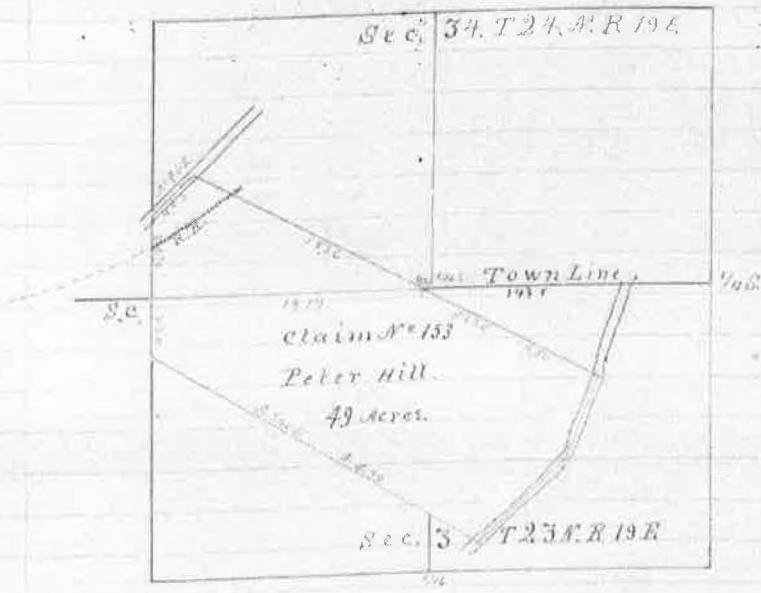


347



Survey of Peter Hill  
 private claim N° 153  
 Quicks Indian Reservation, Ariz.  
 Surveyed after public survey.  
 claim beginning at the S.E. Co. of Sec 3,  
 Township N° 23 of Range N° 19 E.  
 thence  
 South on Sec. line  
 4.20 Set Oak stake 4" in dia; thence  
 S. 89 1/2° E.  
 20.67 Set Oak stake 4 1/2" in dia; from which  
 a split line 4" in dia. runs N. 88 W. 2.00  
 thence  
 S. 89 1/2° E.  
 30 To the center of Duck Creek; thence down  
 along the center of the creek.  
 15.56  
 3.50 S. 89 1/2° E.  
 3.20 S. 89 1/2° E.  
 6.47 thence  
 N. 88° W.  
 14.54 To point on Town line which is 56 poles  
 West of the S.E. Co. of the S. 1/4 of the  
 S. 1/4 of Sec 34, Township N° 24, R  
 of Range N° 19 E; thence  
 N. 88° W.

thence  
S 40° W. along center of highway  
4.83 Set stake on line to Sec line, thence  
South on Sec. line  
5.88 to Sec. cor., place of beginning.  
This claim contained 4 1/2 acres of land.  
Line run with a variation of 3° 30' E.  
Lot corner stake marked L.C.  
Starting tree marked L.C. and P.T.  
This acreage is exclusive of R.R.  
Rt-of-way A. Boardman  
W. J. Deputy Surveyor

455

Dr. C.  
mmR.

Department of the Interior,  
General Land Office,  
Washington, D. C., December 11, 1890.

The foregoing field notes of the surveys of claims within the Oneida Indian Reservation, Wisconsin, embracing Nos. 1 to 35 inclusive, Nos. 37 to 182 inclusive; Nos. 184 to 204 inclusive; Nos. 102 A., 122 A., 153 A., 161 A., and 164 A., and claim designated as "A" executed by N. Boardman, U. S. Surveyor, under special instructions, dated October 25, 1889, having been critically examined, the necessary corrections and explanations made, the said field notes and the surveys they describe, are hereby approved.

*Leam A. Graft*  
Commissioner.



UNITED STATES,

NO. 18629

TO

P A T E N T.

LUCIUS HILL, ET AL.

444521.  
42303-4. I. O.  
1100

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting: WHEREAS, an Order of the Secretary of the Interior has been deposited in the General Land Office, directing that a fee simple patent issue to Lucius Hill, Martin Hill, James Hill, George W. Hill, Electa Kelly, Lucinda Metoxen and Eliza Metoxen, Heirs of Peter Hill, an Indian, for the CLAIM ONE HUNDRED FIFTY-THREE IN TOWNSHIP TWENTY THREE AND TWENTY-FOUR NORTH OF RANGE NINETEEN EAST OF THE FOURTH PRINCIPAL MERIDIAN, WISCONSIN, CONTAINING FORTY-NINE ACRES, ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF THE SAID LAND, RETURNED TO THE GENERAL LAND OFFICE BY THE SURVEYOR-GENERAL:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Lucius Hill, Martin Hill, James Hill, George W. Hill, Electa Kelly, Lucinda Metoxen and Eliza Metoxen and to their heirs, the land above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, therunto belonging, unto the said Lucius Hill, Martin Hill, James Hill, George W. Hill, Electa Kelly, Lucinda Metoxen and Eliza Metoxen, and to their heirs and assigns forever, in accordance with the terms of said order to wit: to Lucius Hill, an undivided one-seventh interest; to Martin Hill, an undivided one-seventh interest; to James Hill, an undivided one-seventh interest; to George W. Hill an undivided one-seventh interest; to Electa Kelly, an undivided one-seventh interest; to Lucinda Metoxen, an undivided one-seventh interest; and to Eliza Metoxen an undivided one-seventh interest.

IN TESTIMONY WHEREOF, I Woodrow Wilson President of the United States of America have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed. GIVEN under my hand, at the City of Washington, the TWENTY-FIFTH day of AUGUST in the year of our Lord one thousand nine hundred and FOURTEEN and of the Independence of the United States the one hundred and THIRTY-SEVENTH.

(Soni) By the President Woodrow Wilson  
By M. K. Gulick Assistant Secretary,  
John O'Connell  
Acting Recorder of the General Land Office  
Recorded Patent Number 427100

Recorded Sept 11th A.D. 1914,  
At 8:10 A. M.

REGISTER

ALBERT LADE ADMINISTRATOR OF  
CITY OF GREEN BAY.

