honor to remain, very respectfully, your most obedient servant,

REDICK McKEE,

United States Indian Agent, Northern California.

His Excellency JOHN BIGLER,

Governor of California.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,

San Francisco, April 7, 1852.

SIR: I beg to enclose, for your perusal, a copy of a letter addressed by me, on the 5th instant, to his excellency the governor of this State, in relation to the recent brutal outrages committed by white men upon the generally harmless and inoffensive Indians on Humboldt bay and Eel river, and also on the Klamath.

Such occurrences are sickening to the mind, as well as disgraceful to our State and national character; yet, in view of the lawless character of crowds upon that frontier, they will probably continue to occur until the strong arm of the government is interposed. In view of the exposed condition of that frontier, and the alarm which these occurrences will have occasioned, I would again respectfully invite your attention to the propriety of sending immediately a small body of troops to each of the Indian reservations near the junction of the Trinity and Klamath, and in Scott's valley. From these points, as centres, the whole region could be traversed, controlled, and protected, and great good would undoubtedly result to both whites and Indians. Fifty or sixty men, well mounted on mules, would probably be sufficient for each post. Timber, for building houses, fences, corrals, &c., is abundant and convenient; grass, for grazing animals, plenty the year round; fish and game inexhaustible; land good for cultivation; nothing to invite or produce disease, with a generally salubrious and delightful climate. I think both officers and men would find it a pleasant, exciting, and desirable service.

A depot for supplies might be established on Humboldt bay, and, by means of a small pack-train, regular communication kept up with both points every two or three weeks. On these points, however, I need not enlarge, for if Major Wessells, who commanded the escort party on my late expedition, has not already reported on the subject, he can readily supply all necessary information. I know of nothing more likely to do good, or which would more fully reassure and gratify the well-disposed white citizens in that region, than the establishment, at your earliest convenience, of these small garrisons.

Another may have to be made on the Upper Trinity river, unless I can induce the Indians there to remove to the colony in Scott's valley; but that region is, as yet, unexplored, and it will be impossible for me

to examine it, or confer with the tribes, until I receive further remittances from the department at Washington.

With high regard, your most obedient servant,

REDICK McKEE,

U. S. Indian Agent for Northern California.

Brig. Gen. E. A. HITCHCOCK,

Commander Pacific Division, Benicia.

EXECUTIVE DEPARTMENT,

Sacramento City, April 15, 1852.

SIR: Your letter of the 12th instant, enclosing a copy of a letter addressed by you to General E. A. Hitchcock on the 7th instant, has been received; and, in reply, I have the honor to refer you to the memorial addressed to me by the senators and representatives from the counties of Trinity, Shasta, and Klamath, a copy of which will be transmitted to the Senate, in obedience to a resolution adopted by that body, and a duplicate copy of which I transmit, herewith, for your perusal.

I cannot undertake to discuss or decide a point of difference between yourself and the respectable gentlemen representing the counties named in the legislature; nor can I discern that, in the letter which I addressed to you on the 9th instant, there is any misapprehension or misconstruction of your statements. The localities which you have described as the immediate scene of the outrages are all situated within the counties of Trinity, Klamath, Shasta, and Siskiyou, the counties named in the memorial addressed to me by their representatives. In your letter of the 12th instant you attempt to palliate the imputations made upon American citizens in your letter of the 5th instant, by declaring that you referred to "Mexicans, Chilians, Sydneyites, and renegades from justice in the old States," as the "murderers of Indians in cold blood," and as the parties whom you desire to have arrested and punished. If, in your letter of the 5th instant, you referred to "Mexicans, Chilians, and Sydneyites," why did you follow up such a reference by an assumption, in the same letter, that their aggressions against the Indians have, "at all events, brought lasting disgrace upon the American name?"

I cannot admit that the American government is responsible for the crimes of "Mexicans, Chilians, and Sydneyites," or that "lasting disgrace" can be brought upon "the American name" by the misdemeanors of "renegades from justice in the old States."

But you may have forgotten that, in your letter of the 5th instant, you name, as the perpetrator of one of the most atrocious of the outrages detailed by you, "a man from Missouri," an American citizen. I am authorized, by members of the legislature and other respectable gentlemen, to inform you that this "man from Missouri" is the son of a highly respectable merchant at St. Louis; and that himself and his business partners in California, Messrs. Roach, McDermit, and Stentz, are gentlemen of irreproachable character. These statements, authenticated so fully, incline me to believe that there are no good reasons to justify a change of the opinion expressed in the communication which

I had the honor to address to you on the 9th, that an investigation of the circumstances will fully acquit the American citizens residing in the northern counties of the charge of "murdering naked and defenceless Indians in cold blood."

In the letter addressed by you to Brevet Brigadier General Hitchcock, on the 7th instant, you invite his attention to "the propriety of sending immediately a small body of troops to each of the Indian reservations near the junction of the Trinity and Klamath, and in Scott's valley."

The localities designated may be well adapted to the service; and, if deemed to be so by the distinguished officer referred to, I confidently trust that he will not consider himself bound to enforce treaty stipulations which have not received the sanction of the Senate of the United States. The treaties negotiated by you in those localities, so far as they assign fixed and determinate boundaries to valuable lands reserved for the permanent use and occupation of the Indians, are opposed to the wishes and the interests of the people of this State.

It may be proper to remark, that I have assurances of the united opposition of our delegation in Congress to the ratification of the treaties, and that their rejection by the United States Senate may be regarded as beyond a doubt. I have entire confidence that the officer in command of the Pacific division will not voluntarily interpose obstacles to the public interests, and I trust you will patiently await the action of the Senate, and not so far disregard the well-matured judgment of the people of California, and the State authorities, as to assume a position or adopt measures calculated to aggravate difficulties—the speedy termination of which is so imperatively demanded by the public good.

I renew to you the assurances given in a former letter, that I will exercise all the power reposed in me to punish offenders against the laws, and to promote the public peace.

I have the honor to be, sir, your obedient servant,

JOHN BIGLER.

Hon. REDICK MCKEE, *Indian Agent, &c.*

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, April 16, 1852.

SIR: I have the honor to acknowledge the receipt, by Adams & Co.'s express, of your communication of the 15th instant, in reply to mine of 12th, and covering a copy of the memorial addressed to you by the members of the legislature from the northern counties.

Some of the matters referred to by your excellency seem to require from me a few additional explanatory remarks, which will necessarily be made in haste, as I wish to send this by the afternoon boat.

1. I did *not* ask your excellency to decide points of difference between the gentlemen representing the counties named and myself. My suggestions referred simply to the precise, specific character of the facts I communicated—the priority of dates and the sources of my information. I am happy to find that the signers of the memorial, for whom

I personally entertain all proper respect, undertook neither to discuss the particular facts I communicated, nor to raise an "issue" as to their accuracy. Although the difficulties may have occurred within the limits of two of the counties named, that circumstance could not in any way affect their authenticity.

2. I respectfully submit that your excellency again misconstrues my remarks as to "*the imputation made upon American citizens,*" in the account given of the late outrages. My object was not to "*palliate*" any previous statement, but to explain and prevent the injurious construction put on those remarks by your excellency from going out to the public without a correction. I did say that the massacre of the Indians by the whites had brought "*lasting disgrace upon the American name,*" because such I believed, and still believe, *to be the fact.* In the first place, the murder of those defenceless Indians was disgraceful, as your excellency must admit. The Indians know no distinctions among white men—all are *Wagas*, or *Bostons*. In the second place, our own citizens, in other parts of the country, would naturally suppose the outrage had been committed by Americans, or with their cognizance; they could know nothing to the contrary until the facts should be investigated, and a different result announced by the civil authorities.

In default of such investigation, and of all proper efforts to bring perpetrators to justice, I am of opinion that *the American government would be justly responsible for the crimes even of "Mexicans, Chilians, Sydneyites," &c.,* and that the only way to efface or purge out the disgrace which *prima facie* had attached, is the course your excellency assures me shall be adopted.

3. I have *not* forgotten that in my respects of 5th instant, recapitulating the facts reported to me by the temporary agent in Scott's valley, I gave, as I considered proper, the name of the man who was reported to him as the person who shot the Indian as he was leaving Happy Camp, and which appears to have been the origin of the subsequent difficulty. If this Mr. Tompkins is the son of my old friend, W. M. Tompkins, esq., of St. Louis, I can only say that I shall the more deeply regret and deplore his indiscretion. That his "business partners," *Messrs. Roach, McDermit, and Stentz, are "gentlemen of irreproachable character,"* I am happy to believe, from my own personal acquaintance with them all. This circumstance, however, cannot alter the fact, if it be one. In that letter, I might have quoted further from the agent's report his closing remark, viz: "*This has all resulted from Captain Tompkins shooting the Indian.*"

I will now add that Capt. Charles McDermit, one of his "business partners," was the very man selected by the agent to assist him in the investigation of the facts, and united with him in deploring their occurrence. Mr. Stentz, also another "partner," has since then, in person, given me a full detail of the occurrence, substantially the same. I will take the occasion to add a short extract from a subsequent report, dated *Shasta Butte city, March 27,* received here yesterday:

"I wrote you, also, that Capt. McDermit and myself were engaged in investigating the facts relative to this Indian massacre on the Klamath, and mentioned that two or three who were concerned in the affair

stated that the whites had learned, through a Rogue River Indian in the employ of a *Mr. Owens*, that the Indians contemplated killing all the whites. We have since seen *Mr. Owens and his Indian*. Both deny having heard any such threats: on the contrary, Mr. Owens says he denounced the affair as a cold-blooded massacre, and that it was commenced without his knowledge, he being wakened out of his sleep by the guns; and further, that the only excuse they can have is former animosity.

"I have had several long talks with the Indians near Shasta, in relation to this and other matters. They appear to be fearful the whites will kill them; and when I pressed them to move over into the valley, they replied, 'The game is all gone, and the fishing time not yet commenced.' The Indians are very poor, and are now actually dependent upon the offal of the butcher-shops and taverns for food. The squaws go through town every day for the scraps; and they say if they go over to the valley now, they will starve, unless I will feed them. They speak truly; and while I know that their proximity to the town is fast degenerating them, I also know it is at present their only support."

4. In case General Hitchcock shall deem it proper to send small garrisons to the points indicated in my letter of 7th instant, the officers in charge will doubtless confine themselves to their legitimate duties, in preserving the peace of the country. As a matter of course, until the treaties are ratified by the President and Senate, no permanent improvements will be made on any of the reservations, nor will any alterations be made in their boundaries, already fixed, as heretofore remarked, upon the advice and recommendation of the white settlers in the neighborhood most immediately interested.

I am aware your excellency and others have expressed the opinion, that the setting apart of certain lands for the use and occupancy of the Indian tribes is contrary to the wishes and interests of the people of California. In this, however, it is possible your excellency may be mistaken; I think you have been misinformed. The general tone of the public press, and the still more general feeling of cool, reflecting, intelligent citizens, so far as my observation has extended, are decidedly in favor of the policy, approved by the general government, of separating the Indians from the white population as far as possible, allotting them some small patches of good land, with a considerable mountain range, where they may learn to subsist themselves and families, without being a perpetual burden on the treasury, or annoyance to the white settlers.

5. I doubt not your excellency has had many assurances of "*the united opposition of our delegation in Congress to the ratification of the treaties,*" and very honestly entertains the opinion that "*their rejection by the United States Senate may be regarded beyond a doubt.*"

I have paid some attention to this subject, and have an opinion that a quite different conclusion will be reached. Some of the treaties may be modified; provision may be made for changing some of the reservations; but I have too high regard for the public *character of our delegation in Congress*, to believe for a moment that they, or either of them, will offer to those important compacts a mere factious opposition; array their State against the long-approved policy of the general government,

and thus open up, again, former causes of disquietude and warfare, at least without proposing some *other*, and manifestly *better* policy.

In the second place, the matter is now better understood than it was when our delegation left the Pacific coast; facts are before the public now which were not then known to exist, and have produced in the public mind a reaction, which public men are not generally disposed to disregard.

In the third place, "our delegation in Congress" numbers four out of two hundred and ninety-five members; and if even both our senators should feel bound to oppose the ratification, it is a possible case that in a full Senate there might be sixty equally honorable members of a different opinion. The whole system will, I hope, be examined and decided on with calmness and wisdom, in entire disregard of all mere local or party influences or prejudices.

6. I shall endeavor "to wait patiently the action of the Senate," and take especial care that in my own district at least, and elsewhere, so far as I may have influence, nothing shall be done "to aggravate difficulties, the speedy termination of which is so imperatively demanded by the public good." To act otherwise would be as contrary to my habits of life, and to my own "*well-matured judgment*," as it could possibly be to that of "*the people or authorities of California*."

I have deemed it a most unfortunate circumstance that any portion of the good people of this State, or of "*the State authorities*," should have been led, under an entire misapprehension of facts, into an indiscriminate opposition to our treaty arrangements. I am not of the opinion expressed by some, that all action on this subject by the legislature is necessarily impertinent and improper; on the contrary, I believe that if a system for arraigning these important Indian relations in California should be proposed, palpably injurious to the landed, moneyed, or social interest of the people, it would be the duty of the authorities to interpose and ward off the evil. Such a case is not, however, existing here, and I trust never will exist. In opposing the system we have felt it our duty and privilege to advocate, unfortunately, condemnation and denunciation have been substituted for argument, examination of details, modification, or the proposal of a different and more acceptable plan; and hence have arisen the difficulties which, to some minds, envelop the whole subject.

In the sincere hope that this important interest may soon be better understood, and be happily arranged for the mutual good of both races and the honor of our common country, I remain, in haste, though very respectfully, your excellency's obedient servant,

REDICK McKEE,

U. S. Indian Agent, Northern California.

His Excellency JOHN BIGLER,
Governor of California.

SAN FRANCISCO, *April 29, 1852.*

SIR: I have the honor to acknowledge the receipt of your letter of March 20th, acknowledging receipt of letter and returns for third quarter; also your letter of 22d March, informing me of the appointment of Edward F. Beale, esq., superintendent of Indian affairs for California, with instructions, &c.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent, Middle District, California.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington, D. C.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, May 1, 1852.

SIR: My letters to you in April were under date of 1st, 5th, and 17th. On the 29th idem I received yours of 26th February, and 20th and 22d March. Several of my despatches have not been acknowledged, and I am curious to learn whether they ever reached your office. Enclosed I will hand a memorandum of letters written since I set out on my northern tour last summer, that if any have been mis-carried, copies can be supplied from my letter-book.

Nothing of much moment in relation to Indian affairs has occurred since my last. I have letters from the special agent in Scott's valley to the 15th ultimo: through his influence the Indians were happily keeping quiet, attempting neither revenge nor retaliation for the murder of their people on the Klamath. They rely, he writes, upon my certain return this summer or fall, to carry out the arrangements for their improvement.

The legislature has agreed to adjourn on the 3d instant. My last correspondence with Governor Bigler has been printed in part, and, as usual, with many errors and inaccuracies. By some singular accident, my letter of 16th instant was *wholly omitted, or intentionally suppressed*. Written copies of all the letters were enclosed by last mail, to your address. The appointment of Mr. Beale to the superintendency of Indian affairs in California will, I hope, in the end, meet the President's expectation, and subserve the public interests; nevertheless, I deem it proper to inform you that his selection for that important and responsible post appears to meet the universal disapproval of not only the State Central Committee, but of all other influential whigs in the country.

While I remain in the service of the department, I shall of course consider it my duty to forego all personal feelings and considerations, and render him all the information and assistance in my power. My chief anxiety is for the adoption and consummation of a system which may elevate and improve the naturally docile, and amiable, though *much-abused* natives of this country. I have recently paid several

bills, which could not longer be postponed without discredit to the service, and am much in want of a remittance.

Very respectfully, your obedient servant,
REDICK McKEE.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington City.

Memorandum of letters addressed by R. McKee to the Commissioner of Indian Affairs, Washington, from September 1, 1851.

Big Bend, Eel river, September 12, 1851; C. E. Mix.
Durkee's ferry, &c., October 3, 1851; C. E. Mix.
Durkee's ferry, &c., October 4, 1851; C. E. Mix.
Durkee's ferry, &c., October 7, 1851; C. E. Mix.
Scott's valley, Shasta county, October 28, 1851; C. E. Mix.
Durkee's ferry, &c., November 15, 1851; C. E. Mix.
San Francisco, December 29, 1751; L. Lea.
San Francisco, January 15, 1852; L. Lea.
San Francisco, January 31, 1852; L. Lea.
San Francisco, February 12, 1852; L. Lea.
San Francisco, February 17, 1852; L. Lea.
San Francisco, March 1, 1852; L. Lea.
San Francisco, March 13, 1852; L. Lea.
San Francisco, March 17, 1852; L. Lea.
San Francisco, April 1, 1852; L. Lea.
San Francisco, April 5, 1852; L. Lea.
San Francisco, April 17, 1852; L. Lea.

[Per Major Fearis, U. S. mail agent, per Golden Gate.]

SAN FRANCISCO, *April 5, 1852.*

SIR: Since my regular despatch per this steamer was mailed, I have received by express, from the temporary agent in Shasta and Scott's valleys, very unpleasant news; involving the murder, almost in cold blood, of some 30 or 40 Indians, at "the ferry," or upper crossing, of the Klamath, and at "*Indian Flat*," two miles above. On or about the 12th ultimo, some time before, a young Indian—whom I had seen at Happy Camp in November, and had commended to the protection of Judge Roach—had, it appears, been shot by a man named Gwin R. Tompkins. He was connected with the Indians at the ferry, some of whom made complaint about his death, and gave some miners in the neighborhood the idea that they, the Indians, contemplated revenge. Instead of going to the agent, who, with his interpreter, could have settled the matter amicably in a few minutes, the miners went down to Happy Camp, expressed their fears, raised a party, returned, surrounded the rancheria at the ferry, and shot down all the men there, with several women. They then proceeded two miles further up to

another village, and in like manner surrounded it and killed the inmates—in all, some 30 or 40 fell. The women and children who escaped fled to Scott's valley, where, the agent says, they are mourning the loss of their friends, and almost wholly dependent upon him for food.

What will be the result of this breach of the treaty arrangement, and most unnecessary and cruel sacrifice of life, is, of course, unknown; but I have fears that the law of retaliation, so deeply implanted in the Indian's nature, will again overcome all prudential considerations.

I have also received accounts of an almost similar outrage, committed by a small party of whites upon the Indians on Humboldt bay and Eel river, resulting in the death of some 15 or 20. There are many right-thinking, considerate men in that country, who deeply deplore this savage spirit on the part of some of the settlers; but living so far distant from the county seats, and their own lives and property at risk, they are afraid to speak out, as they otherwise would.

I will, I hope, receive further advices in a few days, and by the next mail write you again. In the mean time, I design appealing to the governor of the State to order a rigid scrutiny into the facts of these outrages, and take such measures as may be proper to bring the offenders to justice. In all these frontier settlements there are many men from Missouri, Oregon, Texas, &c., who value the life of an Indian just as they do that of a *coyote* or a *wolf*, and embrace every occasion to shoot them down. I despair of seeing the peace of those settlements fully established until the laws of the State are enforced, some terrible examples made, or the government of the United States send the military commandant of this division the men and means to establish several small military posts, to protect the Indians from such attacks.

I am, in haste, but very respectfully, your most obedient servant,
 REDICK McKEE.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington City.

WASHINGTON CITY, D. C.,
 May 11, 1852.

SIR: In compliance with your directions of yesterday, to report to you, at my earliest convenience, my views as to the merits of the treaties recently negotiated with the Indians of California, and particularly as to the expediency of ratifying or rejecting them, I have the honor to submit the following statement:

With reference to my views as to the merits of the treaties, I state, that I regard the general line of policy pursued by commissioners and agents in negotiating with the Indians as proper and expedient, under the circumstances. My own personal knowledge and experience in Indian affairs, and particularly in reference to the tribes within the State of California, incline me to the opinion that, to secure their peace and friendship, no other course of policy, however studied or labored it may have been, could have so readily and effectually secured the objects in view. My experience in Indian affairs has also convinced me

of the fact, that those who best understand the Indian character are exceedingly cautious and deliberate in their negotiations with them, and that precipitate counsels are invariably the results of ignorance, and generally terminate deplorably to both parties. The Indian, by nature, is suspicious, and, although easily governed when his confidence has been obtained, it becomes almost impossible to treat with him after his suspicions have been aroused. A wise reference to these facts and considerations has doubtless influenced the commissioners and agents in their negotiations, and it is proper that they should be duly considered on the present occasion.

The system of reservations, as adopted in these treaties, is but the natural result and consequence of the policy pursued throughout, and may be stated to involve two important considerations, viz: whether the Indians are to have any lands set apart for them; and if so, whether those selected for them may be justly considered as suitable and appropriate? Humanity and justice alike urge acquiescence in the former, while the following considerations suggest themselves as worthy of your attention in connexion with the subject. It is evident, that if allowed to roam at pleasure, their early extinction is inevitable; and I am slow to believe that the government, recognising as it does their possessory right to all the soil inhabited by them, would deny them the occupancy of a small portion of the vast country from which such extraordinary benefits are in progress of receipt.

The impracticability of removing them east of the mountains, or so far north or south as to avoid the evils which their proximity to the whites may induce, is apparent from the following considerations:

Much has been said of late in relation to an entire removal of the Indians to the eastward of the Sierra Nevada, and this fact is a painful proof of the entire ignorance of those who advocate the practicability of the measure. When we consider that our topographical knowledge of the interior of Africa is quite as extensive and definite as that which we possess of the eastern slope of this range, it is not difficult to imagine how vastly mistaken are those who look only upon the level surface of a map for information. It is vain to expect that they could be forced in this direction, since all the information which we have of that region of country (and theirs is presumed to be more extensive than our own) is directly opposed to the idea of assigning them to a location supposed to be, at best, a waste and barren desert. Those individuals who have attempted the exploration of this country have but partially succeeded. They report it as abounding with vast deserts, almost unrelieved by verdure of any description, and that any spot boasting any species of vegetation is already *occupied* by other Indians. The only known river of any size within this section of the country is the Colorado. The valley of this river is reported by the few bold and hardy trappers of the Rocky mountains, from whom our only information is derived, as abounding with Indians as far as any have had the courage to explore it; and it is this valley, already filled with an Indian population, which has been suggested as a location for the Indians of California.

To move them north would be but to add 100,000 Indians to the already overflowing Indian population of the Territory of Oregon. To remove them south, is but to place them directly in the line of our

southern emigration, thus exposing the lives and property of our citizens, for it requires no vivid imagination to picture the result of a meeting between savages, infuriated by a forcible removal from the homes of their fathers, and an emigration wearied by a march of two thousand miles over a trackless wilderness. In addition to this, it may be well to consider that our treaty stipulations of 1848 with Mexico forbid our colonizing them on her borders, and to move them in this direction would, to some extent at least, impair the obligation thus solemnly imposed. It may also add insurmountable difficulties to those already existing in opposition to the projected railroad to the Pacific in this direction.

