

NO. 16.

## REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS.

WAR DEPARTMENT,  
*Office Indian Affairs, Washington, Dec. 1, 1837.*

SIR: In obedience to your direction of the 7th of September, I have the honor to submit the "usual annual report of the operations" of the Indian Department.

The increased extent and diversified character of the operations under the direction of this office will prevent my presenting any thing more than a mere outline. They embrace negotiations with the tribes east of the Mississippi, for the extinguishment of their titles; with those of the western prairie, for the establishment of friendly relations between them and the United States; and with the indigenous and emigrated tribes beyond the Mississippi and Missouri rivers, for the adjustment of difficulties and the preservation of peace. They include the removal of the Indians in New York, Ohio, Indiana, Illinois, Michigan, and Wisconsin, in the north, the west, and the northwest; and in Georgia, North Carolina, Tennessee, Alabama, Mississippi and Florida, in the south and southwest, to new homes southwest of the Missouri river. They comprehend the location and sale of reservations, the investment or payment of the proceeds, and of the proceeds of lands ceded, with the collection and disbursement of the interest thereon. They involve a supervision of the execution of treaty stipulations, for the subsistence of emigrants, the examination and payment of debts and claims, the education of the young, the supply of agricultural implements and assistance, the employment of interpreters, farmers, mechanics, and laborers. They demand a constant attention to the conduct of the numerous agents and officers necessarily employed; commissioners to hold treaties, or to investigate claims; superintendents of emigration, and of the four divisions of the department; agents and sub-agents. They call for an exact adherence to the laws, and for the adoption, from time to time, of the regulations requisite to give them full effect. They involve the superintendence of the investment of nearly \$2,000,000, the annual disbursement of appropriations not less, in the last three years, than \$5,000,000, and the disposition of interest to the amount of about \$200,000. And they affect the welfare of a population estimated at 330,000, scattered over an immense extent of country.

The copious extracts, hereto appended, from the complete and accurate reports from the superintendents in Michigan, Wisconsin, and the Western Territory; from almost all the agents in the superintendency of St. Louis, and a valuable communication from Captain Brown, principal military disbursing agent for the western superintendency, exhibit such clear and satisfactory views of the progress, condition, and prospects of a large proportion of the tribes, and of the measures that should be pursued for their improvement, as to render more than this passing notice of these subjects unnecessary. Among these papers is one from Mr. Schoolcraft, on the subject of forming a cabinet and library for this office. An extract from the letter to which this is a reply, accompanies it. The considerations in

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favor of these measures are obvious and important. The expense that would attend their execution would be inconsiderable. An annual appropriation, of no very large amount, would also enable the department to do something to collect and preserve every thing relating to the history, present condition, numbers, manners, and languages of the aborigines of this continent, who are now the object of much philosophical curiosity with the students of history in this country and in Europe.

I beg leave respectfully to repeat the recommendation of the early establishment of a government in the Indian country, and of the necessary military posts beyond the Missouri river, and to invite your attention to the reasons therefor, presented in my last annual report. Among other duties confided within the last year, to the Rev. Mr. McCoy, was that of explaining to the various tribes in that region, who would be affected by it, the provisions of the bill, reported at the last session, by the Committee on Indian Affairs, in the House of Representatives, for the creation of a government for the Western Territory. This duty he has partially performed, and he has transmitted, with a clear exposition of his own views, petitions from the proper authorities of several of the tribes, in which they earnestly request that it may soon become a law. Copies of these papers are submitted.

The progress in the removal of Indians east of the Mississippi, who have agreed to emigrate, has, from various causes, been inconsiderable during the past year. The whole number, including Cherokees, Creeks, Chickasaws, Pottawatamies, and Ottawas, has not exceeded 5,700. When the stipulations with these and other tribes, upon this subject, are carried into effect, there will remain on the east side of the Mississippi and south of the Chippewas of Lake Superior, only the Wyandots in Ohio, the Six Nations in New York, the Menominees, Munsees, and Stockbridges in Wisconsin, and the Miamies in Indiana. And the policy of exchanging lands west of that river for those held by tribes east of it, which was first authorized in 1804, though not vigorously commenced till 1830, will have been brought to a point of successful accomplishment, that could not have been anticipated at its inception.