NO. 18695

STATE OF WISCONSIN : IN COUNTY COURT : FOR BROWN COUNTY :

IN THE MATTER OF THE ESTATE  
OF FERDINAND LADE, DECEASED

ADMINISTRATOR'S DEED.

TO ALL TO WHOM THESE PRESENTS SHALL COME: Albert Lade of the Town of Little Suamico in the County of Outagamie and State of Wisconsin, as administrator of the estate of Ferdinand Lade, deceased, late of the City of Green Bay, sends Greeting;

WHEREAS, by an order made by the County Court of Brown County on the 7th day of July A. D. 1914, Albert Lade the said administrator, in his capacity as administrator, aforesaid, was



No. 26431

Made this 20th day of March in the year of our Lord One Thousand Nine Hundred and sixteen  
BETWEEN Martin Will and Celioia Will, his wife,

part 1 c 3 of the first part, and

Fred W. Pienl

part 1 of the second part

Witnesseth, That the said part <sup>ies</sup> of the first part, for and in consideration of the sum of

Seven hundred fifty (3750.00)

Dollars.

to them in hand, paid by the said part 1 of the second part, the receipt whereof is hereby confessed and acknowledged, ha Given, Granted, Bargained, Sold, Remitted, Released, Aliened, Conveyed and Confirmed and by these presents do give, grant, bargain, sell, remitte, release, alien, convey and confirm unto said part 1 of the second part his heirs and assigns, forever xxx the following described real estate xxxxxxxx of xxxxxxxx situated, lying and being in the County of Brown, State of Wisconsin, and xxxxxxxx described as follows, to-wit:

ALL THAT PART OF CLAIM ONE HUNDRED FIFTY THREE (153) IN TOWNSHIP TWENTY FOUR (24) RANGE NINETEEN (19) BEING BETWEEN THE WAGON ROAD AND THE RIGHT OF WAY OF THE GREEN BAY AND WESTERN RAILROAD, DESCRIBED AS FOLLOWS:- BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF RIGHT OF WAY OF GREEN BAY AND WESTERN RAILROAD WITH THE SECTION LINE BETWEEN SECTION THIRTY THREE (33) AND THIRTY FOUR (34) TOWNSHIP TWENTY FOUR (24) RANGE NINETEEN (19) THENCE ALONG SAID SECTION LINE NORTH 0 DEGREES 10' 20" WEST 197.01 FEET TO A POINT IN THE CENTER OF HIGHWAY; THENCE ALONG CENTER OF HIGHWAY NORTH FORTY SIX (46) DEGREES, 15' AND 40" EAST 272.91 FEET, TO THE NORTH EAST BOUNDARY LINE OF CLAIM ONE HUNDRED FIFTY THREE, THENCE ALONG SAID BOUNDARY LINE SOUTH 62 DEGREES 43' AND 21.1" EAST 256 FEET TO THE SOUTHERLY LINE OF RIGHT OF WAY OF THE GREEN BAY AND WESTERN R. R. THENCE ALONG THE LATTER LINE SOUTH FIFTY DEGREES, 51' 57.6" WEST TO THE PLACE OF BEGINNING CONTAINING 1.857 ACRES, INCLUDING ABOVE MENTIONED RIGHT OF WAY, TOGETHER WITH BUILDINGS AND IMPROVEMENTS THEREON, BEING THE LAND DESCRIBED IN VOL 131 OF DEEDS OF PAGE 573, BROWN COUNTY RECORDS. Parties of the first part are to have the privilege of living in house on above described premises until Sept - 20, 1910. (31.00) REVENUE STAMP CANCELLED  
Together with all and singular the hereditaments and appurtenances hereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim and demand whatsoever of the said part 1st of the first part, either in law or equity, either in possession or expectancy in and to the above bargained premises, and their hereditaments and appurtenances;

To have and to hold the said premises as above described, with the hereditaments and appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

And the said Martin Hill and Celecia Hill for themselves and their executors and administrators do covenant, grant, bargain and agree, to and with the said part of the second part his heirs and assigns, that at the time of the execution and delivery of these presents, well seized of the premises above described as of a good, sure, perfect absolute and inalienable estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever.

and peaceable possession of said part of the second part, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, they WILL FOREVER WARRANT AND DEFEND.

In witness whereof, The said parties of the first part have hereunto set their hand and seal of the said

XXXXXXXXXXXXXXXXXXXX this 20th day of March A.D. 1916.

Signed, Sealed and Delivered in presence of	Martin Will	(Seal)
Charles Freund	Colleta Will	(Seal)
Edmund Wiese		(Seal)
		(Seal)

STATE OF WISCONSIN. Personally came before me, this  
County of ORTAgnie ~~Shane~~ Shane 20th day of March  
A. D. 1916 ~~appeared and swore~~ the above named Martin Hill and Celicia Hill, his wife.

to me known to be the person who executed the foregoing <sup>instrument</sup> ~~and~~ and acknowledged the same ~~to me~~

[illegible]





March 6, 2013

VIA E-MAIL AND U.S. MAIL:

Mr. Kerry M. Blaney  
Brown County Treasurer  
P.O. Box 23600  
Green Bay, WI 54305

Dear Mr. Blaney:

I represent the Village of Hobart relating to a litigation with the Oneida Tribe of Indians of Wisconsin and the United States of America. The litigation relates to stormwater charges placed on various trust parcels. I am enclosing, for your review, a copy of Judge Griesbach's Decision dated September 5, 2012. The Decision states that:

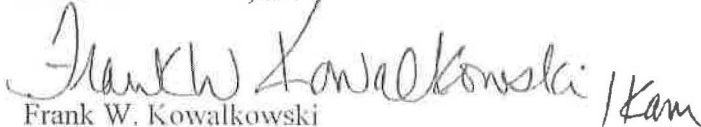
IT IS HEREBY ORDERED AND ADJUDGED that the Oneida Tribe of Indians of Wisconsin's trust land is immune from the Village of Hobart, Wisconsin's Storm Water Management Utility Ordinance and that the Village lacks authority to impose charges under the Ordinance on the Tribe's land directly or indirectly.