With reference to the character or quality of the land reserved by the treaties for the Indians, I can only speak from personal observation with regard to those selected in the southern portion of the State. They are such as only a half-starved and defenceless people would have consented to receive, and, as a general thing, embrace only such lands as are unfit for mining or agricultural purposes. Admitting, however, that some of these reservations contain gold enough to add a few thousands even to the many millions taken monthly from the soil, I ask, is it not expedient and politic to permit them to enjoy them, especially since the rejection of the treaties will have a tendency to bring discredit upon the government and render futile all subsequent attempts at negotiation?

The reservations made in the southern portion of the State are undoubtedly composed of the most barren and sterile lands to be found in California, and any change must, of necessity, be of advantage to the Indians. Those persons who complain of these reservations in the south, have in no instance been able to point out other locations less objectionable or valuable than those already selected, and I am disposed to believe that in no case of reservations under these treaties will the lands reserved compare favorably with the agricultural and valuable portions of the State. The necessity of reservations, and of protection to the Indians thus located, is strikingly set forth in a communication of a recent date from R. McKee, esq., agent, addressed to yourself, and to which I have had access, in which he refers to the recent massacre of two or three villages by the whites, in which neither age nor sex was spared in human butchery. The communication closes with some wholesome advice on the subject of reservations, which I cannot refrain from recommending to your attention.

The stipulations contained in these treaties which appear to me to be objectionable, are those which refer especially to the supply of agricultural implements and the establishment of schools among them. With regard to the first, I am of the opinion that the tribes and bands treated with are not disposed, nor can they be induced at the present time, to engage in agricultural pursuits; and that if the articles necessary for this purpose were furnished to them as stipulated, they would find their way into the possession of the whites, without a consideration of value. I would suggest the expediency, therefore, of delegating authority to the agents in whose charge they may be placed, to deliver such articles of this character at the request of only such individuals of the tribes as manifest a desire to engage in this pursuit.

I am likewise of the opinion that the establishment of schools among them, at the present time, would not subserve their interests; their present state of civilization and advancement being such as to preclude the possibility of their appreciating the benefits to be derived from such instruction.

I regard the other provisions of the treaties, although they may be considered novel in their character, as both suitable and appropriate to the wants and desires of the Indians. The supply of beef cattle, for their present or temporary subsistence, being limited, the comparative consideration given them for the extinguishment of their title to their lands may be justly considered as trifling in amount, and especially so, if the objectionable features above stated are stricken out. Those provisions of the treaties stipulating brood-stock have been wisely inserted, with a view, doubtless, to possess them of the means of subsisting and sustaining themselves after the period for the supply of beef cattle shall have expired.

From the foregoing remarks you will perceive that my views of the merits of the treaties, as well as of the general policy pursued by the commissioners and agents in their negotiations, are favorable.

With reference to the expediency of ratifying or rejecting the treaties, I remark that, in my opinion, it would be unwise and injudicious in the extreme to reject them, even should it be deemed expedient and necessary hereafter, without previously preparing the minds of the Indians for such an event, and the offering at once of some suitable and proper substitute. To reject them outright, without an effort to retain their confidence and friendship, as already secured, by inducements of an equally advantageous character with those already held out to them, would undoubtedly involve the State in a long and bloody war, disastrous and ruinous to her mining and commercial interests, and affecting, more or less, the prosperity of our whole country.

During the Indian war of last spring, whole mining districts were abandoned, and, although unacquainted with the statistics of the State, I will venture the remark that the exports of gold were less by millions during that period than during the months immediately succeeding. If this was the result of a war with a very few tribes, what may be considered as the effect of a war with the entire Indian population of California? Popular feeling, prejudicial to the treaties, has been assigned as a reason for their rejection; and cannot the question be properly and naturally asked, will popular feeling point out a substitute? I venture the prediction in this matter, that an entire change in popular feeling will take place, at least among such as regard the Indians as having a right even to a bare and scanty living. To those who regard the stipulations of these treaties as novel, I would simply remark that *beef* and *flour* are but substitutes for annuities in *money, powder, lead,* and *guns*; and that while the treasury is being drawn upon *annually* to fulfil the obligations of other treaties, these supplies are to cease after the short term of two or three years.

In conclusion, I would remind the department that economy may be ill-timed in the present case, and prove but the certain cause of great and extraordinary expenditure; for it is not an easy matter to estimate the cost of an Indian war in California. The late report of the Quar-

termaster General of the army, however, affords a faint outline, which economy warns us not to fill.

Very respectfully, your obedient servant,

EDWARD F. BEALE,
Superintendent Indian Affairs for California.

Hon. LUKE LEA,
Commissioner of Indian Affairs.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, May 15, 1852.

SIR: My last despatch, under date of the 1st instant, acknowledged receipt of your letters of 26th February and 20th and 22d March.

We have dates from your city to the 9th ultimo, but no account of the arrival of Lieutenant Beale. Deeming it proper that you should be advised of every movement, touching Indian matters, in this quarter, I enclose printed slips from the Daily Herald of this city, and the Transcript and Journal of Sacramento—the former containing my letter suppressed by the governor; the latter, strictures upon the late movement of Hon. Mr. McCorkle, asking an appropriation of \$520,000 to pay debts *incurred by the Indian agents in California.* To me the matter is wholly inexplicable.

I enclose, also, copies of notes addressed yesterday and to-day to the editors of these journals, with a view to ward off the blame which those strictures were designed to throw upon the department and the administration. Unless such attacks are met and promptly nailed to the counter, they go at once into circulation, and do mischief.

I have letters from the temporary agent in Shasta and Scott's valleys to the 4th instant. The Indians were perfectly quiet and inoffensive, but short of provisions. The salmon fishery will soon commence, and, I hope, supply their wants.

I am, very respectfully, your most obedient servant,

REDICK MCKEE.

Hon. LUKE LEA,
Commissioner, &c., Washington City.

INDIAN AFFAIRS.

Editors Times and Transcript, Sacramento City:

GENTLEMEN: In your editorial yesterday, in reference to the amendment said to have been proposed by Mr. McCorkle, of this State, to the deficiency bill then before Congress, you take occasion, as has been too much your "wont," to jump at conclusions, and make a fling at the administration over the heads, or in connexion with, the United States Indian agents in California, which strikes me as both illogical and unjust.

I will therefore trespass on your columns to say that I presume there is some mistake about this reported amendment offered by Mr. Mc-

Corkle; that it has either been misprinted, or, if correctly reported, the honorable member, in his anxiety to prove himself the constant friend of the "*dear people*," has volunteered his services in a matter about which he was but ill advised, and in a manner which could have insured for his amendment nothing but instant rejection.

1st. The sum called for, \$520,000, to pay debts contracted by the Indian commissioners or agents in California, is only about \$500,000 more than there is any necessity for at present, so far as my knowledge of the debts extends; and I should conjecture full \$400,000 more than necessary, even if it shall prove true, as reported, that Colonel Fremont has valuable contracts, at very satisfactory prices, with one of my colleagues, for the supply of the southern Indians, upon which money is due.

2d. If Mr. McCorkle asked for such an appropriation, it must have been, not to pay debts already contracted, but to provide means, estimated as necessary to carry out the provisions of the several treaties made with the southern Indians. That it was a volunteer movement on his part, I infer from the fact that up to that time the treaties had not been acted on in the Senate; and, until they are ratified, it is not customary even for the department of Indian affairs to apply for the appropriations necessary to carry them out.

3d. I think you are fully justified in withholding your belief of "*the one half of the charges which have been made concerning the management of our Indian affairs*," as well as in your closing remarks: "If California desires to obtain anything from the general government, she must discountenance these enormous Indian and other speculations. Her agents in Congress must not press them, to the exclusion of proper and legitimate appropriations. If they do, it will be as heretofore—we shall obtain nothing."

It is quite probable that Mr. McCorkle has, in this movement, acted very injudiciously for California interests in Congress.

4th. I have had occasion to complain several times, Messrs. Editors, that you have allowed your columns to be used in a way calculated to do me personally very great injustice. You write or print about "*the Indian commissioners*," or "*the Indian agents*;" condemn the acts of *all alike*, as if they were a *joint board of directors*. Of this I have complained time and again, but without success. In vain have I defied those excessively patriotic members of the legislature, or writers for the press, who have indulged in these attacks, to discriminate, to point out a single abuse or speculation in which I have been implicated, or in any way "*mixed up*;" and I now repeat the challenge to you, "*and all the rest of mankind*" in California. If such abuses exist in my department of the public service, expose them in welcome. I am responsible only for my own acts. If favoritism has been shown to Col. Fremont, or any other distinguished democrat in California, to the prejudice of others or the public interest, lay it bare; but grapple facts, not surmises or street gossip.

If contracts have been made for beef other than such as were authorized by the department, they will of course be disavowed; and if claims arising under such contracts are ever paid, the responsibility

will fall upon Congress, a large majority of whom you claim to be your political friends and the special guardians of the public interests.

In all such matters, I say, "*Let every tub stand on its own bottom.*"

Very respectfully, your obedient servant,

R. McKEE.

SAN FRANCISCO, May 14, 1852.

SAN FRANCISCO, May 15, 1852.

GENTLEMEN: In your paper of yesterday I notice your remarks about the "unpaid drafts of the Indian commissioners in California;" upon which subject I addressed a note on the 14th instant to the editors of the "Times and Transcript," which I presume will appear on Monday. As the conductors of an independent journal, I take it for granted you wish to give your readers a true view of public affairs, and therefore ask the favor of your transferring that note to your columns the day after its publication in the Transcript.

If there is any just foundation for the movement of Mr. McCorkle, asking an appropriation of \$520,000 to meet debts incurred by the Indian agents in this State, I am wholly ignorant of the fact, and quite as ready to denounce the extravagance as uncalled for, wholly unauthorized by law, and unnecessary, as yourselves, or any other person in the State.

In the note referred to, I assigned some reasons for thinking the whole matter founded upon mistake and misapprehension. Have you ever had time to read my remarks before the Committees on Indian Affairs, published in the *Union* of 26th March? From the tenor of your remarks, I presume you have not. Permit me to refer you to that address.

Very respectfully, your most obedient servant,

R. McKEE.

Messrs. V. E. GEIGER & Co.,

Editors Daily Democratic State Journal, Sacramento.

SAN FRANCISCO, May 29, 1852.

SIR: In February last I drew drafts on the Hon. A. H. H. Stuart, in favor of Samuel S. Hensley, for beef furnished. A communication, some months prior to the transaction, was addressed to you on the subject. Those drafts were drawn to suit the peculiar views of the parties from whom the purchase was made.

The understanding between us was that the said amount was *not due* until an appropriation was made by Congress, and that said drafts were *not to be presented for protest.**

I deem it due to myself to inform you of the foregoing facts, and assure you that I am aware that I have no authority to draw on the

_____ appears that, owing to a failure in the reception of their letters of instructions, the said drafts were presented and protested.

department other than *presumptive* drafts, on the concurrent action of Congress.

The Indians throughout my district are quiet, with the exception of some few thefts. I have apprehended that they would commence stealing through necessity. There has been difficulty, and consequent delay, in furnishing them with the meagre amount of beef allowed them. Indeed the majority of them in my district have not had a mouthful for several months past, but I will forbear troubling you at this time with the many difficulties which I have to contend with. I am in hopes the superintendent will soon be out, and with means to act.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington.

SAN FRANCISCO, *May 31, 1852.*

SIR: It may not be inappropriate for me to give you a brief synopsis of the state of affairs as they exist at present, and a passing review of our Indian relationship as it existed when first we entered on the performance of the duties intrusted to us, that the department may be enabled to act advisedly, and, if you will permit me to say, promptly, in furtherance of the great object in view—the subjugating and domesticating the Indians in this country.

Through the many communications which have been forwarded to the department, you have been apprized of the fact that we have had turbulent and hostile Indians to deal and contend with; that those Indians have committed depredations to an extent so as to have seriously retarded the development of the resources of the country; that the loss of life and property had been very great; and that the State had prosecuted a fruitless war, save the expense attending it, which has been rather fruitful, and which, in all probability, would have been endless had no other means been at work to effect their subjugation.

The foregoing was the true state of affairs on our arrival in the country; but now I am happy and proud to say that the state of affairs is very different, and can justly say that in all sections of the country which have been visited by me, and treaties effected with those said turbulent Indians, it has had the effect to restore peace and give security to life and property; the Indians having acted in singular good faith in all and every instance—thus showing them capable of practising good fidelity, for this has been practised by them in instances where the controlling power of fear has not been, nor indeed could be, brought to bear on them.

Thus at a trifling cost we have been enabled to control them by pursuing a conciliating policy, and that, too, in many instances, after coercive measures had failed in effecting it. These singularly fortuitous events I attribute to the fact that the Indians of this country are extremely averse to war, and fond of peace—otherwise the many aggressive acts of the whites would have continued the war *ad infinitum*. Thus you see the Indians have been patient in endurance—slow to break the

promise of peace and friendship. The opposition which has been set up against the policy pursued by us, as you are doubtless aware, was for political purposes, and it would appear that it has had the desired effect so far as to cause a formidable opposition to the furtherance of our policy. The agrarian cry, that they must have all the land for the dear people; that the Indians must move further off; that the general government must pay for their losses and war bill before fulfilling our promises to the Indians,—all of this has been well calculated to produce an opposition, more particularly as this was done by opposing partisans, and by them alone, for it is a well-known fact here that *all the old Californians* are the warm friends and supporters of the policy which we are attempting to carry out. This *was* the state of affairs, but it is not so *now*; they have stopped to think of the consequence that would, and necessarily must, follow a refusal on our part to act in good faith with those confiding Indians, in fulfilling promises made to them, and it is well that this subject should come before us for consideration; and it would be well to give it that investigation which its importance demands, fraught as it is with the most momentous results for the future. What will be the state of affairs with our Indian tribes if we refuse a faithful compliance with promises made them, and do not attempt to conciliate those who, as yet, have not been treated with? There can be but one answer to this query; nor does it require that one should be versed in Indian character in order to render it correct—*war to extermination: further overtures of peace would be listened to only in order to deceive us*; our infidelity would neither be forgotten nor forgiven by them. Indeed, it would be mockery to send agents among them, as their labor would be fruitless.

This language may appear strong and unqualified to those who have not a correct knowledge of Indian character; but I am satisfied that from those who have had an experimental knowledge of them, the foregoing statements will meet with an endorsement.

The Indians are now becoming distrustful of the fulfilment of our promises. Many of the tribes, as yet, have had but little more than promises; and from many others, who have had limited supplies of beef heretofore, those supplies have been withheld for some months past, owing to the difficulty of getting them. I am informed that some of these have resorted to stealing, through necessity. I am in hopes that it may be checked before terminating in an open rupture again. In those reserves where the supplies are yet issued they are doing remarkably well. Indeed, my prediction made in a former communication has now assumed a certainty, for the Indians in one reservation (i. e., the one under charge of Major Savage) have raised an amount of edibles and grain nearly sufficient to support them for the year to come, and this can be done by all of them if they are but put to work.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent, Middle District, California.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington.

CHESTER, PA., June 1, 1852.

SIR: I have the honor to acknowledge the receipt this day of the commission as Indian agent for California, of P. B. Reading, esq., which I shall hand to him in person immediately on my arrival.

Very respectfully,

E. F. BEALE,
Superintendent Indian Affairs, California.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington City.

SAN FRANCISCO, June 15, 1852.

SIR: This will be handed you by Mr. Jno. S. Davis, late of Scott's valley, northern California, and the same person whose account or claim I sent you some months since, touching supplies furnished a party who went out to hunt the Indians on that frontier *in the spring of 1850*; and the person also referred to in sundry depositions which he takes with him to present, in relation to the loss of forty-nine head of cattle, supposed to be stolen by the Shasta Indians.

Mr. Davis will explain the nature of his claims, and advise with you as to the expediency of pressing them further.

Your most obedient servant,

REDICK McKEE.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington City.

SAN FRANCISCO, CALIFORNIA,

June 16, 1852.

SIR: I perceive by the reported proceedings of the United States Senate of 13th May, that an appropriation was called for in order to enable the Secretary of the Interior to investigate the conduct, &c., of the United States Indian commissioners in California.

You will allow me to express my surprise, when I state that this is the *first* intimation which has reached me that would appear to imply a disapprobation on the part of the department relative to my official acts.

Permit me to request that the investigation called for, so far as it may concern or implicate myself, may be had at as early a day as may be practicable.

With the hope that my motives will be properly appreciated in making this request,

I remain, very respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington City.

SAN FRANCISCO, June 17, 1852.

SIR: I am in receipt of the report of the Secretary of the Interior, relative to debts contracted by Indian agents in California.

In relation to the communication from myself, I would wish to state that I have not drawn or issued drafts to the full amount called for, but presume it will be required the present year if we would wish to keep the Indians at peace.

In relation to the drafts now issued, I would merely wish to say, that in the event of making a distinction favorable to any portion of them, it is due to those drawn in favor of Samuel Norris. They were given for beef delivered at the several treaty grounds at the time of making treaties, with but few exceptions, and *prior* to the reception of instructions relative to the limited appropriation; they were drawn on the presumed concurrent action of the *present* Congress, and of course ought to be met in good faith, as I am in hopes all the others will, when they are satisfied of the facts relative to the great emergency which induced me to take the responsibility.

I have no acknowledgment of the treaties and communications forwarded by me in January.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

SIR: I herewith enclose and transmit the quarterly returns of the 4th quarter, account-current and abstract of current expenses, likewise account-current and abstract of current expenses for 3d quarter, supposed to have miscarried. Should this prove to be so, I will make out the returns for the same.

Pressing engagements have prevented my sending them sooner. The department will please excuse the delay. With the hope that they may have a more speedy and safe transit than those of the 3d quarter,

I remain, respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

SAN FRANCISCO, CAL., June 23, 1852.

SIR: I have the honor to acknowledge the receipt of your communication of the 19th of May, requiring a full and detailed report of all transactions made and incurred by the agents of the department in California. I herewith hasten to comply.

Since May 14, 1851, at which time I commenced the discharge of my separate duties, I have made up and forwarded quarterly statements of all official transactions up to December 31, including eight

treaties, six of which were made within my district and two in the southern district. I have received acknowledgments from the department for a portion of the above-mentioned documents. I should have sent returns for the quarter terminating March 31, 1852, had not illness prevented; up to date of instructions to report to Mr. Beale, superintendent, &c. Consequently you will perceive that there has been no dereliction of duty on my part; and I presume, were the department in possession of all the facts, in addition to the statements from myself which may have miscarried, the closing clause embraced in the letter before me will not be applied to the transactions made by myself.

I commenced my mission, now something more than thirteen months since, with \$150 drawn from the disbursing officer. Some time subsequently I obtained \$1,000 from the collector of the customs by giving the required security. Thus supplied, I set about the responsible and onerous duties intrusted to me, and *endeavored* to fulfil the instructions of the honorable Secretary of the Interior; *i. e.*, to inform myself, and communicate the same to the department, of the manners, habits, customs, and extent of civilization of the California Indians, and make such treaties and compacts with them as may seem just and proper. I presume it was not expected of me, in fulfilling the foregoing instructions, to accomplish them with the limited means then in my possession. The state of affairs here at that time left me no choice, if choice indeed I could have had, under the instructions. The Indians were then in open hostility; the citizens were clamorous for protection, and were unsparing in abusing the administration for seeming neglect. The soldiers were in the field at a heavy expense, and without commensurate success. Under the foregoing existing state of affairs I pushed forward, exerting every means within my power, with a confident expectation of meeting with the approval, if not the commendation, of the department, and, in the event of success, of the gratitude of the citizens of California.

It would appear that I have been over-sanguine in my expectations, and probably over-zealous in compassing the difficult and onerous mission intrusted to me. I may be allowed to credit myself with the feeling common to those who are conscious of having discharged their duty to the best of their ability, and the assurance, given me by the resident population who are unbiassed by political motives, that I have done much good in the cause of humanity—have done much in relieving the State from her greatest enemy—have done much in saving life, property, and treasure. This is truly consoling; but it will be insufficient to remove from my breast the mortification of an official disapprobation of my acts; and I am yet in hopes that a full investigation will be made, confident in the belief that it will result to my credit and that of the department.

I proceeded on my mission, made peace with those hostile Indians, and conciliated those who were assuming a hostile attitude—had consummated five treaties, and completed all the preliminary arrangements for the sixth; when I received instructions from the department to discontinue negotiations when the appropriation of \$25,000 should be exhausted. I completed the sixth treaty, and only learned subse-

quently that the disbursing officer, contrary to your explicit instructions, had consumed the principal amount of the appropriation himself.

I presume the department will not disapprove of my official acts up to the above-mentioned period. If you will be pleased to look over the returns for that period, you will perceive that I practised a most stringent economy, as indeed I have up to the present time.

You were apprized, by communication of October 1, 1851, the necessity of furnishing beef to those Indians near the head of the San Joaquin valley, I having received satisfactory evidence that if they were not provided for, in conformity to treaty stipulations, hostilities would be the result. The supplies were furnished, and peace has thus been perpetuated. That there was a necessity calling upon me to act as I did, is unquestionable. We will allow, if you please, that those Indians possessed a sufficient amount of intelligence to comprehend their new relationship, and the obligations of the compact which they have entered into with us; yet the imperious calls of nature for food can no more be resisted by them than it can by any other animal organization, and, unfortunately for the rancherias of Lower California, the facilities to the Indian for acquiring it are too great to be resisted. I am in hopes the department will not disapprove of my acts in this instance.

You were likewise apprized, by communications of October and January, of the facts, in full and detail, of the then existing war between the whites and Indians in the lower part of California; of the singularly fortuitous results attending my mission among them; that peace was made, in a manner not likely to be broken on their part, inasmuch as some *twelve* of their chiefs and headmen *sealed it with their life's blood*, and it was further confirmed by the assent and signatures of *fifty* chiefs and captains. A full report, accompanied by the two treaties, was forwarded in the steamer of the 15th of January. I waited acknowledgment from the department four months, before issuing the supplies. My *promise* to them was, that by the first of May they should have them. I have so far fulfilled my promise as to commence issuing beef and flour to them. I had likewise authorized the licensed traders, Messrs. Rucket and Henderson, to purchase, on behalf of the government, a sufficient number of horses, without which they could not take care of their beef cattle.

It is to be hoped that the above-mentioned documents and treaties have come to hand, and that the department will approve of my official transactions in this instance. In relation to the prices which I have agreed to pay for beef, I feel satisfied that there can be no reasonable grounds for objection, as I presume you are pretty well posted up in the matter, by the report which you furnished to the Senate. I will not trouble you with statements, further than may be necessary in order to fix and confirm the contract entered into with Mr. Samuel Norris, who has furnished all the cattle required by me in making the five treaties. Our agreement was, that he would deliver beef cattle *immediately* on the reception of my order, at any point between the Mocalumne river south and the headwaters of the Sacramento river north, and that I would allow him the current cash price for which neat beef was sell-

ing at the time and place of delivery, payable on an appropriation of the present Congress.