Frequent advices were received, in the spring, of hostile incursions of the Sioux, and the Sacs and Foxes of the Mississippi, upon the lands of each other. The interposition of the Executive was earnestly invoked. There were two modes only in which it might be effectual, and to one of these alone did the circumstances of the country permit a resort. Deputations from these tribes were invited to visit this city. Deputations from the Winnebagoes, who had been occasional partakers in the warlike frays, from the Sioux, and the Sac and Fox Indians of the Missouri, and the Iowas, were called hither at the same time. In the two principal objects, the conciliation of the hostile Sioux and Sacs and Foxes, and the adjustment of the conflicting titles to the land claimed by the latter and the Iowas, the efforts of the Government were unsuccessful. But the extinguishment of the title of the Sioux east of the Mississippi, of that of the Sacs and Foxes to a large tract west of their cession in 1832, and the removal of the Winnebagoes to the neutral ground, lying between these two tribes, effected in the negotiations held with them while here, will contribute materially to prevent future collisions. By the same treaties, and that with the Chippewas of the Mississippi, a vast region has been acquired, abounding in timber, adequate to the wants of the settlers, who are thronging to Wisconsin, and those of the inhabitants on the borders of the Mis-

issippi river; in water-power, sufficient to supply the demand; and in mines of lead and other ores. The Indian population will be removed further from the frontier of the States, and will no longer be subject to a contaminating intercourse; while our people will be secured from incursions and attacks upon their persons and property. The way will be open to the establishment of permanent boundaries, in a few years, that will give to the Union a more regular form.

The treaty concluded with the Miamies in Indiana, in 1834, having received the conditional sanction of the Senate at its late session, has been perfected, by the assent of these Indians to the modifications proposed in the ratification. A treaty of amity and peace was negotiated by General Stokes and Colonel Chouteau, on the 26th of May last, with the Kioways, Ka-ta-kas and Tu-wa-ka-ros of the Western Prairie, who have manifested a desire to be on friendly terms with the United States, and have taken no part with the hostile portion of the Comanches.

In January last, the acting Superintendent of the Western Territory communicated the first authentic intelligence of probable hostilities between the Comanches and the Shawnees, Delawares, and Osages. The reports of Major P. L. Chouteau, who passed into the Indian country, of subsequent dates, to the middle of April, confirmed this intelligence. The great importance of preventing these aggressions upon each other induced the appointment of Colonel A. P. Chouteau, a gentleman well acquainted with these Indians, and in all respects qualified for a duty of so delicate a character, as a special agent, to travel among them, and, by making proper explanations and representations, and by other means, to endeavor to effect a reconciliation. It is believed that his exertions have been productive of much good, and that, aided by other measures taken by the Government, they will be eventually successful. The most important of these measures, the invitation to the Comanches and other tribes to send delegations to the United States, was suggested by the late superintendent, in 1835, and more recently repeated by his successor. It is understood they will arrive early in the spring of the ensuing year; and in the mean time no further predatory incursions are to be apprehended. The inducements for these proceedings are fully stated in the accompanying copy of the letter of instructions to the special agent.

It is believed that the visits of the several tribes to this city, and to others upon the seaboard, has had, and will have, a most salutary effect. So far as a correct judgment can now be formed, they will return to their kindred with just ideas of the strength and resources of the country, and of the friendly dispositions of our people towards them, and impressed with the conviction of the propriety of remaining at peace with us and with each other. Similar good results may be anticipated from the visits of the tribes who are expected to arrive next year.

I would respectfully request your favorable consideration of the changes in the existing laws relating to Indian affairs, suggested in my last report. The experience of the past year has strengthened my conviction of their importance; and it has, also, indicated the necessity of other modifications.

New provisions for the regulation of the trade with the Indians have become essential. Much information upon this subject has been recently received, which, with your approbation, will be communicated to the appropriate committees, if, as is earnestly hoped, their attention shall be directed to the matter. The present system of disbursing in this department, through the agency of military officers, has proved inconvenient, in conse-

quence of the frequent transfer of many of them to other duties. Some alteration is very desirable; in what form and to what extent must be submitted to the wisdom of Congress.