IT IS FURTHER ORDERED that the Village of Hobart, Wisconsin is enjoined from attempting to impose and collect "charges" under the ordinance or from foreclosing on the Tribe's lands.

Please note that the Village is currently appealing the above-referenced Decision. We are hoping to get a decision from the Court of Appeals by the end of this year. If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

Davis & Kuelthau, s.c.

  
Frank W. Kowalkowski /kam

FWK:kam

Encl.

cc: Village of Hobart (w/out Encl.)

Phone 920.435.9378 Direct 920.431.2221 Fax 920.431.2261  
318 S. Washington Street, Suite 300, Green Bay, WI 54301  
fkowalkowski@dkattorneys.com

BROOKFIELD GREEN BAY MADISON MILWAUKEE OSHKOSH SHIOBOGAN

Doc #  
1887-146

NINETEENTH ANNUAL REPORT

OF THE

BOARD OF INDIAN COMMISSIONERS.

1887.



WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1888.

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REPORT  
OF THE  
BOARD OF INDIAN COMMISSIONERS.

WASHINGTON, D. C., January 28, 1882.

SIR: We have the honor to submit the nineteenth annual report of the Board of Indian Commissioners, in pursuance of the act of May 17, 1882.

No change of the membership of the board has been made during the year.

We have given careful attention, as required by law, to the inspection of goods purchased for the Indian service, as well as to the inspection of agencies and other branches of the service, so far as could be done with the means at our disposal.

The reception of bids and the award of contracts for supplies, instead of being done entirely in New York City, as has been the custom for many years with but one exception, was divided between Saint Louis and New York. The bids for subsistence, transportation, and stock cattle were opened in the former city, and those for all other goods in the latter.

In Saint Louis the meeting was held for this purpose on the 12th of April, in the Commercial Exchange, when 184 proposals for subsistence and transportation and 9 for stock cattle were opened and read in public, and awards were made in all cases, except for a portion of the transportation where the rates were deemed too high, and it was decided to reject the bids and readvertise.

In New York City, on the 3d day of May, 284 proposals for Indian goods were opened and publicly read, as usual. After careful inspection of the samples presented, awards were made for such as seemed best suited for the service. On the 17th of the same month bids were received and opened for the transportation of supplies to some of the Northwestern agencies. The rates were much lower than those previously offered and rejected at Saint Louis, and awards were made.

We have no evidence that anything was gained by the experiment of dividing this business and transferring a part of it to the West. Possibly a few more bids for beef were received than would have been received in New York, but all the contractors with whom we conversed informed us that they would have made the same offers in the one city as in the other. The expense of transacting the business in two places was much greater, and the gain, if any, did not, in our opinion, compensate for the increased outlay of time and money.

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WIS. HISTORICAL SOC.





## INSPECTION OF AGENCIES AND SCHOOLS.

During the year Commissioner Gates has made a careful examination of the Indian school at Carlisle, Pa., in all its departments of instruction and industrial training. Commissioner Smiley has inspected the school at Lawrence, Kans. Commissioner Waldby has visited the agencies of southern Dakota and those of Nebraska, and inspected the methods of administering the agency business, the condition of the Indian schools, the efficiency of agents, teachers, and other Government employes, and the progress of the Indians in farming. He also made special inquiry as to the employment and progress of students returned from Eastern and other industrial schools. Commissioner Walker has made a tour of inspection through northern Dakota, giving attention to all matters of interest in that region, especially to education. Reports in detail of the last two of these visits and inspections will be found in the appendix. We invite special attention to some suggestions and recommendations in the report of Mr. Waldby. One relates to the condition and needs of the Indian students returned from Eastern and other schools. While but few of them go back to the old-time ways, and it is apparent that the great majority do exert a civilizing and beneficial influence, there are some, as might be expected, who have not the moral courage and stamina to withstand the derision and opprobrium which meet them on their return.

Their great need is proper employment. It is becoming more and more difficult as their number increases to find for all these young men and women such suitable positions as they have been educated to fill. The trades are already overdone, and opportunities for positions as teachers and missionaries are restricted to few applicants. It is recommended therefore that a much larger per cent. of the boys be trained to cultivate the soil and to become practical farmers; that they be taught the use of tools, the methods of making ordinary repairs, and of doing all work incidental to the farm. The girls should be instructed in cleanliness, cooking, laundry work, mending, and plain sewing. In both sexes inculcate good habits and morals, and impress upon them the necessity of labor, and the value and blessings of farm ownership and a home of their own. There would not then be found such lack of employment and disposition on the part of the returned Indian students to labor as is now said to exist. Employment at farming could readily be obtained, and would soon afford ample provision for their wants. But to attain this desirable result, it is manifest that some help is needed at the start. The young men and women who go from the comforts of the boarding-school need a more decent abode than the filthy tepees of their parents, and to begin the cultivation of a farm they must have tools to work with. To a limited extent these requisites can be furnished by the Indian Bureau out of the regular appropriations. But to supplement this Government aid there is room for all the friends of the Indian to lend a helping hand. A beginning has already been made, which deserves honorable mention. The ladies of the Connecticut and Washington branches of the Women's National Indian Association have taken up this work, and have settled two couples of Hampton students in homes on the Omaha Reservation by lending them money to build houses and break their ground for farming. How the new plan works is re-

lated by Rev. H. B. Frissell, who recently visited that reservation, from whose report we make the following extracts:

I will speak especially of these two returned Hampton students. As already mentioned, the lands of the Omaha Reserve have been taken up in accordance with the provisions of the land-in-severalty bill, and a portion has been sold to the whites.

These returned Hampton students had each 160 acres of their own. Before arriving at the reserve I had heard, through a grain buyer on the train, something of their farms. He said that they had as good wheat as there was in Nebraska.