Enclosed please find two letters stating the price of beef, one from Mr. Belcher, on the Cosumne river south; the other from Mr. P. B. Reading near the head of the Sacramento. These letters will go to show I have favored the government, if favor has been shown to either. I am in hopes it will be deemed just to allow him twenty cents per pound. He was put to much trouble and great expense in keeping near me in my travels. Had this not been done, it would have been difficult, if not impossible, to have made treaties.

The price agreed on for those delivered by Major S. S. Hensly is fifteen cents per pound; this you will admit is low, when you are informed that beef has advanced one hundred per cent. since Col. Fremont filled his contract. The price agreed on for those now being delivered by Col. George McDougall, in the south, is $12\frac{1}{2}$ cents per pound, payable this present Congress; but in the event of the failure to make an appropriation this session, then he is to have $15\frac{1}{2}$ cents per pound, payable next session. This is a low price; and, as you were informed in a former communication, the first contractor receded from his contract, and it was with some difficulty that I succeeded in making the present one; consequently, there will be no necessity of enforcing the bonds given by the first contractor.

I am informed that beef is selling for as high prices in the extreme south, as it is in the north, on Russian river, which is above Clear lake.

As stated in my communication of August, 1851, I could have bought beef at 8 cents, had I the money wherewith to pay; but as it was, there were but few who were willing to furnish beef cattle, (which are rated as cash here,) and wait for their money one year.

I would here wish to notice a statement made by Colonel R. McKee, published in the report called for by the Senate. He states that "*he understands*" that there are claims held by parties for cattle furnished in the middle and southern districts, *at very high rates*. Permit me to say that this is but a continuation of the course which he has been pursuing for some time past, having commenced here by publishing tirades, in self-justification, as he terms it; but to others it was very apparent that he had other and sinister designs—trying to invalidate all other contracts than those made by himself; and thus has the public censure been evoked on the acts of the commissioners. In his published accounts of debts and liabilities he states—"contracted for at eight cents per pound, or \$40 per head." General Estelle called on me and stated that his contract with R. McKee is at twenty-five cents per pound, or \$125 per head. This being so, Mr. McKee would have done well to make the statement, and thus confine himself to the *truth*, and the duties which more properly belong to his own district. Relative to the discussion alluded to in your letter, as having taken place in Washington, as well as in California, I may say that there has been any amount of discussion here; but so far as the honorable legislators were engaged therein, it resulted, not as the Hon. Dr. Gwin would have it appear, but in a *positive negation* of the condemnatory resolutions embodied in the Doctor's published speech; and we do think that it would have been as well for the Doctor to have given the statement in full.

There was a minority report, which was favorable to our policy, and rather potent—if we may judge by the effect—for I am assured that they have *not passed any condemnatory resolutions*. The gentlemen who made the minority report have had more experience with the Indians of California than any other members of that extinct body, and the only motive which could have actuated them was that of humanity and justice. And so far as relates to the popular opinion here, as well as I am able to judge from statements made to me by intelligent and disinterested people, it is decidedly in favor of the policy which we have been pursuing. A gentleman just down from the mines informs me that, in the event of Congress failing to make provision to secure the faithful fulfilment of the treaties, the people of California would themselves willingly raise the amount required rather than be subject to the evils of Indian wars, as they have heretofore been.

In conclusion, I would state that there has been no violation of treaty obligations on the part of any of the numerous bands of Indians with whom I have treated. There is a band of Indians on the Merced river, high up in the mountains, who are in a hostile attitude. The soldiers from Camp Miller, on the San Joaquin, have gone against them. The captain of this band was the first to come in and *talk*. I was not satisfied with the talk, and told my colleagues that he only came to deceive us, and gain time for the snow to melt, and then he could defy us; but they differed with me. The disbursing officer gave them blankets, shirts, and other presents, under the confident belief that the Indians would be faithful to their promises. They doubtless laughed at the simple credulity of the official, for they never did come in of their own accord. They were brought in twice by the volunteers, and as often escaped or went back, and never did sign or agree to the treaty. I mention this in order to correct any misapprehension which is likely to occur, where information is gained through the public press.

I herewith forward an abstract of disbursements from the time I assumed responsibility up to date, with accompanying vouchers.

I am, sir, very respectfully, your obedient servant,

O. M. WOZENCRAFT,

United States Indian Agent, California.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington.

SAN FRANCISCO, CALIFORNIA, June 27, 1852.

SIR: I herewith forward a full statement of all liabilities, with accompanying vouchers, with the exception of four. The persons whose signatures are required to these live at a distance. I have sent the vouchers to them, and so soon as returned will forward them to you.

The communication, with the statement, I am in hopes will prove satisfactory; otherwise I deem it due to the department, as well as to myself, that there should be a personal examination.

I should be pleased if the statement and communication were submitted to the Senate at an early day.

In addition to the amount embraced in the abstract, you will please

bear in mind that I called for, in former statements, \$1,000 for each of the reservations, in order to compensate those who take charge of affairs, &c.; and I am in hopes that house-rent will be allowed me.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,

United States Indian Agent.

Hon. LUKE LEA,

Commissioner of Indian Affairs.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,

San Francisco, July 1, 1852.

SIR: I have the honor to acknowledge the receipt, by the last mail, of your favor of 17th ultimo, and, in compliance with your request, enclose, No. 1, my account-current, with accompanying vouchers, to this date—balance against the government \$4,313 68; No. 2, schedule of debts due to others—amount, \$32,069 79; and an estimate of some unadjusted claims and liabilities, which may require the additional sum of \$5,750.

Since I transmitted my accounts to the 5th February, I have made several remittances to the temporary agent in Scott's valley, on account of his salary, and for expenses; but as the state of things in that quarter since the snow on the mountain trails rendered travelling possible has not, in his opinion, and that of his friends, allowed of his absence even long enough to visit this city to settle his accounts, and having no facilities at present for making a journey into that remote part of my district, I omit these items in my present account. Besides, for reasons which you will appreciate, I prefer the superintendent, if he arrives in any reasonable time, should pass upon his accounts, rather than myself. This schedule will give you all the debts or liabilities of which I have any official knowledge.

With the cattle or other contracts of Messrs. Barbour, Wozencraft, and Johnston, I have in no way participated, and disapprove of the course by which it appears they have implicated themselves, if not the department, as fully as yourself.

To the extent of a few hundred head of Spanish cattle for the southern tribes, involving an amount perhaps of \$12,000, \$15,000, or \$20,000, their disregard of instructions might possibly have been justified by the peculiar circumstances of the country; but for buying cattle in such numbers, mainly for the purpose of feeding Indians then and now mining for, or working on the ranchos of, individuals or firms upon the Fresno or San Joaquin, at enormous prices, and averaged at 500 pounds each *on the hoof*, I can imagine no possible necessity or justification. It is known to every cattle dealer that Spanish cattle, in droves or herds, *average* only about 400 pounds net.

In the spring of 1851, when in that country, I had occasion to purchase for the board some 300 or 400 head of large picked cattle, for those very tribes, partly on contract at \$40 per head, (several head being thrown in to make up the average weight, by estimate 500 pounds;) that was the highest rate asked, with the understanding that if the appro-

priation of \$75,000 was not granted, the contractor was to wait another year for his money. For cash in hand, I could have purchased any number at a much lower rate; indeed, ranche owners in the southern part of the State were offering freely their best, full-grown, picked cattle, at from \$12 to \$16 per head; and at \$40 I am sure I could have contracted for fifty thousand, *deliverable at any point in that or the middle district*. But those I bought, with such provisions as the Indians might earn by their work, added to their own supplies of nuts, fish, &c., &c., it was thought would meet their wants until the treaties were ratified.

These facts I deem it my duty to report, without prejudice or interest in the matter of any kind, pecuniary or personal, other than what is necessarily involved in the general character and success of our negotiations. I confess to a feeling of deep regret and mortification that, through the unauthorized acts of my colleagues and sub-agent Johnston, the department should be involved in the trouble of thankless investigation, and the general system adopted by the commissioners, for the pacification and improvement of the California Indians, if not endangered, at least delayed. The system agreed on when our first treaties were made, and which I presume has been adhered to in all, I believe to be eminently judicious, humane, and economical. With a provision for the alteration of the boundaries or location of some of the reservations in the valley of the Sacramento, these compacts should, I think, be ratified and carried out in good faith, by our government, with all practicable despatch. In all the discussions which have arisen upon the subject in this country, in the legislature or elsewhere, no attempt has been made to show any material defect in the plan, or to substitute a better. As to removing and colonizing the tribes of California beyond the limits of the State, the idea is simply ridiculous. In the first place, we have no vacant district or territory to send them to. In the second place, all the white men in California, aided by the entire army of the United States, could not drive them out, or, if driven out, keep them from running back to their old hunting and fishing grounds, acorn orchards, &c.

The only thing that can be done with them is to colonize and improve them upon small reservations or districts of *this*, their own, "their native land;" or, as an alternative, exterminate and kill them off. I have repeatedly called the attention of the public men of this State to this view of the subject by public addresses before the legislature, and by means of the press, without provoking either a refutation, or what could be called a show of argument in reply. To a vast majority of the educated and intelligent people of California, our general plan is quite satisfactory—I may add, by them highly approved; and from no quarter has any *other or better one been proposed*.

I am, very respectfully, your most obedient servant,

REDICK McKEE.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington.

Schedule of debts due and payable at San Francisco by the disbursing agent of the Department of Indian Affairs in California.

1851.		
May 20	R. McKee's acceptance of G. W. Barbour's draft, Th. W. Lane.....	\$1, 625 00
	R. McKee's acceptance of G. W. Barbour's draft, endorsed to J. White.....	1, 050 00
June 10	R. McKee's acceptance of G. W. Barbour's draft, Th. W. Lane.....	500 00
July 26	..... do..... do..... do..... do.....	1, 500 00
Oct. 1	..... do..... do..... do..... J. C. Edwards.....	479 12
Aug. 7	J. Joseph, bill of hard bread.....	401 20
	Moorehead, Waddington, & Whitehead, for flour for Southern and Sacramento treaties.....	676 00
May 15	Don Pablo dela Toba, for 201 head cattle for Merced and San Joaquin tribes, assigned to different holders of his draft or orders.....	8, 040 00
Dec. 31	G. M. Marshall, certificate for beef on northern expedition, subject to credit.....	6, 598 47
1852.		
Jan. 3	J. M. Estelle, certificate for.....	2, 000 00
	..... do..... do.....	1, 000 00
Feb.....	Chenery & Hubbard, for 100 head large cattle for Russian River tribes.....	4, 000 00
	Ditto, for same for Clear Lake tribes.....	4, 000 00
	[Accounts of the latter not yet fully adjusted—may be a few dollars more or less.]	
		32, 069 79

I gave Marshall a letter to you, submitting that, if equally convenient, his certificate might be paid at Washington. Circumstances have since made it proper that the payment should be made here, and I will thank you to refer him to this office for settlement.

R. McK.

SAN FRANCISCO, July 1, 1852.

Estimated liabilities other than per treaty stipulations.

Scott & Montgomery claim \$950 for 19 head of cattle delivered to the Merced Indians, per A. Johnston's and J. H. Marks's certificates.—[I claim as an offset, that 17 head of cattle previously paid for ran back to their ranche, and that we owe them for but 2 steers—say \$100. I have made several attempts to have the matter settled—one by arbitration, but the referees could not agree; the matter remains open, awaiting the return of Mr. Montgomery from the States.]—Say.....	\$950 00
J. M. Estelle, for some 30 sacks flour, freight, &c., designed as a present to the Clear Lake tribes; invoice, &c., mislaid by his agent—say.....	400 00
Jno. McKee, temporary agent in Scott's and Shasta valleys; salary, extra allowance, subsistence, travelling expenses, pay of interpreters, &c.—say.....	4, 000 00
Geo. Parker Armstrong, ditto for Russian River and Clear Lake tribes, though not under pay, has nevertheless devoted much time and labor as interpreter, &c., for which I think he should be rewarded; he will be useful hereafter. I propose paying him \$300 or.....	400 00
Geo. Gibbs's claim for extra services on journal and map, heretofore submitted for instructions, \$500; Union office, Sacramento, printing account.	
	5, 750 00

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, July 1, 1852.

SIR: I have the honor to acknowledge the receipt, per last steamer, of your favor of 17th ultimo, enclosing an extract of a letter from General Hitchcock to Adjutant General Jones, dated 31st March, 1852.

I feel obliged to General Jones for placing in your possession a copy of this insidious despatch; and to you, for transmitting it to me. I will write again to General Estelle, who is familiar with all the circumstances; and as soon as his answer is received, enclose you a copy, with such remarks as will probably show that General H. has travelled as far out of his proper sphere to make these indirect imputations, as he and his subordinate officer did on a former occasion, and touching which I reported to your office on the 1st of April.

All who know the character and standing of my son, John McKee, and also that which General H. sustains among the officers and men of his division generally, will be far more likely to conclude that the latter has been (as is said to be his wont) giving ear to gossip, and "busying himself about other men's matters," than that the former has ever descended to a petty or dishonorable act.

I am, very respectfully, your obedient servant,
 REDICK McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington.

WASHINGTON CITY, D. C.,
July 14, 1852.

SIR: I have the honor to submit annual estimates for current expenses of the Indian department within the California superintendency, as follows:

For salary of superintendent	\$4,000
For salary of clerk to superintendent	2,500
For office-rent, stationery, fuel and lights, and postage on official letters	7,500
For interpreters	3,000
For contingent expenses, including the travelling expenses of agents in their districts	12,500
For presents and provisions for Indians visiting the superintendency	3,000
For travelling expenses of superintendent, and the necessary attendants, on visits of inspection, including the purchase of animals and camp equipage	5,000
For furniture of superintendent's office	1,000
For one iron safe for superintendent's office	1,000
For flags for distribution among the tribes	500
Whole amount required	<u>42,500</u>

The items of salary are fixed by law. The office-rent alone would be, at present rates for San Francisco, not less than \$6,000 per annum;

and it is presumed the remainder would barely be sufficient for the items estimated for.

The item for messengers, who will be constantly required on official matters—intended, also, to cover that of expenses—is but a moderate allowance. Interpreters will only be employed from among men of high respectability; and as they will be obliged to give up, during the time they are in attendance, all other business, their demands will of course be high.

Contingent expenses. This item is large; but in the establishment of an office, the business of which is so various, it is impossible there should not be many things which will be indispensable, but which cannot be estimated for until the practical operation of the department has given experience as to its requisitions. In this item are also included expenses of travel of agents and sub-agents, which, in the present state of affairs, will necessarily be very great.

The present treaties being rejected will oblige the agents to be constantly among the tribes, who will be rendered restless and suspicious by disappointment of their expectations.

Item for provisions and presents. This will be necessary, and is not large for the purpose indicated. All the Indians, by delegates from their tribes, will, it is supposed, visit the superintendency; and presents, in reconciling them to the rejection of the treaties, will be necessary and useful in keeping them quiet.

Travelling expenses of superintendent. The state of our affairs in California is such that the incumbent of this office will be, of necessity, obliged to travel almost constantly during the present year; and, as many of the tribes are hostile and the country unsettled, attendants will be indispensable, and the item of this estimate not considered disproportionate to the object.

The safety of papers of vast public importance, and also the security of public money, renders it unnecessary to explain the item in relation to the iron safe.

Flags. These are intended for distribution to the captains and headmen of the tribes. It is believed no present will sooner touch the vanity of these rude chiefs, than the custody of that emblem which they have been taught by our troops to respect, and which they themselves regard as a "big medicine."

Very respectfully, your obedient servant,

E. F. BEALE,

Superintendent Indian Affairs for California.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,

San Francisco, July 20, 1852.

SIR: On the 1st instant I acknowledged the receipt of your favor of 17th May, enclosing extracts from General Hitchcock's letter to Adjutant General Jones, dated 31st March.

My former report on the same general subject, dated April 1, 1852,

(though not yet acknowledged) has, I hope, reached your office, and makes it unnecessary to enter again into details.

You do me but justice in refusing to believe that the imputations contained in the reports made to the War Department, touching the matters in question, are founded in anything but misapprehension and "*pre-judice*." I am still utterly at a loss to account for the representations originally volunteered by Major Wessells, and subsequently endorsed by General Hitchcock. That both of these gentlemen have acted under an erroneous impression of public duty, while travelling beyond their appropriate sphere to retail ungenerous imputations and speculations upon the official conduct of a fellow-officer in another department, may be alleged, and probably is the most available apology that can be suggested.

With the conjectures and speculations, and special pleadings and logical conclusions, of General Hitchcock's last letter, I will have no controversy; I think I can afford to let them all pass for just what they may be worth. With some men's fancies, prejudices, and "unpleasant impressions," it were as useless to quarrel as with their tastes. I shall, therefore, leave the General to the enjoyment of all the laurels he may be entitled to in such a warfare, with the simple remark, that I expected other and better things from an officer of high rank in the army of the United States, and withal a professed admirer and advocate of the transcendental *ethics* of Spinoza and Swedenborg.

Upon receipt of your letter, I wrote again to General Estelle at Sacramento, and to John McKee at Scott's valley, and am happy in being able now to enclose copies of their letters in reply. These letters, I submit, not only corroborate the statements of my former report, but incidentally show how destitute of all foundation in fact were the charges of fraud, speculation, or impropriety, insinuated by the officers at Benicia. Had these self-constituted guardians of the honor of the Indian department, and of the interests of the government, confined their strictures to my own supposed errors or delinquencies, I should have felt less keenly than I have, seeing their shafts have been aimed also at a worthy personal friend, though a political opponent, (General Estelle,) and at the reputation of my son—a youth, I am proud to say, of high promise, just entering upon the busy cares of life, with but little capital, save a rather unusual personal popularity and an unblemished reputation. Though General Hitchcock may be unable fully to appreciate the feelings of a *father*, he surely cannot have forgotten that he was once a *son*, just entering upon life, when character was worth far more than gold.

In relation to the flour, for which some of the Clear Lake Indians came over to the Ausque rancho, and for which they were delayed for some days, owing to the absence of General Estelle, I will say it was not dealt out there as rations, but faithfully carried home and delivered to the chiefs, according to my directions, for the use, principally, of the sick and infirm. This information I had from Mr. Geo. P. Armstrong, the interpreter. Another gentleman residing at the lake, Mr. Logan, has recently told me that, some weeks after, he saw some twenty-five sacks of the flour stored in the house of one of the chiefs, and it was considered a most acceptable and useful present. Thus it appears that

General Hitchcock has taxed his imagination and powers of conjecture as to the supposed trade by the Indians of their flour for General Estelle's beef, "at the brook near his house, nine miles from Benicia," altogether unprofitably.

In conclusion, I submit that the attempt to prejudice myself, or any of my contractors or employes, by such reports as have been filed in the War Office, (and for the knowledge of which, even, I am indebted to your kindness,) has been, from first to last, a very small business, unworthy of either of the officers concerned. You will confer an additional favor by having copies of my correspondence, explanatory of these imputations, filed also in the same bureau; let the antidote, properly labelled, lie close alongside the poison. If other and more flagrant "abuses" than any yet brought to light by this correspondence shall not find their way into my district, I shall not be alarmed about "*the business of the Indian department becoming a mock and a by-word;*" nor yet, that "*the Indians will be abused,*" or "*the government defrauded.*"

I am waiting with anxiety to hear what the President and Senate have done with our system of treaties in California, for upon their approval or rejection hang very grave consequences—possibly the lives of thousands of human beings and the expenditure of millions of money.

I am, sir, very respectfully, your most obedient servant,

REDICK McKEE.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington.

SACRAMENTO CITY, July 6, 1852.

DEAR SIR: I have received your favor of the first instant, with extracts from General Hitchcock's letter of 31st March, and hope you will excuse any seeming neglect in not writing long since in reply to your previous letter on the same subject, dated some time in March or April last.

That letter reached me just before the close of the session of the legislature, and my duties as chairman of the Committee on Indian Affairs, as well as other engagements as senator, prevented my answering it on the day of its receipt, which was my usual custom. I laid it on my desk, intending to do so at my earliest convenience.

This letter, together with others of a private character from my family, was abstracted; consequently, I had not an opportunity after that period, and especially for the reason that I had not carefully perused it. I then, in the hurry of California business, allowed it to slip my recollection.

I will now answer your inquiries to the best of my ability, after expressing my utter surprise that two officers of the rank and standing of General Hitchcock and Major Wessells should have so far forgotten their duty as to interfere with matters in which they were neither officially nor personally interested.

In July, 1851, I was applied to to furnish cattle to the escort party who were to accompany you to the Klamath and Trinity country.

I made a contract (verbal) with Major Andrews, commissary at Be-

nicia, to receive, for the amount he might want for the command, the usual prices of the country through which they might pass; promising to have them driven through the mountains at my own expense, and agreeing to deliver good fat beef by the pound in such quantities as might be desired. I also closed a similar contract with you.

I started but eighty-eight head of cattle from my ranche. When I overtook the command on Russian river, it was thought there would be a deficiency of beef. I made a contract with a Mr. Marshall, of Bodega, to furnish some seventy-five head of American cattle, allowing him \$75 per head for them, and a portion of the profit, if any, by giving his attention to the driving, &c.

My cattle were put in charge of a Captain Paul, whom I found to be a man of no business qualifications; when I applied to your son, John McKee, to take charge of the memorandum-book, see to the cash and expense account, and act as my agent, for which service I promised him a small amount of gross receipts.

After taking some little time for thought he agreed to do so, in the event that he was to be relieved at his own discretion.

I returned from Clear lake by order of the governor of the State, directing me at the same time to organize the militia in my division, extending from the Bay of San Francisco to the Oregon line. He, at the same time, gave me orders to call out as many troops as I might think necessary to prevent a massacre of the settlers on the Trinity and Klamath, which was then hourly expected—some twenty or twenty-five persons having been, according to accounts received, killed in a few weeks in that country.

With these orders (now on file) I proceeded to organize some companies under the State law, but did not call a single man into active service, with the exception of some four or five persons who accompanied me a short distance, and returned.

I did not call out a "body of men" in Trinity. My orders are all on file, and they disprove it positively. When a bill was under discussion last winter in the legislature, I stated in my place, in presence of the officer (Colonel Harper, who was also a member of that body) who had called the troops referred to together, that he had no such authority, and used all the influence I could exert to prevent the State from allowing them a farthing for their services. The State ultimately agreed to appropriate some \$5,000 or \$6,000 only for all the services ever rendered, from the Oregon line to the Bay of San Francisco, from the Sacramento river to the Pacific ocean, and that against my exertions and vote, as chairman of the committee to whom it was referred.

