

ANNUAL REPORT

OF THE

MISSIONER OF INDIAN AFFAIRS

TO THE

SECRETARY OF THE INTERIOR

FOR THE

FISCAL YEAR ENDED JUNE 30, 1902.

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Pag

.....	1
.....	1
.....	1
.....	2
.....	2
.....	3
.....	3
.....	3
.....	3
.....	3
.....	4
.....	4
.....	44
.....	50
.....	50
.....	51
.....	51
.....	52
.....	53
.....	54
.....	58
.....	60
.....	62
.....	62
.....	63
.....	63
.....	63
.....	64
.....	64
.....	66
.....	67
.....	67

SOME NONRESERVATION PIMA INDIANS, ARIZONA.

A number of nonreservation Pima Indians have possessory rights to certain lands in township 1 north, range 4 east, Arizona, which they have occupied and cultivated for more than twenty-five years, having also made some improvements according to Indian custom. Notwithstanding the rights of the Indians, certain white men appeared at the Tucson local office, Arizona, and made entries upon the lands, and Special Agent S. J. Holsinger, of the General Land Office, reported to that office that these entries were in conflict with the possessory rights of the Indians. The entries by whites were therefore suspended by the Commissioner of the General Land Office, who advised this Office, June 6, 1902, that these entries were held for cancellation, subject to the right of appeal.

In case the entries are finally canceled, steps will be taken to save the lands as homes for the Indians who occupy them.

MISSION INDIANS ON WARNER'S RANCH, CALIFORNIA.

In my last report, page 115, was given the decision of the United States Supreme Court (181 U. S., 481), under which the Mission Indians, who for generations have occupied what is known as Warner's ranch, in California, will be dispossessed of their homes and forced to go elsewhere. As they will be compelled to go absolutely empty handed, humanity and bare justice require that an attempt be made to find lands upon which to locate them. July 25, 1901, this office recommended to the Department that an Indian inspector be detailed to proceed to the Mission Agency for the purpose of making a selection of a tract, to be obtained from the public domain or acquired by purchase from private parties.

In his report of January 7, 1902, Inspector McLaughlin stated that 27 families, aggregating 128 persons, reside at the Agua Caliente (Hot Springs) on Warner's ranch, who, with 30 absentees, make a total of 158 persons who belong on that reservation, known as "Agua Caliente No. 2." The Indian settlements at Mataguay (11 persons), Puerta La Cruz (9 persons), and San Jose (14 persons) are within Warner's ranch, and at Puerta Chiquita, on Governor Gage's property, are 18 persons. These, with 40 persons at San Felipe, who are also liable to be dispossessed of their land holdings, make a total, approximately, of 250 persons who must be provided for.

Inspector McLaughlin submitted definite propositions from sundry property owners for the transfer of the following tracts to the United States for the occupancy of the dispossessed Indians:

- (1) Warner's ranch, San Diego County, Cal., 30,000 acres; price, \$245,000.
- (2) Governor Gage's tract, a portion of Warner's ranch, 1,148 acres; price, \$25,000.
- (3) Pauba-Temecula ranchos, Riverside County; price, \$250,000.
- (4) Jacob Ludy ranch (Little Temecula ranch) and four other tracts, Riverside County, 2,080 acres; price, \$28,360.
- (5) San Pasqual ranch, San Diego County, 1,900 acres; price, per amended proposition, \$86,800.
- (6) Pauma rancho, San Diego County, 13,050 acres; price, \$60,000.
- (7) Monserrate ranch, San Diego County, 2,370 acres; price, per amended proposition, \$70,000.
- (8) Websterranch, Riverside County, 2,489.59 acres; price, \$15 per acre—\$37,343.85.
- (9) Ethanac ranch, Riverside County, 1,650 acres; price, \$241,000.
- (10) Potrero ranch, Riverside County, 3,500 acres; price, \$350,000.
- (11) Aqua Tibia rancho, San Diego County, 1,520 acres; price, \$50,000.
- (12) William Kinkead's property and adjoining tracts, San Diego County, 1,620 acres; price, \$34,000.