As soon as possible I drove out to their homes, which lie along the Logan Creek. I found one of the young men with his carpenter's bench on the shady side of one of the most comfortable houses that I had seen in the neighborhood. He told me with pride that he himself had built the house with the assistance of his neighbor, the other ex-student of Hampton. For the first year after their return, the two couples had been obliged to go back to the mud lodges of their parents. In the case of Phillip Stabler this meant a return to surroundings thoroughly bad, for he came from a non-progressive family. So he was obliged to live in the midst of the heathen dances, and feasts, and general barbarism that characterize the non-progressive part of the tribe. The help afforded by the Connecticut ladies enabled him, the second year, to put up on his own land a house that cost some \$400, and hire 20 acres of land, broken, with which to commence his farming operations. Once having this start, he got on very well. He had owned, previously, two Indian ponies, which were not strong enough to break up the soil. These he traded for a strong American horse, and by leasing the 40 acres which had been allotted to his little boy, he bought still another horse, so that the second year he was able to care for his own land, and to break up 30 acres more. He showed me with pride the 500 cotton-wood trees that he had set out about his house, the flower-garden which he had started from seeds sent him by Eastern friends, and the plot where various kinds of vegetables were planted.

We went together to see the turf barn which he had built with his own hands, where he now had 8 horses and 4 colts, some pigs and a cow. He showed me his chicken yard, where, he told me, he had raised 90 chickens this year. He showed me how he had learned to stack his hay and straw. He told me how he had just gotten the job of putting up a neighbor's house, for which he was to receive \$2.50 a day.

I went to the adjoining farm of another Hampton graduate, Noah La Fleshe, and I found much of the same condition of things that I have described in the first. The young man was away from home. His neat looking wife told me that he had gone, with his team to break land for another Indian, and was to receive \$5 for the two acres he could break in a single day with his good, strong horses. His wife invited me into the house, which her husband had built with the same help from the Washington ladies. She showed me how he wainscoted the rooms, so as to make the house warmer and improve its appearance. She showed me the pretty table, chairs, sofa, and shelves for books, which he had made. I went into the neat kitchen, where everything was in apple-pie order, where preparations were being made for the husband's return, which already showed that this Indian's wife understood the art of cooking. I went into the bedroom, where the bed, with its white spread, showed the careful housekeeper, and the results of training at Hampton. The neat pattern of the paper upon the walls of the rooms, the brown shades that hung at the windows, the pretty tidy which the wife had made for the sofa, the pictures upon the walls, the books upon the shelves, the well-thumbed Bible lying upon the table, all bore witness to the happy results which Eastern schools and the Ladies' Indian Association had made possible.

These young people were receiving nothing from the Government in the way of clothes, food, or cattle. Only \$7 a piece in money, which was the payment for land in Indian territory sold by the tribe to the Government. They were earning their bread by the sweat of their brow.

The success of this experiment is full of inspiration to new effort. These two Christian homes furnish an object lesson to the whole Omaha tribe. Great credit is due to the ladies of Washington and Connecticut for the work they have done. Two other cottages have been built by the Woman's National Indian Association, one on the Omaha and one on the Pine Ridge Reservation.

If every branch of the association would go and do likewise, help the educated young men and women to build such homes on all the reservations, what an influence for good they would exert.

In close connection with this, another suggestion of Mr. Waldby is worthy of attention. Observing that as a rule better and more intelli-



gent farming is being done by the reservation Indians, whose lands border on or lie near to those owned and under cultivation by the white farmers, he suggests that the land-in-severalty bill might be advantageously supplemented by a provision for the settlement among the Indians of a limited number of white farmers upon each reservation, after Indian allotments are first made or provided for. The Indians, while not good planners, are adept imitators. If, therefore, a few white farmers of good character and thrifty habits could be introduced, the Indians might profit from their methods, and by observation of their skill in farming and of their mode of living might learn better than in any other way both how to work and how to make home more cleanly and comfortable. They would also find some profitable employment with the whites; the children of both races would mingle together in school and the process of civilization and education would go on much more rapidly than is possible on the exclusive reservation plan. Of course, during the transition period, careful safe-guards must be provided to protect the Indian farmer both from himself and from the possible capidity which the love of gain inspires in the thrifty Anglo-Saxon. To induce families of the right stamp to settle among the Indians, and instruct and encourage them by example, provision would be requisite for the acquisition of a permanent title to the lands cultivated by white farmers on conditions similar to those specified in the general homestead laws.

#### MEETINGS AND CONFERENCES.

Besides the meetings before reported in Saint Louis and New York, for the purpose of assisting in the purchase of Indian supplies, we have held two conferences with friends of Indian civilization, one at Mohonk Lake and the other in this city. The Mohonk Conference was attended by more than 100 persons invited by Commissioner Smiley as his guests, besides many others drawn thither by their interest in the objects of the meeting. The conference continued three days, and the discussions took a wide range, but the prominent topics considered were—

*First.* How to secure the best results from the severalty law, and what further legislation is needed for that end.

*Second.* The best method of education in Indian schools, whether in the English language exclusively or in part by the use of the Indian vernacular.

#### THE LAND-IN-SEVERALTY BILL.

This bill, which became a law on the 8th of February, 1887, is a great step in advance in our Indian policy, and the day when it was approved by the President may be called the Indian emancipation day. The measure gives to the Indian the possibility to become a man instead of remaining a "ward of the Government." It affords to him the opportunity to make for himself and his family a home, and to live among his equals a manly and independent life. It offers to him the protection of law and all the rights and privileges and immunities of citizenship.

It is plainly the ultimate purpose of the bill to abrogate the Indian tribal organization, to abolish the reservation system, and to place the Indians on an equal footing with other citizens of the country.

We do not look for the immediate accomplishment of all this. The law is only the seed, whose germination and growth will be a slow process, and we must wait patiently for its mature fruit. There are difficulties and perplexing questions to be settled and conflicting interests

to be adjusted. Some of these are found in the character and habits of the Indians themselves, while many are ready and have been waiting long for this beneficent measure; some non-progressive Indians are still opposed to it, and will throw obstacles in the way of its execution. They see their power and importance as tribal chiefs slipping away, and they have enough human nature to cling tenaciously to their prerogatives.