I regret to see the awkward position General Hitchcock has assumed relative to the beef. In the first place, I sent but eighty-eight from my ranche, and had the pleasure of selling some thirty-six or thirty-seven of these to the Indian commissioner, who absolutely refused to take another head, partly on the ground that the "Indians would not eat beef;" so after driving them some five hundred miles, through deep cañons, over lofty mountains; and at a heavy expense, wearing out my horses and hands, I disposed of this number at twenty-seven cents per pound to the Indian commissioner, whilst I am informed by my letters the amount for the use of the troops under Major Wessells brought me

thirty-three cents, which amount was paid in cash drafts, and which was not enough to pay my expenses; the residue to the Indian commissioner has procured me "receipts" for exactly \$3,000, and no more.

Then this wonderful contract and alleged fraud is the driving thirty-seven head of cattle five hundred miles and selling them for twenty-seven cents per pound, whilst I was selling off my ranche daily, almost as many at from ten to seventeen cents per pound. The truth is, I never would have gone into any such speculation but for the impression it would be a very large contract.

In conclusion I will say, for the information of General Hitchcock, that I was so dissatisfied with what had occurred, that I sold out the two hundred head of cattle I had promised to furnish the Clear Lake tribes, to Colonel McKee's order, some months afterwards, to Messrs. Chenery & Hubbard, allowing them to go to my ranche and select from three thousand head the largest oxen at twenty dollars per head, which cattle would then have brought ten cents per pound, rather than attempt again to follow up the contract; and I am told by these gentlemen they will make no money.

I will say, in addition, I would be delighted to turn over to General Hitchcock all my profits in this *immense speculation*, if he would pay me twenty dollars per head for each head of beef delivered; and expenses. This can be easily done, as the number and weight of each animal so delivered can be ascertained by reference to the receipts.

To do General Hitchcock justice, I take this whole story to be one that originated about the September election in 1851, which was intended for the purpose of operating on it. But those making it did not believe it; and if they did, it could have been refuted in a moment by seeing the amount of money promised me by the Indian commissioner, and for which I hold his receipts.

I now have to reply to a remark in General Hitchcock's letter that I would had not been made. He intends to convey the impression that Indians were sent to my ranche to consume beef at the expense of the United States; that he saw them there himself, &c. I would reply that no charge was ever made by me for beef or other provisions consumed on my ranche; and if not so, like all other contracts, it certainly can be found in the payment of the money.

There is a littleness about this charge that degrades the party making it, as well as the party who is compelled to deny it. I regret, on General Hitchcock's account, that he should have felt himself called on to make this insinuation. I will end by saying it is made without a shadow of truth, and I hope the General will so state to his informer; as I have too much respect for the service to believe a general officer would volunteer such a statement on his own responsibility.

I now invite the closest scrutiny into this accusation, hoping every opportunity will be afforded to General Hitchcock, or any other party, to ascertain if there has been the slightest impropriety in this contract, pledging myself that I never was interested with you in any contract of any kind, personally or privately, and but the one above referred to officially. I further state I lost money by the contract, and could not be induced to take another on anything like the same terms.

I furthermore promise General Hitchcock, if he finds the amount received by me and the prices different from what I have here stated, I will make a present of it all to him, to be given to some charitable institution.

I hope a copy of this letter may be sent to General Hitchcock and Major Wessells, whom I respect highly, in order to disabuse their minds on this subject, as I cannot think they would be actuated by any other motive than for the public good; and the only way to do me justice is to re-examine everything, which can easily be done by obtaining copies of your disbursements from Washington.

The insinuation of some impropriety on the part of your son in the above transaction I regret, and pronounce it uncalled for and unjust. I had to urge his acceptance of the clerkship, or agency, when I found I could not accompany the party myself. He did the business just as I expected, correctly and honorably, and I am perfectly sure he is as incapable of doing a dishonorable or dishonest act as either Major Wessells or General Hitchcock. Indeed, I have met with no young man in California whose moral and correct habits, and honorable bearing, have impressed me more favorably. When you see him, or write to him, make my kindest regards.

As to my opinion of your own conduct and management of Indian affairs in this country, I have not only in the Senate, but in my correspondence, borne ample testimony.

That General Hitchcock does not approve of your supposed mode of issuing rations, &c., to the Indians, is probably because he knows nothing about it, except from gossip. I was dissatisfied myself, and so was Marshall, because your notions about economy, &c., led to the purchase of so little beef, but of this I suppose "*Uncle Sam*" will not complain; and if *he* is satisfied, you can afford to let the grumblers grumble on. No public man in California can escape such criticisms, or hope to please everybody.

Yours, truly and respectfully,

J. M. ESTELLE.

Colonel R. MCKEE,
San Francisco.

SCOTT'S VALLEY, NORTHERN CALIFORNIA,

July 4, 1852.

DEAR SIR: My last was under dates of 25th and 27th ultimo. I have now to acknowledge the receipt of yours of 25th ultimo, with extracts from General Hitchcock's letter to Adjutant General Jones, dated 31st March.

I regret that in relation to the arrangement you made with General Estelle for cattle, in your northern expedition last summer, Major Wessells should have reported officially a budget of camp rumors, most of them exaggerated, and some without any foundation whatever. From these extracts, it appears that General Hitchcock has, to some extent, reiterated and sustained Major Wessells's report about *abuses and irregularities* in the issuing of rations, &c., to the Indians in your northern

district, which is calculated, if not answered, to prejudice your standing, and my own, with the department.

General Estelle has, I hope, written you fully in reply to your letter, stating the facts, which I apprehend is all you need for your complete justification. In your letter of March 26, you stated the facts substantially. Your arrangement for cattle was precisely similar to that made by Major Andrews, for the army escort: both parties paid for the beef used, on the same principles—Major Wessells, taking only choice parts of the beef in small quantities, paid little higher rates; and both of you were so economical in your purchases, that Marshall, one of the contractors, was very much dissatisfied, and the speculation proved a failure.

As for myself, I now regret having ever consented to act as Estelle's agent, though I cannot recall a single transaction upon which impropriety can be charged. As to my signing the receipts to Major Wessells in the name of J. M. Estelle & Co., I will say, I did so at the suggestion of Major Wessells himself. In the hurry of his preparation for marching from our camp in Scott's valley, I presented him with the bills, certified by his commissary, and receipted J. M. Estelle & Co., per John McKee. These were objected to, on the ground that he could not pass his accounts in this shape. Other bills were then prepared, which I signed J. M. Estelle & Co., (Marshall being absent) and the Major's draft received in payment. The amount was applied upon the spot to the paying off the hands for driving, &c.

When Marshall returned to camp I told him what I had done, and suggested the propriety of his receipting Major Wessells's bills himself, when he replied: "It made no sort of difference; all that was necessary was to receive the amount due, in order that the hands might be discharged." I then made up the other accounts and forwarded them all to General Estelle for Marshall, who started down a few days afterwards to settle with Estelle.

For my commissions or compensation for attending to their accounts, Estelle sent me an order for some Spanish cattle, left on a ranche near Humboldt bay, partly broken down or given out last October, and which, when I last heard, were still on hand unsold; and I have never to this day received a dollar in money from the parties for the transaction.

I considered the arrangement with Estelle for cattle a good one for the government; and feeling desirous that you should be enabled to conciliate the large bands of Indians we were led to expect, by a liberal supply of food, I really considered that I was doing the government a service by accommodating Estelle and accepting the agency for that drove, as I could then control it and insure its accompanying the command, wherever you might wish among the mountains of northern California. That they did accompany you over trails entirely unfit for them to travel, and at great sacrifices, the memorandum of "cattle broken down and left" will fully prove.

The Indians, and whites also, in this country, are becoming quite anxious to learn whether your treaty here will be confirmed or not. The two races cannot and will not live quietly in the same neighbor-

hood, unless the strong arm of the government protect the former. Something must be done, and that shortly, or trouble will ensue.

I write you hastily in order that I may forward this to-day, and with the hope it may reach you in time for any further correspondence you may have upon this subject.

I go now to be present at the reading of the "Declaration," and to assist in the celebration of our "nation's birth-day."

I am, very truly, yours,

JOHN MCKEE.

Col. R. MCKEE,
San Francisco.

P. S.—I find I have neglected one or two matters in General Hitchcock's letter, viz: That my visiting General Estelle's ranche, "nine miles from Benicia," was an impropriety, &c. I remained there a few days because I wished to learn something of a California ranche life, and witness the dexterity of his Mexican vacqueros in throwing the lasso and breaking wild horses; because General Estelle is a very companionable gentleman, fond of company, and always glad to receive visitors. It was there I met Lieutenant Stoneman, of the dragoons, and Lieutenant McLean, of the infantry. I have never heard of their being reprimanded for visiting there. Further: while your escort was getting ready, last July, I staid there part of the time because it was convenient to Benicia, where I was engaged for several days in selecting the mules for your pack-train, from the government corral, and in superintending the arrangement for pack-saddles, rigging, &c. Gen. H. knew I was there, and so engaged; but I suppose it was convenient for him to forget it. As to the insinuation that General Estelle swindled the Indians out of their flour by exchanging beef for it, I will say that I do not believe a word of it. I consider him wholly incapable of such trickery. A suspicion of this kind could only have originated with very prejudiced minds. General Estelle is from *Kentucky*, not *Vermont*.

J. MCKEE.

SAN FRANCISCO, *July 29, 1852.*

SIR: I have the honor to acknowledge the receipt of inquiries, vocabulary, and circular of instructions.

I have recently visited those Indians in the San Joaquin reserves, with a view of conciliating them, and preventing an outbreak which was threatened by the rash and unlawful acts of some white men, they having killed a number of Indians within the reservation, without provocation. The Indians have promised to remain quiet, and trust to the promised protection. I will have the guilty parties arrested, if it is possible to do so.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,
U. S. Indian Agent.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, July 30, 1852.

SIR: My last despatch, under date of 20th instant, and supplemental report on the matters referred to in Gen. Hitchcock's letter to the War Office, dated 31st March, and by you referred to me, with copies of letters from Gen. Estelle and J. McKee, will, I hope, reach you by the present mail.

I now enclose copies—No. 1, of my letter to Gen. H., handing him, also, copies of said letters, dated 22d instant; No. 2, his reply, dated 26th; and No. 3, my answer thereto, dated 27th inst. The subject is now pretty well exhausted, and I presume further explanation will be unnecessary.

Late accounts from the southern, and also from the northern district, show a very unsettled state of affairs among both Indians and whites on those frontiers. Unless the troops to reinforce this division arrive soon, and the utmost prudence is used in posting them, I am fearful of exasperation and bloody work on both sides. The Indians cannot understand why the whites continue to intrude even upon their small reservations, and why the goods, stock, &c., promised them in the treaties, have not been furnished them by the government. On the other hand, the hordes of unprincipled adventurers on the frontiers either covet their little patches of good land, or, from antipathy to the race, or sheer recklessness, seek to create disturbances, so as to have some apology for killing them off. As soon as the troops arrive, Gen. Hitchcock promises to establish posts not only at Humboldt bay, at the mouth of Trinity, and on Rogue's river, on the Oregon trail, and in Oregon Territory, but in the neighborhood of Shasta plains and the Klamath. This done, with prudence and firmness on the part of the officer in command, quiet will, I hope, be fully restored in my district. I learn, by letters from the temporary agent, that while the newspaper reports are highly colored, and in some cases highly exaggerated, there have, nevertheless, been some difficulties and several lives lost in Scott's valley, and in the neighborhood of *Yraka*, (late Shasta Butte city.) His position there, without means to conciliate the Indians by presents of food, &c., is by no means free from danger. Still his presence is deemed necessary by the settlers, and I have no doubt has been successful in maintaining the general peace of the country. As soon as possible, he wishes to be relieved.

In several of my late letters I have spoken of my want of funds: it is almost a year since I have received from your office a single dollar. An early mail will, I hope, bring me a check from the treasury upon the collector here for salaries, and to enable me to discharge the debts which I have reported to you as being correct, and long since due, for indispensable supplies.

I am, sir, very respectfully, your obedient servant,
 REDICK McKEE.

Hon. LUKE LEA,
Commissioner of Indian Affairs, Washington.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, July 22, 1852.

SIR: In my letter of 26th March, I said that as soon as I received a statement from General J. M. Estelle about the cattle arrangement, &c., (touching which some improprieties had been insinuated in a report of Major Wessells and forwarded by you to the War Department,) I would furnish you with a copy.

Several months elapsed without hearing from him, and the matter had almost passed from my attention, when I was kindly furnished by the head of my department with extended extracts from your second letter on the subject to the War Office, dated 31st March. In this letter you reiterate the injurious and unjust suspicions, not to say gross imputations, on General Estelle, my son, John McKee, and indirectly upon myself, notwithstanding my disclaimer and explanation, dated 26th March. On receipt of these extracts I wrote again to General Estelle, and a few days since received his reply, dated 6th instant. A copy of his communication, together with one dated 4th instant from J. McKee, in Scott's valley, I now enclose.

That you have done those gentlemen, as well as myself, a gross injustice by your reports to the War Department, whether you shall have the magnanimity to acknowledge it or not, will, I think, be sufficiently evident from their letters and the additional report upon the subject, which I have transmitted to Washington.

Very respectfully,

REDICK MCKEE,

U. S. Indian Agent, Northern California.

Br. Gen. E. A. HITCHCOCK,

Commanding Pacific Division.

HEADQUARTERS PACIFIC DIVISION,

San Francisco, July 26, 1852.

SIR: I have received your letter of the 22d instant, with its enclosures, (copies of letters from General Estelle and your son, of dates of the 6th and 4th July, respectively.)

It may suit your purposes to appear in defence of those gentlemen, and to interpose them between yourself and the "insinuations," as you call them; in respect to your own conduct. But I have made no charges against General Estelle. I do not question his right to make a contract which he may deem suitable for his interest; nor do I question his right to entertain your son hospitably.

I did say that he owed it to himself to oppose the passage of any law for the payment of his services as a volunteer when no services were either required or rendered, and I am happy to find that he voted against the law proposing such payment.

If, now, he will refuse to receive any part of the "five or six thousand dollars" referred to, he will add another and a distinguished evidence of uprightness, and no one will be more ready to acknowledge it, and to do him honor for such disinterestedness, than myself.

As to your son, although being your secretary should have prevented

his taking an interest in the contract of General Estelle, still it was not in so far as he was concerned that the matter was referred to, but it was your own proceedings that were deemed objectionable; and you are mistaken in saying that it was "insinuated," for no insinuations were either made or intended.

If you see nothing wrong in the principle in making the loose verbal contract you did with General Estelle, therein permitting your son, already in your employment, and under pay on account of the government, to become interested in the profits upon the contract—therein receiving from your son the accumulated accounts, and paying said accounts to yourself, and, as it would appear, still retaining the money, (for he says he has received nothing;) if you see nothing improper in all this—the whole transaction receiving a special coloring from what appears simply as hospitality on the part of General Estelle—I imagine you will find very few who will look at the proceedings with the same obtuseness of vision as yourself.

You endeavor to make a point in denying that you engaged to furnish beef to the Indians at General Estelle's ranche. It would be a waste of words to labor to convince a man who will not see that the point does not lie in the fact you deny. I indeed saw the Indians receiving beef at General Estelle's ranche, and was told they had come there to receive it under an arrangement made by yourself; and when I express my opinion that such an arrangement, requiring the Indians to make a long journey into the white settlements, was injudicious, you tell me you made no contract with General Estelle for the issue of beef at his ranche; but immediately add, that you engaged to send flour to General Estelle's for the Indians; as if this altered the matter, and as if any child could not see that General Estelle, or his agent, if absent himself, would purchase the flour from the Indians with beef, thus making the matter even worse than I had supposed it, though still not on the part of General Estelle, who was at liberty to avail himself of an opportunity thus thrown in his way.

I perceive that although your son volunteers a most decided opinion that General Estelle did not exchange beef for the flour, General Estelle himself makes no allusion to this point; and if anything can be inferred from his silence, it is that he or his agent did receive the flour and give the Indians beef for it.

On a careful review of the whole matter, I see no grounds for modifying my impressions; and I have now only to add, that I desire you will not suppose I intended to make accusations against General Estelle. Neither did I intend to insinuate anything against yourself; but, on the contrary, to express, in the most direct manner, my objection to your mode of doing business for the public.

I stated these objections to yourself, and received what you intended, I suppose, as a full explanation of your proceedings; and that explanation I sent to Washington to speak for itself.

Respectfully, your obedient servant,

E. A. HITCHCOCK,

Col. Second Infantry, Brevet Brig. General.

Col. R. McKEE,

U. S. Indian Agent.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, July 27, 1852.

SIR: Your favor of the 26th is before me. From its modified tone I am strengthened in the hope I have from the first indulged, that when better apprized of the facts and circumstances referred to, you could not continue to entertain the suspicions and prejudices which evidently influenced your mind and your pen. It was with great reluctance that I was forced into the correspondence, and for a time seemed shut up to the necessity of classing you with those rhetoricians who, from a supposed impunity of position, embrace every opportunity to

“Just hint a fault, and hesitate—dislike;
 Willing to wound, and yet afraid to strike.”

That through misinformation you had been led to entertain suspicions of impropriety on the part of the gentlemen named, and a want of good information on my part, I could readily conceive; but after the principal facts had been elaborately explained in my letter of 26th March, that you should reiterate *such* imputations, and, like the village master, go on to argue still, was wholly inexplicable. You were involved in an embarrassing and unbecoming position.

In proposing a candid explanation of the transactions in question, so far as I was acquainted with them, it was my purpose to defend these gentlemen, and myself too, from what I considered an insidious attack; and to show that, in the reports volunteered and forwarded to the War Office, we had been ungenerously dealt with. I imagine you will find but few who will look at the proceedings (to borrow your own expression) without reaching the same conclusion.

Although you evidently understand the matters in question better than you did in March, there are still two or three points which it seems proper to refer to, and then I flatter myself the last plank in this *Benicia platform* of imputations and suspicions will be removed.

In relation to General Estelle, I would remark:

1. When in this city a few days since, I had a short conversation with him on the street, and understood him to say distinctly that he never had received, nor expected to receive, a single dollar for his services in the military operations referred to, and had steadily opposed the appropriations made by the legislature for the volunteers improperly called out by Colonel Harper.

2. As to your liberal suggestion that he, or some one for him, had taken the flour, or a single pound of it, from the Indians, in payment or exchange for the beef they consumed when at his ranche, he repelled the idea with scorn; adding “that General Hitchcock might just as well have charged him with stealing,” or words to that effect; that on his return home, he found that his major domo had been dealing out flour and beef to the Indians for several days on rather too liberal a scale for his profit, and as soon as the thirty sacks of flour ordered from San Francisco arrived, he started the party home with it upon their backs.

After all, it is quite possible the Indians you saw at the brook near his house were not from the Clear lake, but a party from Russian river, who visited the ranche during that summer, and were for a time employed assisting in herding and breaking wild horses.

As to my own course, which it appears, unfortunately, does not meet your approval, I would willingly avoid saying another word; but your remarks in connexion with my obtuseness of vision seem to render a few more "last words" necessary.

1. I confess to seeing nothing wrong, in principle or otherwise, in the verbal arrangement, or contract, as you term it, made by Captain Andrews in behalf of your department, and by myself, for mine, with General Estelle. We needed a supply of beef; he agreed to furnish it at his own risk, and at fair prices, and we promised him pay for what might be taken. That the contract was not reduced to writing, was simply owing to the fact that we expected General E. to accompany the expedition; had confidence in his promises, and he had the same in ours. If you can find impropriety in the matter, Captain Andrews is still in the country—subject, doubtless, to any investigation you may order.

2. If there was impropriety in my secretary agreeing to accept compensation for extra services in keeping the accounts of the cattle company, (which it appears from his letter has never yet yielded him a dollar in money,) my obtuseness of vision prevents my seeing it, as it did likewise in the case of the army officers on the previous expeditions, to whom the Indian commissioners paid several hundred dollars for extra, but to them important, services. If my secretary was deserving of blame, so also were Capt. Burton and Lieutenants Hamilton, Gibson, and McLean, and Surgeon King; and so also was our excellent commander, Captain E. D. Keyes, whose approval and consent were freely given.

What your precise meaning is as to my *receiving* the accumulated accounts, paying said accounts to myself, &c., I am at a loss to know, if it is not an insinuation of something dishonest or dishonorable. The accounts of the cattle company were sent not to me, but to General Estelle, by the hand of Mr. Marshall. With the settlement of those gentlemen, though made in my office, I had nothing to do, except issuing to each certificates, as agreed on, for the balance I owed them on account. They left nothing in my hands for J. McKee; and by his letter you must have observed that his compensation, whatever it was, was settled by General E. sending him an order for cattle left on a ranche near Humboldt.

In point of fact, no money passed on either hand in the settlement of the accounts. What, then, becomes of all your speculations, and conjectures, and reasoning upon the subject?

In conclusion, I hope that if you shall ever again deem it within the scope of your official duties to express an opinion "as to my mode of doing business for the public," you will do me and yourself the justice of first becoming acquainted with the facts and circumstances, and not rely upon conjectures and *ex parte* statements.

I am, General, very respectfully,

REDICK MCKEE,

U. S. Indian Agent, Northern California.

Br. Gen. E. A. HITCHCOCK,

Commanding Pacific Division.

CHESTER, August 3, 1852.

SIR: I have the honor to acknowledge your letter containing my orders to proceed to California by steamer of the 5th. In obedience to your commands, I shall leave here to-morrow for New York. I send herewith a power of attorney in favor of Mrs. Beale, and desire my salary for the months of July and August may be sent her as it becomes due; the former as soon after the passage of the appropriation bills as convenient to the department.

I have the honor to be, very respectfully, your obedient servant,

E. F. BEALE,

Superintendent Indian Affairs, California.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington, D. C.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,

San Francisco, August 31, 1852.

SIR: My last despatch, dated July 30, covered copies of letters to and from General Hitchcock, in reference to the reports he had previously forwarded to the War Department, touching imaginary abuses in the management of Indian affairs in my district. I supposed the subject had been exhausted, and that it would not again be necessary to refer to it. But in this I was mistaken. On the 18th instant I received, through the post office, a letter from General H., bearing date the 29th instant, a copy of which I enclose, marked A, and on the 19th addressed him a note in reply, a copy of which I also send you, marked B. Whether the worthy old gentleman shall make any further attempts to extricate himself from the dilemma in which he is involved, touching the matter of our correspondence, remains to be seen. Up to this present writing I submit that he has signally failed to make out the slightest justification for his original impertinent interference, or insinuations of impropriety on my part, or that of any of my employés. I have written you by almost every mail except the last, but am without any of your favors since that of the 17th May. As a general thing the Indians on the frontiers are quiet and peaceable, waiting with anxiety for the supplies, &c., promised them in our treaties. I am awaiting with solicitude to learn the action of the President and Senate upon that subject, as well as on that of the superintendency for this State.

Many months since I requested you to send me a few copies of the laws, regulations, &c., of the Indian department. A single copy would be very acceptable. The one I brought out with me was destroyed by the water in swimming a river in the northern part of the State last fall.