Provided the number of Indians to be cared for did not exceed 300 persons, Inspector McLaughlin recommended the Monserrate ranch (No. 7) as possessing greater advantages at a minimum cost to the Government than any of the other properties offered, about 1,800 acres being reported as cultivable and the remainder as fairly good grazing land.

The owner of the Monserrate ranch, Dr. George W. Robinson, of Los Angeles, Cal., originally offered to dispose of the tract to the Government for \$75,000, but afterwards, in a telegram dated January 14, 1902, to the inspector, he agreed to take \$70,000 for it. This was understood to mean for the ranch and its appurtenances, exclusive of the cattle, hogs, horses, farming implements, hay, and grain, but including the pumping plant, as well as the buildings, fences, and other fixtures.

In addition to the \$70,000 required to purchase this ranch the inspector stated that an additional sum of at least \$30,000 would be needed to provide building materials, agricultural implements, subsistence supplies, etc., for the Indians to give them a start in their new homes.

January 21, 1902, the office submitted to the Department the draft of a bill to appropriate the sum of \$100,000 for the purchase of the required tract of land and to provide other necessaries for the shelter and sustenance of the Indians. July 25 the Department transmitted the bill, together with accompanying papers, to Congress, and it was published in House Document No. 319, Fifty-seventh Congress, first session. This sum was appropriated by an item in the last Indian appropriation act, which also provided for the appointment by the Secretary of the Interior of an advisory commission, consisting of three persons, to serve without compensation, to aid in the selection of a tract

of land for the Warner's ranch Indians and such other Mission Indians as may not be provided with suitable lands elsewhere.

The Department on May 27, 1902, appointed Messrs. Charles F. Lummis, Charles L. Partridge, and Russell C. Allen to act as an advisory commission and approved the draft of instructions prepared by this Office on May 20, 1902, for the guidance of the commissioners. The report of the commission is now before the Department.

BOYD CLAIM, CAMP INDEPENDENCE RESERVATION, CAL.

Several years ago the attention of the office was called to the rights of certain Indians residing near the Indian day school on what was formerly the Camp Independence Military Reservation, in California.

This reservation was abandoned by the military some years since, and in accordance with the provisions of an act of Congress the building improvements were sold, with the stipulation that they should be removed. One W. M. Boyd purchased an old building, but instead of removing it he let it remain and took possession of the reservation, which embraced three forties of land, with a total area of 120.22 acres. Attached to this land was a water right, very valuable for that locality.

During the past winter the matter of the rights of the Indians was thoroughly investigated on the ground by Supervisor of Schools M. F. Holland, and March 22, 1902, this Office recommended to the Department that the two west forties, comprising 80 acres, be reserved for the Indians living thereon and in that neighborhood, numbering about 75 persons. By letter of April 23, 1902, to the Commissioner of the General Land Office, this recommendation was approved by the Department.

It is proposed to settle the Indian families of the neighborhood upon this tract of land and to subdivide it among them, and steps to accomplish that object have been taken by the office. As the result of the investigations it was discovered that the Indian day school is just off the reservation, and it is proposed to remove the school building to the reservation or to erect a new one thereon.

OPENING OF CEDED LANDS, FORT HALL, IDAHO.

By proclamation of the President issued May 7, 1902, the lands of the Fort Hall Reservation, Idaho, ceded by the Indians thereof by agreement concluded February 5, 1898, ratified by act of June 6, 1900 (31 Stats., 672), were opened to public settlement on June 17, 1902, with the exception of those tracts situated within 5 miles of the town of Pocatello, which, according to section 5 of the act, were to be sold at auction for not less than \$10 per acre. These lands were offered for sale by the Commissioner of the General Land Office on July 17, 1902.