There is an incongruity in the present law providing for the appointment of agents and sub-agents. It prescribes that "no sub-agent shall be appointed, who shall reside within the limits of any agency where there is an agent appointed." The titles imply a distinction in rank and duties, which the clause, just quoted, repudiates: for it makes the sub-agent equally independent, as an officer, with the agent. The distinction, however, exists, in an essential particular, the pay of the former being only one-half of that of the latter. In point of fact, the duties and responsibilities of both are alike, and, with few exceptions, they are equal. Connected with these considerations is another of great moment; the importance of procuring the services of competent and trust-worthy men, and of binding them to a faithful discharge of their duties by liberally compensating them.

The salaries of interpreters, also, are too low. The best qualified persons cannot be obtained for them. They are engaged by traders and companies, at rates of pay four times larger than those fixed by law. Yet the intercourse with the Indians must be maintained through them. The right understanding and successful issue of every negotiation depend upon their fidelity and ability. The fair representation of the wishes of the Indians to the Government, through their agents, is contingent upon their personal interests and biases. True policy demands that the compensation allowed for services of this character should be sufficient to remunerate capable men, and place them beyond the reach of temptation to do wrong.

I have adverted, in another part of this report, to the large amount of interest accruing on the moneys invested for Indians. A considerable sum has already been received, which is deposited in bank, to my credit, *ex officio*. This course was adopted from necessity, as, if the money had been placed in the Treasury, it could not have been used, without an act of appropriation. It is very desirable that a law should be passed to authorize the interest, as it accrues, to be deposited in the Treasury, and to be drawn out upon the requisitions of this department, in the usual form.

I submit copies of the revised regulations that have been prescribed for carrying into effect the laws relating to Indian affairs. A new edition of Indian treaties, including all to 1837, has been printed during the past year, of which twenty-five copies will be placed at the disposal of the Joint Committee on the Library, in conformity with the resolution of Congress of the 19th of June, 1834.

Appended to this report are several tabular statements, exhibiting the population of the several tribes; the lands acquired by treaties since the 4th of March, 1829; the amount of the consideration stipulated to be paid therefor, and the quantity of land assigned to the emigrated tribes; the number of teachers and children in the schools; the application of the annuities for education; and the condition of the civilization fund. A few of these have been printed heretofore; but, as they are of permanent interest, they are again presented.

I am, sir, very respectfully,

Your most obedient servant,

C. A. HARRIS,  
*Commissioner.*

Hon. JOEL R. POINSETT,  
*Secretary of War.*

## LIST OF DOCUMENTS

ACCOMPANYING THE REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS.

### *Condition of the Indian tribes, relations with them, and descriptions of the Indian country.*

1. Report of acting Superintendent of Michigan.
2. Report of Superintendent of Wisconsin Territory.
3. Report of acting Superintendent of the Western Territory.
4. Report of the Principal Military Disbursing Agent for the Western Territory.
5. Report of the Agent at Council Bluffs.
- 5½. Report of the Sub-Agent at Council Bluffs.
6. Report of the Sub-Agent on the Osage river.
7. Report of the Sub-Agent on the Great Nemahaw river.
8. Report of the Agent on the Upper Missouri river.
9. Report of the Sub-Agent on the Upper Missouri river.
10. Instructions to A. P. Chouteau, special agent to Comanches and others.

### *Education and Schools.*

11. Tabular statement of teachers and pupils.
12. Statement of application of annuities for education.
13. Statement of the condition of the civilization fund.
14. Report of acting Superintendent of the Western Territory.
15. Report of Teacher at Prairie du Chien.
16. Report of Sub-Agent on the Osage river.
17. New system of teaching.
18. Report of Teacher for the Kickapoos.
19. Letter to Superintendents, relative to cabinet and library.
20. Reply of Mr. Schoolcraft to the preceding.

### *Changes in the laws.*

21. Report of the acting Superintendent of Michigan.
22. Report of the Superintendent of Wisconsin Territory.
23. Report of the Principal Disbursing Agent, Western Territory.

### *Government for the Western Territory.*

24. Report of Mr. McCoy.
25. Letter of the Agent at Council Bluffs.
26. Petition of the Shawnees.