I am, very respectfully, your obedient servant,

REDICK McKEE.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington City.

HEADQUARTERS PACIFIC DIVISION,
San Francisco, July 29, 1852.

SIR: By your letter of the 22d instant you seem disposed to divert my attention from yourself to General Estelle and your son. You now, by your letter of the 27th, seem no less disposed to introduce other parties—Major Andrews and several other officers. But, besides that, the cases are not parallel; the subject-matter in relation to yourself would not be changed by any accusation you may make against others.

If you are disposed to make charges against any officers under my command, you have only to present them in form to insure such attention to them as the discipline and the honor of the service may require. Not any of the gentlemen you named had either a natural or an official connexion with yourself, under your control. They did not stand in such a relation to you as that their interest might, without violence, be regarded as identical with your own—as in the case of your son, your secretary, who “transmitted all the accounts,” as you say; adding that “Estelle and Marshall settled them in my office;” from which language I was naturally led to the idea that the settlement was complete, and made in money.

You now tell me no money was paid, and that nothing was left in your hands for your son, who received his share, it seems, by an order for cattle from General Estelle. Be it so; the substance of the matter remains unaltered.

Respectfully, your obedient servant,

E. A. HITCHCOCK,
Colonel 2d Infantry, B. B. General.

Col. R. McKEE,
U. S. Indian Agent, San Francisco.

DISBURSING AGENCY INDIAN DEPARTMENT IN CALIFORNIA,
San Francisco, August 19, 1852.

SIR: Owing to I know not what cause of delay, your letter bearing date 29th July only reached me, through the post office, at 5 p. m. yesterday.

As some three weeks had elapsed since I wrote my last note, without hearing from you, I assumed that you had come to the conclusion I had already reached, that our correspondence about beef contracts, deliveries of flour, &c., to the Indians, had become “stale, flat, and unprofitable,” and might as well be dropped; but in this it seems I was mistaken.

You had thrown the first stone, and considered it your prerogative to throw the last. To this I should interpose no sort of objection, if you had not pertinaciously followed up an original injustice by a perversion of my explanation and defence.

I had no object to accomplish in attempting to divert your attention from myself to other gentlemen. What I said in explanation of their course and conduct, seemed necessary for my own vindication from unjust and disreputable surmises and suspicions.

You had charged that there was impropriety in the manner in which I arranged or contracted with General Estelle for a supply of beef for my party, and also in my secretary's agreeing to receive compensation from that gentleman for extra services while under pay from the government. As neither myself nor my secretary was in any sense subject to your control, or animadversion; as your interference in the matter was extra-judicial, if not impertinent, I in the first place denied all impropriety in the transactions themselves, and in the second place submitted that, if you were still incredulous, you had in your department, and under your full control, officers who had acted in the same way, and upon the same principles; and that your attention might with greater propriety be turned to the reform of abuses, if such they were, in your own household, where you had authority, than in mine, where you had none. So far from intimating impropriety on the part of the officers referred to, or suggesting charges against them, I stated expressly that I could discover impropriety in neither case. But you say the cases are not parallel: in my opinion they are almost literally and circumstantially so.

Having heretofore, as I trust, abundantly shown that every single charge, or insinuation of impropriety, touching the transactions or parties in question, was unfounded and unjust, I am quite contented to submit the whole matter to the judgment of our superiors at Washington.

Respectfully, your most obedient servant,

REDICK McKEE,

U. S. Indian Agent, Northern California,

Br. Gen. E. A. HITCHCOCK,

Commanding Pacific Division.

WASHINGTON, September 10, 1852.

SIR: Please notice below a memorandum of articles which I would recommend to be purchased for presents to be distributed among the Indians in California. It will be well to make the purchases in New York, as it is quite uncertain if Mr. Beale, the superintendent, could find the articles in California:

Small white porcelain beads.....	\$4,500
Small black porcelain beads.....	2,000
Small red porcelain beads.....	3,000
Large glass beads, assorted.....	2,000
Turkey red prints.....	2,500
Gay-colored shawls.....	1,500
	15,500

It will be necessary that the packages be made up to the weight of about 200 lbs., and well secured in oilcloth coverings, in order to prevent damage to contents, as the present is the rainy season.

I am willing to take charge of the transportation of all the goods from

the city of New York, and deliver the same to the superintendent at San Francisco.

I shall leave New York for California on the 20th instant, and will ship the goods at the same time.

Very respectfully, your most obedient servant,

P. B. READING.

LUKE LEA, Esq.,

Indian Commissioner.

OFFICE OF SUPERINTENDENCY OF INDIAN AFFAIRS,
San Francisco, California, September 16, 1852.

SIR: I have the honor to report my arrival and the establishment of my office at this place. By my instructions I find there is no option left me as to the point at which I shall establish my office, which I regret for a variety of reasons, but chiefly the greatly increased expense of living in this city.

As there are many other places fully as accessible to those who have business of an official nature with me, and much more convenient on other accounts, I hope the department will reconsider this part of my instructions, so as to leave it optional with me.

I have called on agents Wozencraft and McKee for their accounts, and have received from them a statement of their transactions and accounts, together with a letter from agent Wozencraft enclosing your order to him to transmit his accounts to Washington; and in a communication from Mr. McKee, I find he has acted under similar instructions from you. I have not, therefore, found myself called upon to go further back in an examination of their accounts than to take them up from the time they were transmitted to Washington. I forward, herewith, the letter referred to.

I find it will be a most difficult and toilsome business to bring our Indian affairs of this State into shape. The whole policy and system must be changed, since the rejection of the treaties, by the unanimous vote of the Senate, leaves no hope that any subsequent ones, containing reservations, will be accepted.

I regret to say that I find the grossest mismanagement or ignorance has been displayed in some instances by the agents of the department, in relation to the beef contracts for the fulfilment of the stipulations of the late rejected treaties. I wish I could find some milder terms than neglect and official recklessness, by which to characterize some of these transactions. An investigation of the most rigid character should be instituted, to the end that justice may be done the innocent, and the guilty punished.

Very respectfully, your obedient servant,

E. F. BEALE,

Superintendent of Indian Affairs.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

SAN FRANCISCO, *September 20, 1852.*

SIR: Having forwarded all my accounts to Washington, in obedience to a requisition made by the Commissioner of Indian Affairs, for settlement there, I have the honor to report that no liabilities have been incurred by me since that time, and that I have no accounts, further than my salary account, subsequent to that period.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,
United States Indian Agent.

HON. E. F. BEALE,
Superintendent of Indian Affairs.

I certify that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent of Indian Affairs.

Extract from a letter of R. McKee, United States Indian agent, dated San Francisco, September 15, 1852.

* * * * *
To report in precise accordance with your order of yesterday is impracticable; for my accounts and vouchers, made up to 5th of February and 1st of July, 1852, were all transmitted to the Commissioner of Indian Affairs at Washington.
* * * * *

I certify that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent of Indian Affairs.

SAN FRANCISCO, *September 18, 1852.*

SIR: Enclosed please find vouchers from S. J. Hensley and John Roland, the same having been referred to in my last communication.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,
U. S. Indian Agent.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington, D. C.

The above is a duplicate of a letter accompanying vouchers, which appeared to have miscarried. Please return me a copy of the vouchers herewith handed in.

O. M. WOZENCRAFT.

JANUARY 6, 1852.

UNITED STATES,

To SAMUEL J. HENSLEY.....DR.

February 11, 1852.

For 1,900 head beef cattle, furnished Indians in the San Joaquin and Tulare valleys, 500 pounds each, at 15 cents per pound \$142,500

I certify that the above account is correct and just, and that the cattle were for the use of the Indians, in fulfilment of treaty stipulations.

O. M. WOZENCRAFT,
U. S. Indian Agent, Middle District, Cal.

Received, San Francisco, February 11, 1852, of O. M. Wozencraft, United States Indian agent, drafts on the Hon. A. H. H. Stuart for one hundred and forty-two thousand five hundred dollars, (\$142,500,) in full of the above account.

SAMUEL J. HENSLEY.

UNITED STATES,

To JOHN ROLAND.....DR.

May 16, 1852.

To 15,000 pounds flour, at 14 cents per pound \$2,100

I certify that the above is just and correct, and that said flour was for the use of the United States.

O. M. WOZENCRAFT,
U. S. Indian Agent.

Received, Puente, May 16, 1852, of O. M. Wozencraft, United States Indian agent, two thousand and one hundred dollars, in full, by drafts on the Indian department.

JOHN ROLAND.

INDIAN DEPARTMENT,

To LITTLETON & JOHNSTON.....DR.

May 20, 1852.

To 10 tame mares, at \$100.....	\$1,000
10 tame horses, at \$200.....	2,000
	<hr/>
	3,000
	<hr/>

I certify that the above is just and correct, and that the said animals were for the use of the United States.

O. M. WOZENCRAFT,
U. S. Indian Agent.

Received, Los Angeles, May 20, 1852, of O. M. Wozencraft, United States Indian agent, three thousand dollars, (\$3,000,) in full, by draft on Indian department, for the above account.

LITTLETON & JOHNSTON.

SAN FRANCISCO, September 30, 1852.

SIR: Acting Commissioner Mix's letter of 5th ultimo was received by the last steamer. As my accounts, vouchers, &c., for the quarter ending 30th June, were forwarded to your office by special order, and as superintendent Beale arrived here only within the present month, and says he is not apprized of your views as to the allowance of my expenses for board, &c., after consultation with him, I have concluded to forward also to your office, for examination and settlement, my accounts for the quarter ending this day, so far as I am able to make them up; (see enclosure A, and accompanying vouchers.) Balance against the government, \$7,038 55.

As it regards this matter of my expenses for board, &c., the superintendent here should have definite instructions. Unless the department continues to recognise and pay them, under the general head of "travelling expenses," as provided for in our original instructions, it will be impossible for me, or any other general agent with a family, to subsist respectably in this country on the salary allowed by law. My object in taking a room here in a private boarding-house, while awaiting the action of Congress, and the receipt of means to enable me to visit several remote portions of my district, was to economize my expenses as much as possible. They have been far less than they would have been in travelling, or even living at a tavern in the interior, remote from market.

For several months past my secretary has been desirous of being discharged, in order that he might engage in less dangerous, and at the same time more lucrative employment; but the state of things on the Klamath and Shasta rivers, and in Scott's valley, seemed to render the presence of some official, or *semi-official*, necessary to preserve the peace of the country; at least until a military post should be established. Such has been the universal sentiment among the most intelligent American citizens. In reference to this I have had repeated communications with General Hitchcock, the commander of the Pacific division; and he has also been waited on by several delegations from that country, urging the necessity for military protection. My secretary having some knowledge of the Indian language, and enjoying very fully the respect and confidence of the chiefs, as well as of the whites, has been enabled to settle amicably numerous disputes, which might have led to open war, and has thus indirectly saved the country an untold amount of difficulty and expense. At length, say during the present month, Gen. Hitchcock has ordered up into Siskiyou country a detachment of dragoons under Major Fitzgerald, an experienced officer; and learning from Mr. Beale that no provision would be made at the late session of Congress for carrying out the treaties made with the Indians in that quarter, I immediately wrote to Mr. John McKee, releasing him from further

duty, and directing him to forward to this place his accounts, &c., to the present date. He has sent me receipts for his regular salary, and for the amount advanced on account of his expenses, subsistence, pay of interpreters, &c., which will be enclosed with other vouchers. Owing to the absence of the interpreter and other parties on a scout along the emigrant trail, he could not make up his detailed account. When received, it shall be forwarded to your office.

At present I have no person in my employ under pay. For several months I have been desirous of visiting that part of my district, but without funds this was impracticable. When I heard of Maj. Fitzgerald's order to march from the San Joaquin, I thought of joining the expedition; but the rigid economy now prevailing in the commissariat of the army in California, prevents our depending upon it even for ordinary transportation. It was suggested to General Hitchcock by Mr. Beale, but he deemed it inexpedient, and the matter was not pressed. I suppose, if the truth were told, our late correspondence about his reports to the War Department has not pre-disposed the old gentleman to go out of his way to promote my *convenience*. The next steamer due here, about the 5th proximo, will bring the first mails after the adjournment of Congress, and I hope then to receive a remittance from your office. As you will have learned from my late letters and accounts, I am greatly in need of funds; indeed, for several months I have been dependent upon the personal kindness of my bankers, Messrs. Tallant and Wilde, for advances to defray my expenses, and without the ability to transmit a dollar to my family in Virginia. Agreeably to instructions, I shall report all accounts of new or accruing transactions through the superintendent appointed for this State, who has opened an office in this city.

I am, very respectfully, your obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington City.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, Cal., September 30, 1852.

SIR: Herewith I have the honor to transmit to you my quarterly account-current of moneys received and expended for the quarter ending this day, together with the necessary vouchers; also the abstract of disbursements for current disbursements during the quarter.

I am, sir, very respectfully, your obedient servant,

E. F. BEALE,

Superintendent Indian Affairs.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, September 30, 1852.

SIR: I find agents Wozencraft and McKee are both under the impression that their board expenses, even while not travelling on the business of their agencies, will be allowed. They allege that it is impossible to live in this country without such allowance being made; but while my own experience fully confirms all they say on this subject, I cannot find any provision of law for the admission of their claims. I therefore shall be obliged to disallow that part of their accounts when they come before me, unless otherwise instructed by the department.

Adam Johnston, late Indian sub-agent, called on me a few days ago, with the verbal request that I would settle his accounts. It appears he was dismissed from the service in January, and has nevertheless failed since that time to forward his accounts for settlement. As the date of his dismissal was previous to my appointment, and the fault that his accounts remained unsettled his own, I certainly did not feel that he had any claim on me. I replied to him, however, that if he brought the subject before me in an *official* manner, I would give it my attention. I believe he has since sent them to Washington.

It was my desire that agent McKee should accompany the troops now moving against the northern Indians. I thought it of great importance that one of the agents should do so, as otherwise it would be impossible to keep the department properly informed in relation to our position here. With this view I addressed the commanding general a letter, asking that agent McKee might join the detachment then on its way. Enclosed I send his reply.

For reasons which I will give hereafter, I do not feel authorized to employ agent Wozencraft on that service. I regret to say that the confident anticipations you indulged, that I would, on conference with the agents here, be placed in possession of much valuable information, was misplaced, as neither of them has been to the Indian country for some six months; and this is the more to be regretted, as during that time cattle to an enormous amount have been placed in the hands of traders for the Indians, and a temptation to all kinds of frauds held out to them by the prolonged absence of those whose duty it was to be vigilant in superintending these issues.

The excuse alleged for this neglect is want of funds with which to travel. I cannot but regret, that after having involved the government to a large amount to furnish these supplies, they should have felt themselves unauthorized in creating a small further liability, which would have enabled them, by personal observation, to see so much public property properly disbursed.

The result of this is, if statements which are before me are to be credited, that government property, for which drafts have been given and various liabilities contracted, placed in the hands of irresponsible men, has been squandered in every direction but that in which it should have gone. The accompanying statements will show my meaning too clearly to need further explanation.

This matter raises also a nice point on which I wish to take the advice of the department, though I fear that long ere the advice comes it will be too late to be followed with effect.

It appears by the statement enclosed that the traders to whom the beef was furnished by Messrs. Wozencraft, Barbour, and McKee, have allowed it either to remain unissued to the present time, or in some cases to escape in large droves. Now if I send and collect them, there will be altogether nearly a thousand head of cattle for which drafts on the government have been given, or liabilities contracted; but as the department does not recognise the transactions of these gentlemen, and has protested the drafts, if I take the cattle I place the government under some additional obligation to pay the contractors, and may, by that means, put myself in the same position as those gentlemen now are. On the other hand, if I do not collect them, and the government should at any subsequent period conclude to pay these drafts, it will be the loser to the amount of this one thousand head of cattle, which in the mean time will have passed entirely out of the reach of the agents of the department. And again, there being no appropriation to meet such contingent expenses as would be incurred, I have not the power, even if I were clear as to the right, to collect these cattle. It was in anticipation of many such unforeseen cases that I made an estimate of contingent expenses large enough to make this office properly efficient; but as Congress has thought fit to strike out that estimate, the country must suffer by their economy.

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent Indian Affairs.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington, D. C.

HEADQUARTERS PACIFIC DIVISION,
San Francisco, September 21, 1852.

SIR: I have just received your communication of this date, requesting such information as I may be able to furnish you, likely to be of service in the execution of your duties as superintendent of Indian affairs in this country, and asking transportation for agent R. McKee with the troops about to proceed to the northern boundaries of the State.

Our duties will necessarily have much influence upon each other, and it will afford me the greatest pleasure to furnish you any information I may chance to have which may promise to be useful. In regard to agent McKee, I regret to say, but do so from a sense of duty, that his presence with the troops will not, in my opinion, be productive of any advantage to the public. Information to some extent, and rumors to a much greater, have impaired my confidence in Colonel McKee's usefulness as a public agent, and I do not hesitate to request that he may not be directed to accompany the troops. In saying this I do not aim to control your independent action, but I am quite willing to bear all the responsibility of the opinion I give above, which has in view only the public interests.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Col. 2d Infantry, Br. Brig. General Commanding.

E. F. BEALE,
Superintendent Indian Affairs, San Francisco.

I certify that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

Memorandum of conversation with agent O. M. Wozencraft, San Francisco, September 14, 1852.

Question 1. With whom were your contracts for beef made?

Answer. The first with Mr. S. Norris.

Question 2. By whom were they issued to the Indians?

Answer. By the traders appointed by myself.

Question 3. What proof had you that they were issued to the Indians?

Answer. No other proof than the word of the traders themselves.

Question 4. How were the weights estimated?

Answer. By asking any person who might be on the ground to say what they thought the average weight of the drove to be.

Question 5. Have you any further proof than the mere word of the traders that the Indians ever received the beef without paying for it?

Answer. None; I have not any. I generally saw the beef which was issued during the negotiation of the treaties. It was not weighed.

Question 6. Have you not given drafts on the government for cattle which are not yet delivered?

Answer. Yes.

Question 7. Have you not ordered beef to the amount of fifteen hundred head, to be delivered between the Fresno and Four Creeks, without ever having been in the Four Creek region?

Answer. I have never been in the Four Creek region, but have ordered the beef.

Question 8. How many Indians do you suppose the Four Creek country to contain?

Answer. I do not know.

Question 9. If you did not know, how could you determine the amount of cattle necessary for their subsistence?

Answer. From what was promised them by the treaties.

Question 10. How do you know that the Indians of the Four Creeks ever received any of that beef?

Answer. Nothing further than that I was told so by the traders at the Fresno. I have no proof of it.

Question 11. How far is the Fresno from the Four Creeks?

Answer. Eighty miles.

Question 12. Do you not know that in some instances the traders who issued and the contractors for the supply of the beef were the same?

Answer. I do.

Question 13. Were the contracts made by you verbal, or written?

Answer. With Mr. Norris my contract was simply a verbal one. With Messrs. Savage and Haler it was on my part the acceptance from them of a proposition, which I understand was the same as a contract.

I have sometimes, when on a visit to the reservations, seen the traders killing beef for the Indians, but do not know whether it was the beef furnished by me or not. It was the impression on my mind, however, that it was the beef of the government. I was told it was so.

I acknowledge the above answers as those made to E. F. Beale, in reply to questions put by him in his official capacity as superintendent of Indian affairs for California.

O. M. WOZENCRAFT,
U. S. Indian Agent.

I certify that the above is a true copy of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

SAN FRANCISCO, *September 21, 1852.*

On or about the 29th of August, 1851, I was appointed by Major James Savage, the Indian trader on the Fresno, to take charge of nineteen hundred head of cattle that were delivered to the Indian agents, Barbour and Johnston, by Colonel J. C. Fremont, on the river San Joaquin.

My instructions from Savage were, that when I delivered cattle on the San Joaquin, King's river, and to other more southern Indians, I was to take receipts for double the number actually delivered, and to make no second delivery in case I should return to the band; and when to Indians on the Fresno, to deliver one third less than were receipted for. I also had orders to sell all beef I could to miners, which I did to the amount of about \$120 or \$130, and to deliver cattle to his clerks to be sold to the Indians on the San Joaquin, at twenty-five cents per pound; and I know that such sales were made to those Indians.

In October I received a written order from Savage to deliver to Alexander Godey seventy-eight head of cattle, to be driven to the mines, and there sold to miners and others. I was also requested, in the same communication, to destroy the order as soon as read, which was done after I read it aloud in the presence of Godey, P. Rainbolt, José De Soto, and Theodore McNabb. In November I received a similar order to deliver to Godey four hundred and fifty head, which was done. The best of these were to be sold as soon as possible, and the remainder to be herded by Godey elsewhere. About the last of November, or first of December, I moved the cattle in my possession on to the river Fresno, and delivered to P. Rainbolt, a person appointed by Savage to receive them, eight hundred head. I also gave to Savage receipts to the number of seventeen hundred head, which I had taken from the Indians. After the cattle went on the Fresno, none were ever delivered to the more southern Indians, although I know that "Tom Kit," the chief of the tribe on the San Joaquin, frequently sent after them. Some were sent to the Indians working for Savage on the "Coarse Gold Gulch," and others to stock his rancho on the San Joa-

quin. Utia had charge of that rancho, and was a partner of Savage's, and I have seen some of the cattle I had charge of in their corral.

I give the above account to E. F. Beale, superintendent of Indian affairs, and intend it as an official statement.

JOEL H. BROOKS.

I certify that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

SAN FRANCISCO, *September 30, 1851.*

I was in charge of the government train which accompanied Mr. McKee to the north. Before we started Mr. Marshall bought a number of American cattle, which were driven along with us, and served out to the Indians at various places.

Mr. Marshall told me that Mr. John McKee was his partner, and that he and General Estelle were equally concerned in the cattle. It is generally understood in the north that John McKee was a partner of these gentlemen, Marshall and Estelle.

Mr. John McKee was secretary to his father at the time.

LEVI WELLS.

I certify that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

SAN FRANCISCO, *September 21, 1852.*

On or about the middle of November, 1851, cattle were driven to the north by General Estelle. He has told me frequently that they belonged jointly to himself and Mr. John McKee, son and secretary of Redick McKee, esq., Indian agent. The cattle were destined for the tribes of Scott's and Shasta valleys, or the northern Indians.

I believe this Mr. John McKee to be the same gentleman appointed about that time by his father as temporary Indian agent for Scott's valley. I was told by Colonel McKee himself that General Estelle had taken his son into partnership, or made him interested in this cattle speculation, and was also told that they had made a very handsome amount of money out of the operation.

Colonel McKee appointed a man named Geo. P. Armstrong to receive certain cattle, and deliver them to the Indians. I delivered a drove of cattle, seventy-two head, in May last. I know of my own knowledge that very few of them have been given to the Indians.

I could recover them, if sent on that duty.

H. C. LOGAN.

I certify that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, October 1, 1852.