Some whole tribes are unprepared for the execution of the law or to profit by it if it were by force applied to them. Hence we are pleased to notice that the Executive has begun the work of allotments under the provisions of the new act upon some of the smaller reservations where the Indians are somewhat advanced in education and habits of industry. Twenty-seven reservations have been selected—one in Arizona, Papago and Pima (Salt River); two in Michigan, L'Anse and Vinux de Sert; four in Wisconsin, Lac Court d'Oreilles, Bad River, Red Cliff, and Lac du Flambeau; one in Minnesota, Fond du Lac; four in Dakota, Lake Traverse (Sisseton), Devil's Lake, Ponca, and Yankton; one in Idaho, Nez Percé; one in Montana, Crow; eight in the Indian Territory, Absentee, Shawnee, Pottawatomie, Quapaw, Moiloc, Ottawa, Shawnee, Seneca, and Wyandotte; one in Nebraska, Winnebago; three in Oregon, Siletz, Grande Ronde, and Warm Springs, and one in Washington Territory, Muckleshoot. Surveys have been begun or contracted for on most of these, and six special agents of well-known ability and experience have been appointed to superintend the work. It will require at least a year to complete the allotments now ordered, and after that the work will be continued elsewhere as fast as the condition of the Indians will justify. We believe that opposition will gradually die out, even among the most ignorant and barbarous tribes, and that in a few years all will learn the value of a secure title to the lands which they occupy, and the advantages of a more civilized manner of life.

It is manifest that the time has not come to relax the efforts of teachers and missionaries. It is rather the time to redouble such efforts, not only to instruct and persuade the more ignorant to accept the benefits now offered, but also to guide and lead the better class, so that their new legal condition may become to them a blessing and not a curse. Law alone is impotent to change character. It cannot make the ignorant wise nor the lazy industrious. It cannot lift the Indian across the great gulf which separates heathen barbarism from Christian civilization. Hence upon the churches and philanthropical associations rests now greater responsibility than ever before in the history of the Indian problem. And what we have seen and heard in our conferences leads us to hope that Christian people are ready to respond to the demands of the hour. They see the necessity of sending out as missionaries and teachers men and women of sound practical common sense, as well as of earnest Christian character; men and women who will win the confidence of the Indians and mold their character by the power of an upright, godly life among them; men and women who will not think any details of practical business or household economy beneath their notice. The Indian in the transition state, through which he is now passing, is in special need of daily help in all the small matters of life; he needs the personal presence of one who can, not only tell him how, but show him how to work like the late Father Wilber, or Mr. William Duncan, of Metlakatla, by taking hold of the plow, or running the machine, or mending the broken tool with his own hands.

\*Allotments to the Sissetons, about 380, have been completed by Special Agent Lightner.



And what the teacher and the missionary ought to be in character, so ought to be every agent and physician and clerk and farmer and laborer employed in the Indian service. Every one should be pledged to total abstinence from intoxicating liquors, from profanity, and every evil habit. With a service pure and earnest and faithful, we believe that the severalty act will be the best boon ever granted by our Government to the Indian race.

## NEW LEGISLATION.

Possibly some slight modifications of the severalty act may be found advisable after further experience in its execution. It may become necessary to grant larger tracts of land to some tribes, the Navajoes for example, who inhabit a sterile region, and must roam over a large country to find pasturage for their flocks and herds. Beyond this, and the suggestion we have already made as to the settlement of carefully selected farmers among the Indians, we now think of but two matters upon which additional legislation is needed. One relates to courts of justice. The Indians being made citizens, and subject to the laws of the States and Territories where they reside, it is essential to their protection that the courts be made accessible to them. Those now held are in many instances far away from the reservations and out of reach, for the Indians can not pay the cost of appealing to them for justice. Temporary relief might be found in legalizing the existing "courts of Indian offenses," as Commissioner Atkins suggests. But the time will come when the Indians will not be an isolated people; when, after they have received their allotments and homesteads, the surplus lands will be occupied by others, who would not be subject to the decisions of Indian courts. It seems, therefore, wiser to extend the existing judiciary system, and to establish courts within the reach of all. Unless provision of some kind is made for the punishment of crime, and for the trial of civil suits, we shall have the same deplorable conditions as have long existed in the Indian Territory.

The other matter needing the attention of Congress relates to the costs of conducting courts, and of public improvements in the Indian country. The lands allotted to the Indians are exempt from taxation a period of twenty-five years. The Indian has all the rights and privileges of citizenship, but is exempt, in large measure, from the burdens of citizenship.

The country where he lives will be organized into counties and towns. Courts must be established, public buildings erected, roads opened, and bridges built. It can hardly be expected that the white citizens of these counties and towns will pay willingly the whole expense of these public services and improvements. It is not just to require it; nor is it just to require the States and Territories to assume this burden. Hence, so long as Indian lands are exempted from taxation by the laws of the United States, provision should be made by the United States for reimbursing to the States and Territories the amount which they will lose by such exemption. With these simple additions, we believe that the severalty act can be carried out with most beneficial results to the Indians and to our entire country.

In view of the new condition of Indian affairs brought about by this act, some earnest friends of the Indians have proposed radical changes in the entire service. One plan, elaborated by Professor Thayer, of the Cambridge Law School, is to abolish the Indian Bureau and transfer

all its work and duties to the Judiciary Department, which shall be authorized to appoint commissioners to take charge of surveys and allotment of lands; trustees under bonds to hold and disburse annuity funds and appropriations; superintendents of schools and assistants to manage the educational work; to establish courts wherever needed, and to appoint judges of such courts, and justices of the peace to take cognizance of minor offenses. The scheme has not been perfected in the form of a bill for Congressional action; therefore, approval or condemnation of it would at present be premature. But we fail to see how the service would be simplified or improved by its mere transference from one department to another. It would still require the same number of agents to conduct it, though they might have new names, and all of every name and grade would still be appointed by fallible men.

Another proposition, which has been approved by the President, and the Secretary of the Interior, is the appointment of a new commission of Army officers and civilians who shall have large powers and take charge of all business relating to lands and education. In so far as the allotment of lands is concerned, this proposal is practically adopted in the severalty act, which provides for the appointment by the President of special agents for that purpose. Six such special agents have been appointed and are in the field. Some of them we know, and all we believe, to be well fitted for the work. In relation to their appointment, the following resolutions were unanimously adopted by the Mohonk conference:

*Resolved*, That the thanks of this conference be tendered to President Cleveland for the promptness with which he has entered upon the duty of carrying out the provisions of the Dawes land-in-severalty bill, and for the care which has been shown in the character of the special agents already appointed.