SIR: Agent Wozencraft has just notified me of his intention to resign, and I hope the results of his incompetency will induce the department to be very cautious in its selection of a substitute. I urgently request the appointment may be given to Benjamin Wilson, esq., of Los Angeles, a gentleman of high standing, and perhaps better acquainted and of more influence with our southern tribes than any other resident of this State. He is not an applicant for the office, but I have no doubt would accept the appointment.

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent of Indian Affairs.

Hon. L. LEA,
Commissioner of Indian Affairs, Washington, D. C.

NEW YORK, *October 5, 1852.*

SIR: I have the honor to report to you that I have made purchases for service of the Indian department in California to the extent of about \$15,000. The goods are now on board the steamer Georgia, packed in water-proof packages, and I shall take my departure with them at 2 o'clock p. m.

Owing to the immense expense of transporting via the isthmus, I have deemed it expedient to limit my purchases to the amount above named, and immediately on my arrival in California I will account with vouchers, and residue of funds in my hands, to superintendent E. F. Beale, esq.

I have the pleasure to state that Messrs. Grant and Barton have rendered me every facility in expediting my departure.

Very respectfully, sir, your obedient servant,

P. B. READING,
Special Agent.

LUKE LEA,
Commissioner of Indian Affairs, Washington.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, October 8, 1852.

SIR: Under authority of your letter of advice and instructions, dated September 4, 1852, and in accordance therewith, I have this day drawn on you at sight, in favor of Sanders & Brenham, for eighty-

eight thousand eight hundred dollars (\$88,800) being the sum for which you have authorized me to draw, and which you will please give due honor, as a failure to meet the same promptly will subject the parties to great inconvenience and loss.

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent Indian Affairs.

HON. LUKE LEA,
Commissioner Indian Affairs, Washington City.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, October 9, 1852.

SIR: By the last mail I received your letter appointing Mr. Wilson, of Los Angeles, and a Mr. Sheldon, Indian agents, vice Reading and Wozencraft. I congratulate the department on its judicious choice of the first-named gentleman, whose commission I despatched yesterday. Mr. Sheldon I do not know, but hear that he is in the employment of Mr. Reading, on his farm, and shall therefore be obliged to wait for more certain information of his locality before sending his commission. Except in the extremes of the State, the Indians are quiet enough, and I intend, if I have time enough before the winter sets in, to visit them with the presents your letter informed me are on the way, and also to assist them with the means placed at my disposal by the department, in any way I think most advisable. I fear the experiment of purchasing goods in the eastern States and sending them across the isthmus will prove a vastly expensive one, as the carriers were charging in August from fifteen to twenty cents per pound transportation from Cruces to Panama; in addition to which, the expenses on the railroad and river were equally great.

The freight on board of the Pacific steamer at one hundred dollars per ton, added to that upon the other side, will bring the amount of expenses for transportation to about the original cost of the goods.

Everything that is proper and desirable to furnish the Indians can be obtained here at a very small advance upon the prices of the eastern States, and in many instances much lower; so that I think it will be much more to the interest of the department to make the requisite purchases in California, rather than in the Atlantic States and forwarding them across the isthmus.

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent Indian Affairs.

HON. LUKE LEA,
Commissioner of Indian Affairs, Washington City.

SAN FRANCISCO, October 14, 1852.

SIR: Since my last despatch, under date of 30th September, I had several interviews with superintendent Beale. From him I learn that

the funds for the use of our department of the public service in California will hereafter pass through his hands. As my accounts, vouchers, &c., have been forwarded to your office, he does not wish to enter upon their examination and settlement prior to the commencement of the present fiscal year; nor does he feel authorized, without special instructions from you, to pay any part of my account, other than a quarter's salary ending about 1st October.

This state of things is quite inconvenient for me, having had to borrow money—in anticipation of remittances—on which I am now paying 4 per cent. per month interest, to defray necessary expenses. I beg, therefore, you will have the goodness, at your earliest convenience, to order my accounts audited and settled; and, for whatever balance there may be found due, (deducting \$750 for one quarter's salary, paid me by Mr. Beale,) send me a check on the collector, or instruct Mr. Beale to pay me out of the funds in his hands.

The only item in my accounts—as rendered—about which a question can arise, is, I suppose, the charge for purchases and disbursements. In my reports of 17th February, transmitting my accounts, I submitted the allowance to your decision. I thought then, as I still think, that in a country where every public man's personal expenses are so great as here in California, the charge is a reasonable one, and should be allowed, if within the discretion of the department, and the provision of your contingent fund.* Whatever may have been the experience of others, I have found the duties of my position in this country anything but a sinecure; and as to profits, less remunerative than a desk in the collector's office or a banking-house. Having the duties and responsibilities of a disbursing agent imposed upon me by the government, I have endeavored with fidelity, and according to my best judgment, to discharge them, and hope to have merited your approval.

By Mr. Beale's orders, I shall repair, in a few days, to the middle district, late in charge of agent Wozencraft, and establish my headquarters at Nevada. My letters may, however, as heretofore, be addressed to this city.

I am, very respectfully, your most obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,

San Francisco, October 29, 1852.

SIR: I have the honor to report my return to this place from an official tour among the tribes of Russian river and near Clear lake. I find the Indians quiet, and disposed, from all indications, to remain so, if left unmolested by our white population.

The necessity of a speedy and permanent arrangement for this un-

* The sales of public property, credited in my account, \$1,537 12, being outside of the appropriations, will add a trifle to your contingent fund.

happy race is more apparent every day, as our people are fast filling every habitable foot of ground in the entire State, to the exclusion of the original occupants.

This subject, rendered so difficult to handle since the rejection of the treaties, and so open to objection from the ignorant or malicious, has occupied my mind constantly since my arrival, and, delicate as it is, I confidently hope that I have in process of maturity a plan recommended alike by its practicability, humanity, and economy.

I am now about to visit the southern portion of the State, with a view to prosecute my inquiries there in relation to this delicate matter, and before the adjournment of the next session of Congress, will have it in my power to lay before the department the result of my labors, and to point out to it the policy which, in my judgment, will at once and forever terminate all our Indian difficulties in this State.

I am happy to state that in several interviews with that distinguished officer, General Hitchcock, of whose experience in Indian affairs I have greatly profited, and whose assistance and advice are ever cheerfully afforded, I have received his hearty approval of the plan I have to propose.

Should my opinion of the policy referred to not be impaired by my present projected visit to the south, I will soon be prepared to develop my plan for future operations in full.

In the mean time I will briefly state the basis of that policy, which at a future time will be in a more detailed manner laid before the department for its consideration.

In the first place, I propose a system of "military posts" to be established on reservations, for the convenience and protection of the Indians; these reservations to be regarded as military reservations or government reservations. The Indians to be invited to assemble within these reserves.

A system of discipline and instruction to be adopted by the agent who is to live at the post.

Each reservation to contain a military establishment, the number of troops being in proportion to the population of the tribes there assembled.

The expenses of the troops to be borne by the surplus produce of Indian labor.

The reservations to be made with a view to a change in location, when increase of white population may make it necessary.

A change of present Indian laws to be made, so as to suit the condition of this State and the proposed policy.

Very respectfully, your obedient servant,

E. F. BEALE,

Superintendent Indian Affairs.

Hon. L. LEA,

Commissioner Indian Affairs, Washington, D. C.

HEADQUARTERS PACIFIC DIVISION,

San Francisco, October 31, 1852.

The plan for the protection of the Indians in California, sketched by the superintendent of Indian affairs above, has been the subject of some

conversation between that functionary and myself, and I am decidedly of the opinion, so far as Mr. Beale has developed his plan, that it is better than any hitherto proposed, and well calculated to meet the actual condition of things in this country.

It is, perhaps, the only one calculated to prevent the extermination of the Indians, and I therefore entirely concur in it, and would recommend its adoption.

E. A. HITCHCOCK,
Col. 2d Infantry, B. B. General, commanding.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, November 15, 1852.

SIR: Since my last letter Major Reading has arrived, bringing fifty of the one hundred packages of Indian presents. The remainder, he informs me, will be here on the next steamer. As soon as they come I shall settle with him, in accordance with your order. I regret that they have been delayed so long, as it is now impossible to present them to the Indians before the spring, on account of the utter impossibility of travelling with a pack-train through the Indian country during the rainy season. I shall, therefore, start with a light camp equipage for the Colorado, with a view to seeing for myself the state of all the Indians between this place and that river, so that I may be prepared to help them in the spring, and to act intelligibly in my official capacity. I sent agent Wilson the list of articles brought by agent Reading, with the accompanying letter, a few days since. Enclosed you will find his reply.

I send by this mail his official bond, with my approval.

From Mr. Sheldon I have not yet heard, in reply to my letter enclosing his commission. I submitted my proposition for the settlement of our Indian affairs to the consideration of special agent P. B. Reading, and am pleased to find that he, as well as every other gentleman of experience in such matters, entirely concurs in the policy proposed, as the only one capable of affording permanent peace and quiet to this country.

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent Indian Affairs.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington, D. C.

SAN FRANCISCO, November 10, 1852.

SIR: I am duly in receipt of your esteemed favor of the 8th instant, enclosing a copy of your last official despatch to the honorable Luke Lea, Commissioner of Indian Affairs.

It is with much pleasure that I observed the course you recommended to be adopted towards the various Indian tribes of this State, viz: that of establishing military posts on such reservations as may

be made hereafter, for the protection and improvement of the Indians. Such a system, if properly carried out in detail, will do much to ameliorate the condition of these unfortunate people, and at the same time prevent their further depredations and incursions on the whites.

I therefore feel gratified in having an opportunity of offering you my entire concurrence of the system which you propose.

I am, most respectfully, your obedient servant,
P. B. READING,
Special Indian Agent.

HON. E. F. BEALE,
Superintendent of Indian Affairs for California.

I certify on honor that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, November 11, 1852.

SIR: As I am about to make an official visit to the Indians of your district, and shall take with me a portion of the presents sent by the government for Indian purposes, I desire you will look over the list and give me your opinion as to what articles will be most desirable and useful to the Indians of your district.

Very respectfully, your obedient servant,
E. F. BEALE,
Superintendent Indian Affairs.

BENJAMIN D. WILSON, Esq.,
Indian Agent, San Francisco, California.

I certify that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

SAN FRANCISCO, November 11, 1852.

SIR: In reply to your communication bearing the same date as this—after examining the invoice of Indian goods sent you by the government for presents to the Indians in California—first, the greatest part of the goods are entirely useless, such as the Indians do not use, consequently not worth moving from San Francisco.

The cloths, prints, and shawls, though not the kind of goods wanted, still may answer some purpose. I must say that, in my opinion, the purchase was a bad one.

What our Indians want is something to eat. Clothing, with Indians of this country, is a secondary matter; but food they must have, if we

expect to keep them from committing depredations upon our settlements.

Very respectfully, your obedient servant,

B. D. WILSON,
Indian Agent.

E. F. BEALE,
Superintendent Indian Affairs.

I certify that the above is a correct copy of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

OFFICE OF SUPERINTENDENT OF INDIAN AFFAIRS,
San Francisco, November 22, 1852.

SIR: I have the honor to report the arrival of the balance of the Indian goods sent by Major Reading, with the exception of one box, or bale. A settlement with him will be made on his application to this office. He is at present on his rancho. The Indians throughout the country are quiet, but dreadfully destitute in many parts of the State. After long and painful deliberation on the course to be pursued, I have determined the following: To devote the appropriation of the last session of Congress to the protection of one section of country, convinced that to attempt to succor all parts with an appropriation of \$100,000, would be to lose the benefit of the whole. It would be to give the *sum of one dollar* to each Indian in the State to subsist him during a year. If, on the contrary, I take one district and expend this amount, I may succeed in saving great suffering to the Indians and preserve peace to the whites. In making this selection of a single section, I was not ignorant that I would call down the violent censure of each of the others, which would consider itself shamefully neglected. I therefore determined to fortify myself by such reasons for my selection, as should put to the blush any charge of partiality. Here they are: The north is a mining country, and consequently thickly settled. The people always living in communities, do not fear Indian hostilities, except in course of emigration; they are Americans, and well armed. They have but comparatively few cattle, and therefore offer but few incentives to Indian depredations. For the middle portions of the State the same may be said, except that the Indians are less liable, from disposition, to go to war, being generally docile and harmless. In the south all this is reversed; the people are entirely pastoral in their pursuits, and in consequence live on large ranchos, at long distances from each other. They are at the mercy of the Indians surrounding them. Nothing can be more defenceless than these solitary haciendas, when the nearest neighbor is frequently twenty miles off. You will naturally ask, if there are so few people there, why protect them, to the neglect of the more populated portions of the country? Because it is from this quarter we draw our supplies of beef cattle entirely. Los Angeles county is the cattle market of the State. If an Indian war were to cu

off our communication with that single county (which could be easily done, as the cattle are driven directly through the Indian country) for one week, beef would rise to fifty cents a pound in the market of San Francisco, and in six months there would be scarcely any at twice that price. These reflections, therefore, determined me to protect, with all the means placed at my disposal, that part of our State; and the next subject of thought was, how to do that most effectually.

In looking over the map I am now preparing, and will soon send you, you will find that Los Angeles county contains of itself a very numerous Indian population, and of course one would presume that they would be the parties to commence a course of conciliation with. I do not think so. These are my reasons: All the Indians of that county, or at least a very large proportion of them, are "Christianos;" many have belonged to the old mission establishments. All of them have some connexion or dependence on the ranchos near them. They have traded or mixed with whites, either in employment as servants or *vacqueros*, or lived on these extensive ranchos on the same footing as the lower classes of Europe in the feudal ages, an idle but sometimes useful retainer, until they have become entirely dependent. They therefore are not much to be dreaded; but there are those who live beyond (the Cowillas and Tejones) who owe no such allegiance, and whose only source of food for years, during the winter season, has been robbed from the fertile vegas of Los Angeles; a bold and enterprising race, numbering, with all their connexions of the Cowchillas and Freznales, at least five thousand souls. It is these tribes from whom we are to expect trouble, and against whose depredations we must guard. It is through the very pass of the Tejones that all our cattle are driven to this market, and through this pass also that the Indians descend on their winter forays. It has been well said, that "the Tejones" is the key to Los Angeles. In this determination to expend the whole appropriation in keeping these tribes quiet, the department will see that I am right. At least, I know that I am so.

For the other districts I feel all that a man of humanity must in contemplating their condition. Driven from their fishing and hunting grounds, hunted themselves like wild beasts, *lassoced*, and torn from homes made miserable by want, and forced into slavery, the wretched remnant which escapes starvation on the one hand, and the relentless whites on the other, only do so to rot and die of a loathsome disease, the penalty of Indian association with frontier civilization. This is no idle declamation—I have seen it; and seeing all this, I cannot help them. I know that they starve; I know that they perish by hundreds; I know that they are fading away with a startling and shocking rapidity, but I cannot help them. Humanity must yield to necessity. They are not dangerous; therefore they must be neglected. I earnestly call the early attention of the government to this condition of affairs, and to a plan I have proposed in a previous letter for its relief. It is a crying sin that our government, so wealthy and so powerful, should shut its eyes to the miserable fate of these rightful owners of the soil. What is the expense of half a million for the permanent relief of these poor people to a government so rich? A single dry-dock, or a public building, costs twice that, and is voted without a dissenting voice; and

yet here are seventy-five thousand *human beings* devoted to a death so miserable that humanity shudders to contemplate it, and these very people the owners of that soil from which we monthly receive millions; that very soil whose timely golden harvests have saved from bankruptcy, probably, the very men who will oppose this appropriation. I ask an appropriation of five hundred thousand dollars for the Indians of this State. I have now to speak to the department in a more decided manner of the scheme proposed in my letter of October 29, 1852. I there briefly stated, in general terms, the outlines of the policy which, in my judgment, was the only one which could settle on a permanent basis our Indian difficulties. It is not necessary I should repeat what I then said; facts and figures speak for themselves. In that communication I suggested the possibility of Indians being made not only to support themselves in comfort, but to bear the expenses of the army in this State. Here are the figures and the facts: our Indian population has been estimated by myself, and others well calculated from position and experience to judge, at from 75,000 to 100,000. Taking it, therefore, at 90,000, and assuming the fact that one in five possesses the ability to work, we shall have 18,000 working hands; and in this calculation it must be taken into consideration that, among all Indians, the women work as well as the men. This would bring the estimate to 36,000 working hands; but as I wish to come far within the limits of certainty, and to preserve myself from all probability of controversy, I will only take one-half of what I am convinced the number of operatives will count—10,000. The ordinary wages for field hands in this State may be estimated at \$3 per diem; but without admitting so great a disparity between Indian and white labor, I will place that of the Indians at fifty cents per diem, which would give us \$1,700,000. In this estimate the fact must be considered that only the hired value of hands is taken into consideration, no allowance being made for the *value of its products*, which, in this extraordinary country, might safely be estimated at least at a sum equivalent to double the hire of the laborer.

Now what is it we desire? Certainly peace, and the preservation of the Indians by the most economical means. Let us see what has been the result of a want of some means of preserving peace. A single war with but a small portion of the Indian tribes of this State was waged for a few months at an expense of one million dollars; and it is unnecessary I should point to Florida as an example of what may become of the fate of this State, or the cost of more prolonged hostilities. By the system I have proposed, admitting that the margin is too narrow; admitting that so great an error should exist in my calculations, that instead of \$1,700,000, the result of the mere hired value, without the consideration of the product of Indian labor—admitting the supposition that no pecuniary advantages should result from this system to the government, and that by the plan proposed the Indians should be made to do no more than to relieve the government of any actual outlay, securing to its citizens the certainty of peace and a freedom from all apprehensions of an Indian war,—is not even this a sufficient inducement for the adoption of the scheme submitted?—preserving us, as it would, from the charge of intentional and premeditated

extinction of our Indian population. Actual experience furnishes the practical illustration of the fact that this is no idle calculation. The individual enterprise of a single citizen of this State having demonstrated the fact that the farming and ranching abilities of Indians may be made a source of certain and extraordinary profit; and looking back to a time when, with no such facilities as our government possesses, to the old Jesuit mission establishments, the opportunity is afforded to any one who would wish to investigate this subject, of discovering sufficient proofs to substantiate all I have written. Those enterprising men, unaided by means, and checked and embarrassed by a watchful and jealous government, were enabled in a short time to bring into subjection, and render useful assistants, those very tribes who are now the source of so much anxiety and apprehension to our citizens. Surely that which was attempted and accomplished by a few poor priests, is not too great a task for the mighty republic of the United States.

To those who would oppose the argument of want of intelligence and ability of the Indians for useful labor, I would direct their attention to every great national work of Spanish enterprise on the whole continent of America. Not a city, a cathedral, or a fortification, but furnishes a proof that Indian labor, directed by white intelligence, may be made as effective as that of any other purely laboring class. Let us take, as an exemplification of this assertion, the stately missions reared by Indian labor, which at one time flourished in every part of California, the ruins of which to this day astonish those who have visited them. I could draw a picture of the condition of those flourishing colonies, as they existed at that day, which has no parallel in the early settlement of any country on the face of the earth. That narrative would need no embellishment or exaggeration, and history, substantiated by living witnesses, would sustain its truth. Every useful mechanic art, all necessary knowledge of agricultural pursuits, was here taught under a system of discipline at once mild, firm, and paternal. It is this system, modified and adapted to the present time, which I propose for your consideration; nor can I conceive of any other which would preserve this unfortunate people from total extinction, and our government from everlasting disgrace.

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent Indian Affairs.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, November 26, 1852.

SIR: Being about to start on an official tour through the Four Creek region and Tejone pass, I fear I shall not be able to send in my quar-

terly accounts on the 1st of January. I will forward them immediately on my return to this place.

Yours, very respectfully,

E. F. BEALE,
Superintendent Indian Affairs.

Hon. LUKE LEA,
Commissioner of Indian Affairs, Washington, D. C.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, November 27, 1852.

SIR: I have the honor to make annual estimates for the current expenses of the Indian department within the California superintendency, as follows:

For salary of superintendent	\$4,000
For salary of clerk	2,500
Rent of superintendency	3,000
Stationery, fuel, lights, and postage	1,500
Messengers	2,500
Interpreters	3,000
Contingent expenses, including the travelling of agents in their districts	12,500
Presents and provisions for Indians visiting superintendent ..	3,000
Travelling expenses of superintendent and necessary attendants on visit of inspection, including purchase of animals and camp equipage	5,000
One iron safe for superintendent's office, for security of public papers.	1,000
For expenses attending the guarding, grazing, and delivering of cattle purchased under appropriation by Congress for Indian subsistence and preservation of peace—five men at \$3 per diem.	5,475
	<hr/>
	<u>43,475</u>

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent Indian Affairs.

Hon. L. LEA,
Commissioner Indian Affairs, Washington, D. C.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
San Francisco, November 28, 1852.

SIR: Enclosed herewith you will find a correspondence between agent McKee and myself, relative to our position towards each other. The department will please decide which is right. On my first arrival here, I became convinced that whether Mr. McKee did well or ill, as

an Indian agent, still the feeling, which is common to the whole country, of a distrust in the sagacity in relation to Indian matters of the previous officers here, was so strong, that anything they did would be looked at with suspicion.

I also felt that, on a variety of accounts, the position of agent was not one in which he could do himself or the department justice—in fact, that he was not calculated at all for the office. Nevertheless, having heard of his relationship to Mr. Secretary Stuart, (to whom I am under great obligations) I hesitated to ask the department to replace him by some one better adapted to the duties of agent, though I felt that after the receipt of General Hitchcock's letter, and the many expressions to the same effect which I constantly heard from others, it was almost a duty to do so. I was determined, however, to defer it as long as possible; and as I did not think there was much to be done in the middle district, I ordered him to Nevada city.

But knowing that the appropriation by Congress was but a very small one for the accomplishment of the object, and knowing, also, that travelling was enormously expensive in this country, I ordered him not to travel in his district unless imperatively called on to do so, to prevent hostilities. The information I directed him to collect was designed for Mr. Schoolcraft's book; and as agent McKee does not speak either the Indian or Spanish language, I did not see that he could do a great deal better by going personally among the Indians than by talking to Mr. Storm, and others, residing at or near Nevada, from whose intimate knowledge of Indians he could have derived more information than by travelling.

Well, sir, in the school I have been brought up in, it is never thought necessary to explain the *reasons* for orders given, but on this occasion I did tell Mr. McKee why I wished him not to travel. Here is the quotation:

“As the appropriation has not been large, you will not decrease it by travelling within your district, unless imperatively called upon to do so to prevent hostilities.”

This was clear enough, one would think. In a short time I received a letter from agent McKee desiring me to place more money to his credit to defray travelling expenses, as he had projected a tour among the Indians, which would be expensive, requiring companions, interpreters, &c., and also informing me that, in disobedience to my order just quoted, he had been travelling. I then wrote him a letter, from which this is a quotation: “I reiterate in this letter my previous instructions. You will remain at Nevada, and acquaint me from there of any necessity which you may suppose renders travelling on your part necessary—asking my consent before leaving.” And in reply I have his letter, which I lay before you.

Now, sir, I am engaged here in a great work, and I feel myself perfectly equal to its accomplishment; and I also feel that obedience to my orders, whether explained or unexplained to my subordinates, is one of the first changes which they will have to submit to. I believe that I know my position here fully, and my subordinates must learn theirs. If the agent of a district has equal powers with myself, or takes it upon himself to disobey my orders, the department should sus-

tain me by his removal. I am placed here, and am in reality, though not in title, as you desired I should be, assistant Commissioner. To my discretion and judgment the government has left the responsible duty of bringing out from chaos, into which they had been thrown by previous officers, our Indian affairs in this State. It is a very responsible position, and many a sleepless night and anxious day attests my appreciation of this fact.

A few extracts from Mr. McKee's letter, and I shall leave this matter in your hands:

"From this and the general tone of your letters to me, since your arrival in this country, I discover there exists a wide discrepancy between our understanding of our respective privileges, duties, and responsibilities, as agents of the federal government, which should be explained and reconciled, if possible."

You will see, from this quotation, that one of us mistakes his position: the only co-operation I expect from Mr. McKee being a strict and implicit obedience to my instructions. If it were not intended that this should be so, and that there should be that difference in our position—of direction on my part and obedience on his—I presume the office of superintendent of Indian affairs of California would never have been created.

In another part of this letter, he claims, by virtue of a letter from the department, the same power which he held as commissioner; and following his argument, if I regarded it, I should find myself a subordinate in almost everything to him—he being authorized to make treaties without consulting me, whilst I am forbidden to do so at all. This is the extract to which I refer: "You are aware, I presume, that I came out to this country, originally, as one of the commissioners, with plenary powers and instructions, to treat with the Indian tribes, and make arrangements for their settlement and improvement. Besides my per diem, I was to be allowed mileage from Washington to California and actual travelling expenses from place to place, where duty might call me, in any part of the State. (See Mr. Lea's report, 1850-1.) By the act of Congress approved 27th February, 1851, the office of commissioner was abrogated; but the department, under date of 12th April, 1851, sent me the following instructions: 'By the law, you will perceive that your offices and functions as commissioners are abrogated and annulled; but the negotiations in which you are engaged are not thereby to be suspended, as immediately on receipt of this communication you will enter upon the duties of your appointments as agents of this department, and, as such, are designated to negotiate with the Indians in California, which you will do *under the instructions heretofore given you as commissioners.*'"

Now, sir, if these powers are still to remain with the agents, and I have no such powers, you will see at once the impossibility of my ever carrying out the views of the government by reducing our affairs here to anything like system.

A little further on, and he tells me the following:

"The law creating the office of superintendent in this State confers unusual and very important powers; but, if my recollection serves, neither gives the power of negotiating treaties with the Indians exclu-

sively to the superintendent, nor in any way interferes with the powers conferred upon *the three principal agents* (late commissioners) by instructions of the President. The power to negotiate or treat is by law restricted to *such officers and agents of the Indian department as the President of the United States may designate for that purpose.*"

Why, this is the assumption of a great deal more power than I possess myself—that of making *treaties!* And if I am in no way to interfere with the powers conferred upon him previously, how am I to outline and erect an entire new system of policy, which he may or may not please to follow?

In another part of his letter he finds fault with my appointment of him to a single district of the State, claiming that he is still really an agent for the whole State at large, although my orders in relation to the district to which he is appointed came from yourself. It is true I did not inform him of your orders to me. I presume such a step would have been unnecessary in your opinion.

On the next page he says: "Any expense incurred by the agents of the government in travelling among the tribes, to gather information bearing upon this object, would be chargeable upon the *fund itself.*" If this were allowed, and the different officers of the department in this country were permitted to draw on the fund appropriated by Congress, and to contract liabilities of which I would be ignorant, the administration of Indian affairs in this country would soon become as complicated and embarrassed as I found them.

Mr. McKee claims the right of knowing that orders are issued by "competent legal authority." I do not admit his right to know anything further than that I hold a commission from the President as Superintendent of Indian Affairs; nor would it be possible I should administer the duties of my office properly if my subordinates are allowed the right to question the legality of my orders.

By the following extract you will see that, in suspending him from duty until your decision is heard, I have acted with a proper consideration of my position:

"The powers of superintendent, to control and direct the official conduct of an agent or sub-agent located among a particular tribe, with limited and specified duties, on the Atlantic side of the continent, are clearly laid down and *essential to his office*, but wholly inapplicable, as I conceive, to the service on this coast, where there are as yet no sub-agents, and *the three principal agents appointed for the whole State clothed with the powers of commissioners or ambassadors.*"

When I came to this country I did not recognise in Mr. McKee an "ambassador," nor did I look upon him in any other light than that in which the department had presented him—an Indian agent, subject to my orders.

There is no necessity for a "*friendly understanding*" between Mr. McKee and myself; our intercourse must ever be entirely official. And now, sir, it is for you to say whether I must add to a position the most embarrassing, the most harassing, and the most thankless, that of receiving, under the sanction of the department, such letters as the one I have laid before you. My position in this country is subordinate to, but in duty corresponds with, yours at Washington; and I ask you,

sir, if such a letter from an agent to yourself would be permitted to pass unproved.

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent Indian Affairs.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington, D. C.

HEADQUARTERS PACIFIC DIVISION,
San Francisco, September 21, 1852.

SIR: I have just received your communication of this date, requesting such information as I may be able to furnish you, likely to be of service in the execution of your duties as superintendent of Indian affairs in this country, and asking transportation for agent R. McKee with the troops about to proceed to the northern counties of the State.

Our duties will necessarily have much influence upon each other, and it will afford me the greatest pleasure to furnish you any information I may chance to have which may promise to be useful. In regard to agent McKee, I regret to say, but do so from a sense of duty, that his presence with the troops will not, in my opinion, be productive of any advantage to the public. Information to some extent, and rumor to a much greater extent, have impaired my confidence in Colonel McKee's usefulness as a public agent, and I do not hesitate to request that he may not be directed to accompany the troops. In saying this I do not aim to control your independent action, but am quite willing to bear all the responsibility of the opinion I give above, which has in view only the public interests.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Col. 2d Infantry, B. B. General.

E. F. BEALE,

Superintendent Indian Affairs, San Francisco.

Extract from a letter of R. McKee, Indian Agent, to E. F. Beale, Superintendent Indian Affairs.

NEVADA, November 22, 1852.

* * * * *

I had been here but a very few days before I received from a dozen different persons almost as many different accounts about the Indians, their number, location, friendly and unfriendly disposition towards the whites, and that of the whites towards them, quarreling among themselves and with the Chinese, &c., &c.; so that, as stated in my first letter, it was utterly impossible to arrive at any satisfactory conclusion except by visiting the different sections of the country in person; and supposing the information to be really desirable and important, and that my instructions so required, I immediately addressed myself to

the laborious work. As it would necessarily involve additional expense, I suggested that provision be made therefor in the usual way, and was not a little surprised on my return from the Yuba, by the receipt of your letter refusing to order the transfer of the funds, in very positive terms, and peremptorily ordering me to *remain at Nevada, and not leave the city without first asking your consent!* From this, and the general tone of your letters to me since your arrival in this country, I discover there exists a wide discrepancy between our understanding of our respective privileges; duties, and responsibilities as agents of the federal government, which should be explained and reconciled if possible, in order to a cordial and useful co-operation in the discharge of our important public duties. I propose, therefore, with perfect deference to your important and responsible position, as well as with the most friendly intentions personally, to submit for your consideration a few remarks, explanatory of my understanding of my position.

You are aware, I presume, that I came out to this country, originally, as one of three Indian commissioners, with plenary powers and instructions, to treat with the Indian tribes, and make arrangements for their settlement and improvement. Besides my *per diem*, I was to be allowed mileage from Washington to California, and actual travelling expenses from place to place, where duty might call me, in any part of the State. (See Mr. Lea's report, 1850-1.)

By the act of Congress approved 27th February, 1851, the office of *commissioner* was abrogated; but the department, under date of 12th April, 1851, sent me the following instructions:

"By the law you will perceive that your offices and functions as commissioners are abrogated and annulled, but the negotiations in which you are engaged are not thereby to be suspended, as immediately on the receipt of this communication you will enter upon the duties of your appointments as agents of this department, and, as such, are designated to negotiate with the Indians in California, which you will do *under the instructions heretofore given you as commissioners.*"

In several of my despatches to Washington, I urged the passage of a law creating the office of superintendent of Indian affairs for this State, and under date of 22d March, 1852, was advised by the department of your appointment to that office—was directed to report to you in person, on your arrival at San Francisco, as to expenditures of public money, liabilities incurred, &c., in order to your reporting, &c.; also, that thenceforward my official correspondence with the department should be conducted through your office, and all accounts submitted for preliminary examination there before transmission to Washington. Subsequently, say on the 17th of May, the department instructed me to forward my accounts as disbursing agent, &c., direct, which has been done. The law creating the office of superintendent in this State confers unusual and very important powers, but, if my recollection serves, neither gives the power of negotiating treaties with the Indians exclusively to the superintendent, nor in any way interferes with the powers conferred upon *the three principal agents* (late commissioners) by instructions of the President. The power to negotiate or treat is by law restricted to "*such officers and agents of the Indian department as the President of the United States may designate for that purpose.*"

Now, if the President has withdrawn from the three principal agents the powers originally conferred, and designated you as the *sole repository* thereof in California, or if, by your instructions, you are authorized to suspend the exercise of their powers in that regard, and, without consultation, without their advice, concurrence, or co-operation in any way, take upon yourself the entire control and management of all our Indian affairs, in all parts of the State—do all the thinking and planning necessary to preserve peace among the tribes, and as between them and the whites, leaving the agents without power, influence, discretion or responsibility, except *as mere executors of the superintendent's will and orders*, then I can only say, that, for one, I have not so understood the matter: of the existence of such instructions I have not been apprized, and am consequently curious to know if they have been issued; if such are extant, I have all along been laboring under mistake and misapprehension.

The extract sent me on the 13th September, I am aware, speaks of your conferring with the agents and obtaining from them information that would “*enable you to give them appropriate instructions for carrying out your plans for future operations.*” This I suppose had reference first to the proper division and distribution of the relief fund; and, second, to the character of their negotiations with the tribes when the proper time should arrive for renewing them.

In the present anomalous state of Indian affairs in California, growing out of the systematic opposition of the State authorities and politicians to the entire policy recommended by the commissioners in their treaties, I should deem any *present attempt* on the part of the agents to resume or renew negotiations with the tribes as premature, and wholly inexpedient; indeed, I am quite at a loss as to what new course of policy can be adopted with any reasonable prospect of benefiting the Indians, and at the same time satisfying the importunity of the miners and settlers on the frontiers. For one, I have been waiting for light to break in, either by suggestions from the superintendent or formal instructions from Washington.

If, however, all responsibility touching these grave questions is, by virtue of your more recent instructions, taken off my shoulders, and my official duties reduced to the mere executive routine of a resident agent in the Atlantic States, I shall cheerfully acquiesce in the arrangement, as it will at once relieve the embarrassment of my present position.

You are also aware, I presume, that the temporary districting of the State by the commissioners in May, 1851, was disapproved by the department; and although, for convenience, the agents have ever since acted with reference to that division, they are still really *agents for the whole State at large*, unless formal districts have been established (unknown to me) by the late Congress, or some recent authority from the Department of the Interior. If in this I am not mistaken, you will appreciate the surprise with which I read your peremptory order *not to travel in the region among the tribes, or even to leave the city, without first asking your consent!* In my judgment a restriction of this kind, even were you fully authorized to issue the order, would be highly impolitic. The Indians in this mountain region have had promises made them

which you know have not been, and cannot be, fulfilled; they are consequently disappointed and dissatisfied; and although peaceable at present, there is no telling how long they may remain so, if not visited and encouraged to hope that *something will be done for them* after awhile. They cannot understand the circumstances which have combined to annul and postpone the fulfilment of the "bargains" the white people made with them in 1851 and 1852. Now, as I understand the matter, it was for the very purpose of keeping the tribes in good humor, and keeping them from utter despair of ever receiving a compensation for their fishing, hunting, and acorn grounds wrested from their possession by the whites, that Congress voted \$100,000 to be expended for their relief.

Part of this sum should surely be allotted to the Indians of these northern counties, not only because they have generally been friendly, and in some cases useful, to the whites, but to encourage them to remain so.

Any expense incurred by the agents of the government in travelling among the tribes to gather information bearing upon this great object, would be chargeable upon *the fund itself*; and as it is really munificent in amount, it is abundantly able to bear the few hundred dollars involved. This is my view, and you will give it no more "attention than it merits."

I am fully sensible of the importance and necessity which exist in every department of the public service for due subordination and obedience of orders, and while I remain in the service of the Indian department, will endeavor to discharge every duty incident to my office; but I claim the right of knowing that "orders" are issued by competent legal authority, and do not contravene *other* orders previously issued by the head of the department.

As remarked in my letter of the 16th, you have doubtless discovered the absolute inapplicability of many of the regulations of the War Department (published 1837-'47) to the existing state of the Indian service on this coast, and the necessity of a revision of the same, or the making of a new code with especial reference to California. The powers of a superintendent to control and direct the official conduct of an agent or sub-agent located among a particular tribe, with limited and specified duties, on the Atlantic side of the continent, are clearly laid down and *essential to his office*, but wholly inapplicable, as I conceive, to the service on this coast, where there are as yet no sub-agents, and the three principal agents appointed for the whole State clothed with the powers of commissioners or ambassadors. Until this whole matter can be reviewed, and a new system agreed on and sent down from the authorities at Washington, we must get along in this State, I suppose, on the principle of comity, accommodation, and the exercise of our best judgment and exertions for the public good.

I have written you thus freely, with a single desire to elicit a correct and friendly understanding as to our relative positions and duties, and if in any point I am in error, will with pleasure be set right.

Very respectfully, your obedient servant,

REDICK McKEE.

I certify the above is a correct extract of the original in my possession.

E. F. BEALE,
Superintendent Indian Affairs.

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,
San Francisco, November 30, 1852.

SIR: Your letter of the 22d of November has been received, and its subjects duly considered. The very decided opinions you express of your independent rights and powers as an Indian agent, extending even to the making of treaties with Indians, without advice or instructions from this office, are deemed to be very extraordinary; and as the exercise of such functions could not fail to add greatly to the embarrassments already pressing heavily upon me, in the exercise of my duties, and as I have no time for extensive discussion upon that and other, only less important, claims set up by you, I find myself called upon, in order to retain a proper control of the Indian affairs in this country, to exercise the authority conferred upon me by the third paragraph of "Revised Regulations," No. 111, office copy "Indian Laws," &c.

You will therefore consider your duties as Indian agent suspended until the decision of the Commissioner is heard in relation to the case.

Very respectfully, your obedient servant,

E. F. BEALE,
Superintendent of Indian Affairs.

REDICK MCKEE, Esq.,
Indian Agent, Nevada City, California.

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,
San Francisco, November 30, 1852.

I acknowledge the receipt from O. M. Wozencraft, esq., late United States Indian agent, of the following papers, to wit:

A statement of cattle said to be in possession of J. Vinsonhaler.

A statement of cattle said to be in possession of Samuel Norris.

A statement of cattle said to be in possession of Samuel Hensley.

A statement of horses said to be in possession of Mr. Rucket, Indian trader, together with an order for the above.

I also acknowledge the receipt from O. M. Wozencraft of one horse and saddle.

I acknowledge to have received from O. M. Wozencraft an order on J. Vinsonhaler for 200 government cattle, which I shall hold subject to the decision of the department; advice in relation to this matter having been asked in my letter of September 30.

Also, an order on Samuel Norris for 110 head of government cattle.

Also, an order on Samuel Hensley for 612 head of government cattle.

Also, an order on J. Rucket for 10 mares and 10 horses, government property.

Also, an order on S. B. Sheldon for 22 head of government cattle.

All of the above to be held by me, subject to the decision of the department.

E. F. BEALE,
Superintendent of Indian Affairs.

FRESNO RIVER, *December 14, 1852.*

SIR: I write from this point in the most confident expectation of my ability to carry out the scheme proposed in my last letter, of making useful our present worthless and troublesome Indian population. Every moment of intercourse directly with the Indians, convinces me more fully that the system of colonization proposed in my letters is of easy practicability; and I hope by this time next year—should my suggestions be adopted—to see the Indians of this region not only quiet and peaceable, but diligently and successfully following agricultural pursuits. I know that this can be done; and all I ask is the co-operation of the government, and a little land. Of the quantity of land I will speak hereafter. For the success of what I propose, I am willing to pledge myself and everything I have in the world. I have talked with the Indians, and shown them the impossibility of resistance against the whites. I have also shown them that in a few years their present precarious means of subsistence will have passed away, and that their very existence depends upon their obedience to the agents of our government. Of this I believe they are convinced, and now the only thing remaining is where to place them.

If you were in this country it would need no explanation from me to convince you of the necessity of settling this important point immediately, and you would see that what I am going to say in the next sentence is no exaggeration of the truth. In one year from this time, there will not be a square mile of agricultural land unsettled to the westward of the Sierra Nevada. Assuming, therefore, the utter impossibility of their removal to the eastward, it becomes imperative on the government to indicate at once that portion of the country in which it is intended they shall have a permanent home. I have chosen for this purpose the tract of land lying between the San Joaquin river and the Fresno. My reasons for doing this are such as would meet your approbation, if you were on the spot; and I hope to be able to explain matters so fully, through the medium of this letter, that you may arrive at the same conclusion.

If you will look at the map of California you will find that, starting from Stockton, and following the great valley of the San Joaquin, the road is crossed by seven rivers, which empty into the San Joaquin. Of these the first, second, and third are navigable for considerable distances from their mouths. They are fine, bold streams, running the year round, and affording abundance of salmon, and, what is more important, an easy means of irrigation for the adjacent lands. The fourth is covered by a Spanish claim. The fifth an inconsiderable stream, the bed of which is totally dry nine months of the year. The sixth, the Fresno, would be called a river nowhere but in California—running

only over a shallow and sandy bed, scarcely ankle-deep, for about two or three months of the year. During the remaining portion it is almost impossible to get water from it, except by digging wells. Crossing this, and passing over a sterile and sandy plain, we arrive again at the San Joaquin, the further side of which, from the point at which it emerges from the mountains to the great bend, is claimed by a Spanish grant. Leaving the San Joaquin, passing over a distance of twenty-six miles of perfectly barren lands, we come to King's river and the "Four Creek" region, the richest land and the most beautiful country upon which the sun ever shone. It is the space between the Fresno and the San Joaquin, only valuable on the banks of the rivers, on which I propose to place, and support by their own labor, every Indian between the Tuolumne and Tejone pass.

You will see from this, that by placing the Indians on this narrow slip, we have them removed from all connexion with the whites, and from all probability of collision, by a distance of nearly twenty miles on each side.

The intervening lands, as I said before, lying between the rivers, being unfit for cultivation, and the bottom lying on the further side of the San Joaquin claimed by a Mexican grant, renders it out of the power of any one wishing to make a pre-emption settlement, to do so.

At present there is but one settlement on this river, and not more than three unimproved pre-emption claims; whilst the gold to be found in its headwaters, far beyond the point where I intend farming this year with the Indians, is so small and so fine in quality, as not to pay American labor; in fact, there are not twenty-five of our countrymen on the entire river. I therefore, having fully and maturely considered all the circumstances in connexion with the case, ask that this space, taking the centre of the San Joaquin on the one side, the western bank of the Fresno on the other, on the north the summit of the first mountain range, on the south the San Joaquin, be set aside as a government reservation for the support of 25,000 Indians.

If this is not done at the present time, it cannot be accomplished at any future period without the enormous expense of purchasing pre-emption claims from those who will have settled there. No one can imagine the startling rapidity with which this country is being settled. Already, as far as the Mercede, there is not an acre of unsettled land; and far beyond this, in the "Four Creek" region, there is already a large and flourishing settlement; and this fact alone is better than all the explanations I could give you of the inferior quality of the land I have selected for this reservation, since every settler passing beyond has left as unworthy his labor the part I have indicated.

You will also observe that I have not made either treaties or Indian reservations, nor do I propose to do so. I ask that this land may be set aside as a government reservation, so that the Indians, holding it by no other title but the will of the government, may at any time be removed, at its pleasure.

I implore you, sir, to use your influence in procuring the accomplishment of this design. If it is not done this winter, it can never be done but at great expense, and possibly not at all.

Is it too much to ask that this small piece of land, fourteen miles in

width, and running back a distance of not over forty, the only valuable part of which for whites is a narrow strip, half a mile wide, on each side of the river bottom, should be set aside from the uncounted thousands of acres of beautiful soil enclosed within the boundaries of this State, and this, too, to be held only by sufferance?

As to the practicability of making them support themselves by their own labor, I have no question of it; but to enable them to do so until the seed which I shall plant this year shall have grown, I shall feed them; but after one crop has been raised I shall leave them under the charge of intelligent men, to complete what I have commenced.

I have nothing to tell you of great councils with the Indians when I go among them. Many of the most influential men are acquaintances of long standing: to these I have talked plainly and practically of that which I think will do them permanent good; and if I have neglected to speak to them of their "Father at Washington," the "Great Spirit," and the "pipe of peace," it is because I believe this time-honored custom "more honored in the breach than in the observance;" a neglect which I believe your own practical good sense and knowledge in Indian matters will lead you to approve.

The only difficulty I have to contend with, is in inducing the Indians to put faith in the good will of the government towards them. This is the result of former promises of agents which remain unfulfilled.

In conclusion, I once more recommend earnestly to your consideration, and beg your co-operation in, this scheme.

I am now on my way to Los Angeles and the Colorado river, and trust that the fatigues and toils of winter travelling, in this inclement season, may be rewarded by a happy result.

Hoping to hear from you at an early day in approval of what I have done,

I remain, very respectfully, your obedient servant,

E. F. BEALE,
Superintendent Indian Affairs.

HON. LUKE LEA,

Commissioner Indian Affairs, Washington, D. C.

FRESNO RIVER, *December 23, 1852.*

SIR: In writing my last letter, hurriedly, and under circumstances of great personal discomfort, I neglected, in speaking of the proposed reservation, to suggest that it should be made within the bounds named, *exclusive* of the claim of Captain Haler, who is the only settler within the proposed limits, and who has been at some trouble in building a house upon his location. He is the only person with whom the reservation would interfere, and I therefore make the above suggestion. I have also learned, since my last, that the width of the reservation (if it is made out) will be but twelve, instead of sixteen miles, at its widest part, becoming much narrower towards its southern boundary. I have this from one of the United States surveyors.

It gives me pleasure to state, that I am daily receiving most satis-

factory evidence from the Indians of perfect willingness, and even anxiety, to come into the proposed system of farming and colonization.