*Resolved*, That we extend to the President and to the Department of the Interior our hearty co-operation in further efforts to secure the most fitting men for this important and peculiar service, in the faithful performance of which the future of the Indians so largely depends.

In our judgment we have enough machinery for the management of the Indian work, provided it is well manned. The best machine will work only ruin in the hands of a poor engineer, while even an imperfect machine under the control of a skillful hand may turn out good work.

## PROGRESS AND EDUCATION.

But little has occurred during the year to interfere with the industrial pursuits and progress of the partially civilized Indians. The raid of a small band of Apaches has been stopped by their capture and imprisonment. On the other hand, a settlement of peaceable Apaches in the San Pedro Valley has been broken up by lawless whites. These Indians, under the leadership of Eskiniziu, their chief, had taken up lands in the valley, built comfortable homes, irrigated and fenced their farms, and, by their own industry, accumulated property. But soon white settlers began to encroach upon them, and, by threats of violence and arrests upon false charges, have succeeded in driving them from their good homes. They have left behind them all their possessions, which have fallen into the hands of their grasping persecutors. We trust that steps will be taken to restore to them their property and their lands.

The Northern Utes have been sadly disturbed by an unprovoked and shameful attack upon Colorow's camp by cowboys and Colorado militia, which resulted in a loss to the Indians of one man and three children killed, of their entire camp property, clothing, and provisions stored for winter use, and of their large herds of horses, cattle, sheep, and goats.



stolen by the merciless robbers. The story of the outrage is clearly told in the reports of General Crook and Commissioner Atkins, and the record will stand a dark blot upon the history of the State of Colorado. It is impossible to right such a wrong, but surely remuneration for the loss of property sustained by the Indians should be given at once.

It has been difficult to understand the reasons for the recent outbreak of the Crows of Montana, a tribe whose boast has been that they had never killed a white man. The best explanation we have seen is made by an officer of the Army who was present with his command and assisted in quelling the outbreak. Writing on the 19th of November, after the short, decisive action which put an end to the trouble, this officer says:

The resistance of some of the older men of the tribe to any change in modes of life, the restlessness of many of the young men not yet ready to settle down to civilized ways, the desire to make reprisals on the Piegans, who have stolen their horses, and the superstitious fear of Chese-to-pah (sword-bearer) in his assumed character of medicine man, and perhaps a dislike for their agent and his ways, were the causes of the outbreak. There will never be another. The wounding of Chese-to-pah, within ten minutes after the firing began, shook his pretensions to invulnerability, and all who knew of it withdrew from the fight, and his death less than half an hour later ended all resistance and the war.

These disturbances, though serious and attended by some loss of life, have not had any wide effect.

The great body of the Indians have continued peaceable and have made commendable progress towards self-support. They have more land under cultivation than heretofore, twenty-three thousand acres of new land having been broken the last year. They have more and better dwellings, twelve hundred new houses having been erected by themselves. They have more agricultural tools and machines, some of them purchased with the proceeds of their farm products. Their stock has increased in number and improved in quality, and is better protected and cared for. For illustration of these general statements we refer to the report of Commissioner Waldbury: Of the Crow Creek Indians, he says:

As farmers they appear happy and contented, comparing in most respects favorably with the whites. \* \* \* The lands are good and the Indians are proud of their farms, horses, and cattle. \* \* \* They understand that they must eventually become self-supporting. Estimates for flour have been reduced from 130,000 pounds last year to 50,000 pounds this year.

Of the Santees, Mr. Waldbury says:

They are mostly farmers living on their own lands obtained under allotments and patents, and are reasonably successful. The lands are good, well adapted to crop-raising, and the results this year an improvement on those of former years. \* \* \* I drove from 20 to 25 miles among these Santee Sioux farmers and the evidences of civilization, the large number of acres under cultivation, the growing crops, comfortable homes and industry of these Indians gave me a pleasant surprise. \* \* \* Fifteen years ago, only, these Indians were in village or camp near the Agency, supported wholly by Government rations and supplies. Now rations are furnished only to the aged and infirm. What a change! When we consider, furthermore, that formerly the presence of these Indians was a constant menace to the white settlers, and that while some of the older of these farmers were on the war-path and engaged in the Minnesota massacre of 1862, they are now employed in the peaceable pursuits of agriculture, happy and contented, and in very large measure adopting the social and business habits of their white brethren.

Similar contrasts and proofs of progress may be found on many other reservations. To the impatient reformer the advance seems slow, but when we compare the present condition with that of fifteen or ten years ago we can see how real and great has been the change.

In the following table we present some facts collated from the reports of 1877 and 1887, showing the progress made during a period of ten years. The five civilized tribes are not included:

	1877.	1887.
Indians who wear citizen's dress .....	60, 188	61, 097
Houses occupied .....	9, 600	17, 046
Build last year .....	1, 103	1, 674
Schools .....	150	227
Scholars .....	0, 010	14, 333
Average attendance .....	3, 508	10, 520
Money expended for education by Government .....	\$200, 337	\$1, 185, 025
Money expended by religious societies .....	\$70, 114	304, 014
Indians who can read .....	0, 307	19, 816
Church buildings .....	106	159
Land cultivated by Indians .....	110, 660	237, 205
Wheat raised .....	211, 878	724, 058
Corn raised .....	850, 862	884, 572
Oats and barley .....	183, 247	512, 137
Vegetables .....	313, 976	624, 010
Tons of hay .....	31, 973	101, 828
Horses and mules owned .....	177, 301	359, 354
Cattle owned .....	49, 883	111, 497
Swine owned .....	26, 359	40, 471
Sheep owned .....	687, 444	1, 117, 444

These are some of the good results of the peace policy. We wish they were greater, especially in the line of

#### EDUCATION.

For, until an entire generation shall have some mental and industrial training, we can not hope to see the whole Indian race redeemed from barbarism and transformed into a self-supporting, thriving people.