The winter here is at present uncommonly severe, but I am sure the measures I am adopting will prevent the necessity of their stealing, and consequently of any outbreak, always providing the Indians are left undisturbed by the whites.

Very respectfully, your obedient servant,

E. F. BEALE,

Superintendent Indian Affairs.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

WASHINGTON, D. C., January 3, 1853.

SIR: Inasmuch as there having occurred some changes in the amount due to parties who were under obligations to fill contracts, and other accounts having been sent in since my communication and estimates of disbursements, &c., of June 27, 1852, I herewith enclose a supplemental and final account of disbursements and liabilities.

You will perceive that the parties who had the contract for supplying beef in the southern part of the State of California have been allowed the additional amount due them as per contract. Congress having failed to make the appropriation the last session, this additional amount consequently now becomes due.

You will likewise perceive that the same parties have determined to furnish no more than the amount now drafted for, which will make a reduction in the estimates of the amount contracted for of some \$75,000.

You will likewise perceive a reduction in the amount due to parties for horses furnished, the same having been returned to them, they preferring to have their property back, rather than be creditors of the United States government. In this, their determination, I was not prepared to differ with them, or deny to them so reasonable a request.

In conclusion, permit me to say that I deem it due to those who are creditors, that their claims should be placed before Congress at the earliest day practicable; and it is due to the government, if she would preserve the semblance of integrity, to settle them without delay.

Enclosed please find vouchers in full.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

United States Indian Department, on account United States Indian commissioners and agents for California, to Dent, Vantine & Co., United States Indian traders for Stanislaus River reserve:

To 9,300 pounds beef furnished Indians on reserve, furnished from 1st to 31st August, 1852, at 15 cents	\$1,395
To 3,300 pounds flour, furnished from 1st to the 31st August, at 12 cents	396
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	1,791
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UNITED STATES INDIAN RESERVE,
Stanislaus River, California, September 1, 1852.

Received, Stanislaus river, California, September 1, 1852, of Dent, Vantine & Co., nine thousand three hundred pounds beef, and three thousand three hundred pounds flour, which have been furnished to the Indians on the Stanislaus River reserve, from the 1st to the 31st August, 1852, according to contract with them of fifteen cents for beef, and twelve cents for flour.

Received, United States Stanislaus River Indian reserve, September 1, 1852, of Dr. O. M. Wozencraft, United States Indian agent for the valley of San Joaquin, California, drafts on the United States Indian Department covering the within amount.

DENT, VANTINE & CO.

United States Indian Department, on account United States Indian commissioners and agents for California, to Dent, Vantine & Co., United States Indian traders for Stanislaus River reserve:

To 9,300 pounds beef furnished Indians on reserve, furnished from the 1st to the 31st July, 1852, at 15 cents	\$1,395
To 3,300 pounds flour, furnished from the 1st to the 31st July, 1852, at 12 cents	396
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	1,791
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UNITED STATES INDIAN RESERVE,
Stanislaus River, California, August 2, 1852.

Received, Stanislaus river, California, August 2, 1852, of Dent, Vantine & Co., nine thousand three hundred pounds of beef, and three thousand three hundred pounds of flour, which have been furnished to the Indians on the Stanislaus River reserve, from the 1st to the 31st August, 1852, according to contract with them of fifteen cents for beef, and twelve cents for flour.

Received, United States Stanislaus River Indian reserve, September 1, 1852, of Dr. O. M. Wozencraft, United States Indian agent for the valley of San Joaquin, California, drafts on the United States Indian Department covering the within amount.

DENT, VANTINE & CO.

Indian Department to Littleton & Johnston—DR.

MAY 20, 1852.

To 10 tame mares, at \$100.....	\$1,000
To 10 tame horses, at \$200	2,000
	<hr/>
	3,000
	<hr/> <hr/>

I certify that the above is just and correct, and that the said animals were for the use of the United States.

O. M. WOZENCRAFT,
U. S. Indian Agent.

Received, Los Angeles, May 20, 1852, of O. M. Wozencraft, United States Indian agent, *three thousand dollars*, (\$3,000,) in full, by draft on Indian Department, for the above account.

LITTLETON & JOHNSTON.

United States Indian Department, on account United States Indian commissioners and agents for California, to Dent, Vantine & Co., United States Indian traders for Stanislaus River reserve:

To 9,000 lbs. beef furnished Indians on reserve, furnished from 1st to 30th June, 1852, at 15 cents.....	\$1,350
To 3,000 pounds flour, furnished from 1st to 30th June, at 12 cents.....	360
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	1,710
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UNITED STATES INDIAN RESERVE,
Stanislaus River, California, July 1, 1852.

Received, Stanislaus river, California, July 1, 1852, of Dent, Vantine & Co., nine thousand pounds of beef and three thousand pounds of flour, which have been furnished to the Indians on the Stanislaus River reserve, from 1st to the 30th June, 1852, according to contract with them of fifteen cents for beef, and twelve cents for flour.

Received, United States Stanislaus River Indian reserve, September 1, 1852; of Dr. O. M. Wozencraft, United States Indian agent for the

valley of San Joaquin, California, drafts on the United States Indian Department covering the within amount.

DENT, VANTINE & CO.

United States Indian Department, on account United States Indian commissioners and agents for California, to Dent, Vantine & Co., United States Indian traders for Stanislaus River reserve :

To 12,000 pounds beef furnished Indians on reserve, furnished from 1st to the 30th April, 1852, at 15 cents.....	\$1,800
To 3,000 pounds flour, furnished from 1st to the 30th April, at 12 cents.....	360
	<hr/>
	2,160
	<hr/> <hr/>

UNITED STATES INDIAN RESERVE,
Stanislaus River, California, May 1, 1852.

Received, Stanislaus river, California, May 1, 1852, of Dent, Vantine & Co., twelve thousand pounds beef, and three thousand pounds of flour, which have been furnished to the Indians on the Stanislaus River reserve, from the 1st to the 30th April, 1852, according to contract with them of fifteen cents for beef, and twelve cents for flour.

Received, United States Stanislaus River Indian reserve, September 1, 1852, of Dr. O. M. Wozencraft, United States Indian agent for the valley of San Joaquin, California, drafts on the United States Indian Department covering the within amount.

DENT, VANTINE & CO.

United States Indian Department, on account United States Indian commissioners and agents for California, to Dent, Vantine & Co., United States Indian traders for Stanislaus River reserve :

To 12,400 pounds beef furnished Indians on reserve, furnished from 1st to the 31st May, 1852, at 15 cents.....	\$1,860
To 3,100 pounds flour, furnished from 1st to 31st May, 1852, at 12 cents.....	372
	<hr/>
	2,232
	<hr/> <hr/>

UNITED STATES INDIAN RESERVE,
Stanislaus River, California, June 1, 1852.

Received, Stanislaus river, California, June 1, 1852, of Dent, Vantine & Co., twelve thousand four hundred pounds of beef, and three thousand one hundred pounds of flour, which have been furnished to the

Indians on Stanislaus River reserve, from the 1st to the 31st May, 1852, according to contract with them of fifteen cents for beef, and twelve cents for flour.

Received, United States Stanislaus River Indian reserve, September 1, 1852, of Dr. O. M. Wozencraft, United States Indian agent for the valley of San Joaquin, California, drafts on the United States Indian Department covering the within amount.

DENT, VANTINE & CO.

Abstract of disbursements made by O. M. Wozencraft, United States Indian agent, from the 1st of May, 1851, to the 30th of August, 1852, inclusive.

398

Date.	Names of contractors, or to whom paid.	On what account.	Amount.	Remarks.
1851.				
May 28	Dent, Vantine & Co.....	Beef and flour furnished	\$3,284 85	Furnished to Indians at the time of making treaties in the reservation of the Stanislaus river, from date to April, 1852; furnished by order of Adam Johnston.
Aug. 4	.....do.....do.....	Beef and flour	23,286 03
Nov. 19	Morehead, Whitehead, & Co....	Flour, bought in May	156 00	Furnished to Indians while making five treaties.
Dec. 31 1852.	Samuel Norris	Beef furnished.....	101,998 00	
Jan. 5	Isaac Williams.....	Beef furnished.....	245 00	Cattle furnished Indians at the treaty of Temecula.
Feb. 1	E. G. Hilton	Services as secretary	25 00	
11	Samuel S. Hensley	Beef furnished on the San Joaquin	142,500 00	Furnished Indians in El Dorado county. Furnished Indians in San Joaquin valley. Furnished Indians in Yuba reservation.
Mar. 10	John Brown	Flour and beef.....	270 00	
29	James Savage	Flour	4,278 80	
29	E. S. Lovell.....	Flour	462 50	
Apr. 5	George McDougall	Beef furnished in Southern agency	81,250 00	
May 16	John Roland	Flour furnished as above.....	2,100 00	Additional amount to be allowed, as per contract.
20	Littleton & Johnston.....	Horses ..do.....	3,000 00	
Sept. 20	George McDougall	On beef furnished.....	19,500 00	
25	Dent, Vantine & Co.....	Beef furnished from April to August, 1852..	9,684 00	
Dec. 31	Various claimants .....	.....	2,154 62
			394,194 80	Paid by me on sundry accounts.

S. Doc. 4.

I certify that the above is a just and correct statement, and the accompanying remarks correct.

O. M. WOZENCRAFT, *Former U. S. Indian Agent, California.*

SAN FRANCISCO, September 20, 1852.

WASHINGTON, D. C., January 8, 1853.

SIR: In a preliminary examination of my accounts, with a view of a final settlement, objections were made to the item allowed for interest and contingent expenses, vouchers for the expenditure being required. This is as unexpected to me as it was unforeseen, I having been led to believe that it was a part of the salary of the office of Indian agent; and was further confirmed in this belief by having received a draft from the department for salary and contingent expenses, without reference to vouchers, this amount having been paid in two instances without calling for vouchers, or any having been furnished.

I can furnish a voucher, with my own certificate, showing that the amount (and more) has been so expended. This, I am in hopes, will prove satisfactory under the circumstances.

I would respectfully request that you would recommend that an appropriation be made for my relief, by which I may be allowed a reasonable amount for house-rent; (my salary has proven insufficient for my support.) I would likewise respectfully request that you would recommend an appropriation sufficient to pay the pressing liabilities referred to in the communication handed in the day before yesterday, (say \$5,439 47.)

Very respectfully, your obedient servant,

O. M. WOZENCRAFT.

Hon. LUKE LEA,

Commissioner Indian Affairs, D. C.

WASHINGTON, D. C., January 24, 1853.

SIR: On examination of the file of correspondence in the Indian Bureau, I find an omission in the correspondence from myself. It would appear that superintendent Beale has failed to forward the same, with the exception of one letter, which, singular to say, was written by me at his instance, and by his dictation.

Enclosed please find true copies of correspondence with superintendent Beale, and likewise one communication addressed to yourself, which was placed in the superintendent's hand for transmission to you. The correspondence will now be complete, and thus fulfil the requirement of the call made by the Senate.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT.

Hon. LUKE LEA,

Commissioner Indian Affairs, Washington.

SAN FRANCISCO, September 9, 1852.

SIR: In conformity with your request, I hasten to place before you a brief synopsis of the state of affairs as they now exist within my district, likewise within the southern district, which fell under my supervision,

by request of the agent who formerly had charge of said district. An emergency, however, occurred subsequently, which rendered it imperative on me to visit and act in said district.

Since my last report to the department, dated June 23, 1852, there has been no material change or event in the above-mentioned districts of much moment, with the exception of an occurrence of rather an alarming nature—one which was well calculated to induce the Indians to break their fealty. It was in consequence of having a number of their people killed by a party of whites. This occurred within the reservation on the Fresno river, in the early part of July; and as they (the Indians) appeared to be ignorant of a cause sufficient to incite and bring down on them such summary punishment, it was well calculated to produce serious results, which in all probability would have occurred had not General Hitchcock taken active measures to prevent it.

Immediately on learning that there was a probability of such a design against the Indians, I hastened up, with a hope of being able to prevent it; but, unfortunately, the fatal act was consummated before my arrival. So hasty were they, indeed, that the Indians themselves were unapprized of the fate that awaited them.

Most all the Indian men were absent at the time, at work some distance from home. After informing myself of the particulars, I deemed it due to the Executive of the State to inform him of the fact, as the probability was it might terminate in a war. The following is a copy:

“FRESNO RIVER, *July 13, 1852.*”

“HON. SIR: I deem it proper to inform you of a serious occurrence which has lately transpired on King’s river, where a party of men are charged with having made an attack on some Indians living within a reservation set apart for their occupancy, and having killed several of them. The facts of the transaction as stated to me are of such an aggravated nature, that I deem it my duty to take cognizance of it, as the only means of preserving the peaceful relationships established, and now subsisting, between the Indians and the whites; and I cherish the hope that the Executive of the State will deem it of sufficient importance to join with me in maintaining the supremacy of the law, as the only sure means of preventing the recurrence of similar outrages, and preventing a war.

“Please address me at San Francisco, where I expect to be on the 16th instant.

“Very respectfully, your obedient servant,

“O. M. WOZENCRAFT,

“*U. S. Indian Agent.*”

“HON. J. BIGLER,

“*Governor of the State of California.*”

I regret to say that I have not received an answer to the above communication, and am thus left in doubt whether or no the governor deems the subject of sufficient importance to claim his attention.

I returned to San Francisco with a view of having warrants issued

for the accused parties, and thus bring them to trial before the federal court, but I am sorry to say that I have been disappointed.

The United States district attorney, after giving the subject that attention which its importance demanded, informs me that he was not aware of the existence of any law that would apply in the case, the federal court having no jurisdiction in cases where life was taken.

The gentleman who commanded the party in this unfortunate affair was soon afterwards elected county judge; consequently I did not think it worth while to prosecute him in his own county.

Thus I have been disappointed in my endeavors to settle this difficulty in a manner which would justify me in the belief that it would be satisfactory and final. Reluctantly have I been compelled to leave this unfortunate affair to time and the fates which appear to hang over the red man, hastening on his entire extinction.

The Indians in the mean time became uneasy, and, showing evidence of a turbulent spirit, they determined to hold a grand council. The licensed traders (Messrs. Savage) being apprized of the fact, managed it with a hope of being able to satisfy them of our good intention towards them, and thus, if possible, to appease their grief and anger.

Several companies of soldiers were ordered to be on the ground. Provisions were ordered to be furnished them when they should assemble in council, and thus display to them the *power to punish*, and at the same time the *humanity to befriend them*.

The council terminated satisfactorily to both parties, with the exception of a very unfortunate event which occurred immediately preceding the assembling in council. Major Savage, who at the time was on his way to attend the council, met with a violent and untimely death by the hand of the party who on a former occasion had killed the Indians.

This was a sad calamity. The cutting off from life and usefulness a human being is deplorable under all circumstances, but the more so when it falls on one like Major Savage—a man of untiring energy, and a will to direct it aright, through and by which he had gained a singular influence over the Indians. Indeed, his controlling power was almost absolute, and, so far as we could judge, that influence was directed to the amelioration of their unfortunate condition. They will feel his loss most, though it will be felt at large, for he was a benefactor in his limited sphere; his place will long remain unoccupied.

Apprehensions were, and still are, entertained that the Indians who were under his immediate control would go to the mountains and there remain, as far asunder from the whites as fear and hatred can impel them.

They, indeed, have gone into the mountains, but promise to return soon. We will hope for the fulfilment of the promise, but in the mean time propose using such means as may be within our ability to further the realization; otherwise we may anticipate the beginning of the end, *a war terminating with their extermination*.

The same bands of Indians were in open hostility with the whites on our arrival in the country in the winter of 1850. They were brought in and the war thus terminated by *pacific* measures. Should they commence again, we question very much the efficacy of the same means, and have reason to doubt the practicability of coercive measure.

These same Indians have furnished conclusive proof of a fact which was before but problematical and very doubtful; i. e., whether or no they could be made to support themselves by cultivating the soil; whether they could be induced to get their bread in fulfilment of the Divine command, "*by the sweat of thy brow shalt thou earn thy bread.*" The result has been as cheering to the philanthropist as it must be to the Christian; and we may express our surprise that it is not equally so with those claiming to be political economists, who predict the speedy destruction of the Indians in consequence of their close proximity to the whites, and are active in working out its fulfilment.

It is evident that the time is now near at hand when the entire family of man must fulfil the *Omniscient* command. This world is now an industrial world, and the aborigines of this continent cannot long remain an exception. Their boundless ranges are now being circumscribed by the family of Japhet. They will now soon have to call for the gifts of a bounteous Providence otherwise than by casting their valuables into the stream, and offering them up through the sacrificial fire, with a hope and belief that they will thereby propitiate the Good Spirit, and they then will receive the bounteous gifts with which to satisfy the wants of nature.

They will soon have to come down from the enjoyment of these vague and *poetical* notions, to the plain, unsophisticated matters-of-fact, *reality* and *tilling the soil*. And this, as I have stated, they have done in this particular locality, by raising an abundance of produce, and we do not see why these should be an exception to all the balance. I will presume that when like measures are taken with the rest, it will be found that they all can be made to produce from the soil an ample support. The philanthropist and the Christian may rejoice, and the political economist might as well join in the chorus, for he will find out in time *that it will cost more to kill them than it will to let them live*.

I feel the liveliest pleasure, perhaps not unmixed with some selfish gratulations, in reporting to you that there has been no serious infraction of treaty stipulations by any of the numerous tribes with whom I have treated; and when it is borne in mind that I have treated with upwards of *one hundred* bands of Indians since our separation as a joint board—a great portion of the number in open hostility with the whites, and but few, if any of them, restrained from practising that which is a virtue of necessity with them, since and owing to the encroachments of the whites—I may be allowed to indulge in those feelings, conscious as I am that much good has been done in saving life and treasure, as well as alleviating the wants and sufferings of a race who have just claims on our sympathy, and the more so by reflection on the fact that it has been done at so small a cost. Indeed, it has been measurably effected by making the simple promise, that it was the intention of the Great Father (the President) to *instruct* and *assist* them to live like the whites, and that lands would be set apart for them which they could call their HOME, and live by *industry*, in *peace*. This simple promise was found sufficient in most instances to secure the above-mentioned happy result. The exceptions, however, were such as the dictates of humanity would prompt, without reference to a particular policy. Those Indians who were suffering for the want of food,

(being denied recourse to their former stores) were supplied with a limited amount of food. In some of the reservations it was found necessary to furnish a liberal amount; in others, none at all.

I am sorry to say that I deemed it expedient, through economical and prudential motives, to limit them to the smallest amount practicable with safety; and as it was rather a difficult matter to determine the point between economy and *safety*, (having no precedents to guide me in this new field of physical philosophy) I, it would appear, permitted the miserly economy to overcome the just one. The consequence was, necessity became umpire, and induced those Indians who were about to starve to *recur to their old time-honored custom*. This, of course, is to be expected, and it is the part of wisdom to make arrangements by which they may support themselves.

It is much to be regretted that Congress should refuse or neglect to pass the necessary appropriation in order to carry out the policy adopted, and which has so far proven so successful. I fear it will be fraught with evil; indeed I do not see how the Indians can be kept at peace, unless we show them some evidence of the sincerity of the promises of our good intentions towards them. I have so informed the department; and further stated that it would be useless, if not futile, for agents to go among them, *if promises already made are not fulfilled*.

I am pleased to learn, by your report, that your views are measurably in accordance with the policy which we have deemed just and expedient in conducting our negotiations.

I feel well satisfied that time will demonstrate to the world the entire practicability of a system which in some respects is novel.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,
U. S. Indian Agent.

HON. E. F. BEALE,
Superintendent of Indian Affairs, California.

SAN FRANCISCO, *September 14, 1852.*

SIR: In conformity with the requirement of your communication of this date, I herewith place in your possession all of my accounts and vouchers for your examination. You will please observe that the vouchers are the *duplicates*, the originals of the same having been forwarded to the department, in conformity with a requirement from the Commissioner of Indian Affairs. They being the only remaining evidence of my official transactions, I will have to request of you to return them to me after you shall have made the examination.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,
U. S. Indian Agent.

HON. E. F. BEALE,
Superintendent of Indian Affairs.

SAN FRANCISCO, *September 30, 1852.*

SIR: In a former communication I requested an examination in person of my official acts. Permit me again to revert to the subject, and again request that this examination be instituted. It is not only due to the department, but, permit me to reiterate, it is due to *me*—the more so now, as the superintendent of Indian affairs has expressed his disapprobation of my official acts.

It is due to myself to *resign* the commission I now hold; but before doing so, I would wish to place myself before an investigating tribunal *in my official capacity*. Permit me to anticipate an order to that effect. My resignation can then take effect on the 1st day of January, 1853, which I herewith tender, to take effect on the above-mentioned date. This will give sufficient time, I am in hopes, to admit of the examination before the department and Senate. I will endeavor to be in Washington on or about the 1st of December.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent.

Hon. LUKE LEA,

Commissioner of Indian Affairs.

SAN FRANCISCO, *October 1, 1852.*

SIR: I am in receipt of your communication of this date requiring of me "a statement of whatsoever government property, or property for which liabilities have been contracted by you [me] on government account, may still remain under your [my] control to this date; if so, whether or no it is in form of supplies to Indians; and if so, whether such supplies are still being issued by contractors and others."

In answer to the foregoing requirement, permit me to say that I must ascertain, probably in person or by the report of those who have charge of the issuing of the supplies, before I shall be able to make a full report in conformity with your requirement. For this necessary time I ask your indulgence.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent.

Hon. E. F. BEALE,

Superintendent Indian Affairs, California.

SAN FRANCISCO, *October 3, 1852.*

SIR: I have the honor to acknowledge the receipt of yours of the 2d instant, informing me of your determination to have nothing to do

with the supplies of beef cattle furnished by me for the Indians, which are yet on hand, leaving the whole responsibility to rest on myself.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT,

U. S. Indian Agent.

Hon. E. F. BEALE,

Superintendent Indian Affairs, California.

SAN FRANCISCO, *November 20, 1852.*

SIR: In compliance with instructions from the Commissioner of Indian Affairs, and in conformity with your requirement, I herewith turn over to you all the government property in my possession or subject to my order, viz:

Pitt River reserve.—One American mare, saddle and bridle; twenty-two head of cattle—in charge of S. B. Sheldon.

Chicot reservation.—One hundred and ten head of cattle, in charge of Mr. Samuel Norris.

Fresno reservation.—Two hundred and twelve head of cattle, in charge of Vinsonhaler & Co.

Susqual ranche.—Six hundred and twelve head of cattle, in charge of Major S. J. Hensley.

Southern agency.—Ten mares and ten horses, in charge of Mr. J. Rucket—with all the beef cattle not yet issued, which were placed in his charge by me for the Indians.

Very respectfully, your obedient servant,

O. M. WOZENCRAFT.

Hon. E. F. BEALE,

Superintendent of Indian Affairs.