To accomplish this, much more liberal appropriations must be made for education. The treaties of 1868, negotiated by the Peace Commission, promised liberal things; but the fulfillment has been meagre. The excuse has been that the Indians would not send their children to school, and therefore it was useless to build the school-houses and supply the teachers promised. That excuse is not valid now. Parents are anxious for the education of their children. The schools are everywhere overcrowded. During the last year the 227 schools supported wholly or in part by the Government furnished accommodation for 13,766 pupils and had an enrollment of 14,333. It is manifest that the capacity of existing schools must be increased, and facilities for the education of all children of school age should be furnished without delay.

#### ENGLISH VS. VERNAICULAR.

On the question of teaching the English language exclusively in Indian schools, this board is already on record substantially indorsing the recent orders of the Indian Bureau, which have been subjected to much discussion and criticism. Ten years ago, in our report for 1877, we said:

Another measure essential to any good results is a common school English education. We would emphasize the importance of teaching Indian youth to speak and read the English language. If they are ever to be enfranchised as American citizens they must have some knowledge of the common language of the country. We recommend, therefore, that funds appropriated for education shall not be expended for the support of schools in which Indian languages are the exclusive medium of instruction.



Again, in 1881, alluding to the order of Commissioner Price, we said:

The policy adopted of teaching only English in the Government schools is eminently wise. To live in friendly relations with his neighbors, and to transact the ordinary business of life, to become a useful American citizen, the Indian must know the common language of the country. Many keen-witted Indians see this. Said an old chief in Oregon: "My father left me 1,400 ponies; if he had sold the ponies and sent me to school to learn white man's talk I should be better off now." We have visited reservations where schools have been in operation sixty years, and yet we were obliged to address the people through an interpreter.

"We can not afford," it has been said, "to raise any more Indians in this country." And yet, accepting the old fiction that Indians are foreigners, we have already raised two generations of Indians by unwise theories of education, and have kept them in isolation, shut up from intercourse with civilized communities about them by the strongest and highest possible wall of partition. A better system is now in use, and we trust the time is not far distant when English books and the English language will be exclusively taught in Indian schools.

We see no reason to revoke or to modify these words. The new life upon which the Indian is now entering makes an English education more important to him than ever before. The recent orders may seem somewhat sweeping and arbitrary, especially in their application to those schools which are supported by mission boards or by Indians without expense to the Government; but they have been greatly misunderstood. They have been interpreted to forbid the preaching of the Gospel and all religious exercises in the vernacular. Some of the officers of the Department appear to have given them this construction. It is reported that United States Inspector Bannister, in October last, directed the Rev. Thomas L. Riggs, missionary in Dakota, to close the mission day-schools on the Cheyenne River, with the further injunction that even if no school is kept daily religious services (in Dakota) will not be allowed. Some other instances of this kind are reported. We do not believe that such extreme action was intended or is justified by the orders of the Indian Office. We are sure there is no wish to restrict in any way religious liberty or to interfere with religious exercises.

The orders as we read them refer to schools attended by children, and they forbid the teaching of such children to read and write the Indian languages; they forbid the teaching of grammar, geography, arithmetic, and other branches of common school education in the vernacular, and of course the use of school books printed in the vernacular. They require that English shall be the language of conversation in the schools, but it would be an extreme construction to say that the teacher must never explain the meaning of an English word by the use of the vernacular if he is able to use it. With regard to the few small mission schools on reservations which have no Government support, we are inclined to think that the orders might be wisely modified or suspended until those who support such schools can make arrangements to employ English teachers.\* The school facilities being now sufficient for only about one-third of the Indian children of school age, every effort for their education should be welcomed. A little teaching even in the vernacular is better than no instruction. At the same time we would urge the mission boards to conform as soon as possible to the wishes of the Indian Commissioner. All admit that the English language must be brought to the front at the earliest possible moment. All admit the wisdom of requiring its exclusive use in the Government schools. If an English education is best for the 14,000 pupils enrolled in Government, why is it not best for the 400 pupils enrolled in the mission schools?

\* The orders have been modified by Commissioner Atkins.

### INDIANS IN CALIFORNIA.

In our report of last year we called attention, as we had done often before, to the sad condition of the Mission Indians in southern California, and of the Round Valley Indians in northern California. We urged the passage of bills then pending for their relief. Both were passed in the Senate, but Congress adjourned without action upon them in the House of Representatives. We also urged action by the Executive to clear the reservations of those Indians of intruders and to protect them from the encroachments of squatters and cattle men. Orders to this effect were issued very soon after the adjournment of Congress. In the case of the Mission Indians these orders have been to some extent carried out, and the people still retain possession of their ancestral homes. But suits for ejectment against some of them are now pending in the courts, and but for the help of the Indian Rights Association and the Boston Association they would have very little prospect of success in the defense of their rights.\* Legislation is still needed in their behalf.

In the Round Valley case the order for the removal of trespassers has not been successful, and they still hold and use almost the entire reservation. Refusing to obey the orders of the Interior Department, a military force was detailed by General Howard to eject them; but the officer in command was met by the sheriff of the county with a writ of injunction issued by the county court, and telegraphed to General Howard for instructions. General Howard telegraphed to the War Department and was ordered to withdraw his troops and wait for a settlement of the case in the courts. The Department of Justice then instructed the United States district attorney for California to take charge of the case, and by him it was transferred to the United States district court, where it is now pending. The attorney seems to have but very little hope of securing justice to the Indians through the courts of California. Thus a people, peaceable and unoffending, able and willing to support themselves, are dispossessed of their rightful property and driven to starvation or to dependence on the Government while the intruding thieves hold their ill-gotten wealth, and entrenched behind the decrees of the courts bid defiance to Executive orders and to the Army of the United States. Once in California the order of vigilantes inflicted summary punishment upon thieves and robbers. But there are no vigilantes to avenge the wrongs of Indians. The story of the injustice and wrongs endured by the Round Valley Indians is as dark as any chapter in the century of dishonor. It is all on record in the Indian Office, and we know that no effort has been spared by that office to give relief and to secure the permanent rights of these Indians. The responsibility now rests upon the United States Congress. The remedy for all these evils and troubles is the passage of the bill which was before the last Congress. The same bill, with slight modifications, has been prepared by the Commissioner of Indian Affairs for the action of the present Congress. It ought to receive early attention and to become a law without delay.†

\* The Saboba case has been decided in favor of the Indians.

† Since the above was written the following emphatic message has been sent to both houses of Congress by the President:

To the Senate and House of Representatives:

I transmit herewith a communication, of the 23d ultimo, from the Secretary of the Interior, submitting a draught of a bill "to provide for the reduction of the Round Valley Indian Reservation, in the State of California, and for other purposes," with explanatory documents, and also a communication from the Commissioner of Indian Affairs, transmitting a bill "to provide for the reduction of the Saboba Indian Reservation, in the State of California, and for other purposes," with explanatory documents thus submitted exhibit ex-



# 14 REPORT OF THE BOARD OF INDIAN COMMISSIONERS.

## RECOMMENDATIONS.

Our recommendations therefore are—

- (1) The early passage of the Round Valley and Mission Indian bills.
- (2) The establishment of courts at points accessible to all Indians.
- (3) Provision for the expenses of courts and public improvements, so long as Indian lands are exempt from taxation.
- (4) Provision for assisting graduates of training schools and other deserving Indians in building homes.
- (5) The application of civil-service principles to all appointments in the Indian service.

Respectfully submitted.

CLINTON B. FISK,  
*Chairman.*

E. WHITTLESEY,  
*Secretary.*

ALBERT K. SMILEY.

MERRILL E. GATES.

WM. MCMICHAEL.

JOHN CHARLTON.

WM. H. WALDRY.

WM. H. MORGAN.

JAMES LIDGERWOOD.

WM. D. WALKER.

## THE SECRETARY OF THE INTERIOR.

occupancy, and disclose a disregard of Indian rights so long continued that the Government can not further temporize without positive dishonor. Efforts to dislodge trespassers upon these lands have in some cases been resisted upon the ground that certain moneys due from the Government for improvements have not been paid. So far as this claim is well founded the sum necessary to extinguish the same should be at once appropriated and paid. In other cases the position of these intruders is one of simple and bare-faced wrong-doing, plainly questioning the inclination of the Government to protect its dependent Indian wards and its ability to maintain itself in the guaranty of such protection.

These intruders should forthwith feel the weight of the Government's power. I earnestly commend the situation and the wrongs of the Indians occupying the reservation named to the early attention of the Congress, and ask for the bill herewith transmitted careful and prompt attention.

GROVER CLEVELAND.

EXECUTIVE MANSION, January 5, 1888.

## APPENDIX.

### A.

#### REPORT OF THE PURCHASING COMMITTEE.

WASHINGTON, D. C., January 13, 1888.

SIR: The purchasing committee of the Board of Indian Commissioners respectfully submit their annual report for the year 1887, as follows:

In compliance with the advertisements from the Indian Bureau at Washington sealed proposals for subsistence and transportation for the Indian service were opened and publicly read on the 12th day of April, 1887, at the Chamber of Commerce Building in Saint Louis, Mo., in the presence of Hon. J. D. C. Atkins, Commissioner of Indian Affairs, Mr. J. J. S. Hassler, representing the Secretary of the Interior, and the following members of the Board of Indian Commissioners, viz: E. Whittlesey, William H. Waldby, and William H. Morgan. There were one hundred and eighty-four bids received for subsistence and transportation.

Contracts were awarded for nett beef amounting to 836,800 pounds at an average of \$7.00½ per 100 pounds, which was 65½ cents per 100 pounds less than last year. Contracts were awarded for gross beef amounting to 34,878,000 pounds at an average of \$2.80 per 100 pounds, or 24 cents per 100 pounds less than last year; making a total saving upon these articles of nearly \$90,000 upon the prices of last year. All other articles of subsistence were purchased at about the same rates as last year except coffee, which was much higher, being about \$30,000 above last year. On April 15, 1887, there were nine bids for stock cattle opened and contracts awarded. The bids for transportation to Northwestern agencies were from 50 to 100 per cent. over last year's rates, some of the contractors stating that on account of the interstate-commerce law they had been unable to make special rates with the railroad companies. It was deemed advisable to reject such bids and readvertise. This was done. Bids were subsequently received and opened, and lower rates obtained.

In compliance with advertisements from the Indian Bureau, Washington, D. C., sealed proposals for annuity goods and supplies for the Indian service, other than those called for as above stated at Saint Louis, were also opened and publicly read on May 3, 1887, at the United States Government warehouse, Nos. 65 and 67 Wooster street, New York City, in the presence of Commissioner Atkins, Mr. Hassler, representing the Secretary of the Interior, and the following members of the Board of Indian Commissioners, viz: General Clinton B. Fisk, Albert K. Smiley, E. Whittlesey, Merrill E. Gates, John Charlton, James Lidgerwood, William D. Walker, and William McMichael.

A number of bidders and others were present at the openings of bids at both Saint Louis and New York. The public advertisement for supplies and the public opening and reading of bids induce competition and enable bidders to attend and compare their own bids with others. Bidders are invited to be present at these openings, and the officers of the Government and the members of the Indian Board who attend are glad to receive at the time any suggestions from bidders or others which will promote the efficiency of the service. In order to see that the goods furnished are equal to the standards called for, and contracted for, the Commissioner appoints special inspectors to assist in their inspection. For the year 1887 these inspectors were as follows, in New York, viz: E. R. Livermore for flour, T. I. Paine for groceries, James T. Paulkner for caps and hats, William Elliott for medical supplies, Charles A. Schofield for harness and leather, George G. Nason for boots and shoes, Andrew T. Anderson for clothing, John R. Gillman for shelf hardware, E. L. Cooper for agricultural implements and hardware, Samuel McCauley for notions, William H. Hood for dry goods, and Frederick A. Judson for school books. Mr. E. L. Cooper was also appointed inspector of miscellaneous supplies. In Saint Louis Mr. J. J. S. Hassler was appointed inspector for groceries, and